RECOM
Reconciliation Network

XVII Forum on Transitional Justice in the Post-Yugoslav Countries

A Future Through the Past

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FOUNDATION HUMANITARIAN LAW CENTER

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XVII Forum on Transitional Justice in the Post-Yugoslav Countries

A Future through the Past

Organised by

RECOM Reconciliation Network and the Fondation Humanitarian Law Center
13–14 December 2025, Zagreb

Saturday, 13 December 2025

Opening

Prof. Žarko Puhovski, PhD (retired), Faculty of Philosophy, University of Zagreb
Prof. Ivo Josipović, PhD (retired), Faculty of Law, University of Zagreb

PANEL 1

The Academic Community in a Captured Society:
Limits of Critical Speech and the Possibility of Intellectual Resistance

Moderator:

Prof. Žarko Puhovski, PhD, Faculty of of Philosophy, University of Zagreb

Panelists:

Dr Ana Milošević, Postdoctoral Researcher, Faculty of Law, KU Leuven
Prof. Eric Gordy, PhD, University College London, School of Slavonic and East European Studies (SSEES)
Prof. Vjollca Krasniqi, PhD, Faculty of Philosophy, University of Prishtina
Prof. Nebojša Blanuša, PhD, Faculty of Political Science, University of Zagreb
Prof. Adnan Prekić, PhD, Faculty of Philosophy, University of Podgorica

Discussants:

Prof. Midhat Izmirlija, PhD, Faculty of Law, University of Sarajevo
Prof. Jelena Lončar, PhD, Faculty of Political Science, University of Belgrade
Prof. Smiljana Milinkov, PhD, Faculty of Philosophy, University of Novi Sad
Prof. Artan Krasniqi, PhD, Faculty of Philosophy, University of Prishtina

PANEL 2

The Unrealised Transformative Potential of Transitional Justice

Moderator and introductory speaker:

Prof. Denisa Kostovicova, PhD, London School of Economics and Political Science (LSE)

Panelists:

Prof. Dejan Jović, PhD, Faculty of Political Science, University of Zagreb
Prof. Snježana Koren, PhD, Faculty of of Philosophy, University of Zagreb
Prof. Gjylbehare Bella Murati, PhD, Faculty of Law, University of Peja
Prof. Nataša Milićević, PhD, Faculty of Philosophy, University of Novi Sad

Discussants:

Prof. Katarina Popović, PhD, Faculty of Philosophy, University of Belgrade
Prof. Svetlana Slapšak, PhD, Serbian and Slovenian scholar and writer
Prof. Danijela Majstorović, PhD, Faculty of Philology, University of Banja Luka
Dr Aleksandra Jerkov, Postdoctoral Researcher, University of Graz

PANEL 3

War Crimes Trials: Legal Process and (Un)Achieved Transformative Effects

Moderator and introductory remarks:

Prof. Ivo Josipović, PhD, Faculty of Law, University of Zagreb

Panelists:

Prof. Zlata Đurđević, PhD, Faculty of Law, University of Zagreb
Prof. Enis Omerović, PhD, Faculty of Law, University of Zenica
Prof. Sunčica Hajdarović, PhD, Faculty of Law *Džemal Bijedić*, University of Mostar
Florence Hartmann, French journalist and author
Miodrag Vlahović, Montenegrin Helsinki Committee for Human Rights

Discussants:

Prof. Srđan Milošević, PhD, Faculty of Law, UNION University, Belgrade
Prof. Marin Bonačić, PhD, Faculty of Law, University of Zagreb
Prof. Denisa Kostovicova, PhD, London School of Economics and Political Science (LSE)

Atdhe Hetemi, Institute for War Crimes, Prishtina
Dr Sabina Galijatović, Institute for Research of Crimes against Humanity and International Law, University of Sarajevo

PANEL 4

The Hague Archives between Justice and Memory: Access, Public Interest, and Future Legacy

Moderator:

Pierre Hazan, Centre for Humanitarian Dialogue

Panelists:

Samuel Algozin, Office of the Registrar, International Residual Mechanism for Criminal Tribunals
Victor-Jan Vos, Netherlands Institute for War, Holocaust and Genocide Studies (NIOD)
Dr Niké Wentholt, University of Humanistic Studies, Utrecht
Dr Siri Driessen, University of Humanistic Studies, Utrecht (online)
Petar Finci, PhD Candidate, University of Amsterdam

Discussion:

Danilo Kalezić, Historical Institute, Podgorica
Nataša Kandić, Humanitarian Law Center
Edin Omerčić, Institute of History, University of Sarajevo

Sunday, 14 December 2025

PANEL 5

Intergenerational Transmission of Memory

Moderator:

Prof. Aleksandar Maršavelski, PhD, Faculty of Law, University of Zagreb

Panelists:

Dr Rodoljub Jovanović, Institute for Philosophy and Social Theory, Belgrade
Prof. Denisa Kostovicova, PhD, London School of Economics and Political Science (LSE)
Emina Zoletić, PhD Candidate, University of Warsaw
Dr Jessie Barton Hronešová, School of Slavonic and East European Studies (SSEES)

PANEL 6

Mnemonic and Transformative Initiatives

Moderator and panelist:

Dr Jasna Dragović-Soso, Visiting Professor, London School of Economics and Political Science (LSE)

Panelists:

Dr Jessie Barton Hronešová, School of Slavonic and East European Studies (SSEES)
Belma Bećirbašić, Independent researcher and publicist
Prof. Denisa Kostovicova, PhD, London School of Economics and Political Science (LSE)
Dr Jasna Dragović-Soso, Visiting Professor, London School of Economics and Political Science (LSE)

Discussants:

Ajnura Akbaš, War Childhood Museum, Sarajevo
Fikret Bačić, *Jer me se tiče* Initiative (It Matters to Me), Prijedor
Nataša Kandić, Humanitarian Law Center
Bekim Blakaj, Humanitarian Law Center Kosovo

PANEL 7

Youth between the Past and the Future

Moderator:

Prof. Aleksandar Maršavelski, PhD, Faculty of Law, University of Zagreb

Panelists:

Prof. Ana Martinoli, PhD, Faculty of Dramatic Arts, University of Belgrade
Prof. Stevan Filipović, Faculty of Dramatic Arts, University of Belgrade
Prof. Nevena Jeftić, PhD, Faculty of Philosophy, University of Novi Sad
Domagoj Fuk, student, Faculty of Political Science, University of Zagreb
Mila Pajić, student, Faculty of Philosophy, University of Novi Sad (in exile), STAV activist (online)
Jovan Dražić, student, Faculty of Philosophy, University of Novi Sad (in exile), STAV activist

Doroteja Antić, graduate, Faculty of Philosophy, University of Novi Sad (in exile), STAV activist
Branislav Đorđević, student, Faculty of Philosophy, University of Novi Sad (in exile); student, Faculty of Political Science, Zagreb; STAV activist
Anja Pitulić, student, Faculty of Philosophy, University of Novi Sad (in exile), STAV activist
Lana Kocić, student, Faculty of Law, University of Niš
Boris Kojčinović, graduate, Faculty of Philosophy, University of Novi Sad
Natalija Petrović, student, Faculty of Philosophy, University of Novi Sad
Jelena Mihajlović, student, Faculty of Philosophy, University of Novi Sad
Tamara Rašić, student, Faculty of Philosophy, University of Novi Sad
Uroš Antić, student, Faculty of Medicine, University of Novi Sad
Davud Delimeđac, student, Faculty of Political Science, University of Belgrade

Closing Remarks

Prof. Aleksandar Maršavelski, PhD, Nataša Kandić and Vesna Teršelič

Opening

Prof. Žarko Puhovski, PhD, Faculty of Philosophy, University of Zagreb

It is 9:15, and I am authorized to open this gathering. My name is Žarko Puhovski, and I have been asked, authorized, or instructed—vhowever you prefer to put it; those who know Nataša know which verb is most appropriate here—to say a few words.

Those few words concern the changed context in which the REKOM initiative has found itself increasingly clearly in recent years. It began with a very simple idea: to ask, compel, or persuade those in power in the territory of the former Yugoslavia to agree to the establishment of a regional commission that would deal with determining the fate of war victims and the circumstances in which those victims, in quotation marks, "occurred," that is, were caused. It turned out that this was a very, very difficult task. At the outset it seemed simple, and this was because, parallel to the efforts of those who began the initiative—and I was not involved from the very beginning—the credibility of civil society in all post-Yugoslav states was significantly eroding, and, to our detriment, the international situation was changing as well.

The original tactic was very simple, a classic NGO tactic of the post-communist world: to place the authorities in a sandwich between pressure from below—from civil society, the media, and so on—and pressure from above, through external pressure.

In the meantime, civil society organizations have, to a significant extent—though not completely—set out on a path known as *project-oriented activity*. About ten years ago, I saw for the first time a young woman who had a business card that read: "Senior advisor to NGO." At the time, it seemed to me that everything was over, but in fact I failed to understand that things were changing. A new wave of activity emerged in which, in reality, there are no substantial differences in internal relations between employees and activists in any ministry and those in better-organized NGOs. Here, that very distinctiveness—which had previously been a source of pressure on those in power—necessarily proved to be weaker.

The remaining organizations that continued trying to do something encountered obstacles due to changed circumstances, primarily international ones. We now have two new wars, and today Gaza and Ukraine—or Israel and Russia, or Netanyahu and Putin—are the focal points of discussion and the reference points in relation to which positions are taken.

As Erich Maria Remarque said in one of his last interviews: “The worst thing for the victims of one war is when another war begins.” They then become redundant. This is happening globally, and that is why there is no longer any external pressure on domestic authorities.

In the meantime, we have been told from Washington, from the center of the world, that human rights are no longer even a formal category used in international relations. And the elements of pressure that we once had have thus been lost.

In some contexts, this has been further compounded by various changes that are not particularly conducive to resolution. Take Bosnia and Herzegovina, which has effectively become a country without a state, holding a world record: instead of one fifth column, they have five fifth columns—one from Ankara, a second from Belgrade, a third from Zagreb, a fourth from Brussels, and a fifth from Washington. And

In Montenegro, a proxy civil war is being waged—still with words, predominantly at the symbolic level—between Belgrade-aligned and Brussels-aligned sycophants. Once again, there is no one you can reach an agreement with. Podgorica today is less of a capital city than Titograd was in the time of Blažo Jovanović.

North Macedonia is dealing with continual defeats at the hands of Greek nationalism and Bulgarian nationalism. The few reasonable people hope that in North Macedonia there will be a defeat of Macedonian nationalism before Brussels, but even that is not particularly convincing.

Kosovo cannot come to terms with its parliamentary elections. Everyone is happy that a few presidents of Serbian municipalities nevertheless managed to enter their offices, but the elections will be repeated and, most likely, as a colleague told me just a moment ago, the same story should be expected again. It is well known, after all, that for democratic politicians the biggest problem is that they have to go to elections.

In Serbia, we have a situation in which the president of the state would like to be the prime minister, but in fact would like to be—and is—an authoritarian leader; it is just unclear of how large a segment of the population. On the other side, there are people who act recklessly—quite literally like headless flies—believing that political power can be changed without political engagement. Once again, there is no one to talk to.

Croatia, as the most developed environment in this region—because Slovenia has already moved on—ever since their fashion model stopped being president or the pres-

ident stopped being a fashion model, whichever way you put it. Croatia, however far ahead it may be of the other countries, is in the worst position because Croatia has officially proclaimed a reversed chronology. In Croatia, every day we are moving closer to war, not farther away from it.

In Croatia, the term "region" prompts many people to reach for a revolver. Even the Croatian version of the term, "regija," is not much help. In Croatia, if you want to know what happened, you have to ask a right-wing pop singer, for example, and everything else has become secondary.

In that situation, the question that arises—allow me to formulate it, regardless of the academic title of this session, in an entirely non-academic way—is this: Why the hell are we still meeting at all? And I truly believe that this is what it comes down to.

The answer, in my view, taking into account all the reductions that have been very briefly indicated here, is roughly this: the same thing that Sir Edmund Hillary said when he was asked why he climbed Mount Everest. His answer was: *Because it is there.*

Why do we have the need and the motivation to remain active? Because the problem is still there.

In Croatia, for example, there is talk of 1,744 missing persons, but nowhere is it said that approximately 40% of them are victims from 1995—mostly people of Serbian origin. And in the relevant institutions, not far from here, at Šalata, there are several dozen human remains which, for some reason, have not been analysed, even though Croatia has one of the two or three best sets of equipment for DNA analysis and everything else that is needed. But this equipment is used as required—or, as one might say, at discretion.

In such a situation, we will no longer be able to do very much in terms of locating victims, although from time to time there will still be some results of that kind. What remains for us, it seems to me, is to try to do whatever we can to reduce and mitigate the manipulation of victims.

Many things cannot be done. In Srebrenica, everyone was buried as if they had been Muslim believers—and they were not. In Vukovar, everyone was buried as if they had been Catholic believers—and they were not. The victims were simply appropriated.

What we can possibly do is this: when, in future situations, each of us in our own environment is confronted with this, we should try to see what can be done so that

this secondary victimization—which will certainly occur, because we cannot avoid it—is made less severe.

Of Yugoslavia, which is mostly discussed on the political right, 255,804 square kilometers remain. Everything else is fiction. But, as the not particularly popular Karl Marx would have said—useful fictions.

And those fictions come down to asserting that the final act of Yugoslavia's existence was the war of the 1990s. That is something that both sides must come to terms with—and then, possibly, do whatever each of us can so that the destinies of individual men and women who are eventually found do not end up as material for a media flash machine.

If it were possible, in some perverse way, to use a new war so that the pressure to revive memories of the old war would be less officially present, that would at least mean something.

So I conclude with one very modest ambition, bearing in mind how immodest our ambitions once were, and in the hope that even this might somehow still be possible.

I thank you, and I take this opportunity to give the floor to the only one among the leading figures of Yugoslav politics who found the motivation and the courage—or the will—to come and support the work of RECOM, President Ivo Josipović.

Ivo, please.

Ivo Josipović:

Dear friends—yes, I must say that, because with some of you I have been close since as far back as 1992. If you remember that meeting in Fribourg, when we were fighting as a non-governmental organization. At that time, I was a non-governmental actor, let us put it that way, advocating for trials for war crimes at the international level, for an international court, and for equal treatment of all crimes. We did not succeed. Or rather, I would say, we did not succeed as much as we had hoped.

Later on, of course, I somewhat changed my role. You know, I came to hold the office of president, and that was an opportunity I tried to use to support the activities of my friends and colleagues from non-governmental organizations who were fighting for the right cause. Žarko mentioned "the powerful." Well, I was not powerful enough. Because the resistance to truth, the resistance to justice, the resistance to equal standards was

simply too strong—clearly so not only in other countries, I would say, but particularly in Croatia—even for a president of the state.

What can I say to you? I am not disappointed, and I do not think we should regret what we have done. I would say that here with us are two of our champions in the fight for human rights and for the truth about crimes—Nataša and Vesna. What I was able to do was to award a decoration to someone, to the outrage of the majority of the public at the time, but a trace remained. A trace remained, and that trace is certainly not the end. It is not the end.

Because, even though perhaps we did not succeed—and I say *we*, because I consider myself part of that story—we did not succeed in imposing this either from within or from outside, still something has remained. A sentiment has developed among a large number of people that without justice there is no freedom, no democracy, no future.

And now we have indeed reached a phase—and Žarko stated this brilliantly—when what remains on the table are the crumbs of what we wanted and what we worked for. But I think the group can be proud. I see that there are also very young people here. So the torch has not been extinguished, and it will not be extinguished.

And I only hope that, at least to some extent—if that illusion can become reality at all—we will, through our truth and our commitment to justice, help prevent new tragedies like those our generation has witnessed.

So, thank you for inviting me. I have worked on The Hague—and not only on The Hague—but on war crimes more broadly, and not only as a politician. I would say that I began dealing with these issues earlier as an activist and as a professor of law. A substantial part of my academic work has been devoted precisely to war crimes, war crimes trials, and courts. So, in that sense, I also derived some benefit from it—you know, through those reports that one has to write for academic advancement.

I wish you to preserve that torch. It is worth it, it truly is. And, of course, the years go by. I will be here with you for as long as I am able. Thank you very much. *(applause)*

PANEL 1

Academic Community in a Captured Society: Limits of Critical Speech and the Possibility of Intellectual Resistance

Moderator:

Prof. Žarko Puhovski, PhD, Faculty of Philosophy, University of Zagreb

”In societies that are not democratically stable, academic freedom does not imply the right to hold an opinion, but the courage to bear the consequences of that opinion.”

Thematic Focus

Transitional justice confined to formal outcomes, with largely absent transformative effects.

A system that blocks reform and punishes resistance: critical thinking becomes risky, while symbolic resistance is often the only “safe” form.

Academia as a space of shared intellectual resistance within a regional community of knowledge, as an alternative to ethnically enclosed memory regimes.

The languages through which the past is articulated: analytical, normative, and political frameworks.

The absence of interethnic dialogue in the academic field, mirroring state policies of the heroisation of war.

How do national narratives persist independently of established facts?

Panelists:

Dr Ana Milošević, Postdoctoral Researcher, Faculty of Law, KU Leuven
Prof. Eric Gordy, **PhD**, University College London, School of Slavonic and East European Studies (SSEES)
Prof. Vjollca Krasniqi, **PhD,** Faculty of Philosophy, University of Prishtina
Prof. Nebojša Blanuša, **PhD,** Faculty of Political Science, University of Zagreb
Prof. Adnan Prekić, **PhD,** Faculty of Philosophy, University of Podgorica

Discussion:

Prof. Midhat Izmirlija, **PhD,** Faculty of Law, University of Sarajevo
Prof. Jelena Lončar, **PhD,** Faculty of Political Sciences, University of Belgrade

Prof. Smiljana Milinkov, **PhD,** Faculty of Philosophy, University of Novi Sad
Prof. Artan Krasniqi, **PhD**,Faculty of Philosophy, University of Prishtina

Žarko Puhovski:

May I ask my colleagues, the panel participants, to join me here. In accordance with the programme, I will first give the floor to my colleague Milošević.

Ana Milošević:

For those of you who already know me, there is no need for an introduction. For those who do not, I am a postdoctoral researcher, currently affiliated with the University of Leuven in Belgium. Over the past 20 years, both academically and as a practitioner, my work has focused on dealing with justice in the Balkans, as well as on justice within the European Union itself. Unlike us, who have lived through the wars of the 90s, the European Union does not use the term "transitional justice." Yet I would argue that the EU itself has been, and continues to be, in a process of transitional justice since the end of the Second World War. This has been visible through the policies of European enlargement, which began with Western Europe and gradually integrated countries of Eastern Europe, Central Europe, and eventually our countries here in the region.

I would like to briefly reflect on some of the lessons and questions that we discussed last year at the RECOM Forum in Pristina. That forum was very well attended and, in my view, brought a new dynamic to the RECOM process. We attempted to examine some of our initiatives, some of our successes, and also some of our failures. In doing so, we introduced a self-critical perspective into the entire process of transitional justice as it has unfolded over the past thirty years. We believe that we are now in a more mature phase of dealing with the past, one in which we can also look inward and assess where we could have done better or more effectively; how the European Union contributed to some of our achievements, how it may have constrained us in certain respects, and whether we can learn something from all of this.

In this regard, I would also like to thank the colleagues with whom I spoke in Pristina last year over the course of two days. I believe it remains extremely important to continue this discussion about where we stand after thirty years.

The very title of this Forum, and the subject of our discussions over the next two days, is "A Future through tha Past". What is the future of our past? We know that the future of our past is highly uncertain, especially if we look at current developments across the region. It seems to me that time is passing, and that—as one professor noted—we

are moving further away even as we appear to be getting closer. We are increasingly distancing ourselves from the goal we may have envisioned thirty years ago.

Another observation that emerged from last year's analysis, and that will likely resurface over the next two days, is that we learn very slowly and struggle to absorb new knowledge—particularly when it comes to self-critical reflection on results. In Pristina, we also raised a very important question: where are we after 30 years? Will we still be dealing with the same issues in the next 30 years, and what can we do differently when it comes to learning, assimilating new knowledge, and applying the experiences we already have?

Together with colleagues—Eric, Jessie, and several others—I worked on developing some of these ideas further. We produced a book in which we advocate the concept of transformative justice. As academics—at least as a small group involved in this project—we are trying to say something new about transitional justice, something that perhaps has not yet been articulated, and to draw lessons from 30 years of dealing with the past. We are also interested in exploring how both the lessons we have learned and those we have failed to learn can be applied to other regions that are currently experiencing conflict or emerging from it.

What, then, is transformative justice? How can I explain it most simply? Transformative justice means addressing the root causes of problems, rather than merely their consequences.

There are many ways to think about change—about where we want to go and what our long-term goals should be. However, when we analyze the past 30 years, I believe—and I trust you may agree from your own perspectives—that our focus has consistently been on short-term goals, on outcomes that are tangible and visible within a very short time frame.

What we can say now is this: having institutions does not mean that we are dealing with the past. Having court judgments does not mean that justice has been achieved. Having individuals convicted of crimes does not necessarily lead to reconciliation or provide satisfaction to victims and their families.

The way we plan change, the way we think about results and vision, must therefore change. As I mentioned earlier, we will likely continue dealing with these issues for the next 30 years, because we are facing an unfinished process of transitional justice that will take a long time to complete.

We could speak at length about causes, but we all know that there must be a different way to measure the success of transitional justice in the region. Yes, there have been many successes. The very existence of RECOM, today's gathering, and the discussions we will have are concrete examples of success. But I believe it is equally important to talk about failures. Through the concept of transformative justice—by addressing causes rather than only consequences—we change the meaning of transitional justice itself. We give ourselves a long-term vision of where we want to go, what we want to achieve, and how we can genuinely contribute to ensuring that such situations never happen again.

With that, I will stop here and leave time for my colleagues to speak on the same or related topics. Thank you very much.

Žarko Puhovski:

Thank you, colleague. Eric Gordy, please.

Eric Gordy:

Good morning, everyone. I was told I would be permitted to speak in English, which is my native language. What I will do is attempt to be brief. I have three observations and one complaint.

I'll begin with my three observations.

Observation number one**:** Yesterday I was in Belgrade presenting, for the first time to the public, a book that I produced with some colleagues, *Captured Societies of Southeast Europe*. There is a clear consistency here with the title of this panel, *The Academic Community in a Captured Society*. Very quickly—since we were in Belgrade, in Serbia—the conversation turned to the perception that the difficulties we were discussing, namely the fact that society as a whole is captured by informal networks that exercise power in place of legal institutions, represent a structural problem.

That is to say, this is not purely a political problem, and it is not a problem that can be resolved simply through elections, such as those being demanded by protesters. People began asking a key question: what happens on the day after change—assuming that change actually comes? It occurred to me that we have been here before.

Although the period of open violence has mostly ended, we have not reached a moment of genuine change of power—or at least not a change of discursive power—except

for a very brief period over the past twenty-five years. There have not been people in influential positions offering an alternative version of events to the narrative that led to and legitimized the violence that occurred. This is somewhat anomalous. Typically, after a period of violence, there is a change of power. Instead, we now find ourselves compelled to reach accommodations and make deals with people who were directly or indirectly involved in the commission of violence.

Observation number two**:** Because of this, the record of violence and its legacy have become ossified in public discourse. In fact, there is less diversity in narratives about violence today than there was twenty or 20 or 25 years ago. What further entrenches this is that the record of violence—whether through denial, justification, or narratives that normalize it—has been tied to perceptions of identity and to perceptions of the legitimacy of existing states.

To give an example from Serbia once again: protests have been ongoing for more than a year, initially centered on corruption and police violence. At the same time, state-controlled media have conducted sustained campaigns to discredit a rotating cast of individuals labeled as leaders or ideologues of the protests—one of whom is present here today. These figures are discredited in various ways: by associating them with foreign actors or regional enemies. One recurring claim is that such a person supports the protests and believes that what occurred in Srebrenica was genocide. This is framed as a disqualification—a way of excluding that person from the ethnic community. This demonstrates the extent to which the power currently exercised is bound to enforcing a specific interpretation of the past—one that denies or justifies violence.

Observation number three: This concerns victims. Victims have always been central to this group and to these discussions. However, the centering of victims is itself problematic, because victims are also central to regime propaganda. This form of "centering" turns victims into instruments.Professor Puhovski expressed this very well: victims are transformed into something resembling religious believers—whether or not they actually are.

We are now witnessing, slowly but increasingly, a shift in official narratives—from narratives about victims to narratives about heroes and military conquest. This represents a return to a more stereotypical nationalist narrative.

This is something we must pay close attention to, because glorification, in my view, follows denial.

Now to my one complaint. My complaint concerns the younger generation—not because there is anything wrong with them; there is not. When I first began attending meetings like this, I was part of the younger generation myself, though that was a long time ago.

You may recall that at the last such meeting I attended, in Prishtina, there was a small rebellion among younger participants. They expressed frustration at being excluded from discussions, decision-making processes, and leadership roles.

This is my concern: many of the failures we face stem from structural constraints and power relations beyond our control. But another failure is our inability to cultivate and sustain a new generation of scholars and activists who will continue this work.

I know that many people are making serious efforts—maintaining research infrastructures, supporting students, and so on. But this must be far closer to the center of our attention.

With that, I will conclude. Thank you for your time and attention.

Žarko Puhovski:

Thank you, Eric. Vjollca Krasniqi, please

Vjollca Krasniqi:

Thank you, Professor Puhovski. I am an associate professor at the Faculty of Philosophy, at the University of Prishtina. It is a great pleasure to be here today and take part in this important panel.

In my brief presentation, I would like to draw attention to the role of intellectuals and academic freedom in relation to transitional justice and dealing with the past. Scholars hold a distinctive position in society as creators of systematic, reflective, and critically engaged knowledge. I am especially drawn to Gramsci's notion of organic intellectuals, which echoes the idea that the intellectual's task is not only to interpret the world, but also to question and challenge hegemonic social orderings that maintain the status quo.

Part of the challenge lies in how we look toward the future from the standpoint of the past, and how we reflect on our own position, our positionality as academics, producers of knowledge, and activists. Academia does not exist in isolation; rather, it

reflects political and social forces as well as the broader societal context. Thus, it is important to inquire into how institutions of higher education adopt transitional justice and dealing-with-the-past concepts. How transitional justice theories are integrated into curricula. How are transitional justice theories integrated into curricula, and how do public intellectuals position themselves as critical actors in culture and knowledge production?

Having participated in numerous processes of dealing with the past in the post-Yugoslav region, I must note, without intending to be overly critical, that academia has never fully participated in transitional justice processes. Only a limited number of intellectuals and academics have engaged in research on transitional justice, and an even smaller number have taken an active role in transitional justice initiatives and broader processes of dealing with the past. This situation raises an important question: why is this the case?

It is hardly surprising that academia, and public higher education institutions in particular, function as extensions of existing power structures. Although funded by public resources, access to those resources is tightly regulated through political mechanisms. In this context, where can a truly critical voice emerge within such institutional frameworks? Is it possible to cultivate educational practices and pedagogies that engage young people with the past in a meaningful way? Can academics teach in ways that challenge the status quo and raise essential questions that confront shortsighted historical narratives and imagine a more just future?

Other issues of concern include the lack of public dialogue and the absence of collaborative research with local communities regarding the presence of the past and issues of transitional justice. Academia remains largely confined to an ivory tower. Even when universities attempt to engage with society, such efforts are often framed through a neoliberal lens, linking higher education primarily to labor market needs rather than to issues of transitional justice, peacebuilding, or civil society.

I must also highlight the gender dimension of these processes. There is a significant lack of attention to gender, and gender studies remain chronically underfunded. With the rise of populism and right-wing ideologies, gender is increasingly framed as a threat, silenced, and pushed to the margins. Gender studies are seen as a challenge to ethno-nationalist and right-wing political agendas.

Then, what are the main barriers to the integration of transitional justice in academia, and what has been the role of intellectuals? Although I am a strong propo-

nent of transitional justice, there is a concern that the term itself has become overly technocratic and legalistic, prioritizing retributive mechanisms over restorative ones. Intellectuals and academics have a responsibility to transform higher education institutions into spaces of public debate, critical knowledge production, and research on transitional justice. Of course, this does not mean that there has been no progress. The fact that we are gathered here today testifies to perseverance and a sustained commitment to justice, human rights, and the restoration of human dignity. Yet meaningful social transformation remains a distant goal. Whether framed in the language of transitional or transformative justice, the aim of transitional justice is social change.

Yet we must critically inquire whether resistance exists within the academy. If it does, is this resistance low-intensity or rendered invisible? How might it be strengthened, and how can scholars engage with uncomfortable questions to unsettle dominant discourses and regimes of truth? Truth is never singular; it is plural. Academia must therefore support participatory and inclusive processes of transitional justice, truth-seeking, and engagement with the past.

Finally, we must acknowledge that academia remains ethnically divided, and cross-national academic dialogue continues to face serious obstacles. In the context of Kosovo and Serbia, many initiatives have been blocked, and there is widespread resistance to institutional cooperation. This places the few academics who do speak out at considerable risk of stigmatization and marginalization. Similar dynamics shape collective memory, where the boundaries of what is remembered are tightly controlled. Introducing the perspective of the other into public discourse is resisted and often perceived as a threat that delegitimizes power and dominant narratives. Academics are adept at analyzing structural constraints but less effective at translating their insights into action.

Looking forward, the key challenge is how to transform analysis into practice, reposition academia and critical intellectuals at the heart of society, and mobilize communities around human rights, equality, diversity, and social justice.

Thank you.

Žarko Puhovski:

Thank you very much. The floor is given to Nebojša Blanuša.

Nebojša Blanuša:

Thank you very much. I would like to thank you for the invitation to this gathering. I am here for the first time. I am a professor at the Faculty of Political Science in Zagreb.

Perhaps I should begin this reflection—given that the title of this panel is *The Academic Community in a Captured Society*, and considering the introductory speaker who, in my view, essentially spoke about how we have reached a dead end. Considering how much effort has been invested and how few results have actually been achieved, it seems that we are returning to the past and to what I would describe as highly affectively polarized societies.

In this sense, I would begin with the claim that the movement to which we belong has not achieved its goals—goals that were set very ambitiously—because it did not possess truth. Truth, in this sense, was established, but the conditions for accepting that truth did not exist. There are international courts, special courts, archives, verdicts, and facts. However, there was no political will, no institutional infrastructure, nor— I would add—an ideological infrastructure closely tied to an emotional one that could transform all of this into genuine change. Transformation into better, more open societies.

Perhaps Eric Gordy would say that the problem lies in institutions that continue to reward obedience and punish criticism. The same applies to our academia: we have a specific culture of power. Professor Puhovski might add that such an institutional structure produces societies that are formally democratic but do not generate democratic effects. I would add that these societies live in a state of permanent ontological insecurity and are not prepared for a confrontation that destabilizes their sense— and I emphasize the word *sense*—of moral and identity cohesion founded on victimhood. A highly simplified form of victimhood. This situation is, in fact, very comfortable and extremely difficult to dismantle because it is emotionally highly charged.

Thus, formal transitional justice was possible, but transformative justice was not. And this is not a technical problem; it is an emotional, ideological, and institutional one.

In such captured societies as those in which we live, resistance is not prohibited—it is primarily rendered meaningless. Here I cannot help but recall Peter Sloterdijk and his critique of cynical reason, as articulated in the 1980s. The response to what we do, the response of those who criticize us, is always: *So what?* The question is what kind of answer we can give and how we can respond to the fundamental question—*what is to be done?*

The sanctions that are applied are not spectacular; they are procedural, reputational, and bureaucratic. The punishment is quiet, if I may say so, and precisely for that reason it is effective. The message is always the same: *do not make waves*.

In this context, critical thinking today exists in enclaves. One such potential enclave is the academy, but I am not certain that academia today operates under conditions that allow it to fulfill this role—unless we ourselves act from within the academic institutions of which we are members.

In theory, academia should be a space of intellectual resistance—transnational, autonomous, disciplined, and free of ethnic divisions. In practice, however, academia often reproduces the same patterns that dominate politics and the media: ethnic paradigms, national mythologies, identity defensiveness, and selective perceptions of reality. In this way, it becomes a kind of institutional extension of the dominant discourse.

Nevertheless, I still believe that there is a space worth cultivating in the future—one that many have already nurtured. It is a space where knowledge is produced beyond ethnic frameworks; where facts are verified outside political centers of power; where boundaries are not determined by habit or fear, but by methodological rigor.

For this reason, academia can be a site of resistance—but only if it first critically examines itself.

There is also the question—here I refer directly to the thematic framework of this panel—of which language we should use in order for people to internalize what is being said. Should it be a dry analytical language? Over the years, we have written numerous texts on this topic, texts that simultaneously attempted to undermine the normative and political language that functions here as mere manipulation.

In this sense, it is necessary to attack—using all available means—the ideology that holds all of this together: the dominant hegemonic narratives about the past, which are not merely, in quotation marks, cognitive constructions, but above all emotional regulatory mechanisms.

The question remains: what is left for us to do? What remains is to continue acting. You yourselves have noted that there are many young people present here. I do not feel like a young person, although I am here for the first time. The work we are doing does not produce immediate results. It requires systematic, often frustrating work and often unbearable situations, but there is no alternative.

In my course, I work with students and try to place them in situations that are secondarily traumatizing. The most effective are those situations in which they confront the crimes committed by their own side. That is when transformation begins. The question is what happens afterward and whether our discourse is sufficiently strong and sufficiently broad.

To conclude: transitional justice was truth without transformation. It is up to us to attempt to create a transformation that does not depend on the will of political elites. And this is possible only within a community that is not defined by nationhood, but by knowledge.

Thank you.

Žarko Puhovski:

Thank you very much. The floor goes to Adnan Prekić. Please.

Adnan Prekić:

My name is Adnan Prekić, from the Department of History at the University of Montenegro. Thank you for the invitation and for the opportunity to speak.

In my view, the academic community in a captured society can be defined, in the briefest terms, somewhere between what my predecessors have already stated – between the establishment of truth and resistance to truth. In that sense, I would like to point to several theses that could serve as a basis for reflection from my perspective.

First, I believe that we are, to some extent, trying either to suppress or insufficiently understand the fact that academic communities, that is, people working in the education system, are no longer authorities. In that sense, they no longer possess a monopoly over knowledge, nor do they have a monopoly on influencing young people – something that is often overstated and taken for granted. I think this is very important for understanding all the problems we have been discussing here.

Additionally, I will speak from my own perspective, the perspective of a historian, and point to two issues. First of all, there is what national states and political elites want on the one hand, and on the other hand, what is, somewhere, the goal of academic communities. On the one hand, there is the sacralization of the past and the myths that political elites wish to present as the foundation of their own political action.

Unfortunately, we live in a society in which traditions and myths form the basis of contemporary political action. This is extremely important for political elites, which is why they seek to sacralize the past in a way that suits them. On the other hand, we have an academic community that strives for something that could be described as critical historiography – as truth – and an effort to dismantle all those myths and traditions.

The academic community also insists on rationality, on facts, and on historical context, while the other side insists on emotions, constructions, and mythology. It is very important to understand that they are in a much stronger position, because they appeal to points at which our identity is often most vulnerable. This is precisely the essence of their relationship to the past.

Finally, there are also models of communication with young people, which again relate to my first thesis – that education no longer has this kind of authority and that we cannot claim that education in itself can exert influence. The simplest example of this is the fact that after the Second World War we had a period of more than 40 years during which textbooks clearly explained all these issues, clearly distinguishing what was black and what was white, and yet that entire generation – and those generations – ended up in one of the bloodiest conflicts. In that sense, the relationship between education and the past is highly problematic.

All of this becomes even more complex when you speak from the position of someone coming from a very small academic community, such as Montenegro, where capacities are extremely limited, while the problems are very serious. I do not wish to claim that the problems of Montenegro are more complex than those of other communities, but they are certainly not significantly smaller.

In recent years, we have been facing what could most briefly be described as an expansion of historical revisionism. Unfortunately – or perhaps fortunately – Montenegro had the circumstance of having skipped the first phase of historical revisionism after the 1990s. That phase was relatively weak and did not have serious consequences, which is evident in textbooks, curricula, and everything that was taking place.

However, in recent years there has been a complete explosion of historical revisionism and a dramatic acceleration, because it is clear that there is an attempt to make up for everything that was missed over the past 30 years. That is one problem.

Another problem concerns political elites. Specifically, you have a prime minister who refers to the erection of a monument to one of the greatest war criminals of the Second

World War as a "village story" and a "village issue." For him, these are stories that carry no significance whatsoever.

At the same time, you have a very interesting attitude among so-called Western or Brussels elites who – allow me to paraphrase – see those who deny genocide, support war criminals, and affirm the worst policies of the 1990s as the only political actors capable of leading Montenegro into the European Union.

This is a major problem, because the entire issue is relativized and opened up at a very superficial level. Once again, the narrative is repeated that the economy and these processes will somehow push everything else aside.

The key question here is: who are the partners?

Using the concrete example of Montenegro, I believe that the West is making the same mistakes it made in the early 1990s. There is also an additional problem: many people in Montenegro take the country's pro-Western orientation – which has been inherent since 1998 and the break with Slobodan Milošević – as something self-evident, as an axiom, which is completely incorrect. They refer to surveys showing that 60–70% of citizens support the European Union, but when this structure is analyzed in terms of values, it becomes clear that the number of those who genuinely believe in those values is very small.

In such a situation, the question arises: how can academic communities respond, and what is their function in this entire process? In my view, the essence lies in what we might call the internationalization of academic knowledge and networking – with the support of academic communities from the region and, of course, from Europe.

But the key issue is understanding everything I have spoken about, above all the question of who the partners are and whether we truly want to insist on values and on the establishment of truth. Otherwise, we move in the direction of resistance to truth and away from what is essential.

Thank you.

Žarko Puhovski:

Thank you very much. We have four registered discussants. Colleague Midhat Izmirlija will speak first, and then we will continue.

Mithad Izmirlija:

Thank you, Professor Puhovski. Good afternoon. Today, as we speak on the first panel about the academic community in a captured society and the possibilities for critical speech and intellectual resistance, I asked myself a question: can we actually speak of a captured academic community?

And indeed, regardless of the results we have achieved over the past 25 years or more – I myself have been involved in this process for 25 years – perhaps now is the right moment to speak about reflection. What could we learn? That is, to critically position ourselves toward our own work. And, however harsh it may sound, to ask ourselves: where did we make mistakes?

We are not speaking only about the past – we also have our own past. The past of our own engagement. What could have been done better? Precisely so that we might learn for the future. Whether that is A Future through the Past, as this forum is titled.

The second point I wish to make is this: we speak about the academic community, about rigor, about methodology, about scientific truth. However, what does activity or engagement of this "oasis" that we have heard about – critical thinking within the academic community – actually mean? In the end, it means a form of activism.

