

tation with civil society, Livno, BiH, May 9th 2009.

A collective memorial for all victims in Bosnia and Herzegovina should be built.

Why not a collective memorial for all victims in BiH, on a neutral terrain, even if separate memorials to civilian victims already exist?

Statement: Ale Kamber, Avaz daily paper, BiH, Local consultation with civil society, Livno, BiH, May 9th 2009.

One participant was doubtful about the possibility to come up with one truth for all victims in BiH.

I am sceptical about the creation of this commission because it will be of mixed composition and we'll have three truths in BiH. What I am telling you here now is that someone may want to analyse and split in three different truths and ask me how I came up with it.

Statement: Sead Delalić, Livno Association of detained persons, Local consultation with civil society, Livno, BiH, May 9th 2009.

Victims and perpetrators should not be labelled by their national background because each victim has their own name and identity.

Victims and perpetrators have first and last names and ID numbers and they should not be identified by a national prefix. Perpetrators should only be identified as criminals (...) Perpetrators, just like victims, should be identified by first and last name if they are available.

Statement: Jozo Vidović, Association of the families of killed homeland defenders of the Livno municipality, BiH, Local consultation with civil society, Livno, BiH, May 9th 2009.

We should all be tasked with preventing the transfer of hatred to new generations in the region.

It is our task, not only those who are teachers by vocation, but all of us to teach our children not to sing hate songs. That is a task for all of us because the children to not sing hate songs because their hearts are infested with hatred, they are not aware of it, they know nothing, and we should not wage a war on them because if we do, we are going to lose our future.

Statement: Anto Mišković, Center for Civic Cooperation, BiH, Local consultation with civil society, Livno, BiH, May 9th 2009.

It is necessary to identify all criminals because it will offer a moral satisfaction to victims.

The crucial thing is to identify criminals and give that moral satisfaction to victims (...) There are no small and big victims. All victims are equal and we are all equal before God, especially if victims are civilians, old people, or children.

Statement: Mirsad Cero, Medzlis of the Livno Islamic Community, BiH, Local consultation with civil society, Livno, BiH, May 9th 2009.

32. National consultations with civil society on the Initiative for RECOM

Prishtinë/Priština, Kosovo,
May 9th 2009

The consultation was organised by Partners-Kosovo (Kosovo) and was attended by 22 participants mostly representing the non-governmental sector and victims associations. There were two representatives of the government of Kosovo (Missing Persons' Commission), an imam and a journalist. Four representatives of different international organizations took part in the discussion. Shukrie Gashi (Partners Kosovo, Kosovo), Nataša Kandić (Humanitarian Law Center, Serbia), Salem Čorbo (Povratak i održivi opstanak Association, BiH) and Avni Melenica (22 May Association, Kosovo).

Participants had different opinions on whether it is more important to establish a national truth commission which will cooperate with RECOM once it is created or to opt for RECOM only.

A national commission will be legalized and we will soon send a letter to the president and prime minister and the justice minister to ask them to form the commission here and that commission should then discuss things with founders, the Humanitarian Law Center, the people in Croatia and those in Bosnia. They should discuss with them what problems we are supposed to solve. If things differ from this, then we, the associations, will not cooperate.

Statement: Halit Berisha, Shpresimi Association, Kosovo, National consultation with civil society, Prishtinë/Priština, May 9th 2009.

We are not going to obstruct it but we have our reservations about the composition and the creation of this commission. We know that there were many such commissions in different countries where conflicts occurred, and we know that they came into being or disappeared overnight. But Kosovo is quite

different and we at the Council [of the Association of the families of the missing from Kosovo], approximately 25 associations, we always spoke in favour of such a commission which would be formed by the Kosovo government and that it should cooperate with all associations and the Center [the Humanitarian Law Center] and others.

Statement: Ymer Merlaku, Association of the families of the missing from Klinë/Klina Municipality, Kosovo, National consultation with civil society, Prishtinë/Priština, Kosovo, May 9th 2009.

The initiative for RECOM is good. A national initiative which is state sponsored is very good. We should make our suggestions and work hard until it is created. It is a good idea. We need to form a national commission but we all need to work and help create RECOM. That should be the initiative and the conclusion of this conference and until next time we should all work hard.

Statement: Shaban Terziu, Landsdown, Kosovo, National consultation with civil society, Prishtinë/Priština Kosovo, May 9th 2009.

I believe that if we allow different NGOs and individuals to be in charge of this, it will not go far. It is a job for the government. And regarding this national commission, we are talking about it simply because it will have better resources – and we should help the work of this commission in many ways.

