



RECOM Initiative Advocacy - progress report

October 2011 – May 2012

The second phase of the RECOM process, *Institutionalization of the RECOM Initiative*, began with the formation of a Regional Team of Public Advocates (RTPA) in October 2011. The Humanitarian Law Center invited its partners - organizations that have taken an active part in the three and a half year long consultation process and were engaged in the project's realization - to nominate the team's members. Those nominated were: Zdravko Grebo, a professor at Sarajevo's University of Law; Dino Mustafić, a theater director based in Sarajevo; Žarko Puhovski, a philosophy lecturer at the University of Zagreb; Biljana Vankovska, a professor of philosophy at the University of Skopje; journalists Dženana Karup-Druško (Bosnia and Herzegovina), Igor Mekina (Slovenia), Duško Vuković (Montenegro) and Dinko Gruhonjić and human rights activist, Nataša Kandić (Serbia). Appointment of a team member from Kosovo was delayed after some members of the RECOM coalition objected to the nomination. The RTPA held preliminary discussions on October 9th 2011 in Belgrade. Members analyzed the political climate in each of the individual states, and then proceeded to discuss the need to align public advocacy with activities aimed at raising public awareness and support for the RECOM initiative.

The RTPA held its first official meeting on November 3rd 2011 in Zagreb. The debate focused on the initiation of a public advocacy process. Since representatives of Montenegro's state institutions had been the first to give firm backing to the establishment of RECOM, the RTPA decided to ask the President of Montenegro, Filip Vujanović, to initiate the RECOM Initiative institutionalization process.

The RECOM Coalition in Bosnia and Herzegovina held a meeting on December 4th 2011. At that meeting, Coalition members expressed strong support for the work of public advocates,

as well as an initiative for the formation of two transitional justice organizations – one to be based in Banja Luka, the other in Sarajevo – tasked with providing the regional team of public advocates with professional assistance, and to help organize/support activities aimed at increasing the public's awareness of the RECOM Initiative and raise its media profile. Coalition members instructed the team to advocate for the adoption of the RECOM Statute Draft in the form that was adopted by the RECOM Coalition Assembly on March 26th 2011. The Coalition charged the advocates with notifying the RECOM Coalition Assembly if politicians should reject or propose changes to the draft, as it was the only body authorized to approve changes to the RECOM Coalition's strategy for public advocacy.

Support from the President of Montenegro

On December 12th, 2011, the RTPA, represented by Nataša Kandić, Zdravko Grebo, Dinko Gruhonjić and Dragoljub Duško Vuković, met with Montenegro's President Filip Vujanović in Podgorica to discuss the establishment of RECOM. Daliborka Uljarević, Executive Director of the Center for Civic Education in Montenegro, also took part in the talks.

At the suggestion of the RTPA members, President Vujanović agreed to write a letter to all heads of states in the region, inviting them to give substance to their hitherto abstract support by initiating an evaluation of the legal opportunities for the establishment of RECOM.

After meeting the President of Montenegro, RTPA members held their first press conference and informed the public of this new phase in the RECOM process and the willingness of Montenegro's President to advocate for the establishment of RECOM among regional heads of state.

On January 15th 2012, President Filip Vujanović sent a letter to all heads of states in the region, inviting them to participate in the creation an official group of experts to evaluate the Statute proposed by the regional Coalition, as well as to formulate an opinion on RECOM's proposed mandate, goals and tasks.

RTPA's second meeting

On February 14th 2012, the RTPA held its second meeting, in Belgrade. The main issue was to agree RECOM's core mandate for discussions with local politicians. Emphasizing the need for a regional commission, Žarko Puhovski said: "Facts relating to victims can only be determined on a regional level, as victims, refugees and armies crossed state borders. Those

borders did not exist in that sense. I consider that to be fundamental. If Croats claim to have been attacked by Serbs, and if they claim that Croats were being taken to camps in Serbia – all of which is true – then, I guess, one should be able to understand why Croatia is unable to investigate such allegations of torture and murder, or search for remains in Niš and Stajićevo [Serbia].” Regarding RECOM's goals and tasks, RTPA members noted that the Coalition’s Assembly had adopted a draft of the RECOM Statute on March the 26th, 2011 and the that all participants in the consultation process shared a view that the Coalition’s primary core task was the establishment of facts relating to victims and war crimes. Accordingly, they agreed that this should form the core of their position and that, no one had the right to abandon RECOM’s most important task. Everything else, they agreed, was up for debate, and should the politicians offer concrete proposals, they should be discussed by the RECOM Coalition Assembly.

RTPA’s initial strategy

In March 2012, the RTPA formulated its initial plan for public advocacy for the RECOM Initiative. The plan is based on the particular situation in each of the states and the available funding. According to the plan, public advocates in Macedonia and Kosovo will assign the highest priority to informing the embassies of EU member states, Scandinavian countries and the US on the progress of the RECOM process. At the same time, they agreed that communication with the Presidents of their respective countries would be postponed, in order to analyze the results of the advocacy for the institutionalization of the RECOM initiative by the Presidents of Croatia and Montenegro. It was agreed that public advocates in Serbia would begin the advocacy process once parliamentary and presidential elections were concluded.