That activism can take place in teaching, it can take place through cooperation, it can take place through research. I believe we could reflect more on how to connect more strongly. Our activism, our critical conduct or thinking, is in fact a form of activism.

On the other hand, we speak about the academic community in general terms. I agree with you – the academic community is not separated from society. It represents a reflection of society. However, at times we think of ourselves, as an academic community, as being detached. And in fact, we do not critically examine ourselves or our own role. At times, we are sufficient unto ourselves.

At the same time, the academic community is a very broad concept. Our colleagues also include those who support ethno-nationalist narratives, who take a completely different stance and who also contribute to the capturing of society. What can we do about this? Do we have space for critical thinking within our academies – *Fatime* – and within society itself?

These would be a few questions for discussion. And I believe what Eric said is very important. Over these 25 years in which I have participated – some perhaps longer,

some for the first time – twenty years ago I was very young. Today, I am no longer. But certainly, if we speak about the future, we should think about how to include new generations, how to transfer this knowledge, and how to correct what has not been successful so far.

Thank you.

Žarko Puhovski:

Colleague Jelena Lončar, please.

Jelena Lončar:

Good afternoon, everyone. Thank you for the very useful presentations. I have several reflections.

We are now speaking about the past thirty years, but in fact we find ourselves in even more challenging times than before. We are living in a context of growing autocratization, the rise of populism and the far right, which is not specific only to our region but is becoming dominant across Europe as well. If we look at Austria, Germany – the rise of the Freedom Partyod Austria and the AfD – as well as France and Italy, all of this likely suggests that support for these topics will become increasingly difficult to secure in the coming period, even in places that were once our allies.

The second issue is that within these trends, hybrid regimes are coming to power, and one of their first tasks is an attack on the academic community. In such circumstances, where universities as institutions are under threat and the freedom of professors is under additional pressure, topics such as gender studies and dealing with the past are among the first to come under attack. Individuals working on these topics find themselves in a particularly vulnerable position.

I fully agree with the assessment that the academic community was not a key actor in dealing with the past even earlier, even when circumstances were more favorable. These were individual efforts that were never institutionally supported. Today, I would say, the situation is even more challenging, and I would like you to also reflect on these conditions.

I also notice another trend: recently, among colleagues there has been a tendency not to address these topics directly, but indirectly – through broader frameworks such as democracy, human rights, or other less sensitive and less visible topics. This approach

may have certain advantages, but it also has serious drawbacks. One of them is that these topics are thereby removed from the agenda, and when they are removed from course titles or public discourse, an implicit message is sent about their lack of importance. I am interested in your views on this.

Additionally, where are the spaces of resistance today? Vjollca spoke about spaces of resistance – where can we find them today, under conditions of intensified "witch hunts" at various levels? Colleague Adnan said that professors are no longer authorities. It seems to me that this may not necessarily be a bad thing, because it opens space for building more horizontal, perhaps healthier communities. This is particularly important in relation to students – because they are our key audience and field of action.

The experience of student protests over the past year has significantly changed relations between professors and students. More equal communities have been formed, based on support, solidarity, and mutual understanding. We are no longer distant authorities who come into lecture halls "from above," but people who, together with students, spent months at protests, together experiencing pressures, dismissals, arrests, and other experiences.

In such circumstances, perhaps today we have more space for direct conversations about these topics. This is why I ask whether it is also necessary to change our strategies of action – whether building solidarity is, in fact, the first and key step.

If we look at the experience of students from Novi Pazar and other universities, we see that their symbolic actions had a strong effect – not so much through the establishment of facts, but through connection, mutual recognition, and acknowledgment. Perhaps this is precisely the necessary first step: to recognize each other as people, to feel that we share the same problems and that we are equal, and only then to open space for dealing with the past. These are the questions I would like to open for all of you.

Thank you.

Žarko Puhovski:

Thank you. Colleague Smiljana Milinkov, please.

Smiljana Milinkov:

Thank you very much. I come from Novi Sad, from the Faculty of Philosophy at the University of Novi Sad, where the police stayed for 40 days. For two weeks, they were

present day and night at our Faculty of Philosophy. I believe this is extremely important for understanding the context and the condition of the academic community, but of course also the broader social context.

At the beginning, Professor Puhovski gave an overview of the situation in the countries of our region, and when we hear it, we are somewhat shaken by how painfully true it is and how difficult it is to come to terms with it. When it comes to Serbia, this is a situation that has lasted for more than two decades. We find ourselves in a kind of vacuum—we do not know how to move forward, while at the same time being deeply stuck in the existing situation. Numerous opportunities and chances for substantial change have been missed.

Now I will also speak about something that has already been mentioned here: in academia, and it should be so, *ratio* is what guides us. But I must also introduce emotions. What we have experienced at universities in Serbia over the past year is that we have finally allowed ourselves to begin to feel.

If I return to last December, that was the month when faculty blockades began across Serbia. I cannot describe to you how much we—personally myself, and I believe my colleagues as well—began to feel good at that time. After a long period of being stuck, in which we saw no way out, we finally began to feel that change was possible. Of course, the question of how and in what way such changes can occur still remains, but that initial feeling of hope was extremely strong.

As Jelena has already said, we began to build different relationships with students. We got to know each other in a different way. We stayed together at the blockades, literally day and night. This is an invaluable experience for our academic work, because we began to respect each other more, to understand each other, and to care for one another. It is an experience we carry with us, and one that changes the way we perceive both ourselves and our students.

When we look back from the distance of one year at what has happened to the student movement and the broader civic movement in Serbia, it is clear to us that after the initial euphoria and positive energy in December and January, the regime became aware of the potential of that movement. That is why it is clear to us today why, a few days before March 15, one group of students was removed.

These were students who very clearly understood what transitional justice means, why dealing with the past is necessary, and why reconciliation is necessary. I am not claim-

ing that they were the only ones who understood this, but within the student movement they represented an important segment of those who are aware of what kind of changes are truly needed in Serbia. Unfortunately, they were very easily sidelined.

Some of them are now in Zagreb, in exile. Some spent seven months in detention—two months in prison and five months under house arrest. This, unfortunately, speaks very illustratively about the state of society in Serbia.

Still, I would like to return to the beginning. Confronting the real state of our societies is painful and often leads to a sense of passivation—to the question of whether it is even possible to change anything. But this year has shown us that it is possible. It is difficult, yes. We are tired, we are exhausted.

I often think that I no longer want to remain in the academic community, precisely because of colleagues who remain silent, who do not want to expose themselves, and who reconcile themselves with the existing state of affairs.

But then I enter the classroom—and it is a completely different atmosphere. Then we realize that in front of us are young people to whom we must give space. They do not have our experience; we must give them knowledge, but also space to get to know one another and recognize each other. And that is what we have learned over the past year: students have begun to get to know and recognize one another.

We discovered Novi Pazar. That is a harsh and painful admission—that we discovered Novi Pazar only now. But it is the students who have begun to get to know each other, to connect, and to recognize one another.

I will stop here, without a clear conclusion. These are above all emotions and impressions. I hope you will not hold that against me. *(applause)*

Žarko Puhovski:

Colleague Krasniqi, please.

Artan Krasniqi:

Thank you very much. My name is Artan Krasniqi, I am a sociologist from the Department of Sociology at the University of Prishtina. Thank you for inviting me; this is my first time participating in this Forum. I apologize in advance, as I will be speaking in Albanian.

Yes, much has already been said here about issues I myself have been reflecting on, so I will try not to repeat what has already been stated. However, I believe we need to think seriously about the role and the weight that academics have in society today in general. I am starting from a quotation also cited in the agenda, which states that critical thinking represents a risk – conditionally speaking. I would argue that today it no longer represents a risk, but rather irrelevance; it is ignored and marginalized.

Thus, today academics are expected to be critical, and even their subversiveness is taken for granted – fine, you are expected to be critical and subversive, but your words carry no weight. At least this is the case in Albanian society in Kosovo more broadly, where the value of academia as a self-critical institution is relatively low compared to other societal values, while at the same time emotions, nationalism, and other heavily charged forms of rhetoric are on the rise.

Furthermore, what in my view obstructs the idea of reconciliation and undermines the work of academia and its contribution to reconciliation is the abundance of news and actions – I am referring both to political discourse and political decisions – related, for example, to war and rearmament. On all sides, we increasingly hear discussions about military armament; war rhetoric is also present, as the professor noted in his introductory remarks. I believe that this discourse reactivates trauma and represents a form of secondary trauma for victims.

Therefore, my impression – and it seems shared by some of you whom I have listened to – is that this resembles a kind of self-surrender of academia in the face of such conditions. My question – or rather the topic I would like us to discuss – is how to find a strategy, as a colleague previously suggested, to regain our role and restore the weight and relevance of academia in society.

Thank you.

Žarko Puhovski:

Thank you very much. Is there anyone else wishing to speak? Apart from Nataša, of course. Is there anyone else asking for the floor? Nataša, first and only, please go ahead.

Nataša Kandić:

I have one question. Several speakers have pointed out that the academic community has never actually been a strong factor in interpreting the past. Do we see more hope

today that the academic community can fight for its place in writing history, in shaping narratives, and can it reduce the influence of those voices within academia that remain silent or support ethnically framed interpretations of the past?

Mithad Izmirlija:

Nataša, if I may just add something. Thank you.

What I have in mind is something I omitted to say earlier in the discussion. We touched upon it when Ana spoke at the beginning about the transformative period, that is, about searching for underlying causes. But if we broaden this and say that a transformative period refers to the period after a conflict – or today, the period of ongoing developments in Serbia – then the question arises: does the academic community truly understand its role in a transformative period?

Does it recognize that it is operating within a transformative moment, or does it instead perceive itself as being in a continuous "peacetime" period, in which something is happening now but will eventually pass, after which the position of the academic community will return to what it was before?

In other words, do we, as an academic community, genuinely understand our responsibility and our role in these transformative periods?

Ana Milošević:

I just wanted to join this discussion and thank everyone for the brilliant reflections on what is currently happening and on the role that academics should play, because I did not speak much about that dimension myself.

My topic is transformative justice, but I would like to briefly address it from this perspective. I believe it is a very important question who holds the keys to truth. Do we, as academics, hold the keys to truth, when at the same time we know that there are colleagues among us who are historical revisionists? As Laura Neumayer and George Mink point out, they speak of so-called militant historians. These militant historians have given legitimacy to para-histories and to the entire situation in which we currently find ourselves.

But, as Jelena noted—and I fully agree with her—this is not a problem limited to this region alone. Here we know very well what "truth" means; it is often said that historical questions in our societies are café questions. But how can we transform these café

questions, on which everyone has an opinion, into serious historical questions and into serious discussions that can contribute to learning from the past?

Only if we base ourselves on facts. And we know that 30 years of dealing with the past in this region have been precisely fact-based. One of the greatest achievements of this entire process is that today we have enormous databases—one can no longer claim that facts do not exist. It is no longer possible to speculate with numbers of the dead, to ask whether there were ten thousand or five thousand. These are concrete results, and these are our achievements on which we must insist.

On this foundation, we must work in order to try to dismantle the explosive potential of the past.

But I repeat, this is not only a problem of our region. I am currently conducting research on what Members of the European Parliament are doing with regard to historical revisionism. In the European Parliament in Brussels, people use Nazi salutes. Alessandra Mussolini from Italy states that it is better to be a fascist than gay. Tajani attacks Plenković and Croatian Members of the European Parliament. Holocaust denial, the relativization of war crimes, and the demeaning of women and the LGBT community occur on a daily basis. This is a political discourse that exists both within the European Union and in individual member states—and it remains unpunished.

Within this discourse, politicians assume the role of historians. As Adnan said, by doing so they further undermine our authority, because they do not rely on facts, but on emotions, half-truths, and the mobilization of the past for their own interests.

And it is precisely here that I see our space: a space for building moral and professional authority in dealing with the past—an authority that must be based exclusively on facts.

Žarko Puhovski:

Colleague Svetlana Slapšak.

Svetlana Slapšak:

I will respond briefly to Nataša. In fact, I can start with the question that is easier.

As for what academia can do, I will mention a Slovenian example that surprised me greatly. A few months ago, a new academy was state-recognized and officially estab-

lished in Slovenia. Naturally, it was immediately called the Left Academy. It is an academy that brings together scholars and is called the Academy of Science and Sustainability of Development of Slovenia. It includes both the hard sciences and the humanities and is organized in a completely different way from anything resembling SAZU, the Slovenian Academy of Sciences and Arts. Its focus is on issues of minorities, the individual, and gender—what I would call "my own" fields—which also have their place in the Slovenian context. In any case, it is a program that already includes, for example, minority languages. This is the field in which I am engaged—not as something to be appropriated or absorbed, but rather as a source of new knowledge for Slovenians. In other words, the perspective is completely reversed compared to the dominant one. The founder of this academy is Niko Toš, a well-known researcher, someone who we might say has always been on the left, and who worked on this for twenty years. Finally, the current government accepted it—of course, with minimal funding. No one receives anything, but the work is being done.

So, it is possible. Left academies are possible. Let us take this derogatory term "left" seriously and work on it. Let us establish academies—where it is possible with state support, where it is not, without it. Let us work on this. Let us engage in political life, because there is no other way.

It was difficult political work to arrive at this academy—within political institutions, not academic ones. It was perfectly clear that the academic institution itself would oppose it.

In that sense, this problem has begun to be addressed, at least in Slovenia. We now have a foothold where RECOM's ideas—and some of which I personally immediately incorporated into the program—will become a serious subject of study and a serious framework for encounter and the organization of scholarly work.

Jelena Lončar:

The initial question was, first of all, to what extent university professors are aware of their transformative role, is that right?

I would say that a large part of us in Serbia does have that awareness. Of course, there is also a segment that will never want to assume such a role. In that sense, those who have been part of this uprising, this resistance over the past year, certainly possess both the awareness and the need to work toward building a better society and a better state.

As for Nataša's question, I am afraid that at this moment I do not have a good answer. I think we are currently fighting for survival. In circumstances where none of us can be sure whether our faculties will still exist tomorrow, or whether our jobs will still exist, I am afraid that we are not presently thinking about how we might further focus on these issues.

What we are actually hoping for is that we will be able to transform the state, so that we may have the freedom to deal with these issues as well as with all the other topics that matter to us. But under the current conditions—especially since these regimes rely on the constant production of fear, primarily through the media—this is extremely difficult.

Through the media, enemies are continuously being created, and the academic community, or rather individuals within it, are constantly being watched. The media, like vultures, wait to see whom they can single out and present as an enemy of the state, society, the people, the nation, and so on.

So I am afraid that these circumstances are not favorable. I cannot offer you anything more optimistic than this, except to say that we are trying to survive—so that tomorrow, when things are placed on firmer foundations, we may be able to address these issues as well.

But at the moment, at least in Serbia—and Smiljana can of course add to or correct me here—I am not sure that we have the strength to do so.

Vjollca Krasniqi:

Yes, I would like to build on the remarks made by the colleague from Novi Sad, when she said that relationships are extremely important. Through the protests in Serbia, it became clear how crucial it is to invest in—or to have—space and time for relationships to be reinterpreted.

These relationships between professors and students, in my view, represent the first step in building spaces of resistance and spaces of understanding that are non-hierarchical, because all of us in academia know how strong hierarchies are. But perhaps the first step is precisely to relate to that hierarchy critically—first in relation to students, and then in relation to communities.

This then raises the question: how do we define communities? Can we include all communities in our work aimed at creating knowledge through joint production with communities? This is particularly important when we speak about narratives of the past, which should be constructed from the bottom up.

So, how do we include different communities, and how do we build knowledge together with them, knowledge that we then incorporate as part of our academic work? I see here an important space for building relationships with communities and for co-creating knowledge together with them.

For example, all the knowledge produced over more than 30 years of work by the Humanitarian Law Center and RECOM—how do we integrate that into our curricula? How do we develop more community engagement approaches and embed knowledge that is created together with communities, as well as history understood as social history?

We have a great deal of political history, but not enough social history. And how can we build social history if we do not have citizens with whom we jointly construct that history?

I believe that this momentum is something that can always be built. Even though the academic community is small, and even though I agree that contexts differ and that the region is not in the same position or condition everywhere, there are still small spaces and people within those spaces with whom we can build models—such as the example of Slovenia—and then expand those models at the regional level.

But communities are key. We must work more with communities—not only with students—but expand our academic work toward the broader community.

Žarko Puhovski:

Please.

Eric Gordy:

Thank you. Nataša Kandić raised the question of whether the academic community will become more active now that it is under threat. I would note that the academic community was under threat even earlier, and that only a very small number of people became active.

To quote a poet of my generation, Milan Mladenović: *This struggle was beneath dignity, against reason* – meaning that the promoters of violence have always targeted the very essence of our existence.

I can mention prominent individuals who became active in the defense of human rights, victims, and similar causes, but these were individuals – the community as such did not become active.

We must also understand one uncomfortable fact: we in the academic community often live like house pets. We receive everything, very little is demanded of us, and it is very easy to avoid dangerous situations – to appear only when we have a formal obligation and to do what is acceptable.

And that, unfortunately, is what most of us do.

Žarko Puhovski:

Anyone else? All right, thank you. To conclude, just one short sentence – a quotation from Voltaire, which goes as follows: „Fools argue about facts; smart people argue about interpretations". Perhaps we have reached that point, or at least come one step closer. Thank you very much.

PANEL 2

The Unrealized Transformative Potential of Transitional Justice

Moderator and introductory remarks:

Prof. Denisa Kostovicova, PhD, London School of Economics and Political Science (LSE)

We open the discussion with the question of whether the academic community today remains a legitimate authority in interpreting the past, or whether narrative authority has shifted exclusively to the political and media spheres. We will explore why deliberation has failed to enable transformation, and whether academia can still act as a catalyst for change.

Thematic Focus

Who holds the authority today to define narratives about the past: academia, the state, victims' associations, the media, or international actors?

Education and the interpretation of the past.

The reproduction of ethnic narratives and the role of the academic community.

The language used to speak about the past: analytical, normative, and political frameworks.

The limits of deliberation ("the most necessary and the most difficult").

Panelists

Prof. Dejan Jović, PhD, Faculty of Political Science, University of Zagreb
Prof. Snježana Koren, PhD, Faculty of Philosophy, University of Zagreb
Prof. Gjylbehare Bella Murati, PhD, Faculty of Law, University of Peja
Prof. Nataša Milićević, PhD, Faculty of Philosophy, University of Novi Sad

Discussion:

Prof. Katarina Popović, PhD, Faculty of Philosophy, University of belgrade
Prof. Svetlana Slapšak, **PhD**, Serbian and Slovenian literary scholar
Prof. Danijela Majstorović, **PhD**, Faculty of Philology, University of Banja Luka
Dr Aleksandra Jerkov, Postdoctoral Researcher, University of Graz

Denisa Kostovicova:

We continue the discussion. My name is Denisa Kostovicova. I am a Professor of Global Politics at the London School of Economics and Political Science, and for many years I have been working on transitional justice, particularly on processes in this region.

I am extremely pleased to open this second session. We have outstanding panelists and registered discussants. We will also leave sufficient time for your comments and questions.

In the previous session, we raised a number of very important questions and dilemmas that have still not been fully resolved in the field of transitional justice studies. We also opened a major question concerning transformative justice. In this panel, however, we are turning our attention to the transformational potential of transitional justice, rather than to transformative justice itself.

I believe it is very important to make this distinction, because I would like—perhaps somewhat provocatively, even before our panelists present what they have prepared—to say the following: we must not uncritically accept the very concept of transitional justice, because it seems to me that in this region we have, in fact, witnessed transitional injustice.

This transitional injustice is reflected, on the one hand, in the ways in which different instruments of transitional justice were implemented, and, on the other hand, in their consequences.

Therefore, before we "discard" the concept of transitional justice and embrace a new, broader concept such as transformative justice, it is necessary to critically reflect on the very concepts we are using. Only in this way can we understand what actually happened, where we were, and where exactly mistakes were made—something that was already strongly emphasized in the previous panel.

That is all I wanted to say by way of introduction. I will now invite our panelists to take the floor. The first speaker will be Professor Dejan Jović, from the Faculty of Political Science, University of Zagreb.

Dejan Jović:

Thank you, Denisa. It is nice to see you all again in Zagreb.

Given that each of us has approximately five, at most ten minutes, I have tried to focus more on answering the question of what could be done differently—particularly in academia and in education more broadly—in order to advance, or achieve, some of the goals that have so far remained unrealised.

In that sense, I think it is necessary to create an alternative to the concept of confronting one's own past and to promote the idea of understanding the past of others. This seems to me extremely important, among other reasons because it appears that this constant confrontation with one's own past keeps us too firmly anchored in the past, generates narratives and resistances that, it seems to me, we are unable to overcome. In this way, we find ourselves caught in a vortex in which, even 30 years after the war, we are in fact still talking about things that belong to the past—and doing so in a way that is unproductive.

Second, instead of attempting to create some kind of shared interpretation of the past, I believe it is very important to present the positions of others—that is, to open up space within the school, educational, and academic systems for different histories and interpretations of the past to be heard—especially those that concern experiences of victimisation and being a victim among others. This is particularly important when those "others" are victims of us—"us" in quotation marks, because it is, of course, always a question to what extent we can identify with some collective "we".

This means that, in my view, it is necessary to break with the idea of simplicity on which myths and captive interpretations are based, and to introduce complexity into the interpretation of the past. As was said on the first panel: *truth is never simple*. This is necessary so that those who, in the public sphere—through the media and other channels—are exposed to a dominant discourse in which there is no room for other perspectives, are given the opportunity to hear the stories of others as well.

And in that sense—this is my second idea, and I will conclude here, within these five minutes—I think it is extremely useful to represent the unrepresented. As the subtitle of my new book *The Resistance of Intellectuals* suggests: to represent the unrepresented, and especially minorities, in every sense and in every society. These are people who cannot speak for themselves or are not allowed to speak in their own name, because they are excommunicated, stigmatised, or excluded, and whose victims are not included in the general notion of victims, but are instead overlooked or completely denied—as if they had never existed.

I believe that this should be done in every context, and that in this sense minority discourses and their visibility should be encouraged: the discourses of Albanians in Serbia, Serbs in the Federation of Bosnia and Herzegovina, Bosniaks and Croats in Republika Srpska, Serbs in Croatia, and so on.

Any scepticism towards this—the idea that it spreads the propaganda of "another state" within "our own"—is extremely harmful. Unfortunately, I must say that I have occasionally encountered this type of criticism and resistance even from so-called "our own ranks".

It seems to me absolutely crucial that Croatian society confronts minority discourses, as must Serbian society, as must Bosniak society—without exception. Because without this, interpretations of history remain one-sided. The idea that only "we" are victims, that others are never victims of us, that there is only one interpretation of the past and only one experience of that past—this is something we must dismantle.

From primary and secondary school onwards, we must present people with the experiences of others. This is the best way for them to confront the weight of war and its tragic consequences, and to place them in the position of asking the question: what would you do if you were in the position of the other? What would you do if you were Serbs in Republika Srpska, but Bosniaks or Croats? Or the other way around? Or if you were members of the LGBT community, a political minority, Yugoslavs, communists, anarchists—or anyone else? That, in my view, is what we can do.

Thank you.

Denisa Kostovicova:

Thank you, Dejan, and thank you for such a clear presentation that highlights the importance of legitimising the perspectives of others. This is the approach you have taken to this topic. I would now like to invite Professor Snježana Koren, from the Faculty of Philosophy, University of Zagreb, to present her contribution.

Snježana Koren:

Thank you very much. I apologise straight away for the mobile phone on the table – I have to keep extending my parking from time to time. That is a kind of force majeure. I would actually like to build on what Dejan has said and focus on the question of who today has the authority to define the narrative about the past and what the role of

academia is in this process. Naturally, I am speaking primarily from the perspective of the discipline I come from, that is, from the perspective of historical scholarship.

In historiography, this de facto depends on which topics one is dealing with. The greatest pressure, so to speak, exists when it comes to topics of the 20 and 21 centuries. This is where, I would say, the weakness of academia in relation to politics is most strongly felt. However, what concerns me here – I am not sure whether I would say it worries me more, but it is certainly something I observe as a phenomenon – is that historians are often what one might call *willing executioners* (voljni počinioci). That is, a segment of them clearly listens to the wishes and needs of politics and, I would even say, does not see itself as professional scholars, but primarily as defenders of national interests.

I will mention just one illustration related to the question of who has the authority to define the narrative about the past. Academia, namely, has failed to come up with its own terminology for two key wars of the 20th century; instead, these names came directly from politics. I am referring to the term *People's Liberation Struggle* (NOB) and the *Homeland War*. I have seen on multiple occasions that the importance of the Homeland War is explained without any difficulty by the fact that this is how it is defined in the Declaration on the Homeland War – and this appears in very serious, scholarly articles.

Another focus of mine – personally even more important to me than what is happening in scholarly discourse – is education. Everything I have said so far is even more pronounced in the teaching of history. A large part of our constant controversies about what is written in curricula and what appears in textbooks stems from this. It is clear that education is part of public history in the public sphere and that various particular interests intersect there: those of politics, academia, parents, victims' associations, veterans' associations, and so on.

However, this weakness of the academic community de facto creates an imbalance and enables the hegemony of politics in this sphere of social life as well. History teaching is generally a field of conflict among historians over what its relationship to the past should be, that is, where its focus should lie. On the one hand, some historians believe that history teaching should cultivate a critical stance toward simplification – along the lines of what Dejan has been talking about. Another group sees it as a national subject whose primary purpose is identity formation.

In this sense, demands for multiperspectivity, different interpretations, and diverse perspectives have long been present in the learning and teaching of history, but they encounter great resistance. I would not merely say this – it is evident: a portion of historians fights against this with all their might. So, we are not talking about politics here; we are talking about professional scholars.

By way of illustration: in the debate on the curriculum between 2016 and 2017, it was precisely historians who insisted that concepts such as interpretation and perspective be removed from the curriculum. In one submission by an entire history department, a "coherent national narrative" was explicitly demanded – simplified and stripped of complexity. Unfortunately, this is exactly the opposite of what I fully agree with, namely that children should be capable of confronting the perspectives of others and all that constitutes the greatest challenge in learning and teaching history.

In this way, a significant part of academia has voluntarily renounced its key role, which is mediation of the scholarly paradigm. The reasons for this are diverse: ranging from lack of interest and fear, through outright self-interest and personal gain, to the fact that some do not primarily see themselves as scholars. All of this is often justified by the claim that history teaching, unlike scholarship, should primarily serve national goals.

For a long time now, I have been deeply convinced that the stance of scholars toward what is happening in the public sphere is an excellent litmus test of the state of scholarship itself. This is not something separate: one cannot be a scholar in the morning while writing a scholarly article, and something entirely different in the afternoon when writing a history textbook.

This can, of course, be supported by numerous examples, but I will mention just one. In 2007, there was an open letter signed by around twenty members of the Croatian Academy of Sciences and Arts and ten historians, which called for the withdrawal of certain textbooks, arguing that, in addition to scholarly and pedagogical criteria, national and state criteria should also be taken into account, and that the Declaration on the Homeland War should guide the treatment of topics from recent Croatian history. I must admit that I am somewhat pessimistic regarding the possibility of achieving everything we have discussed today. But still – at least we can talk about it.

Denisa Kostovicova:

Thank you, Snježana, and thank you for addressing the weakness of the academic community. You spoke to us about its weakness in normative, symbolic, political, and structural terms, and you made a very clear connection to the ideas of self-censorship and silence that we discussed in the previous panel. You also introduced the element of interest as a key factor in understanding these weaknesses. And if I may further rephrase what you said, you offered a very vivid description of academic chameleons, in fact – those who are one thing in the morning and something else in the afternoon, depending on what they are doing.

I will now introduce our colleague Gjylbehare Bella Murati, who joins us from the Faculty of Law in Peja. Bella will speak in Albanian, so if you do not understand, please take the headphones.

Gjylbehare Bella Murati:

I will greet you in English after all. Thank you very much to the organizers for the invitation. I truly feel privileged, and I hope that we will be able to exchange ideas and see how we can proceed further in the future. Thank you very much. May I begin now? All right.

My name is Gjylbehare Bella Murati, and I come from Prishtina–Peja. I teach at two universities, both in Peja and in Prishtina. My double name, Gjylbehare Bella Murati, actually represents a reconciliation between my two grandmothers: one was Albanian, the other was from Bosnia, which is why I use both names.

What I would like to speak about today, or rather pose as a question, is the question of truth. Which truth should we, as academics, fight for? What is the truth that exists in Kosovo today? Is it a single truth, or is it a framework of truth imposed by the political elite? We, as academics, very often—indeed, I would say almost always—lack both the willingness and the courage to challenge that truth. I know very few colleagues who are genuinely interested in dealing with issues related to transitional justice, transitional judiciary, and questions that belong to the past. I understand why. The problem lies in the lack of public space, and above all in the lack of security. At the moment when you do not have security and do not operate in a healthy environment, you automatically also lack the courage to take initiative.

Here we can assume different roles, but essentially what we need is courage. Let us say that some of us decide to mobilize and take steps to challenge the existing framework of truth. The problem is that we are polarized, because there is one truth within the majority and another truth within the minority. And even within that majority, which is the Albanian majority, there may be two truths: one truth that you sometimes want to question and analyze, and another truth that people accept as given, because someone has offered it to them. It is a truth articulated by the "stronger side," and people accept it without showing interest in any other truth. However, there is also a truth somewhere in the enclaves that we have, and no one from the majority has the courage to go there and engage with that truth, simply to hear it.

I have worked on minority rights issues, and over the past two years I have begun to listen closely to their voices and experiences. It is clear that there is a completely different truth there. In order to hear their truth, I had to be very careful in how I approached them during interviews and how I formulated my questions, and this, in a way, forced me to step outside the academic format, which is not always good for us as professors, nor does it necessarily contribute to the actual work we seek to accomplish.

What is happening here? For example, when it comes to interviews, it happens that you have to extract and articulate something that you yourself may not even accept as truth. For that reason, it is necessary to be fair and very neutral. But perhaps that neutrality is achieved only when you spend some time living outside the country in which you were born, in which you experienced all that suffering, and then return after having gone through a phase of recovery. Only then do you become somewhat more flexible in approaching these issues.

When you try to look at the problems of other communities, you notice that they do not want to talk about the past. For example, the Serbian community does not want to talk about the past, about the 1990s; they want to talk about the period after 1999 and about what happened afterward. This is where the biggest problem arises: how to speak, how to take that truth and convey it to the majority, or how to balance these truths—the decades under the Milošević regime and the decades after the war, when both social and political structures changed. That, in my view, is the biggest problem.

Another issue is that throughout all this time we have been—and remain—under international domination. During this entire period, we left these sensitive issues, which we still consider sensitive, to the international community. For a long time, we did

not want to deal with them ourselves. And now we see that international actors are gradually withdrawing, and matters are being left in the hands of domestic institutions.

Where do I see the biggest problem? I see it, for example, in the judiciary, in the prosecution. Over the past 25–26 years, war crimes cases have largely been processed by international or hybrid panels. There were occasionally domestic judges involved, but more as a formality. Those who were present tried to remain on the sidelines; they did not want to be actively involved or to contribute to justice. And now the implementation of justice has been left exclusively to them.

I often ask myself, as a professor at the Faculty of Law, knowing how this faculty has functioned and knowing the level of knowledge that today's staff has acquired in human rights, international criminal law, and humanitarian law: are the judges we have today capable of professionally handling war crimes cases?

Have I exceeded my five minutes, or may I conclude? All right, I will conclude. I remain at your disposal for any questions. Thank you.

Denisa Kostovicova:

Bella, I would like to thank you for highlighting the issue of courage and security for professors and activists, because this is not about capacity, but about safety and the courage to speak about one truth, one perspective, about others, as Dejan said. Thank you.

Thank you, Bella. I would now like to invite Professor Nataša Milićević from the Faculty of Philosophy at the University of Novi Sad to take the floor.

Nataša Milićević:

Thank you for the invitation. I previously did not have many opportunities to participate in events like this and to listen to such interesting interlocutors, or to try to contribute myself. That fact alone already tells you how much some things have changed. If the question is whether the academic community is aware of its role and whether there is hope – there certainly is. Things are significantly different.

At the university I come from, very dramatic things are happening. For me, that process was dramatic and began when members of a small informal student organization, STAV, who are present here today, covered the ballot boxes and said: "No, this cannot

happen." That moment changed my life and the lives of many of my colleagues at the Faculty of Philosophy. And here we are today, after a major student uprising.

I would like to address the question of whether we, as the academic community – or rather, as members of that community – have authority. We have it to the extent that the university has autonomy. And we, concretely, do not have university autonomy. It did not disappear in the past year – it has been systematically constructed, cultivated, and brought to perfection. And this has now become clear to all of us.

For a very long time, we must admit, as members of the academic community we were consciously or unconsciously catatonic on this issue and unaware of the consequences – for ourselves, and consequently for society. One of the things we can do is to be self-critical and examine what systematically brings us into this position.

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Another issue is our own conformism. The narratives that defeat us – which participants in the previous panel also spoke about – are not there only because of a lack of political will. They are concretely financed at universities. This means that by speaking about certain things in a certain way, and by not speaking about other things, you consent to such a situation. You do not fight either taboos or myth-making, because it is not profitable. You retreat into your own world, and the academic community then fails to fulfill the role it should have.

The academic community has its audience and its participants, but for a long time it was not a forum in which key value-based questions were discussed – questions of transitional justice, of what is happening to us as a society. That simply was not the case.

Can this change? I believe it can. Because this narrative in Serbia has now gone too far. This hysteria has become dominant. And what was previously attributed to the "other" is now being attributed to members of the academic community. Our students are "terrorists," "Ustaše," we are "Ustaše," professors are "foreign mercenaries." I personally was called an "academic separatist" on national television frequencies.

This has become a brutal and banal vocabulary which, it seems to me, is now becoming ineffective, because it has led things into absurdity. When a narrative that was previously intended for an invented enemy begins to be felt on your own skin – when you experience what psychological warfare means – you find yourself in a completely different position. From that position, I think, both students and professors can learn a great deal and clarify many things.

I will give one example. A week ago, a neighbor stopped me in the hallway and asked me to explain what is happening in Novi Pazar and what kind of university it is. I – who previously was not sufficiently informed, but who in the past year has become very well informed and shocked – found myself explaining that within the academic community of my country there exists an academic ghetto. It is an institution that today, because of the way it functions – not because of the people who are trying to survive there – can hardly be called an academic institution, and autonomy is out of the question. This is an example of how a single administrator, a client of the regime, keeps that community under control and, completely outside the system, exercises arbitrariness, keeping that community obedient and isolated from other academic environments. Now we explain this to people outside the academic community; now we explain it to one another; now our students know it as well. This is fundamentally different from the way we functioned before.

As a member of the Free University today, I collaborate with colleagues interdisciplinarily and we try to document what is happening to us. By analyzing chronologically and across levels what kinds of psychological operations, repressive practices, media, institutional, and para-legal mechanisms are being applied, we realize that all of this rests under one common roof – a single value system that must be preserved at all costs.

In speaking about this, in trying to map and make visible what is happening to us, we cannot avoid returning to the past and placing this within a broader social context. If we talk about academic activism – perhaps you cannot secure a project that deals, as I tried to do, with language and identity in a way that deconstructs myths about

Croatian and Serbian constructions. But you can collaborate with colleagues, you can connect with other universities, with the rebellious universities in Belgrade, and say: "This is how we will map it, this is how we will present it to the public."
Public interest has never been greater. We can make use of that. And that is why I believe that the authority we are talking about is something we still have to acquire.

Denisa Kostovicova:

Thank you, Nataša! Thank you for once again underscoring the relationship between authority and autonomy, and the broader social context as a mirror in which this relationship is reflected. But I think you have now introduced a new dimension, because we discussed in the previous panel what the problems are, and you have now pointed to a new mechanism through which these problems – such as conformism and silence – can be overcome.

Indeed, this mechanism is somewhat *sui generis* due to the situation in Serbia, but it is nevertheless interesting to begin thinking about what the possibilities are and in what ways all of this can actually be overcome, and to try to conceptualize and problematize a situation that is not fixed. In other words, nothing is fixed – not even in a negative sense – and there must always be an alternative approach and a different perspective in order for something different to be done.

I would now like to invite our colleagues who have registered for the discussion. We see that one colleague has not arrived. Yes, our colleague has not arrived – Gezim Visoka will not be with us today. Unfortunately, he was unable to fly from Dublin.

First, I would like to ask Professor Katarina Popović from the Faculty of Philosophy, University of Belgrade, to take the floor. Please.

Katarina Popović:

Thank you very much! This is my first time at the Forum, but I do not feel that way at all, because in terms of values and themes I feel that I belong to this circle of people, so, as they say, I feel completely *at home*. Both the first and the second panel were so inspiring that I struggled to decide what to speak about without going on for too long. I will therefore touch on a few points I have chosen to focus on.

First, I would like to speak in general about the role of academia, and of the university, as producers of knowledge and as those who establish facts. I would even say that

we have not been so bad in this regard – in the analytical, descriptive, and even normative sense. Where we have failed is precisely the transformative moment. And I am very glad that, especially in the first panel, I heard a shift away from speaking solely about transitional justice toward speaking about transformative justice. However, I would add that this is not only about identifying causes, but about how the knowledge produced by academia can be translated into social practice, into changes in behavior, and into changes in consciousness.

This is where we, as educators, have a crucial task, and this is where we may have failed – because we have, in practice, relinquished the creation of narratives, that is, of the entire discourse we are discussing here. We left it to politics, the media, and social networks. And whether we like it or not, they have proven to be far more powerful educators. We talk about curricula and schools – and the bad news, or perhaps the good news, I am no longer sure – is that they are not that powerful. This means we must turn our attention to these other actors. That will be one of our future tasks.

Drawing on the experience of the student movement, I am also very glad that this morning we spoke about emotions. I think we should draw some lessons from these months – indeed, from the past year – of the student movement. A colleague-discussant in the previous panel spoke about our experiences in Serbia and about that positive feeling. I would go even further. We conducted some research, and we truly went through a process of transformative learning. Serbia cried for three months. When I say this, I mean it literally. From those who participated in marches and gatherings – from Novi Sad, Belgrade, Kragujevac, Niš, all the way to Novi Pazar – we literally cried. Those who took part and those who watched. It was a process of catharsis. Extraordinary.

But this was not only an emotional process. Emotions are absolutely important, and this is something we may have neglected so far when thinking about how to turn knowledge, facts, and court verdicts – which are very clear – into social practice and social consciousness. Emotions are crucial, but we must not forget this: there was also a rational component that was used.

You may recall that students carried huge copies of the Constitution across Serbia, parading the Constitution and using that emotional opening to show people and explain why the Constitution matters. And the slogan "you are not competent" – to remind you – when the President invited students to talks and they replied: what talks, you are not competent under the Constitution.

