

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.

We need RECOM to be able to build an acceptable, factual picture of our recent past.

In the end, we have to come up with a factual picture of our recent past which will be accepted because of the power of proclaimed facts.

Statement: Nataša Kandić, Humanitarian Law Center, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

Only a regional body can discover the truth about what happened to all of us.

It is only possible to do it on a regional level so that the conclusions, recommendations we come up with are as close to the truth as possible and make sure that one day our children are able to understand what really happened. We can only do things if facts, indisputable facts, are our weapons. Only then we can establish a balance, or more importantly, a balance from the victim's point of view, which also must be indisputable. It will not be a solution for all the problems, but it will be a result.

Statement: Drago Kovačević, Serbian Democratic Forum, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

A regional commission can only be successful as a state-sponsored project.

Chile, for example, is a fantastic example of an official recognition, where the President of the state, upon receiving a report, apologized to victims for the pain and suffering they were exposed to and took responsibility for all crimes committed by his predecessor. NGOs cannot do that. That's why the commission should be a state project.

Statement: Marijana Toma, Impunity Watch, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

Focusing on victims in a regional context makes all victims equal and erases boundaries between victims.

In a way, as far as I have understood from what you are saying here, victims are being presented as a separate entity. I am afraid that a regional commission may erase boundaries and say that boundaries are not important for establishing crimes and identifying victims. That may relativize the whole story about who the criminals are. I don't hear you say who the victims are (...) If we are talking about victims as one entity, we relativize the crime and put aside the political aspect of the story.

Statement: Marija Radoman, Helsinki Committee for Human Rights, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

The goal of RECOM is to narrow the space for lies and manipulation at the regional level.

Let's say it is our moral obligation to know what happened. And in that case, the picture about the symmetry of the crime, our public has been desperately trying to find, is going to be lost. So, there can be no mention of the symmetry of the crime. I hope we all agree on that and it should be clear to everybody entering this process that the goal is not to make it look like everybody killed everybody and they are all equally guilty and responsible. And if the victims, associations of victims (...) leave their ethnic space and join the regional framework and realize that all victims want the truth, they want to exercise their right to make their suffering public, the space for manipulation is definitely narrowed.

Statement: Marko Veličković, Civil Resource Development Centre, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

It is necessary to clarify what is more important for RECOM – whether it be facts about responsibility or the innocence of the accused, or facts about the actual war crime.

Is the existing judicial truth going to be a starting point (...) or we will adopt a broader approach and encompass crimes that have already been a subject of a trial?

Statement: Jelena Cakić, Women for Peace, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

The ICTY judgement in the case of the Vukovar Three is widely rejected in Croatia. But, what we should not forget, in all these judgements, even in the acquitting decision in the case of Ramush Haradinaj, the court did not deny the crime itself. That's important for us.

Statement: Nataša Kandić, Humanitarian Law Center, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

The debate should give an answer whether RECOM should deal with causes of the war.

When you present bare and indisputable facts, you can certainly draw a map of the causes.

Statement: Marko Veličković, Civil Resource Development Centre, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

We will never be able to agree on what caused the war.

Statement: Drago Kovačević, Serbian Democratic Forum, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

I think we'll never be able to have a consensus about the causes of the war. Any commission with a mandate like that would be doomed. That's how I see it.

Statement: Bogdan Ivanišević, International Center for Transitional Justice, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

It is necessary to define duties of national offices: taking statements from victims and hearing of victims, etc.

Are national offices going to be organized in accordance with some other criteria and is their only duty going to be to take statements and hear victims or are they also going to do other things?

Statement: Nataša Kandić, Humanitarian Law Center, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

We can form in every state sub-commissions or national commissions tasked with investigating what crimes have been processed, what data is available in their respective states, and so on. Once that job is done, the findings of the national commission should be compared and cross-referenced in order to establish discrepancies so that we can act together.

Statement: Marija Gajicki, Vojvodanka Association, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

It is necessary to define the time period RECOM will deal with?

The moment the first armed conflict took place in 1991 until the last conflict in 2001 [should be the period under investigation].

Statement: Marija Gajicki, Vojvodanka Association, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

One of the objectives of consultations is to determine what victims expect from their hearing before the commission.

I think we should very carefully articulate what the victims that will be testifying before the commission really expect apart from being listened to and treated with respect as people who have suffered.

It is important to know what is it they expect from the society or the state, because that discrepancy can be huge, as we know from the example of South America or South Africa. That is what determines the success of a commission.

