



RECOM Development Process

May 2006-August 2011

Report

The RECOM Development Process began with a regional discussion on mechanisms to identify the facts about the recent past and their public disclosure, which, along with criminal trials, might further contribute to creating a comprehensive record of the past. The decision to initiate regional discussions was made in September 2005, at a meeting in Belgrade of 10 leading human rights organizations from the region. The meeting was organized by the Humanitarian Law Center (HLC). Along with participants from the former Yugoslavia, the meeting was attended by Mark Freeman from the International Center for Transitional Justice (ICTJ). Participants at the meeting supported war crimes trials as the most important legal instrument for the determination of individual criminal responsibility for crimes, but agreed that trials were not sufficient to build a historical record of the past. The Humanitarian Law Center, the Research and Documentation Centre (IDC), based in Sarajevo, and Documenta,¹ based in Zagreb, made a commitment to initiate debate among civil society organizations in the region about mechanisms for identifying the facts about the past and ways to uncover the truth which would focus on the victims, and which might, in addition to criminal trials, contribute to a more complete factual record of past events.

1. Consultation Process

The debate was officially launched in May 2006, at the First Regional Forum on the mechanisms for establishing the facts about the past, organized jointly by the HLC, IDC and Documenta. By the end of June 2011, 127 consultations had been held, along with seven regional and one international forum for Transitional Justice. The consultations were attended by 6,187 activists from human rights organizations, youth organizations, associations of victims families, former war prisoners, veterans/soldiers, artists, teachers, representatives of religious communities, and other groups and associations of civil society from all successor states of the former Yugoslavia. The consultative process took place in the form of local, national and regional debates (public consultation) in small groups, and discussions within the forum with as many as 200 to 300 participants. The forum for Transitional Justice was attended by state officials and international organizations. ICTJ professionals gave their expert support to the entire process.

Non-governmental organizations, victims' groups and veterans from Macedonia joined the process in June 2010, followed by non-governmental organizations and the Associations of the Erased from Slovenia.

¹ In an effort to encourage the process of dealing with the past and the establishment of the truth about the war, the Center for Peace, Non-violence and Human Rights, the Centre for Peace Studies, the Civic Committee for Human Rights and the Croatian Helsinki Committee for Human Rights, founded the organization Documenta in 2004.

The consultation process was envisaged as a public platform for the voices of victims and civil society groups to call for a responsible attitude towards the difficult legacy of the past, as well as to actively advocate and make efforts to win over the general public and governments to support the establishment of the Regional Commission for establishing the facts about the war crimes and other serious violations of human rights in the territory of former Yugoslavia. In addition, the process was been designed as a communication channel for the drafting of RECOM's statute.

The consultation process had three phases. The first consisted of discussing and assessing the needs and expectations of victims in the context of the difficult legacy of the past, as well as discussing the extra-judicial mechanisms for establishing the facts about war crimes. Taking into account the experience of other post-conflict and post-totalitarian societies and specifically of the wars on the territory of the former Yugoslavia, in the second phase the participants came forward with suggestions, opinions and recommendations about the Regional Commission for establishing the facts about war crimes. In the third phase, starting in May 2010, the participants discussed RECOM's Draft Statute which was drafted by the Group of Experts of the Coalition for RECOM, based on proposals, opinions and recommendations of participants of the consultative process and solutions of successful truth commissions. This was followed by consultations – primarily with the civil society groups who had been involved in the modeling of RECOM, and then also with lawyers from the region. Debates were heated, and, at times conflicting positions seemed irreconcilable, but the three years of collaboration made it possible to reach a compromise in designing a document accepted by all. The Assembly of RECOM adopted the Draft Statute on March 26, 2011.

1.1. Consultations About the Mechanisms for Identifying the Facts About War Crimes in the Former Yugoslavia and Truth-Telling Mechanisms

Nine consultations (five regional and four national) and three regional forums for Transitional Justice, held in the period from May 2006 to May 2008, were devoted to assessing the needs and expectations of victims and families of victims, in relation to serious human rights violations in the past. They were also meant to encourage the exchange of opinions on the forms of non-judicial mechanisms that would be most suitable to these societies, some of which suffered more than one war, and where more than one million people were displaced.

Participants at the consultations and forums gave their full support to domestic war crimes trials, emphasizing that court proceedings have become more professional thanks to the establishment of regional cooperation among national prosecutors.² The participants agreed that a regional approach should be adopted and applied when determining the facts from the past and in their public presentation based on the experiences of victims.³

At the Third Regional Forum for Transitional Justice, held in Belgrade, February 11-12, 2008, the HLC, IDC and Documenta issued a proposal suggesting the establishment of a regional body to deal with the facts about war crimes, which was supported by the participants and seen as a concrete outcome of the previous debate on extra-judicial mechanisms. The participants recognized the need for public testimony, which had been organized for the first time since the beginning of the consultative process, as a major activity of the regional body.