At that moment, we gained an opportunity to go around and, in an old, good sense, to educate. I sometimes use that term because I believe – and for Serbia I can assert this based on research – that we are a functionally illiterate society and a politically illiterate society. I would not soften this claim; I could give many examples, but there is probably no need to do so here.

We had the opportunity to explain to people, quite literally, what constitutional competences mean, what the rule of law means, and what the separation of powers means. But that emotional opening was necessary at the outset. In my view, these are important lessons for the future when we think about how to realize the transformative potential of truth and facts produced by academia – together with court verdicts and everything else we have.

For example, I teach international education policy and civic activism. That means we all have our niches and our possibilities for action, and we try to use them to the fullest. At the Faculty of Philosophy in Belgrade, we worked extensively on this, and it is probably one of the faculties that supported the students the most.

However, I would now like to introduce another element that is very important, and perhaps less familiar to you. Attacks on this concept of justice – transitional or transformative – and on narratives of the rule of law, understanding, and tolerance do not come only from the right. When they come from the right, we easily recognize them and know who the enemy is and who creates those narratives. They also come from the extreme left.

I will give you one example. A few months ago, the regime in Serbia began expelling foreign nationals. One case involved a Croatian citizen married to a Serbian citizen, with a family, who has lived here for a long time. Because of her support for the students, she received an expulsion order. At my faculty, I initiated an immediate protest. There was hesitation: well, this does not exactly fall within our narrow field of interest. I said: if the Faculty of Philosophy does not do this, I do not want to work at that faculty. I will go to Republic Square, even if I am there alone.

I posted this on Instagram. My colleagues supported me – admittedly, I was the only speaker, but they brought me the large loudspeaker necessary if you are speaking at Republic Square. However, the students from my faculty did not come. Why? Because for them, the more important goal was overthrowing global capitalism, and we would deal with the regime in Serbia later. And this is not merely an ideological question of

whether global or neoliberal capitalism is the key problem. The problem is that this approach misses the attack on the main creator of the ethno-nationalist narrative. By saying that the regime is not so important and that global capitalism is the key problem, they leave that same regime free to continue creating and spreading that narrative.

Because of this, in Serbia today we often do not know what is harder to fight against – the extreme left or the extreme right.

Finally, returning to my own sector, education, there is frequent talk about critical thinking. International organizations do not help us here at all. I work with the United Nations, UNESCO, and the OECD – and they reduce critical thinking to a skill. Active listening, for example. But in authoritarian regimes, critical thinking is not a skill. Critical thinking is an attitude. Critical thinking is a position. It creates discomfort, provokes emotions, and we must learn to live with that. This is something we, as educators, must do.

In closing, I would like to open a question for discussion. What are we currently facing in Serbia? What do we do with narratives and with the treatment of the past in a situation where the regime has, for years, very successfully blamed others for its own actions? The current regime was in power in the 1990s – these are the same people, and there is no doubt about that. Yet whenever a question from the past is raised, the regime demands that the student movement take a position, and then declares it guilty, even though those students were not even born at the time.

Our problem is how to strike a balance: how to return responsibility to the regime, while allowing the student movement to focus on the rule of law, democracy, and free elections – and how, after that, to turn to the main educators: the media, social networks, and the public.

Denisa Kostovicova:

Thank you, Katarina! If it is not a problem, shall we proceed in this order? I would now like to invite Dr. Aleksandra Jerkov, who is a postdoctoral researcher at the University of Graz, to address us.

Aleksandra Jerkov:

Thank you, Denisa, and thank you to all the panelists. I conducted my postdoctoral research at the University of Graz, precisely on the role of national minorities in the processes of dealing with the past and reconciliation, which is why I am glad that as many as two panelists addressed this topic. I believe this is an extremely important and still insufficiently researched field, and it seems to me to be crucial for any future reflection on reconciliation.

However, I would say that I also have two additional roles. I served as a Member of Parliament in the National Assembly of Serbia for 13 years, and I am now working in the non-governmental sector. In all three of these roles—academic, political, and my current one—I have, in one way or another, dealt with reconciliation and confronting the past.

I would like to refer to something that Professor Snježana mentioned earlier, when she spoke about who has the authority to shape narratives about the past. At the Regional Academy for Democratic Development, with the support of RECOM, we dealt precisely with this issue. We wanted to see not only who formally has the authority to shape these narratives, but who actually shapes them in practice, in what ways they are shaped, what is being served to us, and how this often uncomfortable past is presented to us. We conducted a study—I believe, Denisa, that you already have this book—*How We Talk About War Crimes*. In Serbia, we carried out a large-scale study of media reporting on war crimes and war criminals over the course of one year, across several key media outlets. Let me say immediately: we were prepared for the results to be devastating. However, what we discovered was far worse than we had feared.

The presence of war criminals in the media in Serbia, their complete normalization, without any mention of the war crimes they committed—and at the same time, the very limited space devoted to the crimes themselves—was something that truly disturbed us, even though we were prepared for unsettling findings. We are talking about thousands and thousands of media appearances.

What we very quickly identified as the most dangerous aspect was the so-called neutral tone and context in which these individuals appear. These are people who are given interviews in various newspapers, spanning multiple pages, who appear on television programs and speak about all kinds of topics—from Kosovo, Russia, and sanctions, to advice on healthy nutrition. Their presence in the media and in public life has become completely normalized.

We went one step further. We spoke with editors and journalists who cover these topics and asked them why they give space to these individuals, why they present them in this way, and why they do not at least provide basic context—a note that these are individuals convicted of war crimes. The answers were: "it's not important," "people like to watch them," "they boost ratings," and similar responses.

In our view, this revealed yet another enormous need—the need for education and training of people working in the media who deal with these issues: how to approach them, how to report on them, not only in order to inform citizens, but above all to protect the dignity of victims and their families, and to contribute to ensuring that the truth is heard and that society truly confronts its past.

In this regard, I would also like to reflect on what Professor Jović said. Yes, the process is extremely difficult; yes, resistance is enormous. But I still believe that it is exceptionally important to continue confronting our own past. Understanding the experiences of others is important and can be a valuable perspective, but confronting our own past is crucial. I belong to that group of people who believe that—no matter how much war may seem like a "closed chapter" to some—without such confrontation, societies cannot move forward.

Denisa Kostovicova:

Thank you very much, Aleksandra. I now give the floor to Professor Danijela Majstorović from the Faculty of Philology, University of Banja Luka.

Danijela Majstorović:

Good afternoon everyone, thank you very much. It is a great honor and pleasure for me to speak here today, and I must admit that I have a huge dilemma about how to begin. I come from the Faculty of Philology at the University of Banja Luka, that is, from Bosnia and Herzegovina. Over the past 15 or so years, through various initiatives—both at my faculty and within the activist community—I have tried to open up space for conversations about difficult issues. Svetlana has been there, Eric has been there, many of the people we are listening to today have passed through Banja Luka. I brought them to speak about difficult topics already—now I will freely say—ten to fifteen years ago. That was an important moment.

Although I closely follow the protests in Serbia, here I will nevertheless focus on Bosnia and Herzegovina, because I think that is necessary. It is difficult to give a comprehen-

sive historical overview, but I can speak from personal experience. Through our group *Language Troubles Ideology*, and later through the activities of the Banja Luka Social Center—which I will say more about shortly—we tried to activate both the student and the professorial scene and to ask ourselves: where are we, what are we, and how do we move forward?

As someone who was educated both in Bosnia and Herzegovina and abroad, I constantly had the feeling of "sitting on two chairs"—between Western academia and this one here. I noticed that a large part of the critical production of knowledge about Bosnia and Herzegovina in the postwar period came from the West. All of us who spoke foreign languages and were able to participate in international conferences felt that we were part of a broader academic community—whether in New York, Regensburg, or elsewhere. I also remember how, for example, Vjollca and I worked together on strengthening the feminist component in the German curriculum. It sounds surreal today, but it really did happen.

The key question for me is the question of knowledge production—knowledge production in the center and knowledge production on the periphery, from where I come. When I speak about knowledge production, I mean several things. In the previous panel, there was discussion of affective polarization, the rise of the right, and hybrid regimes. Today, as someone who teaches cultural studies, I can say that in Bosnia the main topics are things like what, for example, Aca Lukas said about Naser Orić. In other words, stories about convicted war criminals reach us through the entertainment industry, through popular culture.

This brings me to the question of testimony. For me personally, the decisive moment was when I heard testimony. When the infamous video of the Scorpions appeared, I think that in the society of Republika Srpska—however ossified it may have been, as Eric described—it produced a strong cathartic, affective impulse. People at least began to ask difficult questions, even if they did not necessarily resolve them.

The process of ossification, of course, also took place, and today it often seems impossible to make any serious breakthrough within academia. Thirty years after Dayton, we have clearly separated academic centers: Banja Luka, Sarajevo, Mostar. Students come to us from Cazin, Velika Kladuša, Bihać, because that is the Bosanska Krajina and because it is close, but apart from international conferences, I do not see real cooperation among these academic communities.

In that sense, what you have done in Serbia is extremely important. I listened to my colleague and was very glad to see you live. You managed to open up space. We can debate ideological differences, whose protests these are, how prepared the students are, conflicts on the left and the right—but space has been opened.

Another issue that moves me personally and politically is the question of reconciliation. When we in Banja Luka, in the activist scene, were confronted with the issue of "reconciliation," I asked: reconciliation with whom? Who is supposed to reconcile me and Fikret—did we quarrel? The same applies to the question of transition: transition from what? From socialism to a liberal democracy that never happened. That promise failed. All these concepts—transition, reconciliation—must be seriously reconsidered by the academic community.

There is also what we call political momentum. You are experiencing it now in Serbia. We had something similar in Bosnia and Herzegovina in 2014, during the protests and plenums, when the cantonal government building in Tuzla burned. That was the first time it seemed to me that the left in Bosnia and Herzegovina might generate something new.

If we fast-forward to today—something important has happened: a community has emerged. However fragmented it may be, it exists. From 2011 to today, changes have occurred, artistic and literary shifts—Darko Cvijetić happened, new voices emerged. Academia did what it could, but a community was formed.

I will conclude by referring to my latest book, *Discourse and Affect in Post-Socialist Bosnia and Herzegovina: Peripheral Selves*. Out of this impossibility, we have become a country of the outflow of people and resources. Migration has become a political act of resistance. Protests such as *Justice for Dženan* and *Justice for David*, which took place after 2013, unfortunately had a limited lifespan and did not spill over in the way they did in Serbia. I have touched on many issues—I hope that from all of this we will manage to extract something shared. Thank you. *(applause)*

Denisa Kostovicova:

Thank you, Danijela, and now, as we would say, last but not least, Professor Svetlana Slapšak, our renowned writer.

Svetlana Slapšak:

I will begin with a very small provocation: if you allow icons, then allow globalists and Marxists to appear as well.

Second, I would like to draw a parallel that has not yet been made, but which I believe is crucial—a parallel with 1968. The 1968 revolution was profoundly rationalist. It was based on the suppression of emotions about the Partisans, about Tito, and about the glorious past, and it demanded rationalization, direct analysis of the social situation in the state at the time, and so on.

Of course, it is much easier to fight against a glorious opponent than against a inglorious one. After an inglorious opponent—after the Yugoslav wars and thirty years of shame—you really can only cry. On this point I fully agree: this is indeed a revolution of emotions, and it is entirely different from 1968.

However, rationalism—if you will, scientific research, explanation of phenomena, taking risks in that sense—lasted until 1983, when dissidence finally had all its political strength taken away by the nationalist current, which until then had been hiding at family slavas. Today we have a situation in which the rationalism of 1968 clearly survives in certain remnants of globalist Marxism, that is, in the demand for a struggle against capitalism. I believe that within those demands, which I know relatively well, there is a kernel that makes sense—perhaps no more than that.

That kernel relates to the situation of state and private universities during this uprising. We are faced with a complete paradox: state universities are the ones leading in raising questions, in criticism, in harsh, rigid, brutal analysis of what is happening. At the same time, we have private universities that do not participate, whose scholars do not take part in the uprising, do not analyze it, and remain completely disengaged. This, forgive me, calls into question every concept of transition that has so far been used or abused. Private universities, which should be one of the best products of transition, are in fact a breeding ground for conservatism, restraint, neutrality, and sliminess. This is a serious problem and I believe it must certainly be opened up for discussion.

There is another interesting phenomenon that I have personally experienced: I get along excellently with people who are 40 years younger than me, while I have difficulties with those who are twenty or ten years younger, or with my contemporaries. In other words, something has boiled over in the youngest generation. That something

is certainly connected with education, with learning as well, even though it is far from what we as academics would like it to be.

For example, I see that in Slovenia there is a wave in literature among authors between the ages of 30 and 35 who persistently write about the war, about the erased, about topics that were completely neglected for years. Some of them participated in the RECOM forum in Prishtina—you may remember those presentations. On what basis do they learn? On the basis of the testimonies of their parents and friends, because they cannot obtain this at universities. There is, therefore, a huge gap that academia must fill.

Something similar is happening in theatre, not to mention film, for which we long ago concluded that national cinemas no longer exist, but rather a Yugoslav cinema financed by Europe. This is a fact that keeps repeating itself.

However, what I especially want to point out is a phenomenon that academia, despite all its successes—particularly in the past year—has neglected. The greatest success of academia as a whole—of professors and students alike—is the transversal Novi Sad–Novi Pazar. This is something that has restructured the entire political and social field, and even the region, in a completely new way, leading to new insights, new connections, and a new circle of knowledge exchange. This can no longer be erased.

I am not speaking here about students' fieldwork—that still needs to be researched and I do not have enough data.

But what remains is academia's neglect of its role as a chronicler of events. There have been analyses, many papers, useful statements and media appearances, but systematic, chronicling observation of public discourses is still insufficiently present. I know why that is so. Back in the late 1980s, when writing about Serbian nationalism, I called this "sticking one's head into a garbage bin." We do not stick our heads into that bin enough. If we did, we would notice an incredible mixture of public discourses. Simply exposing them will not solve the problem, but it does make sense to show the world what is at stake.

One of the first and most pronounced phenomena is the intrusion of Stalinist discourse. What is happening in Serbia today is the most striking example: the wise leader, the wisest, wise policies—but not a single window lit at night in the Kremlin, rather

a person who appears for half an hour every day on all television channels. It is a completely different phenomenon, yet still a pure cult of personality.

Another phenomenon is an incredible mixture—and this is globally interesting and worthy of analysis—of Stalinist and Goebbelsian discourse. Goebbelsian discourse is well known; his letters published after the war form the basis of Madison Avenue advertising theory. Let us not deceive ourselves—the foundation of contemporary Western advertising lies precisely in those texts. And we do not analyze this enough. I have worked on this and concluded that Goebbels, as an educated graduate of a classical gymnasium, exploited all the flaws of ancient rhetoric to create a new discourse from them. This can be demonstrated through stylistic and rhetorical analyses, but I will not burden you with that now.

Today we also have a mixture of Goebbelsian discourse and pornography. Nazi discourse had its pornographic dimension, but this contemporary version—especially in the Balkans—is based on elements that did not previously exist. Academia has a duty to stick its head into that garbage, to analyze it, and to present it to the global scholarly community. Without explaining terms and phenomena, we cannot advance transformative justice nor be intelligible to others.

Our strength lies in a deep understanding of our multilingual, polyglossic, and multicultural situation. Academia, in addition to the Novi Sad–Novi Pazar transversal, must work much more along that transversal, especially with new people and new generations.

I must admit: five or even two years ago, I would never have thought of Novi Sad as a source of a new revolution. I knew the city and the academic community. But what happened, happened. In other words—things are possible. And with that, I will conclude. Thank you. *(Applause)*

Denisa Kostovicova:

Thank you very much, Svetlana! I would like to thank our panelists and discussants for their concise and focused presentations, which nevertheless opened up major questions. We will now open the floor for a broader discussion. I will invite a few of you to pose questions and offer comments, and then we will return to the panel. Please, the first question.

Stevan Filipović:

I would like to clarify what Professor Popović was referring to when she spoke about so-called far-left currents. In Serbia today this is a very specific phenomenon, and it has little to do either with the left as such or with any authentic forms of the far left. That particular cell that exists within the student movement, in my deep conviction, essentially functions as an instrument of the regime and largely operates in the regime's interest.

Ideologically, this is in fact Šešelj's ideology, presented as a struggle against global capitalism. That cloak, that veneer, is the only thing that can be recognized as "left" there. In its essence, this is extreme nationalism, in which Zoran Đinđić is proclaimed a fascist, Slobodan Milošević is portrayed as a fighter against globalism and imperialism, and so on. In other words, there is not a single step beyond Šešelj – only a few new elements have been added: Palestine, a handful of new keywords, but substantively this is nothing other than the ideology of the radicals from the 1990s.

In that sense, it is important to me that there be no confusion. Yes, some of these actors call themselves far-leftists. Yes, some of them may even sincerely believe that this is some kind of left. But I think that, according to all definitions of the left that exist in most cultures and political traditions in the world, the two have nothing to do with one another.

And I assume I would not be far off if I said that most of us in this room do not harbor any particular affection for global capitalism, nor for the destruction of universities as a project of neoliberal capitalism. Thank you.

Denisa Kostovicova:

Thank you very much. Are there any further questions or comments? Professor Puhovski.

Žarko Puhovski:

Thank you very much. Just a brief remark. There has been talk about 1968. The crucial difference between today's events and 1968 is that 1968 was grounded in anti-authoritarianism. Anti-authoritarianism begins with a confrontation with patriarchy within the family. This is precisely where Serbian students have failed catastrophically. Mothers are running after them, bringing them sarma. Without bromide, there is no revolt. Anyone who cannot oppose an authoritarian model within their own family has no

chance of changing anything. Even 1968 failed, but at least it tried to do this within families.

So, anti-authoritarianism is an essential element that is barely mentioned here at all. Now we complain that we lack authorities, professors. Thank God we do not have them. But this is not achieved by fraternizing and sororizing with students; it is achieved by enabling students to question the university as an institution. Not because the police are present on campus, but because the police do not need to be there at all for the university to function authoritatively.

Critical thinking within the academic community is several levels below the level of criticality found in political discourse. No one talks about this. A small example: some time ago we conducted an analysis—of the Faculty of Humanities in Zagreb, which at the time, 25 years ago, was the largest in Yugoslavia. We examined 780 reports from various committees for promotions, doctorates, and similar procedures, typically with three members each. One out of those 780 decisions was made by a two-to-one vote; all the others were three-to-zero. And this is considered good practice. This would not be possible even in a Stalinist party. That is a problem that must be confronted.

So, first there is authority within the family, second authority at the university, and then authority structures more generally. And that means: no leaders. And that means: no showmen. But this is not happening. Today we have too many media outlets. As soon as someone utters two sentences, they receive—as journalists say—"a microphone shoved under their nose" and become a significant media figure. And that has placed us in a situation that seems truly dangerous to me.

Just one final brief remark. Let us not speak so badly about revisionism. I wholeheartedly support any revisionism. What I oppose is revanchism. These are two different things. The very fact that national states exist today in the territory of the former Yugoslavia implies a revision of the past as we learned it in Yugoslavia. To speak against revisionism in that sense is simply misguided. Revanchism, however, is something else.

Denisa Kostovicova:

Thank you. We have Professor Blanuša, and immediately after that, Professor Jasna Dragović-Soso.

Nebojša Blanuša:

Thank you very much. Listening to this panel, I was actually thinking about the ways in which I myself have been "digging through the trash," and I want to thank you sincerely for that metaphor – it is brilliant. My reflection unfolds around three points, and I would like the panelists to respond to them as well, if time allows.

These points concern the following. One of the focal, neuralgic points that are important here – and you articulated this very clearly – is the discourse on internal and external enemies, which is continuously reproduced. This discourse began much earlier; it is an integral part of the authoritarian mentality, I would say, and it has now been transferred onto us as well. The question is how to resist this discourse of internal and external enemies and how to dismantle it.

The other two points stem from my memory of a public presentation of the book *Behind Seven Camps*, some seven or eight years ago – an excellent book written by three authors. At the time, I asked them a question that I would describe as rather straightforward, and I will reproduce it here. The question went roughly as follows: What do you think would happen if, for example, some young nationalists or national-fascists from our region were to read your book, in which you explain in detail how cultural centers became sites of mass killings? How would you prevent – or what kind of safeguard does your book contain – to stop those nationalists from once again beginning to argue and bargain over who killed more people, and, indirectly, from drawing the conclusion – I am being cynical here – that "their" ancestors did this very well, and thus resisting any critical engagement?

In other words, how can we, through education – through academic education – prevent what lies at the very core of these nationalist ideologies, namely identification with crime? Why are perpetrators, rather than heroes, so celebrated and so present in the media? Thank you.

Jasna Dragović Soso:

My question is the following: I fully support what you are saying about listening to minority positions, about the need for different voices to be heard, and about the importance of that. But my question is – how should we proceed in situations where those voices are fundamentally opposed to what has been established as truth, as fact, as credible knowledge about the past?

In other words, to what extent can we accept those voices? How should we engage in dialogue with them – or how should we refrain from dialogue – without at the same time denying or trivializing the personal experiences that accompany those positions? How do we confront these uncomfortable positions and viewpoints in our encounters and confrontations with them?

Denisa Kostovicova:

Thank you, Jasna. If there are no further questions or comments, then I would ask our... Sorry, Svetlana – please, go ahead.

Svetlana Slapšak:

If I may respond to Žarko on just one point: the mothers who rushed into the streets carrying trays of gibanica are a sign of emancipation. These are women who had never gone out into the streets before – with anything.*(applause)*

Denisa Kostovicova:

Please, go ahead. There is one more comment.

Branislav Đorđević:

Good afternoon. Branislav Đorđević, Faculty of Political Science in Zagreb. I have one comment on what Professor Svetlana said, and it concerns the question of why things "broke" precisely in Novi Sad.

I would also like to build on what Professor Puhovski said: the occupation of the Faculty of Philosophy in Novi Sad did not begin in September. It began many, many years earlier. At that time there was no police presence, but even in 2022, and in earlier years, you quite literally could not run an alternative list if you were a student who wanted to participate in the work of the Student Parliament. The Faculty of Philosophy did not function as a faculty in the full sense of the word. It was a building you came to, attended lectures, took exams, and that was it.

Denisa Kostovicova:

Now we will return to the panel and our discussants, so please–briefly. Who has a comment?

Katarina Popović:

This is based on the experience of the movement in Serbia, but I believe it is important for all of us. You mentioned the Novi Sad–Novi Pazar transversal, and I think this is one of the most significant outcomes of this movement. But pay attention: it happened under the Serbian flag.

Most of you here know how we feel, how we have felt toward the Serbian flag—what it has come to mean when our president behaved in such a humiliating way at the United Nations, and in many similar situations. So when the student movement reclaimed the flag and the anthem and the like, it effectively took over (the speaker's term is retained) that ethno-nationalist narrative and transformed it into a patriotic but inclusive patriotism, in the sense that it was not directed against others. This was clearly shown in the authorities' attempts to organize rallies with messages such as "Vojvodina wants to secede," to which people from Vojvodina reacted with: "Excuse me? Where?" And then similarly with Novi Pazar. In other words, this did not succeed—although they are usually masters at producing enemies and similar narratives.

But it was precisely the students who did this at the level of the national narrative as well. And that is why I would like to emphasize once again the importance of emotions, psychology, and the need for belonging. What they did in all those villages they visited was that they gave people back their dignity. And they gave them back a sense of identity and belonging, which is indeed necessary. We cannot deny that.

At different levels of development, interpretation, and understanding, that need exists. I think the main task for the next period is precisely this: how to nurture that kind of—conditionally speaking—patriotism, but to ensure that it is grounded primarily in democracy, the rule of law, respect for others, and everything else that follows from that.

The students have made an excellent start. Whether they, together with us, will succeed in carrying this through to the end—that is a new question.

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Svetlana Slapšak:

Just three words—something like a fighting oath, as I see this movement—consisting of three words: Equality, Srebrenica, Kosovo. Nothing more than that is needed for the movement. Of course, I meant the independence of Kosovo.

Denisa Kostovicova:

Now we will return to our panel. Several questions and comments have been directed to our panelists. Here—Bella.

Gjylbehare Bella Murati:

Thank you for the question—you have really made me think. I can speak from my own experience. Very often it is necessary to be familiar with cultural patterns of communi-

cation. You have to establish a certain kind of trust between yourself and your interlocutor. Only then will you hear different kinds of truth.

But that truth also has to be questioned, because it is important to give a voice to those who want to articulate their truth, their way of experiencing truth. And very often, when I try to incorporate this into my research, I see it as a clash of truths. Instead of the concept of a conflict of rights, which we have as a legally recognized concept, I call it a conflict of truths.

I try to give them a voice, especially because you must not intervene—they have their own truth. For example, in Kosovo it is very difficult to change this way of thinking among communities that are minorities today. They have become minorities, whereas at one point, legally speaking, they were a majority. And now it is extremely difficult to convince them—or even for them to convince themselves—that they are minorities today.

And that is truly, perhaps, the most difficult and most painful process. Thank you.

Nataša Milićević:

I somehow felt called upon to try to respond to your question, and I have to say—perhaps it sounds bad—but I actually don't know. That is my answer. But I think the only answer I have, whether it is correct or not, is this: to deconstruct the mechanisms. To strip bare that vocabulary, that discourse that is used while an enemy is being constructed, while such a situation is being sustained on an emotional level, on the level of identity, belonging, community—to lay all of that bare.

I think it is important to say this: now is not the moment in which we have a shortcut, some ready-made instruction for how to permanently renounce and expel nationalist authoritarian narratives. Rather, it is about saying: here you are, you are now in this experiment. You are here, the leader has placed you here, and you are enduring this mechanism, and this one, and this one. And people do not like that.

So, by laying bare those mechanisms, by showing how things happen, what that media mechanism looks like, who is involved and how, with exactly what kind of language, you actually raise awareness of the situation. And I think that, as a scholar, you cannot do more than that.

And is that enough? I think it is a lot. And I think it is something that we still do not have—at least we in Serbia do not have it yet.

Dejan Jović:

Yes, there were two questions here. One concerns dealing with the past, which was raised by our colleague Jerkov, and the other concerns how to relate to these minority, so to speak, discourses.

As far as dealing with the past is concerned—yes, well, good luck with that, if one really intends to take it all the way. I think more can be done than we have done so far, but we have nevertheless done a great deal. This organization in particular has done an extraordinary amount; a very large number of activities have been organized. And the academic community as well. For example, outside you now have Fraktura books—some of them deal with the Second World War and the 1990s. They will be on sale, I think, until two o'clock, so anyone who wishes can buy them there.

So, we have not stopped engaging with these topics. But I think that where we are truly in great deficit is that we simply have closed communities when it comes to the experience of the other. For instance, whenever Bosnia and Herzegovina is discussed on Croatian television, I ask everyone here: when was the last time we heard a dominant Bosniak position on Bosnia and Herzegovina? We do not hear it. From Bosnia and Herzegovina, we hear only what we want to hear. Not an alternative position. Or when it comes, for example, to Serbia or anything else—and vice versa—when have we actually heard an authentic, dominant Croatian position on RTS? We have not.

In other words, we hear only ourselves within our own circles; we invite only those who share our opinion or confirm it. And this goes all the way down. The Second World War, for example, cannot be interpreted without confronting the position of the other. And that other is, for instance, Anne Frank. That other is, for example, Lea Dojmić. That other consists of authentic Serbs, Roma, and others who suffered in the NDH. And a whole range of others. And those who suffered later, after the Second World War, as well.

I think we have a very large deficit here. And the consequence of this is that we live in our own bubble, in which we do not understand at all why the other did what they did. And that is crucial for us in the academic community. This does not mean justifying or following their politics or their discourse. Our job is to understand what happened and why.

In order to understand that, we must hear the other side and give it space. I think this is an experience that exists in educational policies, from kindergarten onward, in relation to other people and to people of a different skin color. A child of a different

skin color is introduced so that the majority can see that this is normal—a child like any other. Or so that the problems that are specific, and that people otherwise have no idea about, can be heard.

That is why I think that fleeing from minority discourse, and perhaps even worse—suspecting the very introduction of such discourses, even nationalist discourses, into another environment—is harmful in the long run. There will be no serious understanding of the other if we do not see that other, or, even worse, if we do not hear them.

Snježana Koren:

I would like to refer here to something that has already been mentioned earlier in the discussion, namely the question of how much weight curricula and textbooks carry today. In general, the claim has been made that they are no longer as influential as they once were, and this was linked to the question raised by Nebojša Blanuša. I agree that curricula and textbooks no longer have the power they used to have. In one sense, this is good news. In another sense, it can be a problem, because perhaps it is not the curriculum or the textbook itself that is decisive, but rather what actually happens in the classroom—and that can be a seriously missed opportunity.

Just three days ago, on Wednesday, we had another roundtable devoted to Jasenovac. A young man from the audience, who is a school teacher, shared an example from his own practice. He said that in the staff room they had been discussing how to act when students in class express extreme and radical views. Most of his colleagues were against engaging in any discussion or confrontation with the students at all, because they might get into trouble, because parents might attack them, because someone might file a complaint, and so on.

And here, in my view, we have a serious problem. On the one hand, we have teachers who are clearly acting from a position of fear. On the other hand, what I have generally observed is that it is not only about introducing complexity to students, but also that teachers themselves often struggle to deal with complex topics, especially when they are value-laden.

At the same time, we are depriving students of the opportunity to hear something different from what they otherwise hear in their own environments. So, honestly, I do not have a ready-made answer to this question. But I do think that we could—and should—ask to what extent the academic community is also responsible, in this sense, for the way teachers are educated and trained to work with such topics.

Denisa Kostovicova:

Thank you very much. With this, we conclude this panel. I will follow the example of Professor Puhovski and end with a quotation, and then hand the baton over to the moderator of the next panel. My quotation comes from a very important book by Stanley Cohen, *States of Denial*, in which he says: "War crimes do not follow historical time."

I find it very interesting that this temporal dimension has been running through the discussions since the very first session, and it was also strongly present in this one. It seems to me that it opens up a new perspective for understanding the persistence, reformulation, and erasure of crimes, as well as for reflecting on who the new interlocutors are today in debates about what happened in the past. Thank you all. *(applause)*

PANEL 3

War Crimes Trials:
Legal Process and the (Un)Achieved Transformative Effects

Moderator and introductory remarks:

Prof. Ivo Josipović, PhD, Faculty of Law, University of Zagreb

ICTY Trial Strategy and the Completion of its Work – Was the Transformative Effect Missed?

Thematic Focus:

Was the impact of ICTY judgments on the interpretation of the past in local societies insufficiently addressed within the Tribunal's completion strategy?

Did the legal dimension prevail, without planning a broader social integration of the judgments?

Do political elites block transformative justice by interpreting verdicts as attacks on entire nations instead of individualising responsibility?

Selective acknowledgment and silence regarding ICTY judgments.

How can it be explained that judicially established facts do not become part of collective memory, but are instead adapted to dominant national narratives?

Can the judicial system change the interpretation of the past without a social consensus on facts?

National War Crimes Trials – Reach and Limitations in the Region

Thematic Focus:

Do national trials have the potential for transformative justice?

Trials in absentia – a legal necessity or a continuation of resistance?

Do trials in absentia contribute to accountability, or reinforce denial and opposition?

Can domestic judiciary produce social change without institutional support from education and politics?

Can law faculties become a "regional community of knowledge"?

Key question:

Can academia develop a regional platform for the critical interpretation of judgments and thereby compensate for what trials alone cannot achieve?

Panelists:

Prof. Zlata Đurđević, **PhD**, Faculty of Law, University of Zagreb
Prof. Enis Omerović, **PhD**, Faculty of Law, University of Zenica
Prof. Sunčica Hajdarović, **PhD**, Faculty of Law *Džemal Bijedić*, Universisty of Mosstar
Florence Hartmann, French journalist and writer
Miodrag Vlahović, Montenegrin Helsinki Committee for Human Rights

Discussion:

Prof. Srđan Milošević, PhD, Faculty of Law, UNION University in Belgrade
Prof. Marin Bonačić, **PhD,** Faculty of Law, University of Zagreb
Prof. Denisa Kostovicova, **PhD,** London School of Economics and Political Science (LSE)
Atdhe Hetemi, Institute for War Crimes Research, Prishtina
Dr Sabina Galijatović, Institute for Research of Crimes against Humanity and International Law, University of Sarajevo

Ivo Josipović:

Friends, we are now moving to the third session, which has two halves. The first concerns the ICTY, and the second domestic trials. As you have seen from the list, all the participants here are eminent experts, not only lawyers. I think we can have a very interesting discussion.

You have received some introductory theses that should be debated. As moderator, I will begin with a few short remarks about the ICTY. I am now speaking about the ICTY. I would remind you that there was probably no single word or topic in the media that was more frequent than the ICTY, The Hague, courts, crimes, and so on.

The ICTY carried out pioneering work. I am personally glad that it existed; I was among those who advocated for its existence. Am I satisfied with all of its results? Perhaps not. Nothing is perfect, and neither was the ICTY, but it was fortunate that we had it. We were fortunate, first, because it opened the path toward a permanent International Criminal Court and toward other specialized courts, and second, because it influenced the practice of our national courts. It is true that national courts often resisted what

the ICTY accepted as standards, but even so it had a positive influence. We will return to this in the second half.

In our publics, the ICTY had a Janus-like face. In Croatia and Serbia, the very same narrative was voiced, only with opposite signs: in Serbia it was said that the Tribunal judged only Serbs, in Croatia only Croats; it was accused of discrimination by both sides.

This is a highly politicized topic – The Hague, crimes and responsibility. Many political games were played. I myself was, by a coincidence of circumstances, also a witness to this, but I will not go into those details now. I will tell just one anecdote that shows how much the ICTY and domestic trials were shaped by political decision-making, not only by the judiciary.

In the 1990s, when Croatia was under pressure for non-cooperation with the ICTY and when many – not all, but many – doors were closed to it, the situation culminated in 1996, when Croatia was almost ultimatively required to begin cooperation with the ICTY.

At that time I was a professor at the Faculty of Law. The government consulted me on many issues because I worked as an expert on ICTY law. One morning I received a surprising phone call. The then Minister of Justice, Mr. Šeparović – today the President of the Constitutional Court – a younger colleague from my student days, called me and said: "Why don't you draft a law on cooperation with the ICTY?"

I replied: "All right, I will do it, but under one condition." He asked: "Which one?" I said: "That I am allowed to write everything that is necessary for full cooperation with the ICTY," fully aware that this would be very difficult to have accepted. He said: "Yes, write it that way."

I began to write. Western embassy representatives came, suspecting that another fake regulation was being prepared. But I really did what I said I would: I drafted a law that fully enabled cooperation with the ICTY.

I brought the draft to the minister. He looked at it and I said: "There will be problems." He replied: "Don't worry." Then came the parliamentary session. I watched it on television – there was nothing but condemnation: "Who wrote this? A traitor! Take away his diploma! What kind of lawyer is this?" There was nothing they did not say.
I went to the minister and said: "Look..." He replied: "Don't worry, everything is fine." Then they intervened in the text only by adding phrases like "in relation to" and "with

regard to," as I symbolically call it, and sent the same text to the second reading, where it was adopted with only four votes against.

Those who had demanded that my diploma be taken away now said this was the right law, an excellent law, in the national interest. Why? Because it was obvious that the highest political authority – the President of the state – had decided it was good for Croatia and instructed them to vote for it.

The law was adopted, with four votes against from the extreme right. It had a good effect on cooperation, which remained problematic at times but now had a firm legal foundation.

Later, something similar was done in Serbia. They took much from our law, and the story of cooperation opened. One could say that at that moment the entire region opened to cooperation with the ICTY – sometimes with more enthusiasm, sometimes with less, sometimes with resistance and sabotage – but the process began.

For me, the most important thing is that the ICTY opened international trends, contributed to the development of international criminal law, and influenced judicial practice. It also had weaknesses. First of all, I think it did not always choose the right defendants – I can say this for Croatia – which in the end meant that no one from Croatia was convicted of war crimes before the ICTY.

I also think it often approached its own work uncritically and was too immune to professional criticism because of its strong international legitimacy and support. But in any case, I repeat, I am glad the ICTY existed. I think it could have been better. Unfortunately, it did not convince the dominant public in the countries of the former Yugoslavia, partly because of its own weaknesses, and partly because of political and media resistance and narratives about a foreign, hostile court that only oppresses us.

Now, how shall we proceed? There is a list, but I do not have it with me at the moment. Shall we start with Zlata?

Zlata Đurđević:

Good afternoon, everyone. I truly thank the organizers for inviting me to participate in this genuine intellectual elite and crème of our region.

I had the honor, when Professor Josipović was President of the Republic, to be nominated by him as his envoy to RECOM. At that time, in conditions that were even more liberal than today, I participated in attempts at reconciliation and in creating a shared truth in this region, as well as in drafting the statute of RECOM.

I would like to make just a few observations about what is happening today in Croatia and about the process from the 1990s until now. I am not sure whether the trials conducted in Croatia would have happened at all if Croatia had not been in the process of accession to the European Union. That conditionality for EU accession was crucial. We were in fact forced to cooperate with the International Criminal Tribunal, and ultimately we realized that this could not be avoided.

When Croatia was entering the European Union, it closed all negotiation chapters except Chapter 23, which concerned criminal justice and human rights. The main issues there, alongside corruption and organized crime, were the prosecution of war crimes. It was clear that without these two components – not only in legislation, since laws were only a prerequisite, but in the real organization of the judiciary and in concrete proceedings – Croatia could not complete the accession process. We therefore conducted proceedings against our own Prime Minister (this concerned corruption and organized crime), and we also conducted war-crimes cases transferred to us by the ICTY.

These were legitimate and lawful proceedings, conducted with full guarantees of the rights of the defense, but also effective proceedings that resulted in certain convictions. In that period, the authorities, because they had decided that Croatia had to enter the European integration process, supported the prosecution of war crimes.
Of course, the question always remained: against whom were these prosecutions being conducted – only in relation to "our" victims, or also in relation to victims of the other side? Particular attention was paid to whether prosecutions were being conducted in cases where the victims were Serbs.

The European Court of Human Rights issued a number of judgments against the Republic of Croatia precisely because of the ineffectiveness of war-crimes prosecutions. On the same day, two judgments were delivered – in one case the perpetrators were Croats, and in the other Serbs – showing that this ineffectiveness was not limited to one ethnic group nor politically programmed, but was a result of the general inefficiency of the Croatian judiciary.

Today the situation is different, as in other areas where regression has occurred. We heard in the previous panel that there is regression at universities, and the same is happening in Croatia, as well as in the area of media freedom. Independent media are becoming fewer and fewer, especially among major television networks, and I believe that in the past year a serious regression has taken place.