Support from the High Representative for Bosnia and Herzegovina

On April 10th 2012, Bosnia and Herzegovina public advocates, Zdravko Grebo, Dino Mustafić and Dženana-Karup Druško, gave the High Representative, Valentin Inzko, a presentation on the RECOM initiative. The meeting was held in Sarajevo. Edina Đurković, executive director of the recently established NGO *Transitional justice, responsibility and remembrance in Bosnia and Herzegovina (TJRR BiH)*, was also present.

The High Representative placed special emphasis on RECOM’s potential to contribute to regional stability and peace consolidation through the identification and acknowledgement of war crimes that had been committed in the region. He proposed that he host a spring

meeting for the diplomatic community, which the public advocates could use to educate EU member states' ambassadors about the RECOM process.

Support from the German, Swiss and Norwegian Ambassadors to Macedonia

During April and May of 2012, under very difficult political conditions, Biljana Vankovska, a RECOM Initiative public advocate in Macedonia and a philosophy lecturer at the University of Skopje, together with Oliver Staneoski, a local advocate, met with Swiss Ambassador, Stefano Lazzarotto, German Ambassador Gudrun Steinacker and Norwegian Ambassador Kjetil Paulsen. The Norwegian Ambassador welcomed the team with open arms - the country is a strong supporter of the RECOM initiative. Ambassador Paulsen reaffirmed Norway's firm backing of RECOM and his intention to inform the Norwegian Foreign Ministry of Macedonia's participation in the RECOM initiative, a fact that should further justify Norway's support. Ambassador Lazzarotto pledged to urge his country's Foreign Ministry to explore every opportunity to back the Initiative.

Ambassador Steinacker expressed her personal support and the German government's willingness to back the process of war crimes documentation as a reliable truth-finding mechanism. Such truth holds great importance, not only for the victims, but the society as a whole. The Ambassador and her deputy Walter Leuch confirmed that they would use their contacts with Macedonian officials to place emphasis on their talks with the public advocates and their support for the creation of a regional commission.

All three Ambassadors pointed out that the war crimes amnesty agreement, a foundation upon which the ruling coalition was built, stood as an obstacle to Macedonia facing its past.

Croatian President Ivo Josipović supports the creation of an official group of experts

On May 8th 2012, RECOM Initiative public advocates, Žarko Puhovski, Nataša Kandić, Zdravko Grebo and Dino Mustafić, met with the Croatian President, Ivo Josipović, in Zagreb. They discussed the need for stronger and more open support for the institutionalization of the RECOM initiative. Mario Mažić of the Youth Initiative for Human Rights in Croatia, Dejan Jović, President Josipović's chief foreign affairs advisor, and Zrinka Vrabec Mojzeš, the President's advisor on social issues, were also present. President Josipović backed the public advocates' proposal for the creation of an official group of regional experts. The group would be tasked with evaluating RECOM's Statute as proposed by the Regional Coalition for RECOM, formulating views on objections that have been voiced in relation to RECOM assuming judicial powers, and creating a draft Statute to be considered by governments in

the region. President Josipović will delegate a his own representative and will invite other regional representatives to designate legal experts to take part in the group's activities. The President will personally call for legal experts to be empowered to examine the constitutional and legal opportunities for the realization of the RECOM Initiative, in each of the region's states. He agreed to inform the RTPA of the choice of his personal representative. The President of Croatia was thus the first to respond to the letter sent by Montenegro's President Filip Vujanović, addressed to all heads of state in the region, sent on January 15th, inviting them to join the process of evaluating all of the legal and constitutional opportunities for the establishment of RECOM.

Support from the United States Ambassador to Bosnia and Herzegovina

On May 11th 2012, public advocates from Bosnia and Herzegovina, Zdravko Grebo, Dino Mustafić and Dženana Karup-Druško, along with Executive Director of TJRR BiH, Edina Đurković, met with US Ambassador to Bosnia and Herzegovina, Patrick S. Moon. Ambassador Moon expressed his unequivocal support for the establishment of RECOM, citing the reconciliation policy supported by his government. At the same time, he voiced high praise for RECOM's goals and its accomplishments to date.

Lack of political support from Serbia and Kosovo

The Coalition for RECOM was unable to present Serbia's President Boris Tadić or Kosovo's President, Atifete Jahjaga with the petition for the establishment of RECOM, signed by 543,000 citizens from post-Yugoslav states, nor was it able to deliver a request for state institutions to take part in the RECOM process.

The Coalition was informed that Boris Tadić had reservations about the RECOM Initiative, following objections from some NGOs that RECOM's Statute would assume judicial powers. The reservations of Kosovo's President stem from her view that consideration of the initiative lies solely within the jurisdiction of Parliament.