² Mladen Bajic, the State Attorney of the Republic of Croatia, *The Consultation Process on Establishing the Facts About War Crimes and Other Serious Human Rights Violations Committed in the Former Yugoslavia*, June 2011, p. 119.

³ Esad Kocan, weekly Monitor, Montenegro, *The Consultation Process on Establishing the Facts About War Crimes and Other Serious Human Rights Violations Committed in the Former Yugoslavia*, June 2011, p. 119.

1.1.2. Support for the Initiative for RECOM

At the consultation meetings with victims' families, camp detainees and prisoners from Croatia, Bosnia and Herzegovina, Serbia, Montenegro and Kosovo, held on May 8, 2008 in Montenegro, the HLC, IDC and Documenta proposed an initiative for the establishment of **the Regional Commission for identification and public disclosure of the facts about war crimes**, urging the participants to take an active part in creating the model of the future commission. Participants proposed the establishment of a regional coalition that would promote the initiative for the establishment of the Regional Commission, focused on the experiences of victims. Natasa Kandic proposed that the regional commission be abbreviated as RECOM.

1.1.3. Establishment of the Coordinating Council and the Coalition for RECOM

Proponents of the initiative – HLC, Documenta and the IDC – established⁴ the Coordinating Council, with membership by invitation, whose first task was to form a Coalition for the establishment of RECOM, and transfer to it the management of the consultative process. By October 28, 2008, at the Fourth Regional Forum for Transitional Justice, held in Prishtina/Prishtinë, the Coalition for RECOM was officially founded and one hundred NGOs and associations, and former participants of the consultation process, submitted membership applications to the Coordinating Council.

In July of 2011, the number of Coalition members rose to 1,818: 342 non-governmental organizations, 64 associations of victims and victims' family members, 12 veterans' organizations, 25 media outlets, 8 religious organizations, 10 political organizations (such as political parties, branches and committees of political parties, local government organizations) and 1,357 individuals from among the victims, religious communities, artists, writers, directors and others. In Bosnia and Herzegovina, the Coalition has 369 members; in Montenegro 151; in Croatia 174; in Kosovo 404; in Macedonia 30; in Slovenia 22, and in Serbia 668.

The most senior body of the Coalition for RECOM is the Assembly, composed of individuals delegated jointly by coalition members.⁵ By the end of July 2011, the Coalition for RECOM had held five Assembly sessions. At the first session of the Assembly, in May 2009 in Budva, the Assembly passed a Statute regulating the rights and obligations of the Assembly and members of the Coalition for RECOM.

The Coordinating Council is mandated to monitor the implementation of decisions of the Assembly. Members of the Coordinating Council receive no remuneration, with the exception of two members who receive a *per diem payment* for their participation in the council because they are both unemployed.

The Secretariat is a professional body, which has associates who receive compensation for their work in accordance with the project led by the Humanitarian Law Center.⁶ Members of the Secretariat carry out the activities, as defined by the project and supported by the decisions of the Assembly of RECOM.

1.2. Designing a Model for RECOM

The period between June 2008 and June 2010 was marked by intensive discussions on the objectives, tasks, responsibilities, the role of RECOM in criminal proceedings, public testimony, and other elements

⁴ The Coordinating Council was founded on May 9, 2008 in Podgorica, Montenegro.

⁵ As the Coalition is a large body, a number of members of the Coalition jointly delegate one representative.

⁶ All activities of the Consultative process are being held according to the HLC's project and its budget, approved by European commission.

of the Regional Commission. There have been 77 consultations⁷ and three regional forums attended by representatives of 3,509 human rights organizations, youth organizations, religious communities, members of victims and victims' families, veterans, artists, historians, and individuals from other civil society groups.

The two-year debate finally yielded a conclusion and a unified stance that the primary task of the Regional Commission should be the establishment of the facts about all war crimes. With regard to the causes of the wars, the Coalition remained internally divided. All agreed that the most urgent task was to secure evidence of the names of war crimes victims, dead and missing. Further, all were in agreement that RECOM should be tasked with creating a complete list of all former detainees and places of detention. With regard to human rights violations, the participants unanimously agreed that RECOM, more than any other mechanism, would be capable of contributing to the resolution of the fate of the missing persons and of discovering mass graves. Some family members of missing persons suggested that RECOM propose to the courts an amnesty for those perpetrators who agree to disclose the location of mass graves. Most participants supported the suggestion, but some were vocally against it. A number of participants argued that RECOM should have the right to summon former government officials, media representatives, institutions and religious communities to speak about the role and operation of their institutions or former institutions. Most participants accepted the suggestion. Some further argued that RECOM should seek court assistance if witnesses refused to appear before the Commission.

1.3. Draft Statute Debate

The third phase began in May 2010, when during the consultation with victims' associations in Tuzla the first version of RECOM's Draft Statute was introduced. The document was discussed at the following 22 consultation meetings and three working groups at the Seventh Regional Forum for Transitional Justice. Within the framework of the consultations, legal experts took part in eight meetings. From the beginning to the end of the consultation process, they were unanimous in their views on the powers of the commission.