Non-governmental organizations are also affected: organizations are appearing that present themselves as NGOs but in fact promote regressive policies.

In the field of prosecuting war crimes in Croatia, 30 years after the end of the war, numerous commemorations have been established, held several times a year and declared state holidays. The state has in a way become trapped in the 1990s. Compared to ten years ago, it feels as if we have moved even further back into that period.

These commemorations are conducted in a way that recognizes only one "correct" side; the other side is no longer even mentioned. The victims of the other side are neither acknowledged nor mentioned. The Homeland War is portrayed as entirely just, with no recognition that crimes were committed by the political leadership.

Whereas earlier there was at least some respect for the judgments of the ICTY – even though no one from Croatia was convicted, there are judgments concerning crimes in Bosnia and Herzegovina in which the Croatian leadership of the time was involved, as is clear from the reasoning of those judgments – and whereas many domestic proceedings were conducted for crimes committed on Croatian territory, today this is barely mentioned anymore.

Even the crimes of the Second World War are now being relativized, and this revisionism is shaking the very foundations of the Croatian state as established in the Constitution of the 1990s. If this can be done with regard to the Second World War, where it is historically clear what happened and where Croatia with the Partisans was on the right side, then it is even easier to ignore or erase the crimes of the 1990s.

This is also visible in war-crimes prosecutions. According to data from the media and Documenta, about ninety percent of cases are conducted against Serbs, while only a small number involve Croats; these cases often drag on, and there is a persistent discrimination in sentencing based on ethnicity.

Another crucial aspect concerns the State Attorney's Office. Courts are to a certain extent independent, and there are judges who decide solely on the basis of law and facts. However, criminal prosecution depends on the State Attorney's Office, because without an indictment a court cannot proceed.

In Croatia, the State Attorney's Office is formally independent – this is written in the Constitution – but in reality it is a hierarchical and monocratic institution, tied to the executive branch. The Chief State Attorney is elected by an ordinary parliamentary majority, that is, by the ruling political power, and has the authority to issue instructions in individual cases.
Although it is claimed that this does not happen in practice, reality shows otherwise, not only in war-crimes cases but also in many other major scandals.
I may have an opportunity to say more about this in the second round.

Enis Omerović:

I would like to thank Professor Josipović and the organizers for the invitation. In my work in international criminal law I often encounter a paradox: judgments are final and binding, but social processes of dealing with the past are not complete.

My presentation today starts precisely from this gap between formal and transformative justice, and my aim is to place it in this so-called space between formal and transformative justice.

When we speak about war-crimes trials, we often face a tension between two expectations: on the one hand that courts deliver justice, and on the other that they contribute to deeper social transformation. In that context, as my respected colleagues have already said, the question arises: can we distinguish the mandate of courts as judicial institutions and war-crimes trials from broader social processes?

The International Criminal Tribunal for the former Yugoslavia was established in 1993 by a decision of the United Nations Security Council. Without going into the political reasons for its establishment, its mandate was to try individuals for the gravest crimes under international law, determine individual criminal responsibility, and ensure formal justice in accordance with the highest standards of a fair trial. In this regard, Professor Josipović has already spoken about the impact of the ICTY on the development of international criminal law and on the practice of domestic and international courts dealing with war-crimes cases.

The question I would like to open today is: how have the judgments of the ICTY operated outside the courtroom, how do they operate today, and why has their transformative potential not been fully realized in the states of the region?

Within the ICTY's completion strategy, the focus was primarily administrative and technical: finishing cases, rationalizing work, and transferring jurisdiction over war-crimes cases to domestic courts. What remained insufficiently developed was the question of the social reception of judgments. There was no systematic strategy to ensure that judicially established facts would become part of a broader social understanding of the past, especially in societies deeply marked by war and competing, often mutually exclusive narratives.

It remains an open question whether this represents a failure of the ICTY as a judicial institution, or a structural limitation of the broader international approach to transitional and transformative justice, which – particularly within the United Nations framework – assumed that formal justice would itself produce social effects.

The ICTY insisted on the legal dimension, but the legal dimension is not automatically a social one.

In the absence of educational, political and institutional mechanisms to explain, contextualize and embed judgments into public knowledge and public narratives, they often remained isolated in society. The Court spoke the language of law, while societies – at least in mainstream political discourse – continued to speak the language of emotion, subjectivism, politics and pseudoscience.

Research that I conducted in 2017 with a colleague on the reception of the ICTY in Bosnia and Herzegovina showed equal dissatisfaction across all ethnic communities. The reason was always the same: if a judgment challenged my political narrative, it was illegitimate to me; if it confirmed it, I supported it.

As a result, judgments did not always function as instruments of individualizing guilt, but were often interpreted as collective or political messages, or as attacks on a state, a people, or a community.

Let me also say something about the ICTY's outreach program. It aimed to bring the Court closer to the public and to explain its mandate and judgments, but it was not an instrument of social transformation. It was primarily informative and could not influ-

ence education policy, school curricula, memorial practices, or the dominant political discourse.
In societies where judgments were actively contested and relativized by political elites, even the best outreach program could not generate a social consensus about judicially established facts.
That concludes this first part.

Ivo Josipović:

Thank you very much. We are right on schedule. Please go ahead. Colleague Sunčica Hajdarović, Faculty of Law *Džemal Bijedić*, Universisty of Mosstar

Sunčica Hajdarović:

First of all, I would like to warmly greet you all. This is my first time at a forum like this, and I sincerely thank the organizers for the invitation and the opportunity to speak today. I will build on the previous presentations of my respected colleagues.

One of the key questions addressed by this panel, when we speak about the legacy of the ICTY, is why judicially established facts have not had a transformative effect in post-conflict societies. Tribunals are based on the assumption that individual guilt will enable societies to confront the past. However, in practice this rarely happens; what happens instead is the opposite: political and social elites interpret judgments as attacks on entire nations, thereby undermining the effect of transformative justice.

I have identified three key theses for this panel discussion. First, political elites reinterpret tribunal judgments as attacks on the people rather than as individualization of guilt; this narrative creates collective defensiveness that blocks social confrontation with the past and prevents moral reflection on committed crimes.

Second, elites in Serbia, Croatia, and Bosnia and Herzegovina use judgments as tools to maintain ethno-national identity narratives: in each state, in different ways, judgments are politicized in order to control the war narrative and prevent recognition of the suffering of others.

Third, transformative justice is not possible without political will and social acceptance of judicially established facts.

I would like to once again define the concept of transformative justice. It means deep social change in the broadest sense – a change of narratives, a change of identities – and not merely acceptance of court judgments. A judicial verdict is only the beginning; for truth to be integrated into society, a broader public discourse is required.

Instead of being accepted as a mechanism for breaking collective guilt, judgments are used for the opposite purpose. When a verdict against a general or politician becomes a verdict against an entire people, there is no room for transformative justice and dialogue is closed.

A sense of collective threat is created. Elite narratives activate emotional logic: judgments attack "us" as a people, not the individual. This produces collective defensiveness and resistance to judgments, closure within ethnic groups, relativization and denial of crimes, and glorification of convicted war criminals.

I would highlight an example from Herzegovina, where I come from. In Mostar and its surroundings in recent years there has been strong glorification of convicted war criminals, especially Slobodan Praljak. In Čapljina a monument has been erected to him, banners at football matches declare him a "national hero," and he is portrayed as a martyr who, as they say, "rejected the ICTY verdict by drinking poison." These are the dominant narratives in that space.

The same applies to the glorification of those convicted for genocide in Srebrenica.

The less clear the past is and the more crimes are relativized, the greater the political control over narratives. Convicted perpetrators then appear as heroes. In Bosnia and Herzegovina, verdicts against members of one ethnic group are experienced as confirmation of injustice, while verdicts against another are celebrated as proof of their allegedly inherent criminal nature. Instead of one shared truth, we have three truths, three memorial policies, and three collective traumas that do not touch each other.

Legal logic dictates that judgments should dismantle the idea of collective guilt, but social reality shows that elites use them to reinforce the idea of collective victimhood. If every judgment is interpreted as an attack on national identity, crimes remain unarticulated and victims unrecognized.

The essence of transformative justice is the change of social narratives, recognition of the suffering of others, dismantling of collective myths, stepping out of identity trenches, and institutional support for confronting the past.

Why do political elites use such narratives? Because it is a political strategy. Elites benefit from an unclear, contested and emotional past, because it enables voter mobilization and the preservation of existing identity narratives. The more politically useful the past is, the less desirable the truth becomes.

I will stop here. In the second round I may say something about how the academic community can contribute to transformative justice. Thank you.

Ivo Josipović:

Thank you. Everyone here is very disciplined. Please go ahead, colleague.

Florence Hartmann:

Thank you. Distinguished Chair, distinguished holders of doctoral degrees—and there are many of you here—and participants. I am grateful to be here today.

I would like to build on what has been said before: the question of who should bear responsibility for the fact that not all facts have been legally established, and whether the Hague Tribunal had any transformative potential at the local level.

First, I ask myself whether it was ever the mission of the Hague Tribunal to influence society, given that at the international level such a task was not assigned to it, unlike national courts. At the international level, this possible dimension of its mission was not even considered; this concept was not mentioned when the resolution establishing the ICTY was adopted.

For example, I was the first spokesperson within the Tribunal who spoke BCSM. It was not part of my job description to speak the languages of local societies; it simply turned out that I knew them, in addition to the two official languages—English and French. The Outreach Department had a separate mandate toward local societies; it did not cover positions within the Prosecutor's Office.

Numerous trials were conducted—certainly not enough—but numerous crimes were documented, more than in any conflict to date. However, just as younger generations

in China do not know about Tiananmen, people in Serbia do not know about Srebrenica. I did not know this myself, but I now hear that even educated adults have not even heard of Srebrenica. They encounter this issue only later in life, which is a serious problem, given the scope of the ICTY's work related, for example, to Srebrenica.

My second observation is that dominant political and intellectual structures in the region continue to defend and disseminate political and ideological concepts that led to wars and interethnic conflicts. In this way, the conflict continues not only between two truths, but between two processes that never meet. Civil society has done a great deal. The artistic sector as well. But this remains an alternative society. The same applies to a small segment of the academic community that addresses these issues. However, the central, important, recognized, official academic community does not deal with crimes committed in the name of its own people, except to deny them or to glorify individuals convicted in The Hague.

I would say that politics in fact plays the greatest role, and this is the essential problem, because today it operates in the opposite direction. Politics is key to transformative potential, and this does not apply only to this region. We saw, for example, how politics after World War II affected Germany. The same conditions existed: trials took place, society itself did not change, most Nazis remained Nazis, but their children were not Nazis. Why? Because there was transformation, because there was political will—both internal and external—moving in the same direction.

Today, I wonder whether that success is permanent, or whether, regardless of unquestionable facts and verdicts, it can be undone and denial can once again prevail. This is an open question, especially if we observe the rise of the extreme right in Germany.

We also have our own example in the region. During the government of Zoran Đinđić, very shortly after the fall of Milošević, politics showed how it was possible to act and to make progress. Two documentaries were broadcast on RTS: the BBC documentary *A Cry from the Grave* about Srebrenica, and another, whose title I do not recall, about crimes in Kosovo. Subsequently, under both internal and external pressure, exhumations at Batajnica were opened. Later, thanks to civil society, we saw on television the video recording of executions filmed by the *Scorpions* in July 1995 near Srebrenica. Each time, there was a rational—I will not say normal—human reaction on the part of society. Unfortunately, this reaction did not last, because politics moved in the opposite direction.

I would like to touch upon another, perhaps provocative topic. The individualization of guilt is necessary in criminal proceedings—you are lawyers. I am not. But I want to say that insisting exclusively on the individualization of guilt prevents society from understanding the causes, the dynamics, and even the nature of war. Do we agree on the nature of the wars in the former Yugoslavia? Were they civil, interethnic, political, territorial, ideological? We do not all agree, and the Hague Tribunal did not provide a complete answer. This is something the academic community must address.

Let us recall that even in Europe there remain unresolved questions about past wars. European states intended to hold a conference of historians in Sarajevo in June 2014 in order to bring positions closer on the causes of World War I, but this conference was not held because no agreement was reached. It is not easy to reach consensus on such questions.

The individualization of guilt, which is necessary for the legal system and more socially acceptable than collective guilt, has today become an obstacle to thinking about collective moral responsibility, as well as institutional and state violence. War is not a story of irrational ethnic neighbors killing each other after morning coffee. We must return to the questions to which the Hague Tribunal did not give complete answers—the nature of war and violence, the causes of war—not in order to impose collective guilt on peoples, but to reflect on the processes that led to extreme violence and on society's responsibility within them.

Ivo Josipović:

Thank you very much. We have just heard from an insider. Mr. Miodrag Vlahović, Montenegrin Helsinki Committee for Human Rights, please.

Miodrag Vlahović:

Thank you, Mr. Chair. I am glad to be among you. This is actually my first time attending a gathering of this kind, and I would not like to forget to thank Nataša Kandić for the invitation. I would also like to take this opportunity to once again express my admiration, respect, and support to her and her colleagues for everything they have been doing over the past years and decades.

Now, I find myself in a somewhat awkward position, but also with a certain advantage, speaking at the end of such a distinguished gathering of people who know much more

about these issues, better and in greater depth than I do. So please allow me to offer a few observations in the shortest possible form, in a kind of telegraphic version.

The first observation – and I do not want to forget this – is that the answers to the rhetorical questions that form the platform for our panel are already known. Unfortunately, they are negative answers. All of them are negative, and this needs to be repeated. It may be obvious, but sometimes it still needs to be said again.

Justice as such is today far from being transformative. This applies even to cases involving undisputed, clearly established criminal responsibility, based on properly conducted evidentiary proceedings, witness testimonies, and so on.

We therefore live in a time – and this is the first point I wish to emphasize – in which the justice we are confronted with can primarily be described as transactional justice. This type of justice is, of course, connected to current political processes which, unfortunately and to the detriment of all of us, are dominant today in the United States, as well as to the unavoidable repercussions, that is, the consequences of such policies in many countries of the European Union.

This is the space to which all of our countries in the Western Balkans aspire to belong, including our friends from Croatia, who are already formally part of it.

So, what we have today is an old–new version of a foreign and defense policy doctrine based on the absolutization of spheres of interest. Earlier today, over lunch, we joked that the new Trump doctrine is in fact a kind of *Monroe Doctrine for dummies* – a super-simplified, rudimentary explanation of the world and of the role of the United States in it. Inevitably, *volens nolens* (hteo-ne hteo), we will become the subject – or, if you prefer, the victims – of such a reading of global relations.

What does this have to do with the topics we are discussing here today? I believe it has a direct connection, because – and here I fully agree with Ms. Hartmann – the key word in any discussion about justice is politics. What defines, shapes, directs, and ultimately determines the consequences of judicial proceedings and the way they are received in our societies is the political context.

And that political context is not something given once and for all. It is fluid. It is a process subject to change and, unfortunately, to negative influences and regressions.

We can therefore try to determine, identify, and analyze the moment when this type of regression – this involution, this backward movement – begins in how the causes, facts, and consequences of the wars in the territory of the former Yugoslavia are understood. This is especially troubling when it comes from those actors who, by definition, should be helping us in this process, rather than obstructing it.

I will refer here to my own modest personal experience, and I do so because I believe that enough time has passed for there to be a basic historical distance. As Montenegro's ambassador to Washington, the first after independence, I was invited in late 2009 by certain addresses in Washington, on both sides of the Potomac, to be informed – with a request that I convey this to our leadership – "that the next government in Serbia whether it is Dačić–Vučić or Vučić–Dačić is less important to us–what matters even less, us Americans in this story".

We do not have the time, nor is there a need in a gathering such as this and before an audience like this, to explain in detail what kind of impact such a decision – clearly created outside the context of the Western Balkans – can have on processes of awareness, understanding, and coming to terms with our recent, tragic history. A history which, whether we like it or not, has been defined by wars in the territory of the former Yugoslavia.

From that point on, coming from the Western side – and I will deliberately avoid terms such as "the collective West" – we have in fact seen a type of influence that is destructive to the issues we are discussing here today. Instead of allowing relations with the former Yugoslav countries and the Western Balkan context to be brought to a conclusion, instead of allowing certain processes to be completed, instead of ensuring that the defeat of certain ideologies, political projects, political structures and their individual proponents be complete, definitive and unquestionable, that process was stopped halfway – or deliberately not allowed to be completed.

When, at a certain point, it is said that it is necessary, possible, and even desirable for Serbia to return to a governing combination of the Socialist Party of Serbia – Milošević's party – and the Radical Party, which may have changed its nominal leaders but has remained the same in substance, then what you are effectively doing is condemning the entire region to once again relive the problems, situations and confrontations that were both the causes and the consequences of those wars.

To conclude this part, and without wanting to sound entirely pessimistic, we are faced with an Orwellian – or Orwellian-like – situation in which the struggle over our past is still ongoing. It is a struggle *about* the past, because political elites in all of our countries have a strong interest in using that struggle, and control over the past, to project our future.

And finally, at the beginning of the 1990s – when my friendship began not only with Ms. Kandić, but also with Sonja Biserko and several other people who are very important and dear to me – we in Montenegro had the Civic Committee for Peace, our peace movement. What has stayed with me from that time is the memory of asking ourselves, in various discussions: how is it possible that people do not understand that we are telling the truth? How is it possible that they do not see what is happening?
At that time, it was Croatia and Bosnia; later, it was Kosovo.
Together, we came to a conclusion that the issues we discuss, the problems and hardships we experience together, are in fact here to stay with us – and among us – and that the only difference lies in how each generation responds to them. The history of our region, especially its most recent history, which is more familiar to us than earlier periods, is essentially defined by how each generation succeeds in responding to the questions of coexistence, dignity, respect for others, tolerance, and human solidarity.

Let some generations succeed in this task, and let others tragically fail in fulfilling the very purpose of their existence. Thank you.

Ivo Josipović:

Thank you very much. In fact, this third panel of ours is structured in a somewhat unusual way. We essentially have two panels in one, and we also have discussants who are meant to contribute to both.

In our discussions, we have also somewhat merged the topics, and I think that is not necessarily a bad thing – namely, the Hague Tribunal and domestic trials. Given that the procedural rules for this conference have not yet been fully refined, I would suggest that we now give the floor to our discussants. We still have almost an hour left, and afterwards we can perhaps return to any specific points someone may wish to address regarding the core themes.

Let me briefly remind you of the key question posed by Nataša and the organizers: can the academic community develop a regional platform for the critical interpretation of

judgments and compensate for what trials fail to achieve? This is clearly an important issue for the organizers, and I would like to bring it back into focus.

Let me immediately ask: why should this not be RECOM? You will not achieve uniform thinking at law faculties in Zagreb, Belgrade, or Sarajevo – not at any of these faculties. Therefore, I believe there must be an organization capable of attracting and mobilizing those professors who are prepared to think differently about crimes, war crimes, trials, and related issues.

But so as not to abuse my position as moderator, Professor Srđan Milošević, Faculty of Law Union in Belgrade, please.

Srđan Milošević:

Thank you very much. I was actually given a somewhat more specific task, namely to speak about the significance of the judgments of the Hague Tribunal for historical scholarship, that is, about the reception of the results of the Tribunal's work within the field of history.

Now, of course, it is impossible to avoid – at least this is my firm impression, and more than just an impression – the fact that when we speak about crimes, we inevitably speak on at least three levels. One is the legal level of establishing responsibility, judicial responsibility, of course. The second is the historical, reconstructive level, and potentially also an explanatory one. And finally, there is the level of memory culture. These are all interconnected, but distinct dimensions and aspects.

We have already heard very competent and authoritative opinions about judgments, and I would not add much there. However, from the perspective of historical scholarship, a judgment of any court – international or national, it makes no real difference – can essentially be no more than one of the historical sources. I was even tempted to say *only* a historical source, but still an authoritative one, as it has gone through a process of establishing facts. Yet this brings us to a very complex – and without any intention to mystify it – genuinely challenging concept: truth.

If we adhere to this, there is a very simple, almost doctrinal idea: judicial truth is always partial; it is never the whole truth. And the historian strives to see the whole truth.

Let me start with the most drastic example: genocide as a crime. For judicial practice, particularly in adjudication, establishing the motives of the perpetrators is largely irrel-

evant. Historical scholarship, on the other hand, seeks to enter precisely that dimension. But this is where the danger arises that, by entering the realm of motives, one may be accused of opening space for justification – of suggesting that by examining the reasons behind such a dramatic "crime of crimes," one is attempting to excuse it. This already takes us into the domain of memory culture.

Returning to judgments as historical sources, I would emphasize the importance of comprehensive truth, which is always of interest to historians. As a historian, I do not need a judgment of the Hague Tribunal, or of any other court, to establish that genocide occurred in Srebrenica. What happened there, and the description of those events, corresponds in all essential respects to what historical scholarship has defined as genocide since 1945.

The first judgment that formally defined the Holocaust as genocide was, if I am not mistaken, the Eichmann judgment of 1961. But long before that, we had already described the Holocaust as genocide. The same applies, of course, to other examples, such as the suffering of Serbs in the NDH, or other genocides that were not judicially adjudicated but were nevertheless named as such, including the persecution of Roma and Jews in that historical context.

Furthermore, in defense of the historical profession, if we look at the relationship of the International Court of Justice to the judgments of the Hague Tribunal, we see that they were not taken over on a one-to-one basis. In the case *Bosnia v. Serbia*, the International Court of Justice relied on the Hague Tribunal's judgments as an authoritative source – and this, again, is a complex issue as to why it had to be done that way.

Thus, those judgments were not adopted wholesale, but used as authoritative sources. Why, then, should a historian feel compelled to follow them exclusively?

Finally, in the segment related to memory culture – which also touches on some of the previous discussions – the key role belongs to the state, that is, to memory politics. Organizations like those we cooperate with or belong to are there to create a body of knowledge, skills, and, if you will, a certain *know-how* for implementation, to be used when state authorities decide to accept such initiatives and incorporate them into official memory culture.

Until that happens, what remains are initiatives like these: efforts to establish facts and to construct narratives. But without the will of institutions to adopt measures

such as erecting memorials, naming streets after victims, or introducing commemorative dates into the official calendar – decisions formally made by national parliaments – one remains with tied hands.

In that sense, I would conclude by saying that civil society organizations have done not just a lot, but perhaps even more than was within their power, often facing incredible obstacles. From my perspective, this self-reflection regarding NGOs appears less critical than it may seem to some; in many cases, their work went beyond what was realistically possible.

Ivo Josipović:

Thank you. I believe that what Professor Milošević has said is very important and very interesting. Indeed, judgments not only of the Hague Tribunal but also of national courts constitute one of the sources for historians.

What you said is entirely correct: judgments encompass a selective factual framework – that is one point. Secondly, judgments can, of course, be incorrect; that is another issue. Thirdly, final truth is, to some extent, also a party-based truth – I am referring here to the parties in criminal proceedings.

Imagine a judgment based on a plea agreement. One part is waived, something is admitted so that something else may be forgiven. This must always be kept in mind.

This is why I have always argued that the Hague Tribunal and national courts are not direct creators of history – not creators, but rather registrars of history – and that their judgments must be subjected to the work of historians.

Historians then combine these judgments with other sources, not only court decisions, to construct a broader picture of social, political, historical, and factual relations. Thank you for that.

Professor Marin Bonačić from the Faculty of Law in Zagreb has worked extensively on international and internationalized courts. Marin, please.

Marin Bonačić:

I would like to thank the organizers for the invitation. This is also my first time here, and I am very glad to have come. I will try to address first the initial set of questions,

and then I will attempt to respond to the second set of questions related to national trials.

Regarding the question of whether the completion strategy was sufficiently developed, and whether it could thereby influence the interpretation of the past in local societies, we can say that the strategy for completing the Tribunal's work was not sufficiently elaborated in all its aspects. At a certain point, the position of the international community prevailed that these trials were very expensive and very inefficient, which led to strong pressure for the courts – those for the former Yugoslavia and for Rwanda – to conclude their work as soon as possible.

That this was indeed the case is evident from the fact that the Tribunal closed its doors before it had even completed all the trials it had initiated. It is therefore quite clear that this was a political decision to shut the Tribunal down as quickly as possible.

As for the interpretation of the past, discussions about so-called residual mechanisms and residual functions to be carried out after the Tribunal's closure began only toward the very end of its mandate. It was only then that serious consideration was given to what should continue after the court closed its doors. The result was the International Residual Mechanism for Criminal Tribunals, which even completed some trials, but whose primary mandate concerned the preservation of archives, public outreach, and dissemination of the courts' jurisprudence.

With regard to the transformative effect of completing the Tribunal's work, this is linked to the broader question of the extent to which international criminal courts can have such an effect at all. Even if the completion strategy had been much better designed, the question remains to what extent it could have had a transformative impact on societies. This is a broader issue: to what degree courts contribute to establishing historical truth and to reconciliation within societies.

If we turn to the question of whether national trials have the potential for transformative justice, it is important to emphasize that for international criminal courts the location where they sit is crucial. It is not the same whether they conduct trials *in situ* or from a location 1,500 kilometers away from where the crimes were committed.

In this sense, national judiciaries may have significant transformative potential, especially in trials where – to put it in quotation marks – "one's own side" is being prosecut-

ed rather than the other side. Such judgments often have a stronger impact on society than judgments delivered by a court located far away.

As far as history is concerned, as we have already heard from previous speakers – and I thank them for that – judgments are only one of the sources for interpreting the past. They do have certain advantages, because some facts could be established only through court proceedings, given the obligation of cooperation with courts. There are facts that historians would never have been able to access had they not emerged through trials themselves.

At the same time, courts are authoritative bodies, and in that sense their judgments provide confirmation of what has been established. However, as Professor Josipović has already pointed out, courts establish facts in a limited manner: they establish only those facts that are necessary to determine whether the accused persons committed the acts with which they are charged.

Therefore, the picture that courts ultimately convey also depends on the scope of their jurisdiction. It is clear to all of us that a court with jurisdiction over the crime of aggression conveys a completely different picture from a court that adjudicates only crimes related to international humanitarian law. In that latter case, it is not legally relevant who initiated the conflict – yet for history, this is an extremely important fact.

The Professor also mentioned plea agreements. I would only expand on that point by noting that in all cases where plea agreements were concluded, the original indictments charged genocide, whereas after the plea agreements the proceedings ended with convictions for crimes against humanity. If we look at the historical picture that this conveys, it is a completely different outcome, even though the underlying acts are the same; what differs is their legal qualification.

In addition, the picture conveyed specifically by the International Criminal Tribunal for the former Yugoslavia also depends on other factors – for example, the fact that the principal accused died during the proceedings. The image would likely have been entirely different had the trial of Slobodan Milošević been completed.

In conclusion, with regard to the question of whether the completion strategy was insufficiently developed – it was. The only remaining question is whether the outcome would have been substantially different even if the strategy had been better designed. The Tribunal did initiate an outreach program, which, to my knowledge, was among the

first of its kind. Through this, valuable experiences were gained for future international criminal courts, as well as for some internationalized courts that later established similar offices.

However, when we speak about the impact on the interpretation of the past, we must ask whether this is truly the task of a court, and to what extent a court can influence this at all. Unfortunately, the answer is that this is not solely the task of courts, but of the broader social community, which must use the work of courts and their judgments for this purpose.

If I may briefly add one more point: can law faculties serve as a regional community of knowledge? Can the academic community develop a platform for the critical interpretation of judgments and thus compensate for what trials fail to achieve? It is possible that law faculties are not the ideal place for this. I teach international criminal law, and given the limited number of teaching hours, if one aims to cover all legal institutes and standards, very little time remains for factual findings.

In that sense, faculties dealing with history may be better suited to establishing what actually happened. But, of course, I leave open the possibility that I may be wrong.

Ivo Josipović:

Thank you very much. I would like to add just a brief remark to what Marin has said. I see one additional, important reason – perhaps even a stronger one – why faculties cannot serve this role.

I will illustrate this with a single example. We have had a professor who claimed that a war crime cannot be committed in self-defense. It is therefore obvious that a professor holding such a position, and people such as Marin, Zlata, or myself, cannot be on the same platform.

Faculties will certainly not risk internal divisions and conflicts over something that is not their core business – namely, education conducted according to a prescribed curriculum. But perhaps I am mistaken.

That is precisely why I somewhat anticipated the answer and said that this role could be taken on by RECOM. And now, we turn to Ms. Denisa Kostovicova.

Denisa Kostovicova:

Thank you once again for the invitation to the Forum. I am truly grateful for the opportunity to listen to these discussions. And I would like to thank Nataša for inviting me to present the results of our research on transitional justice, which directly relates to the themes of this Forum.

I will respond to the question that has been posed – what trials fail to achieve. Let me begin by saying that, thanks to the work of the Humanitarian Law Center, together with colleagues with whom we conducted this research, we carried out, for the first time, a textual analysis of transcripts from domestic war crimes trials in Serbia. This is the first such analysis not only in this region but globally, which is extremely important because it demonstrates how new knowledge can be generated through the systematic study of court transcripts.

In this work – that is, in these two studies – we analyzed 164 judgments and decisions resulting from trials conducted over a twenty-year period, from 1999 to 2019. The corpus consisted of more than three million words contained in these transcripts. This volume of material cannot, of course, be rigorously studied through manual coding, so we employed state-of-the-art computational tools for text analysis, and then verified the results by carefully reading and interpreting them.

Through this approach, we also examined sentencing patterns and found that in war crimes trials in Serbia involving Serbian perpetrators, there is a clear bias. This bias manifests itself in the fact that members of state structures – that is, military and police personnel who participated in the war – receive lower sentences for the same charges than members of paramilitary formations.

We further found, through textual analysis, that there is bias in the reasoning provided in the judgments themselves. Specifically, the sections of judgments explaining sentences imposed on members of state structures are extremely brief, sparse, and contain minimal information. In contrast, when paramilitary formations are discussed, these sections are extensive and filled with graphic and highly disturbing details about the crimes.

Why is this important? Because it speaks directly to the questions that all of you have raised here – namely, what kind of historical narrative is being constructed and how knowledge is produced. In this way, the role of judgments as documents intended to

contribute to transitional justice is called into question, as they effectively distort the historical picture of what actually occurred.

In addition, when conducting this study, we focused on what remains invisible – what is concealed within these transcripts. We carried out a highly detailed analysis of anonymization practices and found that the texts of judgments are excessively and inconsistently anonymized. This creates serious problems, not only across different courts, but even within the same judgments, where anonymization rules are applied inconsistently.

From this perspective – that of secrecy – we arrive at the conclusion that these transcripts cannot fulfill the role theoretically assigned to them: contributing to knowledge about what happened. Moreover, such anonymization practices prevent human rights organizations from using these judgments in their work.

Ivo Josipović:

Thank you very much. I will make just a brief remark, perhaps slightly abusing my position as moderator. There has been discussion about the anonymization of judgments. Since this does not concern children or situations requiring special confidentiality, I am firmly and strongly opposed to it – opposed to anonymization.

First, anonymization is pointless, fundamentally pointless, because judgments in our country are issued in the name of the Republic of Croatia, and in your case, I assume, in the name of the Republic of Serbia. Court hearings are public. If the public is excluded, that is, of course, an exception – and in such cases my position would be different.

Second – or third – there are specific purposes of criminal law and criminal judgments. Here I would primarily refer to general prevention. How can the general preventive effect of a judgment be achieved if it is anonymized? We are now even hearing arguments that factual descriptions of crimes should be anonymized, and even the judges who adjudicated them.

Finally, there is the function of the publicity of judgments as a form of control – a control mechanism to assess how courts operate: whether they are biased, possibly corrupt, whether judges have conflicts of interest, grounds for recusal, and so on.

Therefore, for me, anonymization – at least as it is practiced in Croatia – is harmful, and I believe it can easily serve to conceal serious weaknesses within the judiciary. Thank yo

Ivo Josipović:

Mr. Hetemi from the War Crimes Institute in Priš**t**ina.

Atdhe Hetemi:

Thank you very much. I am from the Institute for Crimes Committed during the War in Kosovo, which is also based at the University of Prishtina. I would like to take this opportunity to thank the organizers for inviting me to be part of this panel and this Forum.

While listening to the discussion, I was reminded of a recurring gap in how we talk about war crimes trials in the region. There seems to be broad agreement that courts have issued judgments and established facts, but far less discussion about what happens to those facts once trials are completed.

If we look, for example, at the ICTY, it is important to acknowledge that the Tribunal did not prosecute only lower-level perpetrators. It issued convictions against individuals from political, military, and police structures, at least for crimes committed in Kosovo. In legal terms, this represents a significant achievement: responsibility was individualized, command structures were addressed, and a detailed factual record was established.

However, the problem lies less in what courts have done and more in what societies have done afterward. Judicial findings rarely travel beyond legal institutions. Even today, Kosovo has not received the archives of ICTY cases related to crimes committed there. Verdicts exist, but they are not consistently integrated into educational systems, public discourse, or institutional memory. I do not have a legal background, but this gap is clearly visible.

Instead, we often witness selective acceptance of judgments, reinterpretation of responsibility, or outright denial. I believe this is the core of the problem. From the perspective of Kosovo, this gap is particularly evident. There is an extensive body of established facts and judicial material, yet there is no shared regional ownership of

these facts. This brings us back to the question raised here today: who should take responsibility for them?

Under such circumstances, it is difficult to expect war crimes tribunals alone to contribute to sustainable peace. For these reasons, victims are often cautious about the language of reconciliation that is frequently used in public and academic discourse, as it can obscure more basic requirements – namely, a minimum agreement on what actually happened.

Without such agreement, dialogue between societies risks becoming detached from reality. This is why documentation becomes essential. Kosovo has undertaken such an initiative by establishing an institute that does not have an investigative mandate, but rather a documentation and research mandate. The aim is to use internationally accepted research methodologies to address local needs and produce documentation that can then be used in educational and cultural activities.

In this sense, documentation institutions play a crucial role in carrying judicially established facts forward, protecting them from revisionism, and making them accessible beyond the courtroom – so that societies can build upon them for the purpose of sustainable peace.

Therefore, perhaps the question is not whether trials have failed, but whether our institutions – and here I refer to academia, political authorities, and societies more broadly – have been willing to take responsibility for what those trials established.

Finally, one question that emerged for me while listening to this discussion is the following: given that the ICTY established responsibility at political, military, and police levels, why have these findings had such limited impact on public narratives and elite discourse in the region? In my view, this is due to a lack of institutional readiness and the absence of a regional initiative to incorporate judicially established facts into public discourse through educational and cultural institutions.
Thank you very much.

Ivo Josipović:

Thank you very much. It was exactly five minutes. Ms. Sabina Galijatović, Institute for the Research of Crimes, Sarajevo.

Sabina Galijatović:

Good afternoon. First of all, allow me to greet you all. Please allow me to speak in a slightly different way, and I will excuse myself by saying that this is my first time participating in the Forum, although I have followed your work closely for many years.

I come from the University of Sarajevo, the Institute for the Research of Crimes, but I am a committed international lawyer – my field is public international law – and I tend to observe these issues from a broader, more detached perspective. I must say that today I was both very interested and somewhat surprised by the amount of criticism and self-criticism I have heard since this morning: "we have not done enough," "what should we do," "how should we proceed."

I was particularly struck by how self-critical we all are, perhaps also because I come from a different academic environment – I often describe myself, half-jokingly, as a "Paris-trained student."

I want to state this very clearly. The work that you have done – and please allow me to single out one of our distinguished women here, Ms. Nataša Kandić – everything she has accomplished so far, including the databases that today form the basis for war crimes research, is used not only in the former Yugoslavia, but also in postgraduate research around the world.

The Humanitarian Law Center, the monitoring of war crimes trials – and not only that. You have not only made every indictment and judgment accessible, but you have also provided critical analyses of judgments and of the judiciary itself. Bravo, and thank you.

Allow me to greet two more women. First, Ms. Sonja Biserko, whom I saw here today, and who has for years provided us with invaluable material precisely on the issues we are discussing – context and causes. This is extremely important.

And let me also greet a third woman, which is personally important to me because I work extensively on analyses of trials before national and regional courts, particularly in international conferences. We are often asked: "What are you doing now?" Our region is viewed as a success story. Recently, I attended a conference on Rwanda, and everyone asked: "How far have you gone?" We are seen as an example. That is why I want to greet Ms. Vesna Teršelič from Documenta and everyone working with her.
That was my first point.

My second point concerns transformative justice. This is a relatively new concept for me, and one that greatly intrigued me. I even bothered Ms. Milošević during lunch to explain the difference between transitional and transformative justice. She promised to send me a book – I promise I will not share it.

Let me give you one example. When we talk about transformative justice – about how we understand judgments and what they have or have not given us – I think of how often I have read the texts of Mila Pajić. How old is she – twenty? She understands everything. She has no difficulty grasping who did what, where, the causes and the consequences, and she can articulate it all in just two pages.
Please tell me: who are Mila Pajić's professors? Who educated her? Bring them here immediately – the problem would be solved. Let them serve as a model, at least in part. That was my second point.

My third point concerns what I feel is missing. Professor, you mentioned this, as did Ms. Hartmann and other colleagues. Observing this from a somewhat distanced perspective, it seems to me that while crimes were being committed and while trials were ongoing – trials for which you fought tirelessly, Ms. Kandić, hats off for the courage, for everything, for that crucial video *(Scorpions* video recording) – bravo. It had to be done, and for the first time in history the head of a state security service was brought before a court. That is extraordinary. That is why we are considered a success story.

What troubles me, however, is that responsibility has been shifted almost entirely onto societies and individuals. As Professor Danijela Majstorović said this morning, not everyone has to "reconcile," and that is acceptable.

We have judgments. We have individualized criminal responsibility. We have reached the highest levels, including state security services. We even have Slobodan Milošević – we will not forget him, even though he died before a verdict was rendered.

What I observe, both internationally and within our region, is that we forget about state responsibility. And because of that, there is now an attempt to impose a notion of collective guilt.

Why is it important to speak about state responsibility? Because our region produced the first final judgment in international law concerning a state's responsibility for failing to prevent and punish genocide. At the time this case was pursued, we were completely alone.

Today, we have three major proceedings: South Africa v. Israel, The Gambia v. Myanmar, and Ukraine v. Russia. In the South Africa case, 34 states have intervened before the International Court of Justice under Articles 62 or 63 of the Statute. In Ukraine v. Russia, 14 states have intervened. In The Gambia v. Myanmar, 11 states.

My point is this: when we in this region carried these international law cases on our backs, and when after fourteen years we obtained the first judgment clearly establishing state responsibility, this must not be forgotten.

Mass crimes are not committed spontaneously – they are carried out by institutionally organized structures, that is, by states.
Thank you very much.

Nataša Kandić:

I have one key question – a question that relates precisely to the second central issue of this panel, namely national war crimes trials.