Statement: Mirjana Vojvodić, Committee for Civic Initiative, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

The coalition for RECOM should be entitled to nominate half of RECOM members.

Can the Coalition for RECOM nominate, let's say, half of RECOM members?

Statement: Jelena Nešić, Institute for Democratic Transition, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

Political parties should be included in the consultation process. The question is when?

Once the Coalition is created, we should consider how to include members of political parties. I think that they should be included once we are on the safe ground, when we know what are next steps should be and when we are ready to start lobbying in order to win the support of our respective parliaments and governments.

Statement: Marija Gajicki, Vojvodanka Association, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

It is necessary to use existing potentials for the promotion of the initiative.

Let's determine how we can use the human rights festival Vivisecfest to be held in October or November to promote this initiative on the territory of Novi Sad and let's brainstorm together how we can use it again because it will be visiting five or six towns in Serbia, BiH, and in Kosovo. We can promote this initiative and some other things as well.

Statement: Marija Gajicki, Vojvodanka Association, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

Religious communities should be included in the consultation process.

It would be useful to include representatives of religious communities since their role in the events of the recent past throughout former Yugoslavia is not insignificant.

Statement: Jelena Cakić, Women for Peace, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

It is necessary to secure the support of the international community in the creation of RECOM.

Since we are not going to get the support of politicians, we should seek the support of the international community.

Statement: Ilda Habota, Sandžak Committee for the Protection of Human Rights and Freedoms, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

I would like to believe more that we are going to get the support of political elites and the media.

Statement: Marko Veličković, Civil Resource Development Centre, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

Why would Serbs from Kosovo or their political representatives be against such a commission? I think, they can have a problem with it because the commission will also deal with the suffering caused by Serbia, but (...) I would not say at the very beginning of the process that all politicians are going to be against it. Let's not forget, Slobodan Milošević is no longer in power, or some other people in other countries. We should give them some more credit.

Statement: Bodgan Ivanišević, International Centre for Transitional Justice, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

It is necessary to organize trainings of non-governmental organizations for promoting the initiative at local levels.

I would suggest, if it is possible, that for us, who admit that we lack this knowledge, that we should have an opportunity to additionally enrich our knowledge through trainings or education and bring this story down to the local level. This would mean initiating this story in our local communities.

Statement: Dženeta Agović, Impuls, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October 10th 2008

It is necessary to organize meetings of associations of victims at local levels.

I think it would be good to organize meetings of associations of, let's say, mothers from Srebrenica, some women from Serbia, who went through some similar tragedies; to connect them and give them space in media (...) That would be very efficient in the sense of sensitization of the society such a story.

Statement: Jelena Cakić, Women for Peace, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October 10th 2008

Rape should be included in the mandate of RECOM.

Rape and victims of rape should be included in the mandate of RECOM.

Statement: Dženeta Agović, Impuls, Serbia, National consultation with human rights organizations, Fruška Gora, Serbia, October, 10th 2008.

19. National consultation with journalists on the Initiative for RECOM

Fruška Gora, Serbia,
October 11th 2008

The consultation was organized by Impunity Watch (Serbia) and the Independent Journalists' Association of Vojvodina (Serbia) and attended by 24 journalists representing various media outlets throughout the country. *The Report on the Causes of Impunity* by Impunity Watch was presented during the initial part of the consultation. Consultations were opened by Dinko Gruhonjić (Independent Journalists' Association of Vojvodina, Serbia), Nataša Kandić (Humanitarian Law Center, Serbia), and Marijana Toma (Impunity Watch, Serbia).

Journalists support the idea to create RECOM

Our agency supports the initiative

Statement: Gizella Stanyo Tot, Magjar Szo, Serbia, National consultation with journalists, Fruška Gora, Serbia, October 11th 2008.

Isn't it enough, so to speak, that many villages have disappeared from the map to feel the need to establish such a commission or any other coalition which can help find the truth about these people, and that is something that has to be known.

Statement: Ivana Jovanović, BETA news agency, Serbia, National consultation with journalists, Fruška Gora, Serbia, October 11th 2008.

It is necessary to establish a minimum of indisputable facts acceptable at the regional level.

Facing the fact that each society has its own truth, we began considering ways how to make it possible for everybody at the regional level to accept the same set of established indisputable facts and create an official, reliable, and unbiased record which will help write history text books in a different way, far from the political agenda, based solely on facts.