Heated debates concerned the provision of the Draft Statute which offered legal qualifications of war crimes, genocide and rape. The legal experts were unanimous in claiming that such qualifications were the responsibility of courts. However, the ICTJ experts' opinion was that a truth commission should operate independently of any court decisions. The example of the Historical Commission in Guatemala, which qualified crimes committed in that country as genocide, further divided the participants. In addition, some participants felt that the records of military and civilian casualties, as given in the Draft Statute, might artificially increase the number of military losses and thus influence the changing nature of the wars. At times, reaching a common position seemed mission impossible. However, common interest to discontinue the situation of nameless victims in the Balkans overcame all objections, and a common document was designed, through compromise, three days before the scheduled Assembly session.

1.3.1. Adopting the Draft Statute

The Draft Statute was adopted by the Assembly of the RECOM Coalition on March 26, 2011 in Belgrade. The Draft Statute had been prepared by a group of experts of the Coalition for RECOM, incorporating the suggestions and recommendations of the participants of the consultation process. The Expert Working Group consisted of five members: political scientist Vjeran Pavlakovic (Croatia), lawyer Tea Gorjanc Prelevic (Montenegro), lawyer Midhat Izmirlija (Bosnia and Herzegovina), lawyer Teki Bokshi (Kosovo),

⁷ Six regional, 38 national and 33 local consultation meetings were held in Bosnia and Herzegovina, Croatia, Montenegro, Serbia and Kosovo.

and historian Marijana Toma (Serbia). The group had expert support from a consultant from the International Center for Transitional Justice, Bogdan Ivanisevic.

RECOM's Draft Statute was prepared in Albanian, Bosnian, Montenegrin, English, Croatian, Macedonian, Slovenian, and Serbian. The expert group that designed the Draft Statute, had also written an 'Explanation of the Draft Statute of RECOM', which was made available in all local languages.

1.4. Report on the Consultative Process about the Initiative for the Establishment of RECOM

The entire consultation process, from the First Regional Forum for Transitional Justice, held on May 5-6, 2006 in Sarajevo (Bosnia and Herzegovina), through to the final consultation meeting on the Draft Statute RECOM in February 2011, is presented and described in its entirety in the publication *The Consultation Process on Establishing the Facts about War Crimes and Other Serious Human Rights Violations Committed in the Former Yugoslavia*. The publication contains all the proposals, opinions and recommendations of participants of the consultation process on the extra-judicial fact-finding mechanisms, the Initiative for RECOM, and the Draft Statute of RECOM. The report was published in 1,320 copies in BCS languages, Albanian, Macedonian, Slovenian and English.

In addition, all consultations and forums were recorded, and the entire consultation process is documented in 127 video recordings and four documentary films.⁸

2. The Media Campaign

A media campaign was launched in June 2010, and was designed to inform the public and win its support for the RECOM initiative.

2.1. The Media Campaign Promoting the Initiative for RECOM

Phase One of the Media Campaign entitled *For RECOM* was launched on June 1, 2010 simultaneously in Sarajevo and Banja Luka (Bosnia and Herzegovina), Podgorica (Montenegro), Prishtina/Prishtinë (Kosovo), and Zagreb (Croatia), with the slogan: "The Facts about all Victims of 1991-2001 Wars in the former Yugoslavia."

A TV clip, *Why RECOM?* was broadcast during the campaign, with participants speaking in their native languages. Between June 3 and July 15, 2010, the clip was shown 1,543 times by public and private broadcasters. The radio jingle, *Why RECOM?* was broadcast 4,205 times.

Nine newspaper ads have been published. Eight regional newspapers carried 90,000 supplements each, entitled *We Need to Know: For Me, For Him, For Us*, with three different photographs and slogans. A total of 540,000 copies were placed in the press.

In March 2010, the campaign launched a web page www.zarekom.org. On-line membership sign-up for RECOM has been active as of June 2010. Nine different banners from the Initiative for RECOM were placed on more than 20 electronic portals. As of July 15, 2010, the Initiative for RECOM had a presence on Facebook and Twitter.

Between November 1, 2010 and April 26, 2011, the Initiative for RECOM was the main topic of 11 TV programs and one radio show.⁹

⁸ Digitalization of all video recordings will be finished by mid September 2011.

The International festival of small and experimental theater in Sarajevo (MESS), held from October 16-31, 2010, was entirely devoted to the Initiative for RECOM. On October 27, 2010, the festival performance, *Generation 91-95*, from the Zagreb Youth Theatre, promoted the Initiative for RECOM.

A stage play, *Analogies*, produced by the theater Porodica bistrih potoka (The Clear Streams Family Theater), promoted the Initiative for RECOM in Slovenia (Ljubljana and Maribor, February 7, 8, and 9, 2011) and in Macedonia (Skopje, March 31 and April 1, 2011).