With the exception of Sarajevo, that is, Bosnia and Herzegovina, across the region, we see trials conducted in the absence of the accused. These trials often proceed without broader public debate, without thorough interpretation or explanation.

What is important for us, and what we need from you as law professors, is to hear your brief assessment, bearing in mind that, for example, victims' families often receive these judgments in absentia with a sense of relief. For them, such verdicts represent a form of symbolic redress for their suffering.

And my second question is this: do judicial verdicts themselves create a hierarchy of victims, or is that something done by politicians?

Ivo Josipović:

All right, I will start – the first question is easier for me.
There are different legal traditions. In some legal systems, trials in absentia do not exist. They are based on the doctrine of a fair trial – if the defendant did not participate in the proceedings, and so on.

However, when I was writing the handbook for Documenta on monitoring war crimes trials, I argued for a different principle – I argued in favor of trials in absentia. Why?

First, because victims seek satisfaction. Second, because time passes and evidence disappears. Third, because, as a rule, these are individuals who evade justice and fail to fulfill their obligation to appear before a court. And finally, because there exists – at least in our legal systems – a very clear legal mechanism whereby a trial conducted in absentia must be repeated upon the mere request of the convicted person.

Therefore, I believe that, especially in cases of such grave crimes, it is important – for the sake of victims and their families – that something be established through a judgment. Whether circumstances will later arise in which the perpetrator will actually be tried in person, we do not know. But at least partially, in my view, justice is thereby served.

As for the hierarchy of victims, I cannot give a definitive answer. I do not know. There are probably different assessments, often connected to emotions and to whom is being tried and in what kind of case.

Finally, when we speak of what we like to call international justice, it unfortunately increasingly appears that the old Roman maxim *Quod licet Iovi, non licet bovi* still applies. In other words, for some people, some states, and some nationals, international law applies – and for others, it does not.

Thus, we have a situation in which judges, prosecutors, and courts are sanctioned by one powerful state, while that same state simultaneously pressures others to conduct trials. That, in itself, is not problematic – I have nothing against prosecuting crimes – but the question remains: where are the same standards, where is the moral consistency, and where is the sense of justice?

Ana Milošević:

And where is the satisfaction of victims, which we have not mentioned at all – those victims who are excluded precisely because of this legalistic approach to the problem? They are excluded from the process.

I just want to say that we have not spoken at all about these victims, about victim satisfaction through criminal justice. Because whenever we talk about the Hague Tribunal, we focus on the tree and fail to see the forest.

Why did we need the ICTY in the first place? What were the goals of confronting the past through the Hague Tribunal? And when someone claims that deterrence, non-rep-

etition, or prevention were at the core of the ICTY's mandate, that is simply not true – because we know that Srebrenica happened in 1995.

Therefore, we can speak of short-term and long-term goals of criminal justice. But the problem is that victims did not have a sufficiently strong, meaningful, or central role in the entire process.

Ivo Josipović:

It is true that the Statute of the Hague Tribunal contains a provision referring to victim satisfaction and the awarding of reparations, and so forth. However, I am not aware of a single case in which this actually occurred. The Hague Tribunal never awarded reparations to victims, most likely following an approach similar to that adopted by our domestic courts – namely, that these are matters of property law to be resolved in civil proceedings, and that criminal courts will not deal with them.

Katarina Popović:

I will try very briefly to connect this panel with the panels held earlier today. I am a layperson in this field, although I follow the work of RECOM and have learned a great deal, which is extremely important.

What I want to emphasize is this connection: judicial verdicts do not have nearly the same pedagogical and andragogical power and effectiveness as nationalist narratives. The question is: what should we do about this, what must we do?

As long as judgments do not enter the educational and cultural infrastructure of individual states, they will remain isolated and will not have the power to transform the culture of memory in the way we want.

This means everything from curricula and teacher training – which was mentioned at another plenary session – to the media. And forgive me for saying this, but in Serbia we are completely preoccupied with the issue of regime change, since the media are under government control.

Creating space for a new culture of memory and for the use of these judicial judgments – which are extremely important and far more than mere documents – requires media space, space in education, freedom for teachers, and all other conditions necessary for judgments to truly shape a culture of memory.

Svetlana Slapšak:

When we think about sentences and their impact, about how sentences are received, about what *outreach* means – as you rightly put it, at the level of institutions – we should not forget that in the public sphere we see groups presenting themselves as veterans, as insurgents, and as members of former regimes, on various sides.

At the same time, we have not seen women appearing in public and saying, "we were raped," even though they would have every right to do so.

(comment from the audience): In Croatia they have, yes – Croatia was, in fact, the only country that accepted raped victims at the beginning of the war.

Exactly for this reason, we need to reflect on the fact that we live in a patriarchal society, and that the reception of judicial convictions and sentences also depends to a great extent on that system.

Ivo Josipović:

Thank you very much. Perhaps just briefly... please, there is one more raised hand down there, right at the back, so that no one is left out. And just one more sentence, so that we do not take time away from others.

Nikola Gajić:

I have one comment and a clarification related to the Outreach Team, and I would like to build on something Srđan mentioned earlier.

We start with criminal justice, then move toward the educational resonance of judgments, and finally toward the culture of memory. However, we constantly remain stuck at that point and end up constructing memory from the perspective of perpetrators. We forget victims and the entire process in which they should be included – in educational and cultural processes and in building a culture of memory.

This is precisely where the Outreach Team plays a role, by reminding us of victims and giving them a voice, which distinguishes its work from previous approaches. In addition to creating space for victims, the Outreach Team also educates teachers and professors, as well as law students across the region. So there is educational work being done, but the difference lies in the extent to which they are able to reach broader society.

When Florence mentioned Germany, change occurred only once victim testimonies were heard and victims began to gain space in the public sphere – something that is still not happening in our region. Therefore, perhaps we should reconsider our approach and speak less about guilt and perpetrators, and more about victims, in order to humanize the entire process and possibly make these judgments more effective.

Ivo Josipović:

Thank you very much. And here, the last intervention.

Florence Hartmann:

Yes. No one remembers the names of the accused. I mean, try naming all twenty-four from memory, as in Nuremberg – but everyone remembers the facts that were presented there. And knowledge about the Second World War certainly does no harm.

What I would like to say is this: if you are not a lawyer – which is my case, and the case of several people here – we have the right, and this is an invitation to historians, to use the work of the Hague Tribunal in a non-legal way. The archives are there. We can set aside legal reasoning, even though we may look at it later – I am not saying it is not interesting – and instead use the documents themselves.

These documents are extensive; in legal proceedings, 15 pages are often submitted, sometimes only one paragraph or two are actually used. Researchers and historians therefore have access to complete archives, which are admittedly extremely difficult to study.

I hope civil society will engage with this Hague material outside institutional frameworks – through digital archives created in the context of judicial proceedings, but not yet integrated into general knowledge.

Ivo Josipović:

Thank you very much. I will conclude this panel, the third session, with an invitation that, I believe, confirms what we have said today – that not everything is in the hands of lawyers.

Let me tell you something quite amusing: watch a film whose title I do not know, by a young Belgrade-based filmmaker whose name I have also forgotten [*Depth Two Ognjen Glavonić*], which deals with killings in Kosovo, the transportation of victims in

trucks, and their disposal in the Danube. I believe that this film has achieved at least as much as any court judgment.

Thank you very much.

PANEL 4

The ICTY Archive Between Justice and Memory: Access, Public Interest and Future Legacy

Moderator:

Pierre Hazan, Centre for Humanitarian Dialogue

Thematic Focus:

This panel examines the public archive of the International Criminal Tribunal for the former Yugoslavia as: a legal record of war crimes; a research resource for future academic studies; a cultural and memorial legacy of victims; and a foundation of public knowledge about the past.

Key topics include:

Archive governance and public access: scope of the public archive, digitisation, long-term preservation, and management scenarios after 2026.

Archive as research infrastructure: NIOD's experience in studying Srebrenica, the need to supplement research with judicial collections, and the archive as an "infrastructure of facts."

Archive as victims' memory: the archive as the "voice of victims" in the public domain, testimonies as social memory, and the archive as a basis for museums, education and commemorations.

How researchers use the archive: methodology of working with transcripts and judgments; risks of misinterpretation without context; how legal facts are translated into public knowledge.

Key Questions for Discussion:

If the archive preserves the voice of victims, do the societies of the former Yugoslavia want to hear it?

Why have judgments not become part of public knowledge?

Is the archive a public good, or an internal UN collection?

What does the future of the archive mean after the end of the Mechanism's mandate (2026)?

Can the archive become a foundation for education and memorialisation?

The court has established the facts. The question is no longer what is true, but whether truth will become part of collective memory.

Panelists:

Samuel Algozin, Office of the Registrar, Mechanism for International Criminal Tribunals
Victor-Jan Vos, Institute for War, Holocaust and Genocide Studies (NIOD)
Dr Niké Wentholt, University of Humanistic Studies, Utrecht
Dr Siri Driessen, University of Humanistic Studies, Utrecht, online
Petar Finci, PhD Candidate, University of Amsterdam

Discussion:

Danilo Kalezić, Institute of History, Podgorica
Nataša Kandić, Humanitarian Law Center
Edin Omerčić, Institute of History, University of Sarajevo

Pierre Hazan:

Good afternoon! It has been a long day, but a fascinating day, and I'm very happy to introduce the next debate, which actually is very, very close in theme, and which flows from the previous debate about international criminal justice, about the ICTY.

So, we'll be speaking about the ICTY archives between justice and memory, and not only ICTY archives, but also other archives which are very important. I'm thinking about NGO archives, and also the Humanitarian Law Center archives, which also need to have a very important future. So, this will be part of today's discussion.

And I was listening to the previous debate, something came to me - – and maybe some of you might remember what happened in March 1993, when the Resolutions 808 and 827 were adopted, which created the ICTY. And we know how the ICTY became such an important body, despite all its limitations. At the same time, during that period in 1993, when the resolution was adopted with the aim to maintain and restore peace – when there was no peace to be maintained – it was a bit strange.

And I also remember that a few years later I wanted to ask Roland Dumas, who basically was the person who went to the Security Council with draft Resolution 808 to be voted on: Why are you doing this? Because what you have done, by creating the first-ever international criminal tribunal, was a very important decision. Because then,

the next year, there was the International Tribunal for Rwanda, Resolution 955. And a few years later, there was the ICC, the International Criminal Court, whose Statute was adopted in Rome. And Dumas told me: You know, I had a problem. I was very much afraid that one day I would be indicted together with Milošević, Mladić, and Karadžić, because we were perceived – President Mitterrand, my friends, and myself – to be very, very close to these people. So, when my justice minister came to see me with this moral idea of a tribunal, I said: great, I will use it as a shield.

And I found it so extraordinary, so cynical. And at the same time, when we think about it today, for cynical reasons, we have a real tribunal which was able to perform. So, maybe there is some morality in it – I don't know. I'll let you reflect on that.

But by creating this tribunal, in the name of maintaining peace, there was also the concept of prevention. Prevention means deterrence, and possibly memorialization – not much deterrence, I mean, as it's a bit late to start deterrence two years after the ICTY was created – but let's forget about that. It's about dissemination of information. It's about memorialization, museums, textbooks, and all of that. And we know how difficult this is.

So, I think today's discussion is also taking place in a very specific context. And I think it's important to realize the context in which this discussion is happening. I think it is possibly the first time we are having an American president who is so strongly against international criminal tribunals, who is against human rights, and who is against the independence of the justice system. And that is something major, because it has a direct influence everywhere. That's the first dimension.

Obviously, the second dimension is what's happening in Ukraine. War crimes and crimes against humanity are back on European soil, which is also part of our discussion.

And the third element is that denial is not new. But the ocean of fake news, TikTok, and disinformation has never reached such a massive level as today.

So, in this context, I'm very happy to open this discussion. I think there are three main questions that we will be discussing – or that you will be discussing.

The first is: what do the societies of the former Yugoslavia really want to hear about judicial truth?

The second question is: if – and it's a big if – they want to hear about it, how do we make it accessible? How do you translate very complicated judicial language to the public? I remember some judgments that contain more than 1,000 pages. How do you make that accessible to ordinary people?

The third question is how such judicial truth can become part of a general ethos, part of a collective identity.

That is why I am delighted to have four persons – or even five, since one of them is with us electronically – who are all coming from The Hague or Amsterdam. So, let me introduce them – Samuel Algozin from the Office of the Registrar of the Mechanism for International Criminal Tribunals; Niké Wentholt and Siri Driessen, who is with us online, from the University of Utrecht; Petar Finci from the University of Amsterdam; and Victor Jan Vos, from the Institute for War, Holocaust and Genocide Studies.

Thank you very much to each of you – and please, Samuel.

Samuel Algozin:

Thank you very much for the introduction, and I would like just to thank Ms. Kandic for the kind invitation, and also the organizers, to participate in such a fascinating and interdisciplinary discussion about very important topics.

I work in the Office of the Registrar of the International Residual Mechanism for Criminal Tribunals. The IRMCT is the successor institution to the ICTY. We inherited the rights and obligations of the ICTY, and also those of the Rwanda Tribunal, the ICTR, so we have a dual mandate in that regard.

Part of our mandate includes the archives of the ICTY and the ICTR, as well as the continually produced archives of the IRMCT. I will speak primarily about the ICTY archives, and about the Hague branch elements of the Mechanism's mandate, as opposed to our other branch in Tanzania.

Now, in the Office of the Registrar, under the Statute of the Mechanism, the Archives Section is part of the Registry, and so the Office of the Registrar oversees the Archives Section of the Mechanism.

I should say that I am not an archivist. I am a lawyer, and so as far as technical knowledge of archival matters is concerned, my knowledge is continually improving, but it

is limited. However, today I hope to give you a sense of the efforts that we are making at the Mechanism to preserve the archives, to provide access to the archives, and to speak a little bit about the future – about what might be ahead in terms of the future of the ICTY and the Mechanism's Hague branch archives.

Under our mandate to manage the archives, there are two key components: preservation of the archives and accessibility of the archives.

What does our archive entail? In other words, what makes up our archives? They are made up of the judicial case records from more than 20 years of proceedings. Some of these records are public, some of them are confidential, but they include all of the case records.

The archives also include records that are related to judicial proceedings, but are not part of the formal case record. These include records of our detention unit, records of our defence management system, and records of our witness protection system that are not, *per se*, part of the judicial record.

In addition, we have our institutional archives: our administrative records and records of diplomatic relations. We therefore have an extremely large archive, both in terms of digital archives and physical records.

Now, for the purposes of this gathering, and based on the discussion we've been having, the most important part of our archives is related to judicial proceedings. I would say that our archives contain an authoritative record of the ICTY proceedings, including Hague branch trial proceedings, appeal proceedings, and other judicial proceedings.

This includes testimony, exhibits, judgments, and judicial decisions. To that extent, the archives contain a vast repository of factual evidence, as well as legal findings and factual findings from ICTY proceedings.

Not only do they include the judgments themselves and their factual findings, but they also contain testimonies – the testimonies of victims who came and testified, without whom the trials would not have been able to proceed. The trials relied on their testimony.

Our archives contain those testimonies – the testimonies that judges relied upon in making their determinations regarding the guilt or innocence of particular defendants.

In that sense, there is a very strong human and personal element to what is contained in our archives.
They contain individual stories of people who came forward to testify, often under real security threats, but who were brave enough to do so. Thus, we have a vast repository of human stories, factual findings, and legal findings.

We have a mandate to ensure that these materials are preserved and that they are accessible.

When we talk about access to these records, some records are confidential and some are public. Our goal is to make the public records as accessible as possible. We undertake a wide range of efforts to ensure that these records are accessible.

We have a catalogue, developed by our Archives Department, of publicly available materials. We also have our Unified Judicial Database, which is accessible via our website and provides access to public judicial records.

One of the most important aspects of access to our archives relates to domestic criminal proceedings, often in Bosnia and Herzegovina, Croatia, and Serbia, where formal requests are made – sometimes for confidential materials, sometimes for public materials – that are used in domestic criminal cases.

We also receive numerous requests from researchers, students, academics, and documentary filmmakers, and we do our best to provide access to these materials where they are public.

Returning to the importance of victim testimony, we have also received requests from family members who wished to view the testimony of one of their relatives.

So when we speak about memory, there is a very personal level at which these materials are used, in addition to their institutional use.
Thank you.

Pierre Hazan:

Thank you, Samuel. And I can imagine the huge challenge that you face as well. You have millions, or I don't know, tens of millions of pages of documents, and the question is: how do you organize them, and how is it possible to access them?

And then we will maybe discuss later the issue of the language of judicial proceedings, judicial language, and how to translate it into a different and more accessible way.

So, please, Victor-Jan.

Victor-Jan Vos:

Thank you very much, dobar dan! I will probably continue on what Samuel has told us from a probably a different perspective.

I'm Director of Collections and Services at NIOD, which is an institute that researches war,the Holocaust, and genocide which is based in Amsterdam.

And to take you back into what I actually want to convey to you, I want to take you a little bit back towards the history of of NIOD. And that's because we were founded right after the war in 1945 in Amsterdam. And that was three days after the war had ended, the occupation of the Netherlands had ended. And the government at that time realized that it was important to collect personal documents in relation in addition to the administrative or bureaucratic documents. So, to give a full perspective of what happened during the war in the Netherlands, it became really important to collect as much materials, much archive as much material and as many archival documents, documentation, books, witness statements as possible. And that has become very successful.

So, I manage now a department where we hold about four kilometers of archival material. And that includes, for example, two and a half thousand diaries, 300,000 letters from people, just regular people that were sent during the Second World War in the Netherlands.

And still, that archive is very well used. And that is because I think the Second World War, especially in the Netherlands, has this moral imperative on our society. So, what we think is right and what we think is wrong stems from that.

Of course, after the wars in the former Yugoslavia in the 1990s, we all found out that we did not learn a lot from these things. So, when NIOD decided that we also had to move on a little bit, we expanded our reach and our vision to to also research genocide, mass violence that happened after the Second World War.

Specifically, we were quite well-known in having been commissioned by the Dutch government to inquire and do a very large research project into the involvement of the

Dutch in the fall of Srebrenica in 1995. That report came out in 2002. And that was actually a political research document. It wasn't a very personal document. And in that way, it was very NIOD-like.

It was really focused on what could the state have done to prevent these things from happening and what were the political implications of that. For the Netherlands, the political implications were very clear. The government resigned almost immediately after this report was developed, which I would not say was a success on behalf of NIOD, because there were too many people who have died in that process. But it was a success on the basis of responsibility and accountability from a government who was probably not guilty, but still very much accountable at this whole level.

If you look at that report now, that's 25 years ago, almost, you'll see that the voice of the victims and of the people who lived in Bosnia at the time, or lived in Srebrenica at the time, was not really heard in that report, I would say. So, there's a lot missing in that report.

And we have done a few of these very large reports after, about the involvement of the Dutch state into the decolonization war between the Netherlands and Indonesia. And we have learned from that. So, we have also taken in the accounts of the people who lived there who endured the violence at the time.

Today, we are doing a commissioned report also by the state into the involvement of the Dutch soldiers in Afghanistan. And again, there's a very important part in how people find and and how they endured it.

So that's why I'm very happy that Samuel told us that about the witness statements that are so important, so personal in the ICTY archive. Because we feel that that combination between the personal story and the administrative administrative records are very important.

Today, we still continue and collect a lot of material from the Second World War relating to the Netherlands. But we also, of course, want to look into archives that have been what you can consider at risk. That means that they are not stored very well, or they're digitally not very well accessible, or there's some political pressures of doing so. And one of the things that I consider at risk – and that's not because it's not well managed at the moment, but because there's some kind of political pressure behind it – is

the ICTY archive. There is a UN resolution that orders the Mechanism to find solutions for the archive. So, there is some concern about that.

But also we feel from a new perspective that we would want to have this better on the political agenda. So there should be some efforts done by the international community, and I would say not in the last place the Dutch government, because The Hague is in the Netherlands, to find some solutions for both the archive as a monument for international justice, but also as a monument for the victims of the war crimes that have been committed. As well as, of course, the building itself, which I won't go into details, but there are some discussions about that as well.

So, I would emphasize that the archive needs to be preserved and needs to be maintained. Well, that's going to happen probably via the UN archival system, but also it should be made accessible and better accessible for researchers – historians, legal scholars, political scholars. They probably don't research just the court case.

So, if you are an archivist, you would know that an archive is probably created hierarchically. So, there's a court case, and there's probably a first instance, and there's an appeal, and then there's a first trial, there's witness statements, and so on. So, you have these piles of this hierarchical structure that a researcher needs to divide.

What we actually want to do is to enable researchers to make use of these kinds of archives. So not just the archives, but to make it available based on people, or based on events, or based on timelines.

So, a witness could talk in one court case about one event, and then maybe another court case, which is probably not really related, but there might be some information in another part of the archive that you would find there. And I think we should make archives available a little differently in that case. And I think the ICTY archive can serve as a basis for that.

So, what we've asked the Mechanism to obtain is a digital copy of the full archive in itself, in full, and the discussions about that are on the way. And we want to try and make that archive available via this means.

There's a new standard for describing archives, which describes this little bit, this topical combination of things – it's called *records in contexts*. And that means that named entities – so names, places, times, people, events – will be identified in an archive. And

then you can easily combine the other events, or names, or named entities that you would find in another document or another archive.

That's what we really would like to do. Of course, that requires a lot of effort. But I think – and I'm a bit of a technological optimist, so you have to maybe excuse me for that – because I know also there are a lot of problems with that – but I think the technologies of artificial intelligence would enable us to do so.

There are technologies which are safe and which are not owned by the big tech corporations at this time that will enable people to very easily identify those names and places in archival documents. And they would be able to create the system that I was talking about.
So then the system that I'm describing would enable researchers – all of you – to find very intuitively these kinds of documents and information that you're looking for. So that's actually what I'm trying to propose. And I think that will work.
So, in conclusion, making sure that physical archives are stored correctly and making the archives digitally available – I think the second part is something that we can do.

The first part needs to be sorted out by the people in charge, to make that in collaboration with the researchers and with people that actually are relating to this thing.

Because I realize that I'm sitting in Amsterdam, but actually the documents and the events that we're talking about are, of course, in this region. But I'm very happy and enthusiastic about that. And so, I hope that we can continue with this. Thank you.

Pierre Hazan:

Sounds great. And also what is striking is the ICTY was conceived almost as an experiment, as a laboratory. And what you said also reminds us that the victims were totally forgotten during the ICTY, basically statutes. And with the ICC, there is a different approach, and the victims today are better heard. So please, Niké and Siri, you're going to share your time between the two, so please proceed.

Niké Wentholt:

Thank you so much. Dobar dan svima! Thanks a lot to the organization for allowing us to be here to speak with you about how we can explore the ICTY as a place of cultural heritage, or in other words, how the ICTY can move from being a frozen archive to a multidirectional memory practice. Or in even other words, an update from the

Netherlands: what the heck are you doing with the building? Well, I hope to offer some insights today.

So, to see the ICTY as a site of memory is, of course, not new. Otto Spijkers already referred to the ICTY court rulings in 2021 as legal monuments. Today, we want to explore if there's more in the ICTY that we can see in terms of monuments and museums. And I think this is a very timely question.

How I see it, there are two movements now in the Netherlands that come together in creating this momentum. The first one is the fight by the Bosnian Dutch community for a monument for the genocide in Srebrenica. This was also a promise from the mayor of The Hague, in 2020. Then it was silent for some time, as the Netherlands tends to do. But recently, a lot of progress has been achieved.

So, there is now a placeholder, a temporary monument made out of the headstones imported from Potočari, the same stone that the headstones are made of, broken down by Dutch citizens, and then brought together into 8,372 pieces in this placeholder monument. And importantly, this placeholder is in front of the ICTY, so it's on Churchill Square. It was revealed on July 11 this year.

And the other movement has to do with the end of the work of the Mechanism and then, you know, what should happen to the building. So, there has been a recent report published – Petar Finci was involved in that as well – that concluded that there's a lot of potential for the ICTY to become a museum, a museum of justice.

And Siri and I, I think, would agree that the ICTY is not only meaningful to the Bosnian Dutch community or the Balkan Dutch community or to the Balkans, but especially to the Dutch community as well, to further explore questions of our responsibility – I say that as a Dutch citizen – but also to the international community as a whole, because the ICTY symbolizes so many of these narratives.

So, to that end, in a recent article, we identified six of such narratives that the ICTY came to represent during its lifespan, to show that the ICTY, in a way, was already this kind of moving, living museum monument during its lifespan, and even more in its potential future, in its afterlife.

So, it goes too far to elaborately discuss these six narratives, but we wanted to show that apart from the idea of trying and sentencing war criminals, there was also this, in-

deed, short-lived hope that it would deter war crimes, which was then replaced by this idea that it would at least help to support reconciliation. Then the attention became more on its potential historical function. The EU also kind of moved in there by placing the ICTY in its own political relations narrative, by making it a condition for European Union accession.

And the sixth narrative that we identified is that of its potential to counter denial, which you also mentioned in regards to the present day. So, what we really hoped to do there was show that the ICTY already during its lifespan prompted us to continuously re-evaluate the relation between peace and justice, and probably does so in its future too, in its afterlife too.

So, I hope Siri is somewhere with us and can take over here.

Pierre Hazan:

Siri, I'm not talking to the iPhone, but to a person. Oh, there she is. Yes, she's here. Okay, please – the floor is yours.

Siri Driessen:

Yes, thank you. Can you hear me well? Okay, perfect. Yeah, so thanks, Niké. I would like to continue a little bit on Niké's talk and by talking about the ICTY from a perspective of heritage and archival studies. As Niké said, the ICTY has encompassed many different meanings and narratives in the course of its existence. But yeah, in our article we also try to think a bit about its afterlife. And we would then argue that there is a need to reconsider the future of the ICTY and connect it to its role as a site of cultural heritage and also of memory.

So, in the article, we explore the future potential of the ICTY and also its legacy from a perspective of heritage and cultural studies. So, we could say that as an idea the ICTY is composed of a mix of tangible, symbolic, and also emotional references to the trials, all the testimonies, and all the sentences issued / judgments that occurred there. But at the same time, we can also say that the ICTY is a site of tangible history because there is a building, there is archival material that allows visitors to have an entry point to the past and also (to) make a connection with the present.

So, if we open up a little bit our perspective on how we look at what archival material is and can be, it might be possible to connect the material of the ICTY also to more gener-

al or different stories about war and war crimes, and as such also keep its content alive and carry it forward. Because if we think about heritage and archive, we can say that both are never-ending processes. An archive is always open-ended. There is always a possibility of new material to be added. Heritage also says a lot about the past, but also very much about what we think is important at the moment or in the future, and as such new layers of meanings can always be added to the ICTY.

And yeah, we would argue that that is really important, as we also agree that there are many things that the ICTY could not achieve. There are silences, there are stories that could not be heard, and as such, if we would regard the archive as an open-ended project, there might be room to fill in those silences and include different voices in the archive or in the story that the archives tell, and as such to create a more multi-voiced story of what happened in the Balkans.

We end our article by talking about some of the artists that have actually worked with the content of the ICTY, but also with the building in The Hague as a site for exploring different narratives of the ICTY, and I think I would like to end this particular talk with pleading for a very active approach to, well, first of all, the building—maintaining it, keeping it, and using it as a place where new stories might be developed, especially through artistic works and engaging in collaborations with artists who, I think, have the potential of showing different sides of what the archive was, what the ICTY was, how it can continue, and as such allow for a deeper and also richer understanding of the history and the future.

Pierre Hazan:

Thank you so much, Siri. Thank you for joining us online, and I think there is something – I mean – the concept of transforming the ICTY building into a museum today takes a totally new resonance, because it's part of a battlefield, basically, between the US and Europe, and we are living in a day when the ICTY prosecutor and a number of judges are under US sanctions, and the whole court might very soon also be under US sanctions. So having such a museum would be quite a challenge also in relation to the discussion with the US. So we'll see what's going to happen. Very curious. Thank you so much, Petar, for intervening.

Petar Finci:

I was going to follow up on that briefly. So the future of the building of the ICTY became a bit of an issue a couple of years ago, as the Residual Mechanism for Criminal

Tribunals started downsizing, as they say, in the US lingo, as the number of people who were actually working there started to become smaller and smaller, and so the owner of the building, which is the Dutch real estate agency, decided that it was perhaps time to consider other uses for this very large and very monumental, as some of you may have seen building, and they decided that the way to go was to basically rent it to the highest bidder and then get the mechanism out.

And then, luckily for the memory and history of the ICTY, a group of academics from the University of Amsterdam got involved and said, "well, you can't just do that, you know, there is a value to this place, which goes beyond the real estate value, which is a value to the history and memory of the people, not only in former Yugoslavia, but also to the international criminal justice and wider community that still may have some interest in the processes of international criminal justice."

And so there was a protracted negotiation between these two academics and the real estate agency, which I'm very happy to say I was not part of, and then it took two years, and in the end, these two professors managed to basically convince the real estate agency of the validity of their proposal, and so they got commissioned to write a report about the historical and memory value of that building at Churchillplein 1, which they did with a group of people, including me.
And we—well, I'm not an architect, so I wasn't as much involved, but I was happy to contribute.

In the end, we came up with the report that Niké has mentioned, which proposes several different scenarios, but all of which scenarios include that part of the building would remain as a memory site and would remain as some sort of museum, perhaps not a museum of justice. Other people have other ideas. It's all under consideration now, but I'm very happy to report that it appears that it worked, surprisingly enough.

The government has taken our advice into consideration, and now they have actually employed an architectural company that is looking into the possibility to create that space in the building. So there was a small win of the academy against the administration, which I don't think is very often the case, so I wanted to share this story with you.

And secondly, I would like to follow up on what Victor Jan was saying about making the ICTY's archive more accessible and the documents in it more findable. I was working with Victor Jan for the past 18 months on a project that was not that but similar in a sense, which was an idea to do a pilot project to explore the possibility to collect infor-

mation about archival collections from anywhere that have documents related to the wars in the former Yugoslavia and make that information available in one centralized database.

And I'm not talking only about war crimes, I'm talking about the totality of wars, because, of course, the wars in the former Yugoslavia took one decade, and there were other things happening other than war crimes. And so we wanted to explore the idea to collect the information about the archival collections, describe that collection, say what kind of documents they contain, and then make it available to the people today or to the people tomorrow.

And in parallel with that idea, we wanted to actually create a group, a community around this database, a community of people who would be interested in reading what's in it, contributing to information in it, and then spreading the information further on.

I'm happy to say the pilot was well done, it was well received, and we are now waiting for funding to see the next stage. And if it happens, I'll be happy to let you all know. And this is it for me at the moment.

Thank you very much to the organizers for inviting me, and thank you for listening.

Pierre Hazan:

Thank you so much, Peter, and hope that it's going to happen very soon. So please, Danilo Kalezić from Institute of History.

Danilo Kalezić:

Thank you to Ms. Kandić for organizing such an excellent event. This is my first time participating in one of RECOM's events. When you invited me and mentioned that the topic would be archival material, work in archives, and the treatment of archives in the post-Yugoslav space, I initially had an optimistic thought.

Because usually, when we reach the stage of dealing with archives, it means that we are putting a full stop at the end of a process. Unfortunately, in the Balkans—and we all know this—that is not the case. This is happening in real time: while we are speaking here today, that process is far from finished.

That process is still ongoing, even though, of course, the treatment of the archive left behind by the Tribunal needs to be resolved. Some of the proposals we have heard on a technical level—I fully agree with them—with one additional point: personally, I would like that at some point a part of this archival material, in a physical sense, be located, for example, in Montenegro.

Allow me this kind of subjectivity, also for some other technical reasons. But we must talk about this: if we leave the archive merely as an archive—whether digital, which is of course implied in the 21st century—without any additional layer through institutional and educational components, then we will arrive at a situation which we have seen in many other cases, namely that the archive becomes an object of instrumentalization.

You know, there are two types of people who enter archives. The first group consists of those who genuinely work with archives, who search for evidence, who use archives as a foundation for scholarly research. But there is also a significant number of others who enter archives in order to find material that will legitimize their political positions—that is, to instrumentalize the archive in order to confirm their preconceptions or to advance their political, ideological, or other agendas. And with this second group we have a very serious problem—not only when we speak about these archives, but about many others as well.

The archive of the ICTY, without this additional layer—without an institutional upgrade through research, education, and university-based interpretation that continues to explain the work of the Tribunal and what remains after it—will face exactly this problem.

And let me return to the starting point: dealing with the war past. What led to the wars in the former Yugoslavia—and I am speaking very concretely here about Greater-Serbian nationalism—is something that remains extremely resilient and very much alive even today. And that archive, in theory, should serve as something that presents this process—this type of large-state nationalism that is active and present in the Balkans—in a way that allows us to learn how to confront it. Therefore, if I were to give my assessment, my reflection on everything we have heard throughout the day, it would be this: that archival material—wherever it ends up, in whatever form, whether as a museum, in digital form, without going too deeply into technical details—must serve as a component for studying how to resist something that is still present.

Because otherwise, if we leave it to a classic archival fate—locked away in some box and left to researchers and propagandists who carry a particular political agenda—we

will face the reality that this type of nationalism, which is still very much alive, will once again begin to generate problems.

In the previous panel, the respected Ambassador Vlahović mentioned one of the key issues, and it relates to the fact that a total defeat never occurred. And I will conclude with this observation.

Unfortunately, the international political community did not allow Greater-Serbian nationalism to experience a final, total defeat. Because of that, whenever we discuss these topics, we must keep in mind that this absence of a total defeat failed to produce the kind of catharsis that we saw in Germany or Japan.

As a result, we are living in an interregnum—in an in-between space—between what we wish to project as a value-based political reality and what is actually happening.

And what is actually happening is that all those elements and causes of war in the territory of the former Yugoslavia are still present among us—among the successor states of the former Yugoslavia.

Finally—and truly finally—I return to the topic of the archive itself.

What is crucial for understanding the entire methodology of the ICTY is that it established a minimum of truth. This is not the complete truth; it is not even a fully comprehensive factual or historiographical truth. The Court established something that can be described as a minimum truth—a minimum set of facts upon which it based its judgments.

The archive must serve as the foundation for telling the story that is missing from traditional, or standard, criminal law.

Thank you.

Nataša Kandić:

I will continue. The Hague archive will not remain locked away in boxes. The largest part of that archive is public; the database that is available is so extensive that we are still far from having fully researched it, and far from having exhausted its potential for building a culture of memory about everything that happened during the wars of the 1990s. It is a fantastic foundation.

However, there is something else that stands opposite to the Hague archive, and that is what is so frequently mentioned today: political will. Thus, although the Hague archive is public, it is effectively overshadowed by political will. And that is the reason why, in the public sphere, there is almost no discussion of the evidence that is available in the Hague archive and in that database.

There exists a digital Hague archive to which numerous witnesses and scholars have contributed, creating—from their expert analyses and other documents—extraordinary collections related to individual cases. In other words, there is a great deal of material—enough for numerous researchers—yet we are now living in a moment in which there are very few such studies.

In addition, I would now turn to something Žarko Puhovski said today: that it is particularly difficult for victims of one war when another war begins. He was referring to the international level. When we speak about our own context, this is not the case, because the Hague Tribunal left behind a very valuable legacy, from which I would single out what I would call the video archive that preserves the voices of victims.

At the Humanitarian Law Center, we are the only organization in the territory of the former Yugoslavia—or perhaps even in Europe—that possesses a copy of this archive. We received substantial support from both the Prosecution and the Court; we had a small office at the Hague Tribunal; we recorded the proceedings, and we now have recordings of more than 9,000 days of trials.

This means that we preserve the voices of victims. And when today, 30 years later, we watch those recordings of victims and family members who testified, this represents an immense treasure and constitutes a crucial dimension of preserving memory.

At the Humanitarian Law Center, we use everything we have collected over the past 33 years. This includes the video archive; then we have a significant portion of court documents—not all of them, but, similarly to NIOD—and we will request from the Mechanism the judicial collections that have been created so far. It is also important that we preserved research conducted prior to the outbreak of armed conflicts, as well as research on human rights violations during armed conflicts in other parts of Yugoslavia, not only after, so to speak, the armed conflict in Kosovo began. I am referring to Vojvodina, to Sandžak, and to Kosovo prior to the outbreak of armed conflict.

We have extraordinary collections on the basis of which the Hague Prosecutor's Office initiated investigations: our research on Foča was, one could say, a trigger for investigations into rape crimes; our research on the Dretelj camp was also significant for the Prosecution. Thus, we possess something that is not part of the Hague archive—something that was the result of the work of an organization focused on documenting war crimes.

Our archive also consists of transcripts of the trial of Slobodan Milošević in the BCS languages. These transcripts helped local prosecutors prepare investigations and evidence more quickly, because without our transcripts they would have had to translate the transcripts from the ICTY official languages of the Tribunal.

So, although internationally our victims—our 130,000 victims are today forgotten, at the local level we continue to preserve, research, and collect, and therefore there is no risk of forgetting.

However, new wars confront us with reality: it is difficult to rely on international support to build local documentation centers, and without them, as independent sources of knowledge, it is difficult to imagine a future for the past. Without the support of the Mechanism to obtain what is missing, and without cooperation with institutions such as NIOD and other institutes engaged in research and possessing strong research documentation, it is difficult to imagine that we, in this small region, can organize ourselves and suddenly become a relevant source of knowledge.

We need support, and what is needed in this region is to have independent sources of information and to try to involve young people in further research. We must not stop researching, just as NIOD will not stop researching. But it is essential that we involve young people, expand this research, and—for the first time in history—have something open and accessible, especially in Serbia, given the extensive participation in all the wars, the great responsibility for victims, and the profound silence regarding the past. At this moment, speaking about formal education about the past is pure utopia, but we can continue with research and the collection of documentation, and at some point say: we have completed the transition, and we possess strong transformative potential to become a relevant source of information, knowledge, and memory preservation. *(Applause)*

Edin Omerčić:

Good evening to everyone. My name is Edin Omerčić, I come from the Institute of History at the University of Sarajevo, and I would like to thank the organizers for the invitation. This is my first time at the Forum, but I am already very tired. Not because of today—we have only just begun—but I am tired in another way. So, I deal with this topic professionally, I earn my monthly income from it, and I have been working on it since around 2008, when I started working at the Institute.

So, that is a certain period of time. Now I will mention here only two books. That is, after the time when the doctoral dissertations of Professor Jović or Dragović-Soso were published, which I used for a long time, after my employment at the Institute, as literature. And now I want to say that this process—I hope it is not only about me, that it is not only about some kind of my own scientific maturation, which is very slow and progresses gradually—but that it is something that, in a way, led me to become, in my scholarly work, very aware both of my own limits and of the limits of Bosnian-Herzegovinian historiography.