Statement: Sylejman Bytyqi, former political prisoner from Ferizaj/Uroševac, Kosovo, National consultation with civil society, Prishtinë/Priština Kosovo, May 9th 2009.

For that reason, I will once more reiterate that we should be organized on a national level in one segment and in another we should focus on RECOM. We need to make sure that both segments go on and that they don't stop.

Statement: Rushdi Jashari, Association of victims' families, Kosovo, National consultation with civil society, Prishtinë/Priština, Kosovo, May 9th 2009.

If we do it on the national level, we will not be able to avoid communication with the region. We should hear their needs from the people working in the field and we should not be the ones telling them what they need. And if they need to ease their emotional and psychological suffering then it is legitimate and it counts. After all I am convinced that if the commission is created on the national level people will feel more comfortable and feel that they belong to the initiative to create RECOM once they understand they are the masters of their own homes because the problem is bigger than we

are able to comprehend. What we have today is a problem from the past.

Statement: Eli Krasniqi, a sociologist, Kosovo, National consultation with civil society, Prishtinë/Priština Kosovo, May 9th 2009.

It is important to support those who speak very strongly about the importance of creating a truth commission in the Balkans. This commission has the most fundamental importance for victims, their families, and for the entire society to be able to move forward. It is also very significant for the good relations in the region and also for European relations. This would be the first intuition of its kind in Europe to deal with establishing the truth and creating conditions for reconciliation.

Statement: Haki Abazi, Rockefeller Brothers Foundation, Kosovo, National consultation with civil society, Prishtinë/Priština, May 9th 2009.

If such a regional commission is formed it is not going to be led by any organizations which are members of the coalition advocating the creation of RECOM. We are simply people who believe in a regional cooperation and we want to put pressure on our governments to create this regional commission because we believe that it will ratify certain things in the future. I ask you not to centralize this issue by creating a national commission in Kosovo. This commission is not going to be led by civil society representatives. It is going to be led by the most competent people in the world, in the Balkans, and I believe in regional cooperation.

Statement: Kushtrim Koliqi, Integra Association, Kosovo, National consultation with civil society, Priština/Prishtinë, Kosovo, May 9th 2009.

Bosnia and Herzegovina twice tried to form a national Bosnian commission. Twice! It failed both times simply because in BiH it is objectively impossible to reach the truth and the facts about war crimes if Croatia and Serbia are not involved in the process simply because many perpetrators and those who issued orders and made decisions, and different police or military formations came from Serbia. It is clear that such issues cannot be clarified at a national level.

Statement: Nataša Kandić, Humanitarian Law Center, Serbia, National consultation with civil society, Prishtinë/Priština, Kosovo, May 9th 2009.

The mandate is important for the functioning of the commission. It is important that the commission has a full mandate. A regional commission has a much broader mandate and it is recognized by all institutions. Therefore, the idea to create a

regional commission is much more viable.

Statement: Ylber Maxhuni, Youth Step, Kosovo, National consultation with civil society, Prishtinë/Priština, Kosovo, May 9th 2009.

Why a regional approach? We tried several times to obtain a municipal commission for truth and reconciliation in Bijeljina and we got it. And then, you can imagine what happened. Authorities always have a way of surprising you. A man who was commander of the Batković prisoner camp near Bijeljina was elected member of the commission. The result was that all institutions and associations refused to participate in the work of the commission and be humiliated by his presence.

Statement: Salem Čorbo, Povratki održivi opstanak Association, BiH, National consultation with civil society, Prishtinë/Priština, Kosovo, May 9th 2009.

Civil society in Kosovo must consolidate and adopt a unified position with the Kosovo Government and then support the creation of the regional commission.

It is important at the beginning to have consultations and consolidate in order to adopt a unified position of the civil society and primarily with the government of Kosovo and to proceed when the time is right and establish the regional commission. It is clear that the government of Kosovo can help consolidate the civil society sector in Kosovo which is still rather reserved.

Statement: Mazlim Baraliu, Faculty of Philosophy in Prishtinë/Priština, National consultation with civil society, Priština/Priština, Kosovo, May 9th 2009.

The support of the civil society sector is indispensable for the creation of RECOM.

Regardless of the structure and the composition of the commission, it cannot be successful without the support of the civil society, i.e. non-governmental organizations. NGOs are active in different regions and they are an irreplaceable tool in reaching victims and their families. And one aspect of the work of the commission is to deal with victims, to help find missing persons, or to help secure financial compensation for the families of the victims who are today entirely neglected and left out of any re-socialization programmes.

Statement: Ylber Maxhuni, Youth Step, Kosovo, National consultation with civil society, Prishtinë/Priština, Kosovo, May 9th 2009.

The mandate of the commission should be proposed by victims and the civil society sector

and the governments in the region should create RECOM.