2.2. Public Opinion Research about the Initiative for RECOM

In advance of a campaign to secure signature for a petition in support of the Initiative for RECOM and with financial support from the OAK Foundation, between February 17 and March 20, 2011 the agency *Ipsos Strategic Pro* conducted a public opinion survey about the Initiative for RECOM in Croatia, Bosnia and Herzegovina, Serbia, Montenegro, Macedonia and Kosovo.

The results showed that the majority of respondents believed there to be a genuine need for a regional inter-governmental body that would be tasked with establishing the facts about the crimes and victims of the wars in the former Yugoslavia. The poll also showed that 95% of Kosovans would be willing to sign the petition to create the Commission, 86% of Montenegrins, 85% of residents of the Federation of Bosnia and Herzegovina, 75% of Macedonians, 63% of Serbians, and significantly fewer than 50% in Croatia and Republika Srpska. The research also showed that the Initiative for RECOM was least well known in Croatia and Republika Srpska.

On the ground, as the research suggested, it was evident that the Initiative for RECOM received most support in Kosovo and least in Croatia. The most significant surprise was the large number of signatures secured in Banja Luka (Republika Srpska in Bosnia and Herzegovina), and a much lower than expected level of support in Sarajevo (Federation of Bosnia and Herzegovina).

2.2. The Media Campaign in Support of the One Million Signatures Campaign

Between April 26 and July 30, 2011, a media campaign was launched with the slogan *RECOM: Sign It!*

First, the Agency Ipsos Strategic Pro consulted several focus groups, so as to investigate viewers' response to five video clips created for the media campaign. The video clips were shown on TV channels

⁹ In the popular TV show *OKO* broadcast by RTS (the Serbian public service broadcaster) on December 3, 2010, lawyers Tomislav Visnjic (Serbia) and Teki Bokshi (Kosovo), and a member of RECOM Amir Kulagic (Bosnia and Herzegovina) spoke about the Draft Statute of RECOM.

In the Radio Free Europe's program *Most (Bridge)* on December 26, 2010, Dino Mustafic and Natasha Kandic, director of the HLC spoke about the Initiative for RECOM.

In the *BHT Club* program, broadcast (as paid time) on December 14, 2010 on BHT (Bosnia and Herzegovina), Dino Mustafic, theater director and director of the International Theatre Festival MESS (Bosnia and Herzegovina), Suada Kapic, project director and author of *The Siege of Sarajevo*, Srdjan Puhalo, a psychologist from Banja Luka, and Velimir Njiric-Psenicnik, an actor from Mostar spoke about RECOM's potential for reconciliation in the region.

In the program *Balkan Express* (paid time) on ATLAS TV, broadcast live on February 22, 2011, Dragoljub Vukovic, a journalist and member of RECOM, and Eugen Jakovic, media coordinator for the Initiative for RECOM in Croatia, spoke about the Initiative for RECOM. The show was re-run once.

B92 TV (Serbia), in the series *Hands Full of the Past*, three shows were broadcast (as paid time) about the Initiative for RECOM, with guests: Zarko Puhovski, professor at the University of Zagreb (November 2, 2011), Vesna Pesic, sociologist and a member of the National Assembly of the Republic of Serbia (November 3, 2011) and Sonja Biserko, President of the Helsinki Committee for Human Rights (December 4, 2011).

in all of the countries of the former Yugoslavia, in total, 1,056 times, after the signature support campaign was launched on April 26, 2011.¹⁰

Eight radio jingles were produced and aired 1,464 times in Serbia, Bosnia, Montenegro, Slovenia and Croatia.¹¹

In eight television programs (paid time) members of the Coalition and prominent public figures who support the initiative, spoke about RECOM.¹²

The newspaper ad *RECOM: Sign It!* was published in the print media in Serbia,¹³ Bosnia and Herzegovina,¹⁴ Croatia,¹⁵ and Slovenia.¹⁶ The same ad was posted 45,141,475 times on Facebook pages and was visited by 28,003 visitors from Albania, Bosnia and Herzegovina, Kosovo, Croatia, Macedonia

¹⁰ Serbia: 492 broadcasts on RTS, TV Pink and TV Prva (*Message* and *Skeleton*); in Bosnia and Herzegovina: 63 broadcasts on BHT (*Message*, *Skeleton*, *Doll*); in Croatia: 92 broadcasts on Kapital Network, HRT, TV Jadran and Osjecka TV (*Skeleton*); in Montenegro: 60 broadcasts on RTCG (*Doll*); in Kosovo: 205 broadcasts on RTK, KTV, RTV21 and KLAN Kosova (*Doll*); in Macedonia: 124 broadcasts on Kanal 5, TV 24 and Alsat-M (*Message*, *Skeleton* and *Doll*); in Slovenia: 20 broadcasts on RTV Slovenia (*Message*).