What I am trying to deal with is the way in which, as a historian, I try to read as much as possible, to find topics that have not been researched, and to direct my scholarly interest toward one maxim: that what we experienced should never happen to anyone again. And I think that here, with all due respect to the victims, we must actually study the perpetrators as well. Not only that, but that more attention could be devoted to the perpetrators.

We have had excellent books that spoke about the "mindsets of the Scorpions," about the people who filmed those acts. We have had, and still have, the second edition of *They Wouldn't Hurt a Fly*. But have we, in some way, been stopped by this study of that patriarchal mindset?

Would I be rude or too eccentric if I said that our entire Mediterranean civilization—the first word of our civilization is rage?

We have never—at least I do not know of it—sufficiently examined, for example, the topic of the return of warriors home: warriors who come back and kill their wives and children. This is our old, old theme, but we have not studied it well enough and placed it in focus. We have never sufficiently demilitarized our societies.

For us, Ježurka Ježić is a sympathetic little animal that defends something that is only his, and no one has ever told us: fine, but why? What is he actually defending? Is he, apart from being latently armed with spikes, in real danger from someone? Can we find some moment, some point, to see that this armed, sympathetic little animal will, at a certain moment, explode?

These are the kinds of questions that I try to ask myself while studying what you were talking about earlier. I actually deal with evidentiary material, and through that evidentiary material—photographic material, video recordings, audio recordings, transcripts—and through reading judgments and court documentation, I try to create some image of our past, of our completed time.

That is all. I do not know, I am not...

Pierre Hazan:

We all understand the challenge that it is sometimes more difficult to demilitarize people's minds than to disarm armies. This is indeed a serious challenge, and we see that archives will remain sites of contestation in the foreseeable future. I would now like to invite you to share your questions and observations.

Ana Milošević:

Yeah, thank you so much for this brilliant panel. I finally get the chance to speak in English today. So, it was really a brilliant look forward to the future on the basis of facts, trials, and the things that we have discussed today. But what I am also noticing in this very wishful thinking about the future is that it still lacks planning for change.

We know – and in all your presentations we have seen – that you are planning for change. You are assuming why people need access to archives, but you are not very clear about how these archives are going to be used, what impact you are trying to achieve, and for whom you are trying to achieve that impact.

I am referring to this especially because I am noticing how the ownership of knowledge about the past shifts somewhat between what is international justice and to whom that international justice is directed.

That is why I am looking at Natasa. What is the purpose, then, of trials, tribunals, decisions, and fact-finding about the past when that knowledge is not assimilated locally?

We are also talking about some kind of decolonization of knowledge and truth, which is quite important. But I would really like to hear your reflection on this – and maybe Pierre's as well – because you are one of the pioneers who actually thought about how we can capture and measure change, how we can think about the impact of transitional justice, back in 2006, if I am not mistaken.

Victor-Jan Vos:

It's a great question, so thank you for that. I can talk about the experience that NIOD has had with the World War II archives, and there, I think, as one of the few countries in Europe, have combined these administrative and personal things, and that has brought about real change.

So that has created real insights about who were those people that actually committed war crimes and who were actually collaborating with the Germans. And I think that would apply for any conflict later as well. So the principles that we stand upon, the tradition, will probably be the same.

What we should realize, I think, is that the archives in themselves are not meant for the purposes that you are trying to envision. So it's not meant for reconciliation, or it's not meant for giving the victims a voice. These are meant for a judicial process where there was an indictment and someone was prosecuted or not, and they went to prison or not. That was the process of things**.**

That we now assign a new meaning to them, it's our own decision, our own process, and probably future generations will do it differently than we have done. So the archive itself is not neutral. But for me, it's the only way that we can present the information that we produced at this time for the people that come after us.

So it's probably not not a direct answer to your question.

Ana Milošević:

But how are you going to measure the impact, the real change? How are you going to measure how many people are going to use it? What are you going to do with it? What are the uses going to be like?

Victor-Jan Vos:

I don't know. I have no idea, but I do think it's still important to do it anyway.

Ana Milošević:

Yeah, but you know, ICTY – I'm saying this and I'm going to leave the floor for others – but this was the same kind kind of illogical thinking in the planning of the ICTY. And Niké also said it was meant for reconciliation; it was meant for dealing with the past; it was meant to find facts. So I think it's very, very important that we think: why we are doing this and for whom we are doing it?

Victor-Jan Vos:

I agree.

Pierre Hazan:

Petar, please!

Petar Finci:

May I add a few words? Everybody has a question. So I'd just like to mention briefly – because we don't have that much time – that when we started doing the pilot project that I described briefly before, the first thing we did was speak to the people that we envisaged would be the future users. So it wasn't an academic exercise. It was actually done with a view to serving the users.

And I shouldn't call them users; I should call them a community And I would like to emphasize the word *community*. It was envisaged to be a community of people who would be using it, and the impact would be the impact that the community would give it.

So it wasn't something that Victor and I sat down and said, "Oh, look at this project, let's get European money for it." No, it wasn't like that, and we didn't get the European money. So it was basically meant to serve a wider purpose – not necessarily societal change, because that's above our pay grade – but I would say that societal change should probably come from societies rather than from the archives. Thank you.

Pierre Hazan:

Niké, please!

Niké Wentholt:

I would like to use the presence of especially two of you, but I'm interested in hearing from everyone. But for very technical questions, I think it's for Samuel, the first one.

Confidential evidence might be temporarily confidential – it depends. There are different statutes. Is there a mechanism, or is there any plan, for addressing this issue? Because the witness do not need protection anymore, or are, or would be dead, and would accept to have their statements open, or because there are some time limits – 30 years or 50 years. So it's important for future researchers. Was it part of the confidential evidence? Although it's judicial, it could be treated also from this point of view.

And the second question is, I just want to say that state archives have a special international protection – state archives on mass violence. There are resolutions on that. There is even a website on the UNESCO website, because they don't know where to put it. And physically, where will they be? Of course, it's difficult to say: bring them back to the original countries, because they have given to the Tribunal only, I guess, copies. Some documents were seized by NATO, so some documents might be the original ones, and that's an issue.

I don't know the answer, and I don't know if it means that it should be stored somewhere and not only as judicial archives. That's just what I want to say. And physically, I don't have a solution where, but it is a specific status that should be taken into account.

And the last one is just, in regard to that, the search engine – whether NIOD or an institution that could store the digital, or whatever form the archives are in – would they take into account the language? Sometimes English or French concepts do not translate very well into the local ones, and some researchers could be lost. That's one of the issues.

Pierre Hazan:

Samuel, please!

Samuel Algozin:

Thank you very much for the question about the confidential records – and I think, more generally, about the declassification of confidential records.

At present, under both the Mechanism's Rules and Regulations, and also the broader United Nations Rules and Regulations, the confidential status of judicial records is for the judges to determine, as to whether there should be any variation of confidentiality of those records. And so it's something for the judges to determine, and at present that is done on a request basis, which most often happens in the context of domestic criminal proceedings, asking for variations of protective measures or access to confidential documents.

As far as a broader**,** plan is concerned, there isn't any broader plan that I'm aware of. And so, at present, just those general principles – of the judges being the ones who are empowered to declassify – that's what we have at this point.

But thank you for the question.

Pierre Hazan:

I would like to come back to Anna's question. So I guess that in a number of UN Security Council resolutions, the word reconciliation appeared, and a lot of these kinds of very moralistic words – and really it was sometimes with a lot of cynicism or hypocrisy, or sometimes naïveté.

We understand that if there is no political will in a specific place, nothing is going to happen. In the case of the Nuremberg trials, we basically had to wait until the late 1960s before it became part of a German ethos. So it would be very difficult for this to be effective if there is no political will.

Which brings me to a new layer: the new U.S. doctrine that has been published a few days ago. I don't know how many of you have read it – the 29 pages – but I would advise you to do so. Absolutely. It's very, very important. And you will understand that – well, I understood – that we are entering a new world, and the new human rights discourse is now totally opposed by the U.S. administration. And that will have major impacts for many of us.

So just be aware of it, because I think it is also changing the conversation we have been having until now. Thank you.

Pierre Hazan:

Jasna, please!

Jasna Dragović-Soso:

Thank you. Just a very quick comment. Basically, I just want to say that whatever the intentions of an institution, fundamentally it doesn't matter, because in the future researchers are going to be studying whatever questions they have at that particular time. And those questions will evolve over time.

And so the archive, the institutional structures, and the documentary evidence of all kinds will also serve future questions that we cannot anticipate at the moment. And I would just like to draw your attention to the *Journal of Genocide Studies*, which in the last few months has issued a call for new research on Srebrenica – new types of questions around Srebrenica – by Max Bergholz, and also a recent article by Feđa Burić using the archive of the ICTY, asking questions that are not contained in the judgments but are contained in the testimonies.

Pierre Hazan:

So just to answer Florence's last comment for a second. Yes, there was a plan – whatever we do with the archives – to include multilingual options. And the idea was to translate everything that we have into different languages, obviously using artificial intelligence and not doing it ourselves.

So that was the plan. Now, of course, the problem of some things being difficult to translate – like, for example, *outreach* – is going to just remain with us, and we'll just have to live with it. But definitely the plan was to have everything translated into languages that are relevant to the documents.

Danijela Majstorović:

Thank you. So again, from the perspective of a professor in Bosnia and Herzegovina in academia, I would really like to see our students coming to The Hague to see this museum; or whatever it is. But it's not just a museum. And we know this from Jacques Derrida – and this is exactly what Jasna was saying – that what is in the archive is perhaps not ours to know; it is for future generations. It is for times to come.
And whatever we find in the archive, it's not just the records. It's also a conceptual system. It's also asking questions that may be very, very different 20 years from now.

And also, somehow, as a feminist, I feel the urge to say that we keep saying "victims". And as somebody who has also been through a lot physically, I would like to use the

term survivors. I think it's a stronger term than "victims", because we need to move beyond.

I think the importance of what the Forum is doing, what the Institute for International Humanitarian Law is doing here – and that is why I am here too – is to establish something, as we say, *za buduća pokolenja* – for future generations, for times to come. It may not even be for our generation, but it is definitely for the offspring.

So again: what can be said, when and where, and what kinds of questions we will be asking about what happened to us – not as historians, not as lawyers, but as people.

I once took my students to the archives in Banja Luka, and they saw the Women's Anti-Fascist Front, and they didn't know that something like that had ever existed.

So I am quite certain that perhaps not in our generation, but in, say, 20 years from now, we will be bringing students, giving them access to different archives – to videos, not just to the ICTY archives but also to the OHR archives – different kinds of archives. And I am glad that you have taken this discussion to the level where the archive is something more than a physical space; it is more than a collection of records – it is a space for thinking about the past with reference to the future. Thanks.

Pierre Hazan:

I know we have limited time, so I would like to take two questions – unless we have more time. So there is a hand over there.

Atdhe Hetemi:

Thank you very much. I'll take the opportunity to share one piece of information and raise a question quickly.

First of all, at the Institute of Crimes Committed during the War in Kosovo, we established an archive – and considering that we were established in 2023, very recently actually – our archive currently contains materials collected from 14 different countries, more than 700 sources.

Archivistically speaking, we have over 400 linear meters of physical material and over 20 terabytes of digital material. So please feel free to send your students or consider researching in our archives. This is the first kind of point.

Secondly, we acknowledge the ICTY's adherence to the UNESCO Universal Declaration on Archives, making basically the Mechanism the first UN institution to at this level. As a result, I handed over an institutional request to the Mechanism back in June 2024. The first response I received was about eight months later, something like that. And unfortunately, the Mechanism decided not to share the documents with us, suggesting that we check online, and so on and so forth.

Is there any way to receive these materials from the Mechanism? Because, as far as I have heard – I am not 100 percent sure – Kosovo is the only country that did not receive these materials compared to other countries in the region. Thank you.

Pierre Hazan:

I don't know if you want to answer. Thank you.

Petar Finci:

No, absolutely not – if I may. I've spent ten years working for the outreach program, and the point of outreach was to reach out. And so, whoever applied with request for material – if the material was publicly available, that is, not confidential – absolutely, yes, there are no limits on what you can do with it.

Svetlana Slapšak:

Just a short question. You mentioned that some documentary filmmakers approached your institution in search of material. And my question is: who is allowed to use this material? Just the documentary people, or museum people, curators, or scientists? And what about writers, artists, comic artists – are they allowed?

I know of one case, and that is the case of Slavenka Drakulić, who was funded by the Dutch government and was commissioned to write a literary book on war crimes. What about others? What is the possibility of using this material for all kinds of cultural industries and creative work? I hope I'm not sacrilegious.

Wouldn't that then be logical – that the building of the court becomes a cultural center?

Petar Finci:

The idea now – the municipality of The Hague is now thinking about something that would be a memorial, information center, museum – they don't really know. So they are looking into that, and something will come out of it.

What I was talking about was the fight to preserve at least part of the place for some purpose other than offices, and that apparently will be the case. But what will come up there is, you know, a different thing, because there is an organization of Bosnian Dutch who would like to have it as a memorial of Srebrenica, mostly. And then other people have other ideas. So things will happen.

But in response to your question – absolutely – public materials are publicly available.

Pierre Hazan:

Thank you. We'll finish here. Thank you so much.

PANEL 5

Intergenerational Transmission of Memory

Moderator:

Prof. Aleksandar Maršavelski, PhD, Faculty of Law in Zagreb, University of Zagreb

Panel introduction:

This panel explores how young people who did not live through the wars of the 1990s inherit and reinterpret memories through family narratives, media influence and educational gaps, and how such memories shape contemporary student protests. The discussion will examine whether the struggle against corruption and authoritarianism has transformative potential, or whether it reproduces inherited narratives. The panel connects research from Serbia, Bosnia and Herzegovina and the diaspora, deliberative practices of dealing with the past, and memory activism, in order to open space for reflecting on the role of students in social change.

Thematic Focus:

Attitudes of youth in Serbia toward the wars: lack of education and memory transmission through family (2023).

Attitudes of youth in the former Yugoslavia toward the trial of Radovan Karadžić: young people are not uninformed – they are discursively closed.

Minimal introduction of facts enables micro-deliberation, yet does not produce macro-change.

Deliberation on the trial of Radovan Karadžić – effects of dialogue on understanding the past.

Intergenerational transmission of memory in families in Sarajevo and in the diaspora.

Students in Serbia between a sense of victimhood and potential for social change (research 2021–2025):

"They identify as victims of multilayered injustice, yet they want to leave this position and participate in shaping a future-oriented narrative."

Panelists:

Rodoljub Jovanović, Institute for Philosophy and Social Theory, Belgrade
Prof. Denisa Kostovicova, PhD, London School of Economics and Political Science (LSE)
Emina Zoletić, PhD Candidate, University of Warsaw
Dr Jessie Barton Hronešová, School of Slavonic and East European Studies (SSEES)

Aleksandar Maršavelski:

My name is Aleksandar Maršavelski. I am from the Faculty of Law in Zagreb, where I work at the Department of Criminal Law. The reason I am here is that I was a researcher on a large project called *Peace Building Compared*. This is an Australian project funded by the Australian National University and its Research Council, led by Professor John Braithwaite. Within this project, we conducted research in the territory of the former Yugoslavia on how to prevent wars in the future and how to address post-war issues, including war crimes trials, as well as questions of sustainable peace.

As part of this research, we conducted 280 interviews across the territory of the former Yugoslavia, specifically in Croatia, Bosnia and Herzegovina, Serbia, and Kosovo. One key aspect of sustainable peace concerns young people and how to connect them, as well as how to confront them with a past that, in fact, occurred before they were even born.

For example, within this research, one of the topics concerned schools in which participants from different ethnic groups would attend school together. This remains an issue in Croatian schools in Vukovar, where Croatian and Serbian children still attend separate classes.

In my opinion – and many in Croatia, including representatives of the Serbian minority, will disagree – the insistence that Serbian children attend education programs in the Serbian language, separately from Croatian children, where there is in fact no real language barrier, is in a way counterproductive. It leads to a form of segregation that is not necessary.

Of course, this issue is far more complex in other contexts, for example where Serbian and Albanian children are involved and where a language barrier does exist. In this case, however, such a barrier is absent.

One of the key problems of education, which directly affects the attitudes of young people, concerns the way history is taught – not only the most recent wars, but also the history of the Second World War.

For example, in Croatia, this history is taught by stating that the Independent State of Croatia (NDH) was a criminal creation and that numerous crimes were committed, followed by the assertion that the communists then came and also committed many crimes. As a result, young people in Croatia do not receive sufficient information to draw meaningful conclusions about what antifascism actually is, because it becomes associated with communism and with crimes, which are thus equated.

When I explain this to foreign audiences, I say it is as if world history were taught in the following way: first there were the Germans and the Japanese, the Nazis, who killed Jews and others; then the Americans arrived, dropped the atomic bomb, and were also terrible because many people died; and the Allies committed other crimes as well. In this way, everything is equated, without explaining who caused what and why these events occurred.

One consequence of this approach is the concert by Marko Perković Thompson in Croatia, which attracted approximately 400,000 people – unfortunately many young people – who do not actually know what happened or what *Za dom spremni* means, that Ustaša salute. The question now is how this can be corrected.

One positive example, also following the Second World War, were the Élysée Treaties between Charles de Gaulle and Konrad Adenauer, which enabled the exchange of French and German students – and not only students, but also school pupils.

In French schools, the German language was taught after the Second World War, and no one saw a problem in this. Unfortunately, in the context of the former Yugoslavia, similar exchanges did not receive sufficient political support after the wars.

Conferences such as this one represent a positive example. Here, these issues are directly discussed, and today we will address the intergenerational transmission of memory and the transformation of young people between the past and the future.

I will now announce our first speaker, Dr. Rodoljub Jovanović, from the Institute for Philosophy and Social Theory in Belgrade, who will speak about the attitudes of young

people in Serbia toward the wars, the lack of education, and the transmission of memory within families.

Rodoljub Jovanović:

Thank you for this introduction.

In that regard, I might begin with what is actually one of the most recent developments in Serbia, since you mentioned history education. This is something I have worked on extensively. Last week, a new law on textbooks of national importance was adopted. It includes history textbooks and stipulates that only public, that is, state publishers may issue them. The law provides a very loose definition of who may serve as authors. It states that they must be "people of integrity and authority," without any clear explanation of what specific skills or knowledge they are required to have.

This is not new to those who work in this field, as it is, in a way, the culmination of various policies that have been promoted in Serbia for a long time in relation to the teaching of history. For six or seven years now, national textbooks and textbooks of national importance have been repeatedly discussed.

What interests me most is how young people relate to these topics. I will start with a question that is most often raised in these discussions: are the young people we have today more nationalistic than older generations, or not? Does the fact that they know little and do not remember these wars mean that they are now ready to turn a new page—as, for example, colleague Pavasović Trošt has found in her research—or are they, on the other hand, more nationalistic precisely because they do not remember?

We have conducted various studies. Some were carried out before the start of these protests, and others are currently underway, focusing specifically on young people who are participating in the protests. Therefore, it is still relatively early to draw final conclusions, but I believe that what I will present can provide some insight into who these young people who are now protesting actually are.

We have alarming data on how much young people actually know. This is a finding we consistently obtain: around 70 percent of young people say that they know little or nothing about the wars of the 1990s. These are self-assessments of their knowledge, not answers to specific factual questions. If 70 percent admit that they do not know, the actual number is probably even higher.

Young people also say that these topics are addressed very little or almost not at all in school. What is additionally important is that even this small amount of knowledge—if it can be called knowledge—is extremely biased. Perhaps it would not be a problem if there were very little knowledge, but the problem is that it is strongly biased.

When we ask them which events or crimes during the wars are the most significant, the majority agree that these are, first, *Oluja* (Operation Storm), and second, the NATO bombing of Serbia in 1999. Thus, what they know is biased in a very specific way. This bias is also evident in the fact that they evaluate actors in the wars much more positively if they belong to their own ethnic group, regardless of whether those actors were convicted of war crimes, what sentences they received, or what their actual role in the war was. Often it is enough to recognize "ić" in a surname to assign a more positive evaluation, regardless of what they actually know or do not know about those individuals.

In one study conducted by the Youth Initiative for Human Rights, which we carried out together, we asked young people about specific events from the wars. When we ask whether they have heard of certain events, the smallest number have heard about those in which the Serbian side committed crimes. Their response is often: "We don't know about that."

When we then ask whether those events actually occurred, it becomes clear that they are most skeptical precisely about crimes committed by the Serbian side. They are often unsure whether something really happened or not—it remains at the level of "we heard about it, but maybe it wasn't really like that." We have a range of other indicators as well that clearly show that this knowledge is extremely biased.

Attitudes toward the Hague Tribunal are extremely negative, even though most young people admit that they know very little about it. Despite this limited knowledge, they are quite ready to give strongly negative evaluations.

What interested me most was what all of this tells us. How is it possible that young people are so biased and that their knowledge is so selective, to the point that we can see a form of justification of crimes?

In this sense, concepts from social psychology and the psychology of reconciliation can be very helpful. As a social psychologist, I found it unlikely that all young people

in Serbia suddenly became extremely nationalistic and that this alone could explain everything.

A particularly useful theory is the theory of the social-psychological foundations of conflict, which holds that when violence ends and peace agreements are signed, the psychological functions that were necessary to wage war do not simply disappear. These functions served to motivate the group to participate in the war, to endure a lack of resources, and to accept sacrifice and deprivation. Unfortunately, the wars in the former Yugoslavia lasted long enough for such psychological structures to become deeply rooted and to continue to exist even after the end of the conflict.

Professor Bar-Tal, the originator of this theory, argues that this can be observed through various beliefs that persist long after violent conflicts have ended. What interested me was the extent to which these beliefs appear in textbooks and the extent to which young people reproduce them when you talk to them. Unfortunately, it turns out that the similarity is quite strong.

One of the key beliefs is the belief that the goals of "our group" were justified. When you talk to young people and ask them what happened, they often say they do not know. But with a bit of prompting, they arrive at a narrative that "there were some Serbs there and we had to protect them." When you then point out that a large number of people were killed, they often respond that wars are sometimes justified and that participation in war is legitimate when members of one's own group are threatened.

In addition, there is the exaggeration of one's own victims, which is clearly visible in textbooks as well. The focus is almost exclusively on "our" victims, while the suffering of others is neglected or delegitimized. Delegitimization ranges from political labeling—such as "terrorists" or "separatists"—to moral delegitimization, in which other groups are portrayed as immoral or bloodthirsty, while one's own side is presented as the sole victim.

In this way, we see a system of beliefs about others, about the conflict itself, and about one's own group that persists for many years after the wars and is strongly present in the minds of young people. What we see in textbooks is very similar to what young people say when asked in interviews.

I was also interested in how exactly these mechanisms are shaped in textbooks—that is, how violence is normalized in historical narratives. I came across a theoretical

framework that shows how violence is often presented as a logical and inevitable consequence of conflict. When a conflict arises between two groups, violence is portrayed as something that simply "has to happen."

One of the key mechanisms of this normalization is the complete absence of any discussion of alternatives to violence. In textbooks in Serbia, there is no mention of anti-war initiatives, civic resistance, or organizations such as the Humanitarian Law Center, although they existed then and still exist today. Young people are almost completely unfamiliar with these initiatives. This creates the impression that the entire group supported the war and that there was no resistance, which further legitimizes violence in retrospect.

All of this is particularly important today, 30 years after the end of the wars in Bosnia and Croatia. Young people, although they have the potential to build reconciliation, receive messages through the education system that do not contribute to this goal and often work in the opposite direction. Therefore, we have a responsibility to understand these psychological and socio-psychological mechanisms, rather than simply dismissing young people as being "more or less nationalistic."

It is often said that school does not play a major role, but our research shows that young people learn most about the wars from their parents, then from school, and then through the internet and other sources. School therefore does have a significant impact. It is difficult to imagine a twelve-year-old who reads a history textbook and says, "I read this textbook, but I don't trust it; I should research this further." What is written in a textbook carries authority, and that authority of schools and teachers should not be denied, but rather used responsibly.

In closing, I can say that history education and the broader social context continuously fail young people. If we want to build a future peace, we must understand the psychological and social processes that underlie these attitudes in order to know how to change things.

Aleksandar Marševelski:

Thank you. Yes, this is very interesting. I think that young people today are highly present on the internet, and that this is a major factor, because they have the opportunity to read things that we, during the wars, simply did not have access to. They can read what foreign sources are saying. At that time, for example, Wikipedia did not exist in a way that would allow people to see some form of independent opinion.

Although Wikipedia has different versions in Croatian and Serbian, and although the same events are described in different ways, there is also the English version of Wikipedia, which is, in that sense, the most neutral. In fact, it would be most beneficial if schools told young people: read Wikipedia, especially the English version, because that is where you will learn the most about what is actually being taught.

What was surprising, however, within the framework of the protests in Serbia was an event during the blockade of RTS. A war veteran, Goran Samardžić, appeared there and gave a speech about how he had been sent to the battlefield in Sarajevo, how he was wounded there, and how RTS was among those most responsible for spreading the "kitchen" of lies and hatred that was effectively sown in Serbia.
In that context, during the blockades, an opportunity emerged to "bring down" RTS, that is, to open space for a new television station that would report in an objective manner.

Unfortunately, on the other hand, a right-wing narrative was constantly present at the protests as well. Milo Lompar, a professor at the Faculty of Philology, appeared and was given space to deliver a speech on Vidovdan. At the same time, he was also a promoter of the so-called *Black Book* of Radovan Karadžić, a collection of poetry.

This then raises the question of how someone who has no critical distance from a war criminal can give any kind of lesson to students, and why such a person is given space in this way at all.

I mentioned this deliberately because our next speaker, whom you already know, Denisa Kostovicova, has spoken about the research of Ivor Sokolić on the attitudes of young people from the former Yugoslavia toward the trial of Radovan Karadžić.

Young people are not uninformed about the past; they are discursively closed. She will speak about the effects of dialogue on the understanding of the past, with a particular focus on the trial of Radovan Karadžić.

Denisa Kostovicova:

Thank you very much. This is the work of my colleague Ivor Sokolić, who unfortunately could not join us today and sends his warm greetings to all of you.

This paper is part of a larger project that I led at the London School of Economics and Political Science, which empirically examines dialogue on transitional justice in the Balkan region. If I may put it this way, we rolled up our sleeves and went deeply into empirical research for five years, and these are now some of the results we are able to present.

The paper builds on the discussion we had yesterday about the effects of the Hague Tribunal. It asks what the social effects of the trial and conviction of Radovan Karadžić are. In particular, it focuses on how young people in the region talk about this topic and how they address peers of different ethnic backgrounds.

Unlike survey-based research, Ivor brought together 12 focus groups in Kosovo, Croatia, Bosnia and Herzegovina, and Serbia. In each of these countries, the focus groups were ethnically mixed, meaning they consisted of young people from different ethnic backgrounds. In total, 65 young people participated in these focus groups.

I will briefly explain how the focus groups were conducted. At the very beginning, participants were allowed to engage freely in a discussion about transitional justice. At a certain point, an informational fact sheet produced by the Hague Tribunal was introduced. The Tribunal produced such fact sheets in order to inform the public about trials and defendants, presenting key facts about specific cases in a clear and accessible way.

After the introduction of this information, the discussion continued. What is also very important is that Ivor conducted an attitudinal survey both before and after the focus group sessions.

Of particular interest was something that is generally observed in social research: the large number of "I don't know" responses in surveys, which until now have not attracted much scholarly attention. This raises the question: what does "I don't know" actually mean? Does it indicate a lack of knowledge, or something else?

Ivor observed—and this closely resembles what you mentioned earlier—that before the introduction of information, across all focus groups, regardless of location or ethnic composition, it was evident how little participants knew about Radovan Karadžić, and especially about his trial in The Hague.

What was particularly interesting to Ivor was that this was the case even in Bosnia and Herzegovina, where one might expect at least a basic familiarity with the proceedings. When the discussion turned to Karadžić, the focus was almost always initially on his dramatic arrest.

This dimension of spectacle became the central element of how the trial was perceived. In this way, Karadžić managed to ridicule and delegitimize the court, which brought him political support at home, while the consequence was a shift of attention away from the victims.

It then became very interesting to observe what happened once information from the Hague Tribunal was introduced into the focus groups—that is, when factual information was provided. At that point, Ivor noted a clear change in discourse.

The first indicator of this change was the frequency with which genocide was mentioned. Before the introduction of information, the term "genocide" appeared less frequently, whereas after the information was introduced—given that Karadžić was convicted of genocide—it was mentioned much more often.

Equally important, however, was the increase in the diversity of views. The focus shifted toward legal concepts: participants discussed victims and genocide, but also broader legal issues such as punishment, responsibility, and the effects and purpose of the trial.

From this, Ivor concludes that introducing information in such a context changed the discourse and encouraged deliberation on difficult topics. It is important to remember that these were ethnically mixed groups, composed of members of different communities in different countries.

What was also particularly interesting, however, was that the number of participants who said "I don't know anything about the trial" did not change significantly between the pre–focus group and post–focus group surveys. At first glance, this seems illogical, since information about the trial was introduced during the focus groups.

In other words, there is no clear reason for participants to continue to claim that they do not know what the trial was about. For this reason, Ivor further problematized this finding and wrote a separate paper on the meaning of the response "I don't know."

I will mention just one of his conclusions: "I don't know" does not necessarily mean a lack of knowledge. One possible explanation is that young participants did not feel like legitimate participants or legitimate commentators on the process being discussed.

In his data, young people repeatedly say things like, "But I don't know anything about the legal process." This points to a sense of epistemic inferiority—a feeling that they lack sufficient knowledge or authority to comment on what took place.

With that, I will conclude the presentation of his work. Thank you.

Aleksandar Maršavelski:

Thank you. Even though our colleague Sokolić was not able to attend, the research you presented is extremely interesting.

I would now like to give the floor to Emina Zoletić, a doctoral candidate at the University of Warsaw, who will speak about the intergenerational transmission of memory in families in Sarajevo.

Emina Zoletić:

Thank you very much. Thank you to Nataša for inviting me to this event. This is my first time participating.

At the outset, I would like to briefly explain my positionality and how the idea for this research emerged. I come from Tuzla, where I grew up. After completing my degree in psychology in Sarajevo, I returned to Tuzla, where I worked for the next 11 years at the Clinical Center.

I worked with various populations, but primarily with people who had experienced war-related trauma. Working both with individuals who had direct experience of trauma and with their families, I realized that something was also happening in the next generation. At that time, I did not know how to explain it, as I was not familiar with the concept of intergenerational transmission of trauma.

After my academic training, I decided to conduct research focused on the intergenerational transmission of memory, rather than trauma. I was interested in the social dimension—how memories are shaped by social context.

I will now present some basic information about the research. I hope you will be understanding, as this is an entire doctoral dissertation that I will likely complete next year. The research was conducted in several phases.

I examined how memories of the siege of Sarajevo are transmitted within families and how knowledge about that period is formed in the family context. I conducted a comparison between families who remained in Sarajevo throughout the siege and still live there today, and families who managed to leave the city—at the beginning, middle, or end of the siege—and who now live in various European countries or in the United States.

I was interested in how much parents, that is, the first generation, remember today, whether they share their memories with family members, and how much they wish to transmit that knowledge to their children.

On the other hand, I was interested in how much their children are interested in their parents' experiences—not only in a historical sense, but as knowledge about their own parents and their own origins, especially among children who grew up outside Bosnia and Herzegovina.

I wanted to see whether differences exist and what the mechanisms of this transmission of memory are, understood as a form of social memory.

The research was conducted using a qualitative methodology. I carried out biographical interviews, that is, oral history interviews, with the first generation—parents—as well as with their children. I used semi-structured interviews, with guiding questions, while allowing participants to speak freely.

I also conducted observation, particularly in the diaspora in the United States.

The first phase involved gaining access to families. Reaching participants was very difficult. Jessie Barton helped me during one period while I was based in the Czech Republic.

Many people were reluctant to participate, as participation was entirely voluntary. I explained the topic of the research individually to each participant, without using the term "trauma."

However, when I arrived in their homes, participants would often say, "I actually cannot talk; I feel uncomfortable talking about my past." This is a finding I will describe in detail in my dissertation.

I used a trauma-informed approach, meaning that participants could stop the interview at any time. Ultimately, I reached those who were genuinely willing to speak.
In total, I conducted sixty-two interviews, working in parallel with children—now adults over the age of 18 — and their parents.

Methodology was extremely important. At the beginning, many participants felt uncomfortable and were unsure how to tell their story or what was expected of them.
The first question was always: "Please tell me your life story." Many responded by asking where to begin—whether to talk about life before the war, about the war itself, or about the period after the war.
Many participants had experienced life changes that were a direct consequence of war and displacement. I encouraged them to tell their story in whatever way they wished.
It was striking that most of them had never previously told their entire life story. The method I used allowed them to pause at moments that felt uncomfortable and to end the conversation whenever they chose.
Their children told me that it was very important to them that someone had asked both them and their parents to tell their stories.

I now turn to the analysis and findings of the research. The key mechanism I examined is silence.
In the findings, silence appears as a mechanism that parents use not only to protect themselves and their children, but also as a response to dominant political narratives in Bosnia and Herzegovina. I describe this as *counter-memory*, a counter-narrative to the dominant one.

Out of approximately sixty interviews, many participants emphasized that they did not want to transmit hatred to their children. For this reason, they often chose not to talk about what they had personally experienced.
On the other hand, when they decide to share their own memories and family experiences, they use different methods. One such method is visiting sites of memory.

In Sarajevo, for example, there is a tunnel through which people entered and left the city during the siege. Parents, especially those from the diaspora, often do not visit official monuments, but instead go to places that hold personal meaning for them.
In this way, personal memories become a channel through which they are able to share at least parts of their story.
Another important mechanism is the use of humor and anecdotal storytelling. When children ask what happened in Sarajevo, parents rarely sit down to give a systematic account of the war.
Instead, they use everyday situations—such as a power outage—as reminders, and then, often through humor, recount parts of their experiences.

How children cope with both silence and this anecdotal mode of storytelling was a particularly important question for me. The war in Ukraine had a strong impact on the research findings.
Parents identified with events in Ukraine, which led to a reactivation of their own memories or trauma. In these situations, children were often the ones who initiated conversations.
In theory and research, there is a recognized mechanism whereby children use certain opportunities to open up discussions. Parents rarely initiate these topics on their own.

Children told me that they often learned about the war in Bosnia and Herzegovina through the internet, Wikipedia, or books, and then, in the context of current wars in Ukraine or Palestine, asked their parents about their experiences, particularly in the diaspora.

The research conducted in the United States was particularly interesting. The religious factor proved to be highly significant, especially through the gathering of Bosniak communities.
Even when parents cannot or do not wish to speak, communities commemorate Srebrenica, the genocide in Srebrenica and Prijedor, and through these gatherings, children learn what happened.

I will stop here. Perhaps I have spoken for too long. Thank you.

Aleksandar Maršavelski:

No, you did not! I did not want to interrupt you. This is truly a very important topic and a highly interesting study. We are very much looking forward to your doctoral dissertation, even though the topic itself is a difficult one.

I must say that, in a way, what you described in Bosnia and Herzegovina seems expected to me—that kind of "vow of silence," so to speak, within families.

We actually had this throughout the former Yugoslavia after the Second World War as well. Very little was spoken within families about what had happened during the war. The state, in a sense, encouraged this through the policy of brotherhood and unity, based on the idea that opening questions about Ustaša and other crimes would lead to the fragmentation of the community.

In Croatia, when it comes to the most recent war, the situation is somewhat different. There are still such "vows of silence," but there are also situations in which Croatian war veterans, given that Croatia emerged as the victor, pass on this victorious narrative to their children.

In this way, children can feel proud of their father or grandfather who participated in the Homeland War. However, this creates a one-sided story that is then transmitted intergenerationally precisely as such—a one-sided narrative.

We now move to the final presentation of this panel. Jessie Barton Hronešova from the School of Slavonic and East European Studies will speak about students in Serbia, between feelings of victimization and the potential for social change. Please, Jessie.

Jessie Barton Hronešová:

hank you very much, and thank you for the invitation. This is also my first time here, and I find it very interesting. I must say that the positive energy we have here today feels quite different from what we are otherwise seeing around the world in this moment of polycrisis. So thank you sincerely for the invitation and for this gathering.

In this presentation, I would like to share the results of a study I conducted in Serbia in 2021 and 2022, which examined how students in Serbia perceive and understand their own and their collective position as victims.

In short, my aim was to understand how young, educated people in Serbia talk about collective victimhood, personal victimhood, and sacrifice; why these narratives make sense to them; and how they shape their worldview.

This focus seemed logical to me because, as we all know, narratives of collective victimhood across the region are an integral part of political discourse and political culture, particularly in Serbia.

The questions that interested me most were whether these narratives actually resonate with young students, whether they see themselves through the same framework or try to distance themselves from it, and perhaps most importantly, how they personally use the language of victimhood to explain their own lives.

To address these questions, I conducted focus groups in cooperation with CeSID in Serbia in 2021, with an additional follow-up in 2022, at the end of the pandemic. The study included 30 students, aged 19 to 30, from universities in Belgrade, Novi Sad, Niš, and Novi Pazar.

One of the strongest findings was that an overwhelming majority of participants—around 80 percent—perceived themselves as victims in some sense. This requires some clarification.

They did not see themselves as victims primarily because of national history, but rather because of how society and politics function today. When they spoke about victimhood, they most often referred to corruption, injustice, political exclusion, and the inability to influence anything.
They also frequently repeated the idea that the only viable option was to leave the country.

The phrase "victims of the system" came up very often. In this sense, being a victim meant being in a subordinate position to those who have power and money, and being constantly exposed to decisions they cannot change.

When the conversation shifted to Serbia as a state, almost everyone spoke about Serbia as a small country exposed to pressure from great powers.
One student from Novi Pazar, for example, said: "We as citizens were victims of the bad policies of great powers in the 1990s, but also of our own politicians. The problem of small states and the periphery is that they can never conduct policy the way they want, and because of that they become victims."

The most frequently mentioned actors perceived as sources of injustice were the West, NATO, the United States, the great powers, but also Kosovo, and in some discussions China or Russia as well.

In this context, two key themes appeared most frequently: the NATO bombing and the loss of Kosovo.

As far as the bombing is concerned, it was almost a universal example of collective victimhood. Although many participants were not yet born at the time or were infants, they referred to family stories about sirens, shelters, fear, and uncertainty.

What was particularly important was the strong sense that someone should apologize and acknowledge that the bombing was unjust.

Kosovo was the second major focal point. It was most often viewed through the lens of Serbian victimhood, but also through claims that Kosovo "plays the victim" in order to gain independence. This narrative appeared very frequently.

However, in every group there was at least one student with a different perspective. One student said: "When we talk about Kosovo, we talk about only one part of the story, and the context is completely missing."

In addition to the bombing and Kosovo, the focus in all groups spontaneously shifted to Bosnia, and often to Srebrenica as well, even though moderators never explicitly introduced the topic.