I am pleased that the President and the Prime Minister of Kosovo supported the creation of RECOM and that we are initiators of the commission for establishing and telling the truth. The fact is that in most cases these commissions are formed by the government and the government defines their mandate and their goals, the government gives them authority and sets limits on their activity. The government should in fact accept the recommendations which should at the same time be a part of the final report of the commission.

Statement: Avni Melenica, 22 Maji Association, Kosovo, National consultation with civil society, Prishtinë/Priština, Kosovo, May 9th 2009.

Some participants are afraid that the support of the Kosovo politicians to the initiative to create RECOM is being over-exploited. Others disagree.

I believe that the formal or, I would even say individual support of the representatives of our institutions is being overly politicized. I believe that most of our leaders, with all due respect for their positions, are not experienced enough in dealing with the suffering of the people of Kosovo. That is why we conveyed our request to our statesmen to be more cautious about whom and what they support and that they should be careful about what formal steps they undertake since it can harm the process and humanitarian activities.

Statement: Haki Kasumi, Coordinator of the Council of the Association of the families of missing persons from Kosovo, National consultations with associations of victims and civil society groups, Prishtinë/Priština, Kosovo, May 9th 2009.

The support of the Kosovo Government will always come and in this case, the support of the Missing Persons Commission of the Kosovo Government. This is an overall effort to act for the benefit of the entire community, which is one of main priorities of the government of Kosovo.

Statement: Kushtrim Gara, Missing Persons Commissions of the Government of Kosovo, National consultation with civil society, Prishtinë/Priština, Kosovo, May 9th 2009.

I think that at this moment we did not ask for any political support for the creation of the commission because it will only come in two years. We, as the initiators, as members of the Coalition, we ask the politicians to support this initiative on the level of regional cooperation, regional approach to the issue

of missing persons and establishing the facts on war crimes. Only when the consultation process is over and when we are able to make a proposed model of the commission, we, the civil society sector, we will only then contact the governments and the parliaments in the region and then it will be their turn to make decisions.

Statement: Nataša Kandić, Humanitarian Law Center, Serbia, National consultation with civil society, Prishtinë /Priština, Kosovo, May 9th 2009.

The commission should deal with war crimes committed in the recent past, to have a defined time and location framework, and only to deal with mass and not individual crimes.

These commissions should only deal with crimes committed in the recent past because the focal points of the work of these commissions are statements of witnesses, victims, and war crimes perpetrators. In order to be fast, accurate, and efficient, the commission should have precisely defined tasks and a precisely defined time and location framework for its research. The commission should only deal with mass crimes where there were many victims and not with individual crimes.

Statement: Avni Melenica, 22 Maji Association, Kosovo, National consultation with civil society, Prishtinë /Priština, Kosovo, May 9th 2009.

Financial compensation and reparations must be awarded to victims and not to those who participated in wars, which was the case up till now.

Reparations in all states in the region must be awarded to victims. I can understand the manifold advantages enjoyed by war veterans, but it is quite unacceptable to neglect victims and their families, especially when bread winners were killed which put their dependants in extremely dramatic and difficult situation.

Statement: Salem Čorbo, Povratniki održivi opstanak Association, BiH, National consultation with civil society, Prishtinë/Priština, Kosovo, May 9th 2009.

It is necessary for the entire region to adopt a new attitude towards witnesses of war crimes.

The judiciary of BiH pays three convertible marks if a witness from Bijeljina comes to testify in Sarajevo. They don't even pay them trip expenses. They all say they want perpetrators to be punished but in reality, there are many different obstacles set by a number of people. Efforts of the non-govern-

mental sector are being undermined and you will understand the situation if you just remember the fact that the most prominent positions in Bijeljina in the police and other institutions are still being occupied by the very same people who were in power in the period from 1992 to 1995.

Statement: Salem Čorbo, Povratniki održivi opstanak Association, BiH, National consultation with civil society, Prishtinë/Priština, Kosovo, May 9th 2009.

Albanian and Serbian veterans associations from Serbia should be invited to attend consultations in Kosovo.

I ask you to invite the following associations of veterans: the Society of War Veterans of the Kosovo Liberation Army from Medveđa, Bujanovac, and Preševa and the Association of the Families of Killed Veterans. Other associations of war veterans should also be invited, including the ones from Serbia. During a conference I attended at Mount Jahorina I spoke to a reserve member of the army from the Karadak zone and he gave me a lot of information. He was from Surdulica and we talked about including veterans from Serbia in our consultations. The information he gave me were very specific and they made a lot of sense.

Statement: Shaban Terziu, Landsdown, Kosovo, National consultation with civil society, Prishtinë/Priština, Kosovo, May 9th 2009.