¹¹ In Serbia: 143 broadcasts on Radio S, Index and Roadstar; in Bosnia and Herzegovina: 341 broadcasts on BH Radio 1, Radio Sarajevo and Radio Kameleon; in Montenegro: 961 broadcasts on Radio D, Radio Corona, Radio Ozon, Adriatik radio, Radio 083, Jupok radio and Skala radio; in Slovenia: 15 broadcasts on Radiu Student; in Croatia: four broadcasts on Radio Vukovar, HR Radio Sljeme, Radio 101, Otvoreni radio.

¹² Within the series *Hands Full of the Past*, on TV B92 INFO (Serbia), three programs (paid time) were broadcast with Maja Micic, President of the Youth Initiative for Human Rights in Serbia (May 13, 2011), Draga Pjevac, member of the Association of the Families of the Killed and Missing Serbs in Croatia „Tear“ (June 10, 2011) and Natasa Kandic (June 26, 2011).

The program *The Initiative for RECOM*, broadcast (paid time) on TV Kapital Network (Croatia), May 6, 2011, and rerun on May 13, 20 and 27, 2011, with guests: Vesna Terselic (Documenta), Lazar Stojanovic (director of Initiative for RECOM Media Campaign) and Zeljko Sabo (former inmate and mayor of Vukovar).

TV Osijek (Croatia) broadcast (paid time) on May 18, 2011 *Cards on the Table*, a program hosted by journalist Gordan Flauder, with Vesna Terselic (Documenta) as guest. The program presented reports in which Katarina Kruhonja, member of the Coordination Council of RECOM, Miren Spek, local coordinator of the campaign to collect support signatures, and an opponents to the Initiative, historians Josip Jurcevic and Ante Nazor, spoke about the Initiative for RECOM. Video *Skeleton* was broadcast before and after the program.

NTV MONTENA, in the program *Face to Face* (paid time), broadcast on May 10, 2011, had as guests Milan Antonijevic (YUCOM, Serbia), Diana Uljarevic (Forum MNE, Montenegro) and Mirela Rebronja (PR and coordinator of the Initiative for RECOM in Montenegro) who spoke about the Initiative. The show was rerun on May 11 and 14, 2011.

TV Jadran, local television in Dalmatia, broadcast the program (paid time) on the Initiative RECOM, on May 22 2011. The video clip *Skeleton* was broadcast before and after the program.

The program *Evrozum* (production of the Coalition for RECOM) was broadcast on the Macedonian TV A1 on May 12, 2011. Guests supporting the Initiative for RECOM were: Pierre Mirel, Director for Western Balkans at the Directorate-General for Enlargement at the European Commission; Tanja Fajon, MP of the European Parliament; Natasa Kandic, Executive Director of HLC; Frosina Pandurska-Dramikjanin, PR RECOM Initiative in Macedonia, and Gordana Duvnjak, member of the Coordination Council of RECOM from Macedonia. The program was rerun on May 21, 2011. Transcripts of the program are available in the weekly *Vreme*, May 14, 2011.

A documentary (production of RECOM) on the adoption of RECOM's Draft Statute on March 26, 2011, lasting 33 minutes, was broadcast on Macedonian TV 24, on April 9, 2011. A rerun was broadcast the next day. The author of the documentary is a journalist Marina Uzunov.

¹³ *Politika*, *Danas*, *Blic*, *Dnevnik*, *Magyar Szo*, *Nin*, *Vreme*.

¹⁴ *Oslobodjenje*, *Dnevni list*, *BH Dani*, *Slobodna Bosna*.

¹⁵ *Novosti*, *Novi List*, *24 Sata*.

¹⁶ *Mladina*.

and Serbia. Promotional messages, in the form of information about the Initiative for RECOM were sent through the web site www.neogen.rs to 428,121 addresses stored in the site's user database.

On the most influential internet portals in the region, twelve new banners were posted with the slogan *RECOM: Sign It!*¹⁷ On websites of more than 250 organizations committed to the process of dealing with the past and war crimes, a link was posted to the website of the Initiative for RECOM (www.zarekom.org).

On April 27, 2011, immediately after the start of the campaign to collect signatures, the Facebook page of the Initiative for RECOM was visited by 35,565 users. Between October 7, 2010 and August 31, 2011, 1,720 users expressed their support through the Initiative's Facebook page, with 34 new users per day on average. During this period, 3,343 different information packages were posted with 1,314,223 views. Additional pages about RECOM, made by individual users independently of the Initiative itself, were supported by an even larger number of users (Serbian RECOM: over 2,000; Croatian RECOM: over 1,300, etc.).

At the end of March 2011, the Initiative's website was redesigned (www.zarekom.org). Based on Google Analytics statistics, site traffic has since dropped by 1.48 per cent. Between June 1, 2011 and August 31, 2011, the website had the total of 52,111 visitors, with 233,668 pageviews. On average, 114.03 users visit the website daily.