As soon as the question was raised as to whether Serbia had caused harm to anyone, almost all groups would immediately refer to Bosnia, and the discussion would quickly shift to Srebrenica.

Although most participants agreed that a crime had been committed in Srebrenica, only three out of thirty participants were willing to use the term "genocide."

Others said, for example: "Big countries have more power to impose their interpretation."

Among a smaller number of participants, various theories also appeared suggesting that Srebrenica was "exaggerated" because of Kosovo, or that the West uses genocide narratives to discipline Serbia.

In that sense, in my view, interpretations of Srebrenica were less about Srebrenica itself and more about Serbia's broader position and its place in the international system.

Despite all of this, it was clear that these narratives of victimhood stem from feelings of insecurity, difficult living conditions, low trust in institutions, the belief that democracy in Serbia is declining, the sense that the media lie or remain silent, and the fact that very little is taught in schools about the 1990s.

Almost all participants said that they trust personal contacts—friends and family—most.
One student, when speaking about Srebrenica, said that they would never truly know what happened there because they were not present, suggesting that direct experience is the only source of truth. This points to a crisis of epistemic authority.

Finally, there are both overlaps and deep gaps between elite narratives and student narratives.

Elites use victimhood narratives to consolidate power, divert attention from responsibility, and delegitimize opponents.
Students, however, use the language of victimhood to talk about their own powerlessness, inequality, and feelings of exclusion from political life.

It is important to emphasize that this research was conducted in 2021. Even at that time, most groups were already highly critical of the regime of Aleksandar Vučić and spoke openly about it. Some referred to him as a "ruler," while others joked about how he constantly performs and cries on television.

At the same time, they shared elements of narratives about Serbian victimhood, but often for different reasons—as a form of resistance to a world they perceive as unjust and hierarchical.

I believe this is the most important finding of the study: among young people, the position of victimhood can be understood as a form of resistance, since they see themselves as victims of the current, the previous, and also the international system.

I would like to conclude with a quote from a student from Belgrade, from the Faculty of Transport and Traffic Engineering, which captures the essence of these conversations:

"We have all, at some point, been victims of that system, of that massive, dysfunctional chaos that in some way threatens us. Our fathers would leave, and we did not know whether they would return. Everything around us was breaking apart. So yes, in some way, we are all victims. On the other hand, I think that from a very early age, through education, this is instilled in us. We were taught that we never attacked anyone, that we were always just defending ourselves—us, the good ones. Probably we were not always like that, but that was what I learned in the third grade of elementary school. We also learned in black-and-white terms: partisans were good, Chetniks were butchers. And then, when you grow up, you see that not everything is so black and white. Yes, we are victims every day and we will continue to be. The only question is what we are going to do with that now."

Of course, this research was conducted four years ago. I think some things have changed with the current protests. We are now seeing, in a way, what students are doing with this. Thank you.

Aleksandar Maršavelski:

Thank you very much. We will certainly continue this discussion, as there are more panels to follow.

What you just said, Jessie, is particularly important—that political elites have imposed these narratives, and that the key question now is how to break these narratives among young people. This is an issue we will return to in the discussions ahead.
I would now like to announce the next panel, which will be moderated by Jasna Dragović-Soso from the London School of Economics.

PANEL 6

Mnemonic and Transformative Initiatives

Moderator and panelist:

Visisting professor Jasna Dragović-Soso, PhD, LSE Research Unit on Southeast Europe (LSEE)

Thematic Focus:

The transformative potential and limitations of memorial activism initiatives.

The child as a symbol of universal victimhood: the possibilities of empathy and the limits of instrumentalization.

Can externally imposed legal interventions be considered part of transitional or transformative justice?

Civil initiatives and alternative narratives.

Deliberation can contribute to the pursuit of justice, but transformation requires the expansion of moral horizons and the recognition of the dignity and suffering of the Other.

"The dominant feature of discussions on war crimes within the REKOM process was the avoidance of accusation. People focused on details of suffering without naming perpetrators... The mode of communication within the RECOM process was perceived as non-accusatory."

Across Ethnic Divides:

How children's testimonies of war affect audiences: the path from experience to understanding. (institutionalized transformative initiative)

How personal testimony generates public understanding at the local level.

Facts that become public memory: from Dignity for the Missing to the Memorial to the Missing (transformative effects of the RECOM process).

Panelists:

Dr Jessie Barton Hronešová, School of Slavonic and East European Studies (SSEES)
Belma Bećirbašić, independent researcher and publicist
Prof. Denisa Kostovicova, PhD, London School of Economics and Political Science (LSE)
Visisting professor Jasna Dragović-Soso, PhD, LSE Research Unit on Southeast Europe (LSEE)

Across Ethnic Divides:

Ajnura Akbaš, War Childhood Museum, Sarajevo
Fikret Bačić, *Jer me se tiče* Initiative (It Matters to Me), Prijedor
Nataša Kandić, Humanitarian Law Center
Bekim Blakaj, Humanitarian Law Center Kosovo

Jasna Dragović Soso:

All right, we will begin. I apologize—we had to make some changes to the program due to departures, and we slightly overran the time during the first panel. We will therefore try to be as concise as possible in this panel. That said, I believe we have a very important topic and highly relevant discussants, and I want to make sure that there is time for everyone.

As we have just heard, one of the key issues discussed earlier was the question of alternatives—not only their absence, but also the lack of visibility of existing alternatives, both among young people and in society more broadly. For that reason, I think this panel can offer important insights into alternatives that do exist, but are perhaps not sufficiently publicized, even though they are extremely important.

This is an especially timely topic, as we are now 25 years after the war in Kosovo and 30 years after the wars in Bosnia and Herzegovina and Croatia, a moment in which these wars are increasingly becoming part of history.

The generations that directly experienced these wars are gradually passing, and we are now faced with the question of what to do with this legacy, with this knowledge, and how to move forward.

In other words, how to continue the struggle and how to proceed, particularly in a context in which states—and even international actors—have failed to contribute to reconciliation in the region. On the contrary, states often instrumentalize the experience of war to generate new conflicts, new forms of hatred, and new divisions.

This panel will therefore focus precisely on memorial and transformative initiatives.

Our first speaker will be Jessie Barton Hronešová, who will examine whether externally imposed legal interventions can be considered part of transitional or transformative justice, using the example of the 2021 amendments to the Criminal Code of Bosnia and Herzegovina—the so-called Inzko Law, which criminalizes genocide denial and the

denial of war crimes. This topic was explored in her co-authored article with Jasmin Hasić, published in 2024 in the *Journal of Genocide Studies*.

Following this, Denisa Kostovicova will address forms of discourse that enable more conciliatory discussions of difficult topics, drawing on her book *Hidden Reconciliation* and other research conducted within the Just End project.

Next, Belma Bećirbašić will speak about the transformative potential of civic and feminist practices that connect actors from opposing memory communities in today's divided Bosnia and Herzegovina.

I will then reflect on initiatives that fall under the concept of *memory activism*—or, as we discussed yesterday, *mnemonic activism*—with a specific focus on initiatives related to children, victims of the wars of the 1990s, a topic on which I recently published an article in *East European Politics*.

We also have the privilege and honor of being joined by representatives of such initiatives: Fikret Bačić from the *Jer me se tiče* initiative in Prijedor, Ajnura Akbaš from the Muzej ratnog djetinjstva in Sarajevo, Bekim Blakaj from the Fond za humanitarno pravo Kosovo, and Nataša Kandić.

Jessie, you have the floor.

Jessie Barton Hronešová:

I apologize for being heard so often today, but that is simply how it turned out. I will present a brief analysis of the amendments to the Criminal Code of Bosnia and Herzegovina and what they have brought about, as well as what they mean for transitional justice in Bosnia and Herzegovina.

The year in question is 2021. At that time, the High Representative, Valentin Inzko, imposed amendments to the Criminal Code that criminalized the denial of genocide and war crimes, as well as the glorification of legally convicted war criminals.

Within the framework of transitional justice, but also within memory studies, this intervention can be described as a form of *memory law*, which became part of the broader transitional justice toolbox.

The decision was adopted without a vote in the Parliament of Bosnia and Herzegovina, through the use of the Bonn Powers by the OHR, powers that had not been used in

practice for more than a decade at that point. The amendments were presented as a step toward reconciliation and the protection of victims, modeled on European laws banning Holocaust denial.

However, many observers were surprised that the amendments were introduced at the very end of Inzko's mandate, raising questions about whether they were more symbolic than politically or legally well thought out. Prior to this, there had been at least five domestic attempts to introduce a ban on genocide denial, all of which failed due to blockades by representatives from Republika Srpska. The reaction from Republika Srpska in 2021 was extremely harsh, followed by a political blockade and crisis that, in various forms, continues to this day.

Although the law was introduced with the aim of reducing genocide denial, its actual effects have been very limited and, importantly, highly unstable. Denial increased immediately after the law was adopted, then decreased the following year, rose again the year after that, and declined once more this year. In other words, there is no clear trend and no evidence that the law has led to long-term behavioral change.

Some reports also showed that denial "shifted" regionally—from media outlets in Bosnia and Herzegovina, including Republika Srpska, into Serbia and other countries in the region.

An additional problem emerged when it became clear that the Prosecutor's Office of Bosnia and Herzegovina was barely able to process these cases. Hundreds of statements by political actors remained without judicial outcome. Prosecutors explained that it was difficult to prove intent, especially in cases involving social media; that identifying targeted groups was often unclear; that there was a need to balance prosecution with freedom of expression; and that the system was burdened by heavy caseloads and strong political pressure.

In short, the system was not prepared for such amendments at the time, and Inzko was well aware of this.

The first indictment under this law was filed only in April 2024, and the first verdict was issued in May 2025—meaning that the law existed largely on paper for almost four years.
Notably, Milorad Dodik was never prosecuted under this law, despite his repeated denial of the Srebrenica genocide and other crimes. Instead, he was convicted for

failing to comply with decisions of the High Representative and for undermining the constitutional order.
Paradoxically, the very actors the law was primarily intended to target remained largely beyond its reach.

For this reason, many analysts warned from the outset that such an approach would neither reduce genocide denial nor provide meaningful satisfaction to victims unless the law was consistently enforced.

In a context where there are three fundamentally different versions of what happened, such a law never had a real chance of bridging these divisions.

A comparison is useful here. In Western European countries, bans on Holocaust denial were introduced only after a broad societal consensus had been established regarding what had occurred—after years of education, public debate, and political confrontation with the past.
Only then were such bans introduced as a final step, serving as protection against extreme attacks and attempts at relativization. In Bosnia and Herzegovina, the process was reversed.

Therefore, even if we believe that banning genocide denial is morally justified, such a law alone cannot change dominant narratives or increase respect for victims.

On a theoretical level, we can say that this intervention belongs to transitional justice: it sets minimal moral boundaries and sends a clear message that genocide denial is unacceptable.

However, the manner in which the law was adopted was deeply problematic. On the one hand, it can be interpreted as a form of symbolic satisfaction for victims; on the other hand, it had a very limited practical reach.

At best, this represents a form of *thin* or symbolic transitional justice; at worst, it amounts to a political maneuver.

When it comes to transformative justice, I believe we can be very clear. Transformative justice implies changes in power relations, shifts in dominant narratives, and the rebuilding of trust between communities. This law was not capable of achieving such outcomes. If a significant part of society experiences the law as an imposed punishment rather than as its own collective choice, it is difficult to speak of transformation.

That said, four years after the adoption of these amendments, if we look for at least one positive outcome—beyond symbolic recognition—it may be found in the gradual strengthening of state-level judiciary institutions.

We now have one verdict for genocide denial and a conviction of Dodik for non-compliance with decisions of the High Representative, which can be seen as a courageous step within the Bosnian-Herzegovinian judicial system.

This may be interpreted as a sign that the judiciary is slowly consolidating. Indirectly, these amendments helped test and strengthen certain segments of the justice system, which may, in the long term, become an important precondition for more substantive justice.

Of course, it remains crucial to clearly point out falsehoods and to stop the production of so-called alternative truths.However, as we know, facts alone do not change beliefs. People tend to reject information that does not fit with what they already believe.

For that reason, it is far more important, in the long run, to shape beliefs through education, media, culture, and the arts—but also through the family. That, in my view, is precisely the topic we will continue to discuss in this panel.

Thank you.

Jasna Dragović Soso:

Thank you, Jessie, for this excellent and concise presentation, which clearly highlighted the limitations of what can be achieved at the legal level, especially when interventions are externally imposed.

We will now turn to domestic actors and the ways in which they have nevertheless managed to achieve certain results despite these limitations.

Denisa Kostovicova:

Thank you, Jasna. Like Jessie, I will also apologize for appearing on the panel again. This time, however, I am presenting my research on RECOM and on the consultations that RECOM conducted over many years. My analysis focuses specifically on the consultations concerning the Statute.

I was interested in whether these consultations—and the dialogue that unfolded throughout this process—were deliberative, and in identifying the discursive mechanisms that can lead to conciliatory dialogue.

Reconciliation is, of course, a highly complex concept, as it carries multiple meanings. In this project, I approached reconciliation as a communicative concept, in the sense that reconciliation is inherently deliberative. However, it is important to clarify what deliberation actually entails. Very often, deliberation is used loosely as a synonym for conversation, discussion, or debate. This is, in fact, a misuse of the concept.

Deliberation refers to a very specific form of communication: one in which arguments are presented and justified, in which the arguments and perspectives of others are taken seriously, personal interests are transcended, and the common good is considered. That said, I argue that conciliatory communication cannot be deliberative only in a rational sense, as formulated by Habermas, but must also be solidaristic. In other words, it must include an ethical dimension through which moral horizons are expanded in order to accept the perspective of the other. In this respect, my argument also resonates with Professor Jović's presentation yesterday.

Beyond being an exceptional process for scholars and researchers, RECOM accomplished something extremely important: all consultations were recorded and made publicly available. This has created a valuable archive for researchers like myself, and I am pleased that my book is not the only one—and I hope not the last—to engage with RECOM.

In my research, I analyzed the communication that took place during the consultations and sought to identify mechanisms that enabled the dialogue to be deliberative while also possessing an ethical, conciliatory dimension. I will focus on three such mechanisms.

The first mechanism concerns the deconstruction of identity politics that assume groups to be homogeneous blocs. In interviews and focus groups, I observed that participants began to recognize that "other" communities are not uniform, but internally diverse. This recognition was crucial.

The second mechanism relates to ethnocentric hierarchies of suffering—the tendency to view one's own group's victims as the greatest and most significant. The consultations were often highly emotional; I recall several moments after testimonies when complete silence followed. It seems to me that this emotional dimension, inevitably

present due to the gravity of the topics discussed, fostered empathy among participants regardless of their ethnic background, thereby creating connections.

The third mechanism I identified concerns negative reciprocity: "our victims are the greatest; the others are perpetrators; we are never perpetrators." What helped disrupt this pattern during the consultations was the manner in which perpetrators were mentioned—without accusatory framing. I believe that these three mechanisms together made it possible to characterize the communication within the REKOM consultations as conciliatory.

I will conclude with three brief points.

First, my research challenges a dominant argument in the reconciliation literature, which holds that post-conflict reconciliation can be achieved simply by discussing human rights in universal and abstract terms. An analysis of thousands of pages of transcripts makes it clear that people's identities cannot simply be erased. Individuals were killed during the wars precisely because they were Albanian, Bosniak, or Serb, and this identity cannot be ignored in reconciliation processes.

Second, this does not mean that introducing identity into dialogue necessarily turns it into a discursive weapon. Identity can be acknowledged without reinforcing divisions.

Third, there is the question of whether what might be called deliberative restraint can extend beyond RECOM and beyond such relatively small spaces for discussing difficult topics. These processes are often dismissed as micro-deliberations—small islands of dialogue disconnected from the macro level of politics and therefore considered insignificant.

I argue, however, that we should not always expect vertical, top-down effects. The effects can also be horizontal. For example, how many participants will tell their friends where they were, what they discussed, and what that exchange was like? These are vicarious effects that influence even those who did not participate directly but were indirectly exposed to what took place within such exchanges.

Jasna Dragović-Soso:

Excellent, thank you, Denisa.

I think you very clearly highlighted two important points. The first concerns empathy and the role that empathy plays in these processes.

The second relates to the question of horizontal connections created through smaller gatherings and initiatives, which nevertheless succeed in bringing together people from different backgrounds and different ethnic communities.

Belma, over to you.

Belma Bećirbašić:

Thank you, Jasna. Thank you, Nataša, for the invitation, and thank you all. I am very glad to be here today.

When Nataša invited me to participate in the Forum, she was referring to a large research project I conducted about ten years ago in co-authorship. That research focused on politics of memory and victimization in Bosnia and Herzegovina and resulted in a paper that is still widely cited today. We started from the diagnosis, valid at the time, that politics of memory in Bosnia and Herzegovina are deeply structured around pre-established narratives of suffering, in which recognition of one's own victimhood is often built through the denial or relativization of the suffering of others. We also analyzed the role of victims and, in particular, victims' associations as their legitimate representatives, in reproducing these narratives. We were especially interested in how these narratives are constructed "from below," and not only "from above," which tends to be the dominant focus in theories of transitional justice.

At the same time, however, we identified the existence of civic practices that refuse this logic. These are practices that actively oppose it and that construct a different relationship to the past—beyond ethnic exclusivity and, importantly, beyond the political instrumentalization of victims.

What we did not fully capture at the time, in my view, was their transformative dimension over time. We tended to see them primarily as a counterpoint to dominant narratives. Today, with greater temporal distance, I can see more clearly that their value is not exhausted in symbolic resistance alone, nor only in what they advocate at a given moment, but rather in what they leave behind and what they build over time. This is important to emphasize, even though it may sound abstract and even frustrating to many of us, because only in this way can we recognize, value, and support change when it actually occurs.

For this reason, I will briefly address the transformative potential of initiatives operating in the deeply divided space of Bosnia and Herzegovina—initiatives that act not only across divisions, but often despite them. Unfortunately, there is not enough time

to discuss concrete examples in detail, so I will focus primarily on their potential rather than on specific initiatives.

It is important to understand the specificity of the Bosnian-Herzegovinian context. It is indeed a society marked by strong institutional, political, and memorial divisions, but it is simultaneously a society in which exposure to the "other" is a structural fact rather than a normative ideal. People do not encounter one another because they have "crossed boundaries," but because they share everyday life: workplaces, cities, public spaces, common problems, and development processes.

I emphasize this because Bosnia and Herzegovina is often portrayed, even in well-intentioned analyses, as a fully ghettoized space—one composed of strictly separated ethnic communities. In practice, this is not entirely accurate.
This inevitable hybridity produces specific forms of knowledge and practice that are shaped simultaneously through personal experience, everyday social life, and collective action.

Today, Bosnia and Herzegovina is home to numerous civic and feminist initiatives that bring together people from different communities. Some focus on memory culture, while others address the consequences of the post-Dayton order, particularly the social inequalities and injustices it has produced.
What they share is an effort to construct minimal common frameworks for action in a context where dominant narratives and dominant political agendas are otherwise mutually incompatible.
These initiatives do not offer grand narratives or comprehensive syntheses. Instead, they coalesce around concrete points of action precisely in areas where deep divisions usually exist. In practice, this is sometimes reflected in small but significant symbolic shifts—for example, efforts to remove the glorification of war crimes from local spaces and instead name public places after women, artists, historians, or antifascists. And that happens, even in the Republika Srpska. Such interventions do not always resolve questions of justice, but they do change the framework within which memory can be articulated at all.

It is therefore not accidental that some initiatives have turned to memory culture as a point of departure rather than directly to confronting war crimes, since experience shows that imposed confrontation often deepens resistance.
In communities marked by strong traumatic experiences and heavy legacies of war crimes, external imposition of how the past should be discussed tends to produce silence, repression, and additional resistance.

These issues are saturated with intense emotions of guilt, shame, and stigma, and are deeply uncomfortable for most people. For this reason, change must emerge from within the community itself. Many of the practices I wrote about ten years ago emerged precisely in this way—from within communities—and this is why they were able, at least to some extent, to challenge dominant narratives and open space for discussing crimes committed "in our name."

Joint work on memory begins with what connects people. In these processes, building trust is crucial. Trust is built through gradual engagement with difficult issues and through a sense of shared action. Only then does space open for people from different communities to jointly address the most sensitive questions. In some cases, this later enables the development of more concrete initiatives that engage with more difficult issues of transitional justice.

For this reason, I find it problematic when such practices remain marginal in debates about the past and transitional justice—treated as footnotes or as "bright examples" mentioned only after it has been concluded that everything else has failed. In doing so, we fail to appreciate their real potential, as well as to understand how difficult it is for such processes to emerge in the first place, let alone to be sustained. We often value only the finished "product," while ignoring the long and complex process that precedes it.

This is not about establishing initiatives in a conventional sense, with clear projects and paid staff, but about collective mobilization—people who choose to work together on issues that would otherwise divide them. In Bosnia and Herzegovina, where nearly every family carries experiences of loss, suffering, or wartime mobilization, such processes rarely begin in the public sphere. They begin in private spaces—in families, in silences, and in everyday conflicts. In this sense, it is important to recall what Professor Puhovski noted yesterday: families are often the first lines of resistance, but also the first lines of responsibility.

The decision to act publicly against dominant narratives requires extensive inner work, courage, and constant assessment of personal safety, especially in environments marked by strong traumatic legacies. This work is often invisible, but in my view it is crucial.

Finally, it is important to note that initiatives we recognize today, including RECOM, did not emerge overnight. They are the result of a long series of small impulses—encounters, conversations, shared frustrations, workshops, forums, and peacebuilding initiatives. These impulses remain present, circulate, and connect people over time.

The significance of these processes does not lie in immediate political outcomes or radical social transformations that we often expect, but in the traces they leave behind: in circulating knowledge, in networks that are built slowly but persistently, and in the willingness to remain in a shared space even during moments of intense political upheaval.

Thank you.

Jasna Dragović Soso:

Thank you very much. This was truly inspiring and very, very important. I think the question of building trust over time, through small-scale micro work, is crucial, as is dialogue and contact, which I believe we have already mentioned here. And of course, there is the idea that confrontation with the past cannot be imposed from the outside or through laws, but must be built gradually, and that it can only be built by people who live this reality on a daily basis.

In my remarks, I would like to focus specifically on the question of how narratives of victimhood can, in fact, serve as a means of transforming the memory of a destructive and difficult past. My research begins with the observation that, historically speaking, narratives of victimhood have been central to two very opposing processes—not only in our region, but more broadly.

On the one hand, they form the foundations of extreme nationalist and far-right ideologies, enabling the construction of the "other," as well as hatred and violence directed at that other. On the other hand, narratives of victimhood also lie at the heart not only of transitional justice and peacebuilding, but also of humanitarian action and the very idea of reconciliation.

This inherent historical and ideological flexibility—this malleability—of the concept of victimhood, and its opposing political uses, is what I refer to as the victimhood paradox.

With this in mind, in this work I wanted to examine how, in the post-Yugoslav context—where states have historically used victimhood narratives in the service of nationalism, as Nebojša explained so clearly yesterday—narratives about the victims of the wars of the 1990s can be mobilized by non-state actors as forms of resistance to such nationalism and to the instrumentalization of a painful past. The key challenge here is to avoid the paradox I described: to speak about this past without inadvertently reinforcing the very nationalism one seeks to resist.

In the scholarly literature over the past ten years, the concept of memory activism, or what we have referred to as mnemonic activism, has increasingly gained traction, including in studies focused on this region. A few years ago, for example, Orli Fridman published a book on memory activism in Serbia. Of course, many such activists exist across this region, and many of you here today are part of this work.

What my research shows is that some of the most imaginative and important forms of mnemonic activism in the region are based on narratives about child victims of war. This is particularly striking, though perhaps not surprising. Within the broader uses of victimhood that I described earlier, the suffering and loss of children carry a particularly strong affective power, which can work in different directions within the victimhood paradox.

The suffering and victimhood of children play an important role in nationalist discourses during and after wars. At the same time, such narratives have historically been fundamental to humanitarian discourses, since children are seen not only as the most innocent victims of humanity, but also as symbolic embodiments of its future.

In my work, I focused on Bosnia and Herzegovina, examining two very different forms of mnemonic activism related to child victims of war. One such form is the annual commemoration in Prijedor called *Jer me se tiče* (It Matters to Me), which seeks to ensure that the 102 children of all nationalities who were killed in Prijedor are not forgotten, and which calls for the construction of a permanent memorial in the city center that would belong to everyone, in their memory.

I am very glad that Fikret Bačić is with us here today, as he is, in fact, the driving force behind this initiative.

The second form of mnemonic activism is represented by the War Childhood Museum in Sarajevo, which collects stories of children who lived through the war and uses these stories in multiple ways: in its permanent exhibition, in educational work with school groups, and in cooperation with other institutions, including those outside the country. The explicit mission of the museum is to promote mutual understanding as a foundation for reconciliation—this is stated directly on their website. I am very pleased that Ajnura is here today and can speak more about this. In the scholarly literature, this is often cited as an example of what is called a socially engaged museum.

Of course, there are many other initiatives in the region connected to narratives about child victims of war, including those organized by the Humanitarian Law Center in

Pristina. Bekim is here with us and can tell us more about those efforts. All of these examples demonstrate how mnemonic activists can successfully overcome the victimhood paradox: they can engage with narratives of suffering and death in ways that resist othering, division, and hatred.

I would like to highlight four key ways in which I observed these initiatives resisting nationalist narratives and the instrumentalization of victimhood.

The first is discursive inclusivity. The narratives these initiatives present about child victims of war are inherently inclusive. They focus on individual children—named children—their experiences and their deaths, without foregrounding their ethnic or religious affiliation. Even when the majority of these children, as in Prijedor, were of Bosniak ethnicity, this is not what is emphasized in the activism. Instead, the message is that these are our children, whose suffering and loss represent a collective loss. As the Prijedor activists say, these children concern all of us.

The second is strategic inclusivity. The forms of activism I describe strive to maintain interethnic, transregional, and transgenerational connections, particularly through educational activities aimed at young people who did not directly experience the wars of the 1990s. They also combine online and on-site forms of engagement, thereby achieving a broader reach and impact.

The third is a commitment to truth-telling. This is especially important in the absence of broad societal agreement about the facts of the wars. These activists insist on accuracy and authenticity by focusing on individual stories, naming victims, and documenting how they were killed. This approach is also reflected in projects such as the Kosovo Memory Book, produced by the Humanitarian Law Centers. Moreover, these activists openly and proactively challenge manipulations of narratives about child victims in the public sphere, speaking out whenever such distortions occur.

The fourth element is independence. These activists explicitly resist all attempts to co-opt their work for political party agendas or nationalist purposes.

I would like to conclude with one final point. I think we would all agree that state-level and international mechanisms have largely failed to produce reconciliation in the region. This is hardly up for debate. On the contrary, current political elites continue to use memories of the 1990s to deepen divisions and fuel hostility toward ethnic others.

From this perspective, it is understandable why some scholars and analysts advocate forgetting, or argue that the past cannot heal us—to borrow the evocative title of one such book. However, I believe that the value of the mnemonic activism I have described points in precisely the opposite direction.
It demonstrates that it is both important and possible to create alternative visions of the past, rather than leaving the public space entirely to those who promote nationalist victimhood narratives.

Recognizing the real experiences of victims—rather than suppressing or erasing them—and creating inclusive public memories around those experiences is a necessary step toward any meaningful vision of a democratic future and societal transformation.

With that, I would like to hand the floor to those who are directly engaged in this work. Fikret, would you like to begin? Thank you.

Fikret Bačić:

I would like to greet everyone present and thank the organizers for the invitation. My name is Fikret Bačić, I come from Prijedor, and I am a representative of the initiative *Jer me se tiče* (It Matters to Me). I will speak about my struggle to build a memorial for the 102 children who were killed in Prijedor.

Over the past two days, we have been speaking here about justice, fairness, prosecutions, legal processes, and the responsibility of states, communities, and individuals. I would like to thank the academic community for addressing these issues and for insisting that institutions and states take responsibility. However, as a war victim, I must tell you this clearly: we, the victims, have no rights and no real position. These are facts.

Let me share a few facts about Prijedor. In Prijedor, there were not two warring sides. There was no war in the classical sense, no clash between two armies. And yet, 3,176 civilians were killed, among them 265 women and girls and 102 children. I am here today as the representative of the parents of those children.

When it comes to reconciliation, yesterday Professor Danijela said that the two of us never fought and therefore there is no one who needs to reconcile us. The same applies to the citizens of Prijedor—Serbs, Croats, and Bosniaks—who talk to one another, live together, make agreements, and cooperate. However, politicians and those in power are the ones who quarrel today, and it is we, the citizens, who suffer the consequences.

The institutions of Bosnia and Herzegovina do not implement the laws. Laws exist, including the Law on Missing Persons, which clearly states that we, the victims, have the right to know what happened to our loved ones and to have their carefully concealed remains returned to us. However, the institutions responsible for this do not do their job—indeed, I would say they do not do it at all.

So as not to prolong this, I will turn to the issue that brought me here today: the construction of a memorial to the murdered children of Prijedor. In my own family, 29 members—women and children—were killed in front of our family home. Together with the surviving family members, we erected a memorial at that site. Today, schools, institutions, and officials visit that memorial. It was from that experience that the idea emerged to build a memorial for all murdered children of Prijedor.

I gathered parents whom I knew were alive and living in Prijedor. We held a meeting, and they elected me as their representative. In 2013, I began collecting signatures from citizens. According to the Statute of the City of Prijedor, 500 signatures were required. In 2013 and 2014, I collected 1,176 signatures for the petition and an additional 760 signatures of support. I submitted the petition on November 25, 2014, clearly explaining that we wanted a memorial of an educational character.

The then-mayor, Marko Pavić, initially did not refuse to discuss the issue, but later stated that he was opposed to the memorial—not as a man, but as a mayor—arguing that it was too early for such memorials in Prijedor and Bosnia and Herzegovina. I told him that similar memorials already existed in Konjic, Sarajevo, and Maglaj. He even sent a delegation to visit those sites and document them.

Afterward, he offered alternative locations for the memorial, which we, the parents, rejected. Following his removal from office, Mayor Milenko Đaković took office. We held discussions, but he also did not want such a memorial in Prijedor. I then turned to a friend in the city of Trento, a member of Trento's City Council and a citizen of Bosnia and Herzegovina. Trento is a a twin city of Prijedor and has invested significant resources there. My friend placed the issue on the agenda of Trento's City Council, and the Council President invited Mayor Đaković to Trento for talks.

After that meeting, on a Saturday, a non-working day, Mayor Đaković convened a meeting with me and with associations supporting the initiative. He proposed building a memorial to children killed in the 20th century. I immediately said that I had nothing against such a memorial, but that we were demanding a memorial specifically for the children of Prijedor killed between 1992 and 1995, as a separate memorial, with only

the name, surname, and year of death of each child inscribed. I also asked who would stand behind the list of children killed in the twentieth century and who would be the initiator of that memorial.

Representatives of the City of Trento then arrived, and we held another meeting. We agreed to convene the presidents of the councilors' clubs of the Prijedor City Assembly. At that meeting, none of the club presidents opposed the memorial—on the contrary, they all called for the process to be accelerated.

Another change of mayor followed, and Dalibor Pavlović took office. We met three times during his mandate. He requested that I convene the leaders of all political parties in Prijedor, not only those in power. I did so, and all gave their consent to the construction of the memorial. We agreed in principle on a location in the city. The Department for Spatial Planning was consulted and confirmed that no changes to the urban plan were necessary. All that remained was to place the item on the agenda of the City Assembly.

Then another change occurred. The current mayor, Slobodan Javor, took office and halted the entire process. He refused any discussion on the matter. To date, I have requested a meeting six times, but the mayor has not found it appropriate to receive me even for ten or fifteen minutes.

We have now reached a point where there is no longer room for negotiations. What remains is to place the issue on the agenda of the City Assembly, adopt a decision, appoint a working body, issue a public tender, and build the memorial.

Many associations have supported this initiative, both in the region and internationally. Today is May 31, the Day of White Armbands, which is dedicated precisely to the struggle for a memorial to the murdered children of Prijedor. On that day, we lay 102 roses, symbolizing the memorial.

Various ambassadors have visited Prijedor. The OSCE accepted the initiative and its representatives came several times for talks, but Mayor Javor did not receive them. Representatives of the United Nations also came and were not received. A delegation of Members of the European Parliament had an appointment arranged by email. We went to the entrance and were turned away, told that either I and the associations could enter or the parliamentarians could—but not all together. We refused to enter separately and held a meeting instead at the Kvart association.

Ambassadors from other countries also came. The Turkish ambassador was received because he did not raise the issue of the memorial. The British ambassador and others were not received. Parents and supporting associations were left shocked.

We no longer know what to do. International institutions and states have shown understanding for my testimony and my struggle, but Mayor Javor has not.

This also answers some of the questions raised yesterday and today about how young people relate to the wars of the 1990s. Mayor Javor is a child of the war. He was not a participant, but he does not want to talk about it.

I will not go into all the discrimination we returnees face in Prijedor. In Prijedor, the remains of 640 people are still being searched for, including 43 children. Mayor Javor has information—written records—about the location of human remains. He does not want to hand them over and does not want to help us find those remains so that they can be returned to their families with dignity and finally laid to rest.

Thank you. I am here if there are any questions.

Jasna Dragović-Soso:

Thank you very much. This is a very important initiative and a deeply moving story.

Thank you. Ajnura!

Ajnura Akbaš:

Hello everyone. My name is Ajnura. I work as the Research Coordinator at the War Childhood Museum. Thank you for providing this space to connect practice and theory, and thank you, Nataša, for the invitation. It is an honor to be here.

I would like to begin by saying that when we generally talk about war, we usually do so through statistics, political theories, military strategies, and numbers. However, war is inscribed most deeply in people's lives, especially in the lives of children and young people. The War Childhood Museum in Sarajevo was established in order to document, preserve, articulate, and make visible such stories, which are often marginalized in our society, in a way that acknowledges their authentic value as well as their historical and social weight.

The museum officially opened in Sarajevo in 2017, but the idea for the museum began much earlier, in 2010. The archive began to be collected in 2015, and within just a few months—at a time when the museum did not yet have a permanent space, nor exhibition or archival facilities—the collection already consisted of several hundred items, including personal objects, personal stories, and video testimonies. It is important to reflect on the context in which the museum emerged.

The idea, concept, and project were created by a group of young people who themselves were children during the war in Bosnia and Herzegovina and who were already adults at the time, with diverse expertise ranging from history and anthropology to children's rights and management. This combination of personal experience and interdisciplinary knowledge was crucial in shaping the museum not only as an archive and a memory project, but also as a project with an educational dimension, one that engages in research and seeks to connect archival memory with socially engaged work.

As I mentioned, the museum officially secured its permanent space in Sarajevo in 2017, but I want to emphasize that the path toward opening the museum and obtaining that space was far from easy. The museum as a project was not supported by the system or by the state. On the contrary, there were many obstacles and criticisms, particularly from ethnonationalist political parties. It is important to note that from the very beginning, even before the museum had a permanent space, the archive did not have an ethnic or national character. The stories were diverse in terms of identity and positionality. Since the archive initially began as a social media campaign, many stories and objects came from the diaspora and from people across Bosnia and Herzegovina. This was never a criterion, but rather something that emerged organically.

The need for those who survived the war as children to inscribe themselves into history and say, "We survived, we are here, and we have stories we want to share," triggered an impulse toward archiving. The archive thus emerged organically as a community need to preserve the stories of a generation that grew up during the war and that did not see itself reflected in the post-war public discourse about the conflict.

Beyond the Balkan context, wars are generally narrated by adults. Children, who have no influence over how, why, or when wars begin, often bear their greatest consequences. That is why it is extremely important—and here I speak also on behalf of the museum—to include children in conversations about peace. This is precisely one of the three core pillars of the War Childhood Museum's work today: exhibition, education, and research. Our collection is actively used through educational workshops and work with young people of different ages. The archive's content, which today includes more than

6.000 personal objects and stories as well as hundreds of recorded audio and video materials, is adapted for children and students of different age groups. The museum thus becomes a space where children come to discuss their own perspectives, views, and understandings of peace in today's world, and where conversations also begin about what happened in the Balkans in the 1990s.

At the heart of the War Childhood Museum's archive lies oral history as the main methodological approach to documenting these experiences, in two forms. The first is the combination of a short personal story and an object, where a single object represents a specific theme, experience, or feeling. The second is a longer format of recorded audio-video interviews, which allows for a deeper insight into the complexity of growing up in war.

Finally, I would like to reflect on what you mentioned regarding victimhood and the concept of the victim. For us, participants in our collection are not only victims. It is crucial to recognize the complexity of their experiences, their universality, and also the fact that children possess the capacity for resilience. Even within the context of war and wartime experience, children find space to express that resilience—through play, the continuation of extracurricular activities, and the maintenance of friendships. That is why it is important that the focus remains on their resilience and the complexity of their experiences, rather than solely on their status as victims. Thank you.

Nataša Kandić:

What Ajnura has just told us is an example of how a civil initiative, without local political support, has managed to become sustainable and develop into an institution. This is a very specific and important example. Everything that Fikret has shared with us leads me—optimistically, I would say—to conclude that the *Jer me se tiče* initiative is on its way to building a memorial to the murdered children of Prijedor, which will undoubtedly have transformative effects.

I would like to say something about the RECOM initiative and the RECOM process. Denisa spoke about the consultations that lasted four years. They began in 2006 with a kind of angry curiosity and with visible hostility among participants from associations of victims' families from all countries of the former Yugoslavia. It was both visible and palpable how much they perceived one another as enemies.

Over time, this process of consultations among different groups gradually reduced tensions, calmed hostility, and slowly, step by step, opened up space for emotions. In my view, unlike Denisa's interpretation, these emotions were not the defining feature of the process; rather, they transformed into rapprochement and the recognition of others. For me, this was a major result: changes in facial expressions, conversations during breaks, and how often one could hear, when someone spoke about what had happened to them, the words: "the same thing happened to me."

No one began their testimony by saying "I am a Croatian victim," "I am a Serb," "I am an Albanian," "an Albanian woman," or "I am a Croatian woman." Instead, they spoke about what had happened to them. It was clear who was doing this to them and what they were experiencing. For that reason, Denisa's thesis that perpetrators were not discussed in a condemnatory manner does not fully hold. It is true that perpetrators were not in the foreground, because what mattered most to everyone was to describe what "the others" had done to them.

As the consultations progressed, in 2011 we arrived at the Draft Statute of RECOM. This document also reveals why the process of establishing RECOM was blocked.

Yesterday, several participants, including Florence Hartmann, spoke about the need to address institutional responsibility, as well as the causes and character of the wars, given that the mandate of the ICTY was limited to determining the criminal responsibility of individuals accused of war crimes, crimes against humanity, and genocide.