A Serbian commission needs to fulfil certain conditions before it is established: the missing need to be found in order for a commission to be created.

Serbia needs to fulfil some conditions before this commission is established – to help find all missing persons. To bring all those perpetrators to justice and make them pay compensation for human losses and for the damages they caused. Then this commission can be formed. There are still 300 missing persons in Glogovac and Skenderaj municipalities. Their families will never approve of commissions we discuss here. They want to find their loved ones.

Statement: Xhafer Velju, Pengu and Liresë Association, Kosovo, National consultation with civil society, Prishtinë/Priština, Kosovo, May 9th 2009.

It is necessary to include religious communities in the consultations on the initiative for RECOM.

Representatives of religious communities should be

invited by all means and if they are not able to show up one time, they will come the next time.

Statement: Mazlum Baraliu, Faculty of Philosophy in Prishtinë/Priština, Kosovo, National consultation with civil society, Prishtinë/Priština, Kosovo, May 9th 2009.

Socio-psychologists should be included in the Coalition for RECOM because the level of serious trauma left as a result of the conflict.

The pain is too strong and the trauma is overwhelming. This is an element because of which we sometimes lose track in our effort to build something pragmatic, something we all need (...) For that reason I think it is very important to engage people who can deal with it, socio-psychologists, for example, to help alleviate the pain.

Statement: Eli Krasniqi, a sociologist, Kosovo, National consultation with civil society, Prishtinë/Priština, Kosovo, May 9th 2009.

33. National consultation with artists on the Initiative for RECOM

Prishtinë/Priština, Kosovo,
May 10th 2009

The consultation with artists on the Initiative for RECOM was organized by the Youth Initiative for Human Rights (Kosovo). Ten film and theatre artists took part in the consultation, most of whom are active in the non-governmental sector and as many as 22 monitors, mostly from the YIHR, two from international organizations, and one observer from the Swiss embassy, and a journalist. Nataša Kandić (Humanitarian Law Center, Serbia), Haris Pašović (a theatre director from Sarajevo, BiH) and Salem Čorbo (Povratak i održivi opstanak Association, BiH) gave introductory presentations. Koha Ditore reported on the event.

It is necessary to first form a national commission of Kosovo which will cooperate with the regional commission.

I have no objections to the Initiative for RECOM, if it is created in a realistic context, following the establishment of the Kosovo commission which will cooperate with similar commission or better yet, maybe similar commissions will be formed for other parts of the former Yugoslavia. Then it would be much more efficient with respect to the context in which the war in Kosovo took place. The war was waged here and everybody ignored the fact that the

occupation was under way since 1989 in which all former Yugoslav republics took place; federal forces from all parts of the former Yugoslavia (...) We are still in a never-ending war with the opposite side.

Statement: Albert Heta, Stacion Association, Kosovo, National consultation with artists, Prishtinë/Priština, Kosovo, May 10th 2009.

That was our job – you are Albanian and you carry heavy things. We can never forget that. We know how collective memory is used. It is still fresh on our mind, the battle for Kosovo and the creation of policies which served as the basis for extinction plans (...) A Kosovo commission or a regional initiative? Why? In reality it will look the same but in people's minds that picture is very important because Kosovo is not a republic, it was simply an autonomous province which was later taken away. After heavy human losses (...) people want to feel that they are their own masters, the masters of their land; they want to know they own it.

Statement: Eli Krasniqi, a sociologist, Kosovo, National consultation with artists, Prishtinë/Priština, Kosovo, May 10th 2009.

Regional approach creates opportunities for the clarification of many unsolved crimes as well as their recognition.

I live in Bijeljina. On April 1st units from Erdut base came to Bijeljina, attacked the town, and killed a huge number of civilians. A lot of Albanians were killed selectively and that was the largest execution of Albanians in the war in Bosnia and Herzegovina. Their bodies were immediately transported to their families in Tetovo and other place. They were buried without prior identification, without forensic findings. Now, only their families know that they were killed in Bijeljina in April 1992. No one else knows about it and there are no trials (...) Some bodies were transported and buried and others were just dumped into the Drina River and buried in various cemeteries from Sremska Mitrovica almost as far as Belgrade. This commission would hopefully be able to help us the civil society sector in their efforts to find the truth about this.

Statement: Salem Čorbo, Povratak i održivi opstanak Association, BiH, National consultation with artists, Prishtinë/Priština, Kosovo, May 9, 2009.

War crimes denial is still present in Serbia. We have to do something, we have to insist on the establishment of facts, and once they are established we have to urge institutions to accept them and that will create a significant pressure on the govern-