By June 20, 2011, the forum www.zarekom.org had 93,223 registered users, with 405.33 users registered per day. On June 20, 2011, the forum had 177 threads and 100 pieces of information. During the reporting period, a link to the forum was posted on more than 350 forums whose content was similar to the forum's.

Four musical concerts promoted the Initiative for RECOM in Ljubljana (May 26, 2011), Skopje (May 5, 2011), Montenegro (June 1, 2011), and Bosnia and Herzegovina (May 28, 2011). More than 1,000 people attended the concert in Skopje where 750 signatures in support of the establishment of RECOM were collected. About 600 people attended the concert in Montenegro, *Perper for RECOM*.

After the stage play, *The Generation of 1991-95*, was shown at Zagreb's Youth Theater on May 13, 2011, a round table discussion, moderated by Gordan Bosanac, CMS, was held, entitled *Art and Dealing with the Past*, with the following participants: Nadezda Cacinovic, philosopher, Borut Separovic, director, Dubravka Vrgoc, Director of the Zagreb Youth Theater, and Vesna Terselic. A number of round tables were held at universities in the region, dedicated mainly to young people and their relationship with/to the past. The participants of all round table discussions introduced the audience to the main activities and goals of the Initiative for RECOM.¹⁸

¹⁷ On Serbian portals: www.rts.rs, www.pressonline.rs, www.e-novine.com, www.blic.rs; on the portals in Bosnia and Herzegovina: www.sarajevo-x.com, www.depo.ba, www.zurnal.ba; Croatian portals: www.index.hr, www.net.hr; on Montenegrin sites: www.pcnen.com i www.monitor.co.me; on Kosovan sites: www.telegrafi.com and www.koha.net; in Macedonia on: www.alsat-m.tv; and in Slovenia on: www.mladina.si.

¹⁸ *To Know, Never to Repeat*, School of Political Science, University of Zagreb, Croatia. Participants: Zarko Puhovski, Vesna Terselic, Ivan Novosel (April 6, 2011).

To Know, Never to Repeat, Osijek Law School, Croatia. Participants: Katarina Kruhonja, Ivan Novosel, Eugen Jakovvi (April 19, 2011).

Toward Restorative Justice and Reconciliation, consultation meeting of Pax Christi Christija for Central and South-East Europe, Vukovar, Croatia. Participants: Vesna Terselic, fra Mijo Džolan, Bishop Kewin Dowling (April 28, 2011).

To Know, Never to Repeat, Faculty of Philosophy, University of Belgrade, Serbia. Participants: Prof. Bora Kuzmanovic, Jovo Bakic, Nebojsa Petrovic (March 28, 2011).

A stage play *Analogies* produced by the theater Porodica bistrih potoka (The Clear Streams Family Theater), promoted the Initiative for RECOM on May 27 and 28, 2011 within the *Mixer Festival* in Belgrade.

The regional and international press published 11 op-eds about the Initiative for RECOM.¹⁹

In support of the million signature campaign and the public advocacy campaign the following materials were prepared and printed in all local languages and in English: a fact sheet, *RECOM Draft Statute – In short* (390,800 copies), signature forms, and various promotional materials (stickers, badges, T-shirts, scarves).

3. One Million Signatures for RECOM²⁰

The Campaign *One Million Signatures for RECOM* was launched on April 26, 2011 with a street action titled *Regional Defrosting*, which was held simultaneously in Belgrade, Ljubljana, Zagreb, Sarajevo, Banja Luka, Prishtina/Prishtinë, and Skopje. The campaign ended on June 30, 2011, and in the nine weeks of its duration collected 543,870 signatures supporting the establishment of RECOM. In Bosnia and Herzegovina, 122,540 signatures were collected, in Croatia, 19,674, in Montenegro, 31,060, in Serbia, 254,625, in Kosovo 100,566, in Slovenia 5,346 and in Macedonia, 10,059.

To Know, Never to Repeat, Faculty of Philosophy, University of Novi Sad, Serbia. Participants: Zolt Lazar, Aleksandra Jerkov, Maja Micic, Jovana Kolaric (April 1, 2011).

To Know, Never to Repeat, Law School, University of Nis, Serbia. Participants: Drasko Bjelica, Nebojsa Randjelovic, Zorica Miladinovic, Dusan Lopusina (April 11, 2011).

Dealing with the Past – The Initiative for RECOM, Academy for Political Development, Donja Stubica, Croatia. Keynote speaker Eugen Jakovic (May 14, 2011).

Why RECOM? How we have Dealt with Human Rights Violations in the Region, Pula, Croatia. Participants: Zarko Puhovski, Eugen Jakovic, Goran Bozicevic (May 25, 2011).

Do You Know about RECOM? Round table discussion within the film festival *Vivisect*. Novi Sad, Vojvodina, Serbia. Participants: Marija Gajicki, Festival Director, Zeljko Stanetic, Coordinator of Signature Campaign in Vojvodina, Tijana Savkov, PR Officer of the Initiative for RECOM in Serbia (May 15, 2011).

Why RECOM? Law School of the Union University of Belgrade, Serbia. Participants: Prof. Vladimir Vodinelic, Prof. Violeta Besirevic and Maja Micic (May 18, 2011).

Why Sign for RECOM? Round table DISCUSSION within the Civil Society Fair, Belgrade, Serbia. Participants: Law School Professor, Zoran Ilic, Ivana Stjelja from the Association of Lawyers for Democracy, President of IJAS Vukasin Obradovic, and Dusan Lopusina, from the Youth Initiative for Human Rights in Serbia (June 3, 2011).

¹⁹ *Danas* (Serbia), *Support RECOM to Give a Voice to Victims*, Lazar Stojanovic (May 19, 2011).

Jutarnji list (Croatia), *Why I Supported RECOM*, Miljenko Jergovic (May 31, 2011).

The New York Times, *The Shame of Serbia*, Natasa Kandic (June 5, 2011).

Radio Free Europe, *Kandic: The Region Needs to Deal with the Past* (June 7, 2011).

Dani (Bosnia and Herzegovina), *If there were no Hague Tribunal, it would have had to be Invented*, Dzenana Karup Drusko (July 1, 2011).

Vecernji list (Croatia), *The Price of RECOM – The Aggressor Remains Unidentified*, Tihomir Dujmovic (July 9, 2011).

Blic.rs (Serbia), *With No Arguments Against RECOM*, Goran Miletic (July 12, 2011).

Pescanik (Serbia), *Fear of Small Numbers* (July 12, 2011).

Dani (Bosnia and Herzegovina), *Fight for Truth*, Dzenana Karup Drusko (July 15, 2011).

Pescanik (Serbia), *Mish-Mash*, Goran Miletic (July 20, 2011).

Danas (Serbia), *A Piece Locally Stuck in the Throat*, Svetlana Slapsak (July 23, 2011).

²⁰ For more on the campaign to collect the signatures of support, see the report by the Youth Initiative for Human Rights *1 000 000 Signatures for RECOM*, at: www.zarekom.org.

The campaign was regionally coordinated by the Youth Initiative for Human Rights in Croatia and the Youth Initiative for Human Rights in Serbia, with local partners in all countries of the former Yugoslavia. The campaign involved 1,301 volunteers, activists, youth organizations and youth members of several political parties. They collected signatures at 219 sites in the capitals and major towns in the countries of the former Yugoslavia. Door-to-door action was also part of the campaign.

The main surprises in the campaign came in Banja Luka where an unexpectedly high number of signatures was collected (46,000) and in Kosovo (100,566), despite the lack of political and media support, and despite continuous calls for a boycott by the management of the leading associations of victims and veterans. Little popular support in Croatia for the Initiative for RECOM is partly the consequence of widespread resistance to regional cooperation, which was further enhanced by the convictions of generals Ante Gotovina and Mladen Markac, whom the ICTY sentenced to prison terms on April 15, 2011.

The number of signatures collected fell short of the planned one million and critics of the Initiative for RECOM used this to declare the process and the RECOM project as a whole a failure. However, given that the Coalition for RECOM secured less funding than planned or necessary, and given that it didn't manage to conduct the planned campaign with 2,500 volunteers in 600 campaign points across the region, and given, finally, the resistance of Croatian public to the campaign and the Initiative, those 543,870 support signatures represent, in our view, strong support to the Initiative for RECOM. Not a single regional initiative on the territory of former Yugoslavia, launched before or after the war, has received greater support. The initiative for RECOM has become the most important civil initiative with the potential to respond to a growing social need for a critical discussion of the difficult legacy of the past.

4. Public Advocacy Campaign for the Establishment of RECOM²¹

The initiative to create the Commission received open support from the highest representatives of the government and from the political elite in all post-Yugoslav countries.

In **Bosnia and Herzegovina**, RECOM was supported by Zeljko Komsic, member of the Presidency of Bosnia and Herzegovina, Zivko Budimir and Svetozar Pudaric, President and Vice President of the Federation of Bosnia and Herzegovina, Sulejman Tihic, President of the SDA, a number of ministers, members of the SDP, the political party HDZ 1990, the People's Party *Through Work to Progress*, Our Party, and a large number of local politicians.

In **Croatia** RECOM was supported by the President of the Republic of Croatia, Ivo Josipovic, Deputy Prime Minister of Croatia, Slobodan Uzelac, the Independent Democratic Serbian Party, several members of the Croatian Parliament, the Istrian Democratic Assembly, the Social Democratic Party, the Mayor of Vukovar and member of the SDP, Zeljko Sabo.

The Social Democratic Party of Croatia did not support RECOM. The position of the SDP Croatia is that the responsibility for the establishment of the facts about war crimes is solely the state's and as such non-transferable to any regional body.

In **Serbia** RECOM was supported by the Serbian President, Boris Tadic, Speaker of the Serbian Parliament, Slavica Djukic Dejanovic, Prime Minister of Vojvodina, Bojan Pajtic, Vojvodina Assembly President, Sandor Egeresi, the Democratic Party, G17 + / United Regions of Serbia, Veterans' Movement, the Serbian Renewal Movement, League of Vojvodina Social Democrats, the Liberal Democratic Party and the Party for Democratic Action.

²¹ For more on public advocacy efforts, see *The Report on Public Advocacy*, prepared by the Committee of the Coalition for RECOM, www.zarekom.org.

In **Montenegro** RECOM was supported by the Montenegrin President Filip Vujanovic, Prime Minister of Montenegro, Igor Luksic, the Social Democratic Party parliamentary group, the Bosniak Party, the Socialist People's Party, New Serbian Democracy, the Serbian Democratic Party of Socialists and the ethnic Albanian parties.

In **Kosovo**, the establishment RECOM was supported by the Kosovan Prime Minister, Hashim Thaci, Chairman of the Democratic League of Kosovo, Isa Mustafa, Minister of Health of Kosovo Ferid Agani, the Democratic League of Kosovo and the Alliance for the Future of Kosovo, a representative of Serbs in Kosovo and the representative of the unified Serbian list in the parliament of Kosovo, Rada Trajkovic.

In **Macedonia**, RECOM was supported by a number of members of parliament, including Zymreta Jakupi (Democratic Union for Integration) and Stojan Andov (Liberal Party), the Vice President of the Liberal Party, John Velickovski, a member of the Executive Board of the Social Democratic Alliance of Macedonia Dane Taleski, and the Dignity party.

In **Slovenia** RECOM was supported by the Slovenian President, Danilo Turk, President of the National Assembly, Pavel Gantar, some members of the National Assembly of the Liberal Democracy of Slovenia and the Slovenian Democratic Party, the People's Ombudsman Zdenka Cebasek Travnik and MEPs Jelko Kacin and Tanja Fajon.

4.1. International Support

At a meeting on September 30, 2009, the European Parliament's Human Rights Sub-committee gave its full support to the initiatives to create the Commission. Eduard Kukan, Director of the delegation for the relations with Albania, Bosnia and Herzegovina, Serbia, Montenegro and Kosovo, invited the European Parliament and the European Commission to give their long-term support to "this unique initiative." On the same occasion, Pierre Mirel, Director for the Western Balkans at the European Commission's Enlargement Directorate-General, said: "RECOM is a necessary supplement to the judicial process and we must get the full support of governments and parliaments for it." President of the European Parliament's Human Rights Sub-committee, Heidi Hautula, assessed that "this is the first time such an important initiative has come to us from there."

The support of the European Parliament was expressed at the Fourth the Inter-Parliamentary meeting of the Serbian National Assembly and the European Parliament, held on October 5, 2010 in Belgrade, when the Chairman of the Committee for European Integration of the Serbian Parliament, Laszlo Varga, and the Chairman of the European Parliament's Delegation to Albania, Bosnia and Herzegovina, Serbia, Montenegro and Kosovo, Eduard Kukan, expressed their support for the Initiative for RECOM.

A Resolution of the European Parliament adopted on January 19, 2011 supports the RECOM Initiative characterizing it as a process designed to raise awareness and enhance the process of reconciliation across the Western Balkans. The Resolution urges the authorities of Serbia and other countries in the region to support the initiative.

On January 26, 2011, the Parliamentary Assembly adopted the report by Mr. Pietro Marcenaro, Rapporteur of the Council of Europe's Foreign Affairs Committee, who urged "all countries in the region of the former Yugoslavia to participate in the establishment of RECOM, regardless of their status, in order for the Commission to fully achieve its goal of reconciliation and recognition of all victims." The Parliamentary Assembly adopted Resolution 1786 (2011) which expressly supports the initiative for the founding of the Regional Commission for establishing the facts about the war crimes in the territory of the former Yugoslavia (RECOM) which aims to pay respect and to acknowledge all the victims.

5. Institutionalization of the RECOM Development Process

The Initiative for RECOM was first institutionalized in Montenegro. In June 2011, the Government of Montenegro formed a working group to consider the Initiative for RECOM. In June 2011, the Coalition for RECOM submitted to the President of Croatia Ivo Josipovic and member of the Presidency of Bosnia and Herzegovina Zeljko Komsic a Petition for the establishment of RECOM, along with RECOM's Draft Statute. They both expressed strong personal support, committing themselves to promoting the Initiative for the establishment of RECOM within regional activities in their respective countries.

The Coalition for RECOM is yet to meet with the presidents of other countries in the region, and win the support of the relevant institutions to initiate the procedure for signing an international or a political agreement to establish the Commission.