My point is that, according to the Draft Statute, RECOM was meant to organize public hearings of victims, compile a comprehensive list of victims, and establish facts about war crimes—which are, of course, directed toward the perpetrators (through naming)—but also to investigate the causes, that is, the political and social circumstances that decisively contributed to the outbreak of wars or other forms of armed conflict, as well as to the commission of war crimes.

It was precisely this that led to the erosion of political will to establish RECOM as a regional mechanism that would address the shortcomings of criminal trials. Croatia was the first to withdraw its support after Kolinda Grabar-Kitarović was elected President in 2015. Kosovo conditioned its participation on Croatia's involvement. Republika Srpska never supported the establishment of RECOM, considering it to be directed against Serbs, while the Bosniak and Croat members of the Presidency of Bosnia and Herzegovina withdrew their support for RECOM in 2019. In the same year, Serbia announced

reservations and withdrew its support as well, leaving the Government of Montenegro as the only one to maintain its decision to participate in the establishment of RECOM.

The RECOM Commission was never established, but, as Professor Josipović has said, "something nevertheless remained." A sentiment developed among a large number of people that without justice there can be no freedom, no democracy, and no future.

The RECOM Coalition, later renamed the RECOM Reconciliation Network, continued working on the documentation of victims, as envisaged in the REKOM Statute. *Documenta* continues to document war victims in Croatia. The Humanitarian Law Center documented citizens of Serbia and Montenegro who lost their lives in the wars in Croatia and Bosnia and Herzegovina. The Humanitarian Law Center and the Humanitarian Law Center Kosovo documented the fate of 13,500 people who were killed or went missing in Kosovo between 1998 and 2000. The identities of the victims were established on the basis of more than 30,000 sources. Our goal is to preserve every word spoken about each victim by their families and by those who knew them, and to transfer family memory—especially about the missing—into the social sphere.

When we published a book in 2000 on abductions and disappearances in Kosovo after the withdrawal of Serbian forces, some family members of the missing threw the book at my head during public events in Belgrade, considering the title *Abductions and Disappearances of Non-Albanians in Kosovo* offensive to Serbs. In fact, the book documents abductions and disappearances of Roma, Bosniaks, Montenegrins, and so-called Albanian collaborators of the Serbian authorities.

Only a small number of families of missing Serbs showed interest in the book *Dignity for the Missing,* which we published in July 2024. When invited to receive a copy or come to collect one, some refused, explaining that they already had many books in which the Serbian state had written what they considered to be the truth about the suffering of Serbs.

To conclude: whether the publication of the book on victims in Kosovo in 1998, followed by the book on all missing persons related to the war in Kosovo, succeeded in transforming the potential of reliable data on each individual victim into transformative effects—I am not certain.

I would now like to hand the microphone to Bekim, who brought our documentation of missing persons in Kosovo into the public space in Pristina by establishing a memorial

bearing the names of 1,636 individuals—Albanians, Serbs, Roma, Bosniaks, and Montenegrins—whose fate remains unresolved.

Bekim Blakaj:

Thank you. I will nevertheless try to continue in Serbian so as not to create confusion, and bearing in mind that we have already been here for almost two and a half hours, I will try to be brief.

Thank you, thank you, Nataša. Yes, for more than two decades we have been working on documentation, and at a certain point we started thinking about how to use this material in alternative ways of presenting it to the public. In fact, we did become pioneers in this respect. The Documentation Center established by the Humanitarian Law Center Kosovo in 2017 marked an important step, and the first exhibition was *The Kosovo Case*, a multimedia exhibition developed as a joint project of the Humanitarian Law Center, Documenta, the Humanitarian Law Center Kosovo, and SENSE, led by the late Mirko Klarin.

Since yesterday we have been talking here about archives and the ICTY archive, it is important to note that SENSE used the ICTY archive and produced nine short documentary films, each lasting about ten minutes, covering all the proceedings before the Hague Tribunal related to Kosovo. An ordinary visitor could, through these films, understand the key findings of those trials, which is extremely important. Judges and prosecutors also visited the exhibition and said that they had learned many things they had not been aware of before. This shows how powerful alternative ways of presenting documentation can be.

The material collected through the *Kosovo Memory Book* project is, as Nataša mentioned, enormous, and so far we [HLC Kosovo] have used it in at least two projects. The best-known is the permanent exhibition *Once Upon a Time, Never Again*, dedicated to children who were killed during and after the war in Kosovo, which many of you had the opportunity to visit during the previous Forum. What is particularly important to emphasize is that the families of the children who were killed cooperated fully—one hundred percent. There was not a single case where we approached a family and they refused to give an object or item for the exhibition.

Of course, many families no longer had any objects left. We have around forty original exhibits in the exhibition space—not replicas—and nearly half of them are the only remaining items the families still possess. It is remarkable how strongly they understood

the importance of this kind of memorialization. In some cases, we ourselves hesitated to take the objects, but the families insisted, saying that it was far more important for the object to be part of the exhibition than to remain in their private possession.

As Nataša also mentioned earlier, when the RECOM initiative was launched, members of victims' associations initially saw each other almost as opponents—Albanians and Serbs. These associations did not cooperate at all at first. However, gradually, through that process, they began to cooperate and to realize that they were facing the same problems. They understood that they were, in fact, on the same side, while the institutions were on the other side, and that they needed to act together toward those institutions.

I would like to connect this to the exhibition. Every day we see how, in that exhibition space, empathy toward the victims is created. I often recount this example—some of you may have already heard it—but on the first day of the exhibition opening there was an enormous crowd, with many families present. An uncle of a boy who was killed during the war, who had also lost two nieces and a brother, has that boy's marbles displayed in the exhibition. He began reading the narratives accompanying the exhibits and read the narrative about an object belonging to a Serbian boy. He approached me and asked, "Is this a Serbian child?" I said yes, and that the parents were present. He then asked whether I could introduce him to them.

I truly did not know what to expect. Four children from his family had been killed. I found the parents of the Serbian boy in one part of the exhibition space and introduced them. He began speaking—in very broken Serbian—but said something along the lines of: "I am sorry for what happened to your son. No one's children should have the fate that our children had." The mother of the Serbian boy began to cry, because she had never expected that someone from the Albanian community—especially from the community of Albanian victims—would show such empathy toward them. It was a very, very emotionally heavy moment, and we witness moments like this every day.

To conclude, we observe that families truly experience the exhibition as their own—and it is theirs. It seems to provide them with a certain sense of peace, as they return from time to time. And one more thing: none of the memorial projects we work on would be possible without documentation. Without detailed documentation, it would be impossible to create such memorials.

Thank you very much.

Jasna Dragović:

Thank you, Bekim, thank you everyone. We now have to conclude. I'm sorry that we went over time, but we also started quite late. Thank you.

PANEL 7

Young People Between the Past and the Future

Moderator:

Prof. Aleksandar Maršavelski, PhD, Faculty of Law, University of Zagreb

The protests were initiated as a reaction to corruption, violence, and authoritarianism– without ethnic slogans. However, at a later stage of the protest actions, graffiti such as "No Surrender," "We Will Not Give Up Kosovo," and "Aco the Šiptar" began to appear. These messages do not represent the core message of the protests, but they are nevertheless significant, as they reveal how narratives of the past continue to be reflected within a generation that is seeking change.

Key question:

Does the student protest have the capacity to overcome inherited identity narratives and become a driver of transformative change?

Panelists:

Prof. Ana Martinoli, **PhD**, Faculty of Dramatic Arts, University of Belgrade
Prof. Stevan Filipović, Faculty of Dramatic Arts, University of Belgrade
Prof. Nevena Jeftić, PhD, Faculty of Philosophy, University of Novi Sad
Domagoj Fuk, student, Faculty of Political Science, University of Zagreb
Mila Pajić, student, Faculty of Philosophy, University of Novi Sad (in exile), activist of the STAV group, online
Jovan Dražić, student, Faculty of Philosophy, University of Novi Sad (in exile), activist of the STAV group
Doroteja Antić, graduate of the Faculty of Philosophy, University of Novi Sad (in exile), activist of the STAV group
Branislav Đorđević, student, Faculty of Philosophy, University of Novi Sad (in exile); student, Faculty of Political Science, University of Zagreb; activist of the STAV group
Anja Pitulić, student, Faculty of Philosophy, University of Novi Sad (in exile), activist of the STAV group
Lana Kocić, student, Faculty of Law, University of Niš
Boris Kojčinović, graduate of the Faculty of Philosophy, University of Novi Sad
Natalija Petrović, student, Faculty of Philosophy, University of Novi Sad

Jelena Mihajlović, student, Faculty of Philosophy, University of Novi Sad
Tamara Rašić, student, Faculty of Philosophy, University of Novi Sad
Uroš Antić, student, Faculty of Medicine, University of Novi Sad
Davud Delimeđac, student, Faculty of Political Sciences, University of Belgrade

Aleksandar Maršavelski:

So, we continue. In fact, I would say that we have arrived at the most important part of this year's Forum on Transitional Justice, namely the student protests in Serbia—*Young People Between the Past and the Future*.

Yesterday and today, we spoke extensively about war crimes trials and about transitional justice, which, in fact, reached its peak in the former Yugoslavia. At the Hague Tribunal, we have around ninety convicted perpetrators of war crimes, which is the highest number for any such court.

At present, for example, the International Criminal Court has, I believe, only eleven convictions, even though its jurisdiction is far broader in terms of the number of states that have acceded to it.

This shows—and unfortunately this is the reality—that in the future we will most likely not have a court as active as the Hague Tribunal once was. And no matter how critical we may be of it, no matter how much we believe that in certain aspects it failed to fulfill its role, it nevertheless accomplished a great deal—indeed, more than any other institution so far. It prosecuted members of different warring parties, something earlier courts had not done, and in that sense it represented a major step forward and ultimately enabled the creation of the permanent International Criminal Court.

What was missed, however, was the establishment of a truth and reconciliation commission. That was precisely the idea behind RECOM, which is still active today, and that is extremely important. We can see at this Forum that new ideas are emerging about this transformative role.

When we speak about war crimes trials, we lawyers—most of us lawyers—tend to think that everything can be resolved through trials. In reality, however, this is only one part—indeed, a small part—of what needs to be done during and after armed conflicts.

In particular, it is necessary to accept the fact that not everyone can be prosecuted. In a situation of total war—and this will also be the reality in Ukraine—you cannot convict everyone, nor even attempt to prosecute everyone who committed war crimes. Instead,

you must find a way to arrive, at least approximately, at some form of truth about the victims, while at the same time prosecuting those who bear the greatest responsibility.

This is a more realistic approach and, in my view, the approach that should be adopted.

When you have a situation of a captured state, as Serbia is today, where there is a large number of people who have engaged in corruption, who are responsible for police violence and for various other criminal offenses—when Serbia one day, hopefully soon, undergoes political change—it will not be able to prosecute everyone.

This reality must be acknowledged already now, and a strategy must be developed under conditions of a society that is currently in internal conflict, divided between those who support the authorities and those who support the students, in order to find a path toward reconciliation. This would involve establishing a RECOM, that is, a truth and reconciliation commission within Serbia itself.

That, then, is one idea that we could discuss today. Those bearing the greatest responsibility—perhaps several hundred individuals—would be prosecuted, and a line would be drawn there. If prosecutions were to extend to thousands, trials would go on indefinitely and would fail to meet expectations.

Last year, when I was a guest in Serbia on N1 television—on a somewhat different topic, as I was involved in initiatives to introduce femicide into the criminal code—journalists asked me about the protests in Serbia.

The journalist asked me what I thought of the protests. I said that they were certainly a turning point in the fight against corruption, but I also expressed the view that a path of accountability would have to be found that would not be able to satisfy everything that some may currently expect.

Specifically, what the Hague Tribunal and the war crimes trials in the former Yugoslavia failed to address was the question of the responsibility of political parties. This was something that existed in Nuremberg after the Second World War, when organizations of the Nazi Party were prosecuted.

The Hague Tribunal attempted to address group responsibility through the concept of joint criminal enterprise, but in my opinion this was not particularly successful. It would have been better to prosecute organizations themselves—to hold accountable certain parties that stood behind those crimes and that are still present in Serbia today. These include the Serbian Radical Party and the Socialist Party of Serbia, which

are very frequently mentioned in the judgments of the Hague Tribunal as parties that participated in the organization and political support of certain crimes.

In Republika Srpska, the party bearing the greatest responsibility is certainly the Serbian Democratic Party, which later transformed itself and so on, but the narratives have remained present and have themselves been transformed.

And now we must transform our response to these narratives, taking into account this legacy of unfinished – so to speak – transitional justice. This is extremely complex, but if we do not arrive at the truth about what happened in the 1990s, we will not be able to understand what has been happening in Serbia in recent years.

I will now give the floor to our panelists, who are primarily professors at faculties in Serbia and who were themselves actively involved in these protests – and who, of course, remain active today.

I would therefore like to invite Professor Ana Martinoli from the Faculty of Dramatic Arts, University of Belgrade, which was certainly one of the most active faculties, and from which everything began – the student protests in Serbia – and which, in fact, shaped the media image of the protests. Those well-known video recordings produced by FDU students made an enormous contribution to the media landscape, which is in fact crucial as a counterweight to the propaganda of regime-controlled media.

Now we must transform our response to those narratives, taking into account this legacy of unfinished transitional justice.

Ana Martinoli:

Thank you for the opportunity to be here today. I will try not to speak for too long, because I think that what we all want most of all is to hear the students – without whom, in fact, this topic would not even exist. I come from the Faculty of Dramatic Arts, University of Arts in Belgrade, and my focus – research, academic, and professional – has always been on the media. I worked at Radio B92 for eighteen years, from 1996 to 2014.

What interested me, in fact – and this is something I discussed with Nataša when we were arranging my participation here – was whether there are inherited narratives that are being transferred from the 1990s to the present in the way media communication

functions, and how students are actually dealing with topics that our societies have failed to address in a constructive way.

Thus, the question of inherited narratives leads us to the realization that students and student protests are not a blank slate. They come with already quite deeply internalized social narratives.

However, when we compare the 1990s with the present moment, we can observe some major differences in the media environment. Some of these differences are locally generated, while others are driven by technical and technological change.

Today, quite simply, we are talking about a dynamic, networked digital environment. In the 1990s, we had controlled mass media and resistance that operated through alternative physical spaces, whereas today we are dealing with algorithmically mediated media and ephemeral digital content.
And the moment we say "algorithmically mediated," this means that, with our content, we must respond to certain algorithmic demands. This is directly connected to the topic that is being discussed, among other things, on this panel.

What does an inherited narrative mean? In that sense, let me try to establish a basic framework: collective memory in Serbia is structured around several themes. Some of the central ones are the Kosovo myth, the wars of the 1990s, and concepts such as betrayal or defense.

When we talk about media mediation, we are actually talking about which narratives are reinforced and how they are reinforced through dominant channels of communication. Ultimately, what interests us is which identities are being affirmed through protest.

Protests are always also a struggle for the right to speak on behalf of a generation. That is the case this time as well. But the question now is whether it is even possible to communicate only a single identity.

In the 1990s, we had RTS as a symbol of regime "truth." It exercised absolute control over narratives and was, in that sense, the only – or at least the overwhelmingly dominant – voice. It demonized protests, while on the other side we had alternative media, such as B92 at the time.

Already then, we can observe something that we also see today: a certain performativity of protest, which in various pop-cultural actions attempts to communicate different identity values.

Ultimately, the generational narrative of the 1990s was pro-democratic. It did not completely break with national narratives, but rather suspended them in the name of universal values – which we can see was also the case at the beginning of the current student protests.

When we talk about the present moment, we are talking about a context characterized by media content that is ephemeral, highly fragmented, and by a digital environment that is far more complex. Because of this, it often seems to us that national content is much more dominant than it actually is within the overall student protest.

This seems quite important to keep in mind. I am sharing this, ultimately, as my own impression.

It seems to me that there is a non-national character to the protests that often escapes our attention, because those who focus on explicitly national elements most easily gain media visibility, attract the most commentary, and provoke the strongest reactions.

I have already mentioned ephemeral digital activism, where content functions as a kind of momentary testimony but does not build a long-term stable narrative. It must, practically, be re-established day by day and can easily change.

Algorithmic visibility means that students must compete with their content not only against traditional media content, but also against algorithmic policies themselves.

We are talking about an environment in which identities are highly fragmented. It is therefore very difficult to establish and consistently communicate a unified narrative on a daily basis, because everyone inhabits their own feed, their own, their own set of values, their own micro-audience.

We can perhaps see this most clearly on the X platform, where different faculty accounts communicate in different ways and, ultimately, often send different messages.

What are the continuities between the 1990s and today? In both cases, certain extreme moments appear and are substituted for the dominant message of the protest – even though they are not that dominant message. In both cases as well, protest

generations exist somewhat in the shadow of the wars and nationalisms of previous decades. Somewhat – and of course, the intensity differs greatly between the 1990s and today.

Thus, when we talk about the present, we can say that digital media have enabled student protests to achieve much greater visibility, while at the same time opening space for sometimes contradictory narratives. As a result, identity narratives and fragments often become more visible.

All of this shows that inherited narratives have not disappeared – they have merely transformed – and we can reflect on how protest partially interprets even existing divisions within our society.

One of the questions announced for this panel was whether student protest can overcome inherited narratives. I think it can, partially, but only if there is a clear media framework.

We cannot think only about what protests bring if that thinking is completely detached from what is happening in the media. I am primarily referring to official, traditional media, rather than the digital environment.

In the 1990s, we had a very coherent narrative framework – electoral fraud. This year, the only narrative around which unity can easily be established is: we want accountability, and we want an end to impunity.

The digital ephemerality of the environment weakens identity cohesion. An Instagram story can hardly produce history – it can produce a momentary impression.

Without a stable narrative corpus, it is very difficult to overcome deeply rooted identity patterns that have been constructed over decades.

The media environment must influence the possibility of transformative change. In the 1990s, these were small alternative local media – media of resistance – that built a culture of freedom and anti-war politics.

In the present moment, we cannot speak of fully alternative media in that sense. The struggle now largely takes place within platforms whose own policies – and here we return to the concept of algorithmic politics – encourage heightened emotions, affect, and polarization.

One possible conclusion is that we are talking about a generation that is balancing and searching for its path between rupture and continuity: rupture with what existed before, and continuity with it at the same time. That path is still being sought.

It seems to me that the generation of the 1990s – the generation that protested in 1996–1997 *(I was a second-year student at the time)* – believed that identity could be changed by changing the government.

Perhaps – and this remains open for debate – the current generation is discovering that identity changes much more slowly, because today's media landscape is fragmented, algorithmically governed, and saturated with inherited narratives that often circulate below the radar. We are not always aware of them.

Can protest itself, and can students themselves, overcome this? They can, with great effort, if protest becomes a space for collective re-articulation of identity, rather than merely a space of momentary mobilization.

That is what I am placing on the table as a topic for reflection. I had prepared much more that I wanted to say, but I truly do not want to take up time, so I will try to conclude – and if there is time, we can always return to these issues.

What seems to me to be the result at this moment? What have we managed to see, and what have we gained through these student protests?

The main narrative of the protests has not become nationalist – that is my impression. The majority of students who initiated the protests and blockades remain primarily oriented toward democratic issues.

This does not mean that a desire to strengthen national identity must, in any way, conflict with the desire to build a democratic society – quite the opposite.

It seems to me that incidents directed toward conflict, antagonism, and the reactivation of tensions inherited from the 1990s remain peripheral phenomena. However, the problem is that they are most often amplified by the media.

This happens both through traditional media, which profit from such content through ratings, and – unfortunately – through digital spaces as well, due to algorithmic policies and algorithms that thrive on conflict and heightened emotion.

What I think is important to say at this moment is that the key messages of the movement – and students will certainly speak about this far better than I can – responsibility, institutions, and justice, have remained dominant in the communication of the student movement.

This, I believe, remains the core of the protest. Everything else perhaps tells us most about which issues remain unresolved in our society, where no consensus exists, and where there are very clear political forces that capitalize on maintaining those divisions.

I must say that I have high expectations of this protest, of this movement – and perhaps most of all, of this generation.

And to conclude: if we say that we are somewhere between continuity and reinterpretation, I find myself rooting for – and hoping for – reinterpretation of identity.

Aleksandar Maršavelski:

Thank you very much.

Now we continue. From my perspective—at least from the outside, as I have been following the situation—it seems that one of the most active professors from your faculty in the protests has been Professor and film director Stevan Filipović, who has also articulated certain criticisms of the student movement. He has sought to be open, so to speak, particularly regarding the nationalist narratives that have appeared there.

And those narratives do, unfortunately—although Kosovo is not a theme of the protests—manifest themselves through flags and slogans such as "No Surrender" and "We Will Not Give Up Kosovo." There have also been problematic insults directed at President Vučić—"Aco Šiptare," "Aco faggot."

This is therefore an issue that certainly needs to be discussed openly, in order to see how such narratives can be contained and countered.

Stevan Filipović:

I don't know whether Žarko Puhovski is here—yesterday he rather superficially said something along the lines of: there are some people walking around who don't know what they want. If he is here—*cynicism killed the cat*. And cynicism has also killed every possibility of change.

And now, when we talk about such a complex phenomenon, I think it is truly unethical to place the burden of various problems—accumulated over decades and created by my generation and the generations before mine—onto people who were born in the 2000s and who are doing their utmost to do something good. And who have, in fact, created the largest wave of change currently taking place in Serbia.

So I think we must first clarify the context. The context is that we had identity-based nationalisms that destroyed the common state of Yugoslavia. Some believe there is a winning nationalism and a losing nationalism—I think there is no such thing. I think the winning nationalism ends at a Thompson concert attended by 500,000 people, while the losing nationalism, the Serbian one, ends with the rule of Aleksandar Vučić.

And in order to understand how that came about, we have to go back to 1995, when that same Aleksandar Vučić—he was not a minister at the time, but he certainly was a member of Šešelj's party—before Srebrenica said that 100 Muslims should be killed for one Serb.

And then we fast-forward to 2012, when Angela Merkel, with that famous "Dear Aleksandar," gave full support to an apparently reformed, but in fact completely identical—politically, ethically, humanly, and in every other sense—Aleksandar Vučić.

So that is the context. The context is that the entire international community normalized something that could not be normalized anywhere. Anywhere.

So, would a man in Germany who said that 100 Muslims should be killed for one Serb be able to have a political career? Well—he would not.

So we are talking about double standards, and we are talking about a certain form of neocolonialism.

And now, that is the context in which these young people here have lived their entire adult lives. That is the swamp. And that is also what Vučić represents—we talk about a captured state and so on—there is a whole series of academic euphemisms we can use to describe what is happening. But in reality, we have a mafia gang of, say, a hundred-plus people who have turned the state entirely into a private company.

Serbia is not a state; we do not have state institutions. And I think the student movement has, for the first time, brought this fact into the mainstream, forcefully, to a large number of people who may not have understood these relations before. For some of us, this is not news.

Some of us have been in this struggle for a very long time; some have bled; some are no longer alive because of this struggle. But this movement is revolutionary in that sense.

And then, if we talk about a pre-political society—if we say that we do not have a state, that means we live in a pre-political society—I do not see how we can talk about politics or criticize students from the left or from the right.

So all my criticisms that I have written were aimed exclusively at regime elements that infiltrated the student movement with the aim of destroying it. And that is what these people have been fighting against for a year now—but in the shadows. Because it is a kind of taboo topic.

Why it is a taboo topic—that is a question for all of us others. Least of all for the students. It can also be a question for the students—but this has been going on for a very long time.

And I think that, like all other generations—both in Serbia and in the region, and perhaps even in the world, given current developments—we can be grateful to this generation for having managed to mobilize such a large number of people, to create such a grassroots movement, and to actually begin a conversation about the zero point.

And the zero point is this: wait, we must have a state. When we have a state, then we can talk about policies.

Whether some of them—now we are not talking about these inserted elements, but about authentic students—whether some of them, who have been shaped their entire lives within the media matrix of the Serbian Radical Party and Aleksandar Vučić, carry this or that flag or shout "Aco, faggot" or "Aco, Šiptar"—I don't care. I mean, we don't have the luxury to deal with that. I am gay; it doesn't affect me. And when you approach them and eventually say, "I am gay, don't shout 'faggot,'" they say, "Okay, then we'll shout 'Aco, thief.'" So I think that can be resolved very easily.

But, then, we have to fight for a platform. First, to get the state back—then we can open all the other questions that are extremely complex and whose resolution requires the participation of the whole society.

It cannot be only Nataša Kandić working for 30 years while everyone else pretends to be clueless. There has to be a platform that needs to be created, where the whole society, if it wants to—maybe it doesn't want to—maybe it wants a myth.

As far as I can see, people want a myth even from the student movement. They don't look at them. I am a professor and I look them in the eyes—at least my own students. And the others I interact with from all faculties. These are children. I mean, they are smart, mature, brilliant—but they are literally children.
And the expectations placed on them are surreal. The sacrifices they have made are—well, just look at the people here who cannot return to Serbia. I mean, that is—how should I put it—you can feel, I assume, the difference between interlocutors from some other countries and us.

We come from a war. Not a war with firearms—for now, although there is some of that—but most of us have been in prisons. And it goes on, and on, and on, and now it has reached some breaking point.

And I cannot allow that breaking point to fall on the students, who tomorrow, if they stop engaging in activism, will have done a job that should enter history textbooks and readers.
So thank you, people, for enduring and for existing, and for some of us knowing what kinds of dragons you are fighting.

And, well, I don't know what else. We move toward results, toward change, and then toward the deconstruction of identity and nationalist policies which, by the way, are currently supported by the United States with all the forces of big capital and all social networks.
Where you have—well, I don't know if anyone has read that declaration issued by the U.S. government, where the main enemy is practically the European Union. And the main enemy is what we here, by default, perceive as some kind of universally accepted values. And so on, and so on.

So in this polarized world, which is rapidly changing, it is very difficult to reach—again, for the hundredth time—the zero point, which either the whole society wants to reach or the society does not want to reach, but instead wants to continue living in some kind of illusion.

And then that is really up to each society individually

But I say this: neither the unprosecuted criminals and the winning nationalisms have fared well, nor have the losing nationalisms. I think we should not lose sight of that.

All of it comes due at some point. Now, whether it comes due in this or that form—that depends on what is acceptable to whom and whether it is experienced as a kind of reckoning.

But—okay. That's it, really, if we can continue.

Aleksandar Maršavelski:

Thank you, thank you, Professor Filipović.

And let me say that I regret the recent distancing by a segment of the students—not only from Professor Filipović, but also from the Inquiry Commission, which is, in fact, in a way a truth commission on the collapse of the canopy.

This is a group of professors who formed the commission and have already produced a report on responsibility for the collapse of the Novi Sad canopy. There is also the Rebel University—a large group of professors who supported the students.

And now we have a paradox in which a part of the students is distancing itself from their professors, which is a clear indicator that the regime is exerting strong pressure on the student movement and is trying to create internal divisions—both among the students themselves and between them and the people who actually support them.

I will now give the floor to Professor Nevena Jeftić, from the Faculty of Philosophy in Novi Sad, about which we heard yesterday that for 40 days it was, in fact, under the presence of the police—under police siege inside the faculty itself.

Please, Professor Jeftić.

Nevena Jeftić:

Thank you. Just for the sake of precision regarding the Faculty of Philosophy: the police were present, I believe, for 14 days, and altogether they were on the campus—within the university—for more than a month, that is, as you said.

First of all, I would like to greet you, thank the organizers for the invitation, and sincerely thank you for this wonderful opportunity to visit Zagreb at this time, while your beautiful Advent is underway.

I would like, in fact, to—well, to summarize: during this Forum we have heard a great deal of very important information about what the media situation in Serbia looks like,

and about how many horrific things have, quite simply, been normalized in everyday media discourse. We have also heard more than enough to gain a clear picture of what kind of ideology is being pushed into textbooks, so it should really surprise no one that research shows young people in Serbia to be highly sensitive to these political hysterias and to the daily political instrumentalization of nationalism.

But I would like to point out that, together with students, secondary-school pupils are also participating in these protests—both through the blockades of their schools and through their sheer physical and emotional presence in the streets, shoulder to shoulder with their older and future colleagues.
These young people—students and secondary-school pupils alike—have also felt on their own skin what this inciting media machine can do, and in what ways it can exercise violence, humiliate, and endanger integrity and dignity; a machine whose foundations were laid in the 1990s and which, in my modest opinion, has been perfected in Serbia in recent days.

That is one side of their experience, while the other side is truly frightening—frightening police brutality and institutional violence that they are enduring, and that some professors are also enduring together with them.

I would remind you—if you had the opportunity to see it, and if not, I will try to describe it—of one of the most horrifying scenes we have had the chance to witness, and there were many. One of the most disturbing scenes circulating on social media was a video of very young people, not to say children, kneeling on the floor—apparently in a gym used by the police—with their legs crossed, their hands behind their backs, and their faces turned toward the wall.

So this is the reality, and this is something that generations who have risen up against the regime of Aleksandar Vučić have experienced. Within such a subjective experience, all differences are possible; all differences are, in a way, recognized and respected as differences, because beyond them and alongside them, and in spite of them, it becomes possible to feel and to build a form of generational solidarity.

Such solidarity—even without this terrifying and deeply disturbing experience—has also been demonstrated, merely by way of example, by students in Croatia. By way of example, I will recall that they organized support rallies for their colleagues in Serbia in Zagreb, in Split, and in Osijek, if I am not mistaken.

If we could, in the context of a kind of spontaneous political articulation of this student movement, speak of a future platform of reconciliation that could inspire hope—and we truly must have hope; hope is indeed all that we have—I would propose that this reconciliation be conceived and built not in some supranational key, since we are speaking about that as well, not in a framework that we have already had historically and already gone through, but rather in a framework that would precisely include those differences of which we have become so subjectively aware.

I will stop here, because, like my colleagues, I truly want to hear from our students.

Aleksandar Maršavelski:

Thank you very much. *(applause)* Applause for all three professors.

Now I will slightly change the order. Since Croatian students have been mentioned, this is indeed a very valuable example. And not only from Croatia—there were support protests in Sarajevo, in Podgorica, and in other places as well. In Ljubljana, too. Of course, there were also gatherings all over Europe, and in America and Australia. There were quite a number of such events, but the regional ones are particularly important, especially those from Croatia.

It is truly my great pleasure that we have with us our colleague Domagoj Fuk, a student at the Faculty of Political Science and now also a representative in the Student Assembly. He was, in fact—I would say—one of the main figures responsible, as he was among the organizers and spoke at the support rally at European Square in Zagreb, in solidarity with the students in Serbia. He also spoke and helped organize the gathering on the anniversary of the canopy collapse, on 1 November this year, in front of the Embassy of Serbia, and he was likewise one of the organizers and speakers at the March Against Fascism in Zagreb, which is a very important event, as a response to this situation—an increasingly worrying one, as I would put it—in Croatia, marked by the rise of right-wing extremism.

And what is most important—the famous sentence that our colleague Fuk uttered at the rally at European Square, *One world, one struggle,* made its way into one of the videos produced by the students of the Faculty of Dramatic Arts.

So, colleague Fuk, the floor is yours.

Domagoj Fuk:

Thank you for the floor and to the organizers for the invitation. It is truly an honor to be able to speak here. I would not speak only on my own behalf, but also on behalf of students in Croatia more broadly, because although I may be the one who has stood out somewhat, there are others behind the scenes whose effort and work made it possible for us, as students from Croatia, to express solidarity with students in Serbia. We recognized their actions—especially after the tragedy in Novi Sad—as a struggle that is also our own, a struggle for change. Because in Croatia, too, we are confronted with corruption and many social problems which may be at a higher level in Serbia, absolutely, but which are also present here.

That is why I would say that this struggle is something we should also replicate. Partly, this response against fascism is certainly also a response to the changing climate in Croatia, but we should not stop there. I believe that we ourselves need to act. That may be a future point for reflection among students in Croatia.

I would now like to reflect on how, in Croatia, we demonstrated that public discourse actually conveyed this struggle of Serbian students and showed the Croatian public that such issues must be emphasized and that they matter for our society as well.

I would begin by noting that the students of the Faculty of Humanities and Social Sciences in Zagreb, for example, within the context of our university, initiated this struggle. They were the first to hold a solidarity gathering. We then continued joint cooperation with them. There may have been some personal connections between us and the students of the Faculty of Humanities and Social Sciences, but later students from other university units joined as well.

And finally—that last event, though I hope not the last in the literal sense, but simply the most recent one—we marked the anniversary in front of the embassy. We wanted to send a message to those responsible, namely the authorities in Serbia, who must face these issues. Instead of facing them, the state is simply being dismantled. Here I would also emphasize the struggle of the students—that they are fighting for the state and for institutions to do their jobs. That is something we could certainly learn from them.

One more thing I would like to emphasize regarding our situation—at my faculty—the professor mentioned that I am also a student representative. We had a conflict within our faculty, where a segment of students who are politically affiliated with, for example, the ruling party in Croatia was openly opposed to this kind of support.

With great difficulty, we managed to place a statement of the student assembly in the public sphere. According to them, this was interference in foreign policy, which the student assembly should not engage in—even though we are students of political science. That is somewhat ironic, in my view.

At the same time, at our faculty there is cooperation with the Faculty of Political Sciences, and with different currents there. For example, they had cooperation with students who were directly connected to the authorities in Serbia. Meanwhile, I had the opportunity to speak with colleagues who eventually removed those people from the student parliament of that faculty. They began exposing how deeply embedded those individuals were within the faculty itself.

Now imagine, if that can be replicated at the level of an entire state, what kinds of actions it produces—such as theft, cover-ups, threats, and countless other things.

Those colleagues then provided us with information that allowed us to show that our own students were participating and cooperating with people close to the authorities in Serbia. And we exposed that.

This became quite a significant scandal at our faculty, at least within the student community. Students realized: wait a minute, those people are going there with individuals close to the authorities, who appear on camera together with Aleksandar Vučić, and who enjoy themselves there listening to folk music.

That is literally what their contribution amounted to—while another group of students at the faculty is fighting against such phenomena.

I would certainly emphasize that this ultimately resulted in an official report being filed against the former president of the student assembly, who openly stated that this event, Politijada, would not be supported. In the end, he also reported me, in the name of the assembly, stating that we would participate.

People were paid, for example, to travel by bus to Politijada in Montenegro, to socialize with people connected to the authorities in Serbia.

So there are many paradoxes which, I believe, we have managed at least partially to make visible in Croatia, and that we need to continue to fight against.

I hope that more colleagues will contribute as well. *(applause)*

Mila Pajić:

Okay, thank you. I would just like to begin by explaining why I am addressing you via Zoom, and not in person like my colleagues who are currently with you in Zagreb. I am in another country, and because, in the meantime, all of us—six of us who found ourselves in exile—had our passports and travel documents confiscated, I am not able to cross borders. That is why I am speaking to you via Zoom.

The second thing I wanted to say is that I would actually like to refer to what the professors have been talking about, primarily from the position of understanding that they see us as their students—but one claim, in particular, caught my attention. It concerns responsibility. And that is where I would connect it to the topic of this panel—the potential for transformation within student protests.

So, when it comes to responsibility, I truly believe that, regardless of the fact that we are young—formally, legally speaking, I am 22 years old and I am a young person—I do feel responsibility. And I believe that I should not renounce responsibility for what happened before I was born, and that it actually should not be expected of me that I do not have it. [connection interrupted]

In any case, I believe that young people should very much assume responsibility even for what happened before they were born, of course on the condition that they have already had access to sufficient information in order to understand what actually happened before their birth.

On the other hand, it is important to me to emphasize this right at the beginning, because if we talk about responsibility—and in Serbia it is currently crucial and part of all the demands—if we speak about the responsibility of other people and expect it from them, then we must also show that we are responsible toward ourselves and toward our own past.

Further, regarding the very topic of the panel and the potential for transformation, and the potential of actually entering a transition from an authoritarian regime within the framework of student protests in Serbia—taking into account that we are, in fact, talking about wars that took place in the 1990s—I believe that, given the level of education we have in Serbia, which we do not truly have, which has been systematically restricted, and within which we were not enabled to access information, it was extremely difficult to expect of us—and now I am speaking on behalf of my generation, precisely based on what I have observed in my generation—that we would have enough informa-

tion, that we would be sufficiently aware of what happened in the past, and that we could therefore draw conclusions based on information that is missing.

Now, there is a large number of primarily regional programs and organizations, such as the Youth Initiative for Human Rights, which deal precisely with compensating for these deficiencies in formal education among young people, primarily in the region. The problem is that access to such programs and organizations is now increasingly restricted in Serbia, through the complete degradation of these organizations, and through the fact that, as a participant in any program, you cannot exclude the possibility that you will be monitored by the BIA simply because you are participating in a civil society organization's program. So it is very difficult to access these non-formal programs, which are precisely the platforms through which you can obtain information as a young person in Serbia about the wars of the 1990s—information that is not narratively marked, but argument-based and factually grounded.

And now, in that context—yes—it is very much true that we did not receive enough information. The system has, in a way, marked us as a generation, in the sense that through systematic deficiencies in formal education we were deprived of that knowledge. But that still does not mean that we, as adults, do not carry responsibility with us—that we should still want to learn and still want to make an effort, especially in this global village, to access information that will help us build our views on the basis of arguments.

I am primarily thinking here of those who are, unfortunately, already indoctrinated by nationalist policies and narratives, and of those young people who are neutral and who—precisely in those surveys [connection interrupted], among others, by the Youth Initiative for Human Rights—said, in the largest numbers, that they simply do not know. And those who do not know have a responsibility to find out, even if that knowledge was not offered to them.

So I would return to the student protests here. In addition to the slogans that we have, yes, had the opportunity to see, and which are of an extremely nationalist nature, on the other hand we can also observe a reduction in interethnic intolerance, for example in the case of students from Novi Pazar.

But to me—and now this is exclusively my impression—it seems that a larger part of the student movement, which is by no means homogeneous, so it is very difficult to speak simply of "the student movement," uses slogans of solidarity, togetherness, interethnic cooperation, "that we will no longer be divided," "that it will never happen again." And all of this, in fact, remains at the level of slogans—at that shallow level where we say

that we are united, without going deeper into the question of why we are now saying that there are no divisions.

Because the very act of protesting by saying that there are no divisions means that divisions do exist. Let us talk about those divisions and actually resolve them, rather than claiming that we have already resolved them.

So I believe that there is a small positive effect that positive slogans and the constant emergence of hope within the protests can produce. But it seems to me that issues such as transitional justice, coming to terms with the past, regional cooperation, overcoming nationalist narratives, and, finally, assuming responsibility, are not addressed seriously enough, not addressed deeply enough, and not addressed in a sufficiently argument-based way.

And therefore, unfortunately—perhaps I am taking a defeatist stance because I am in exile—but I believe that student protests do not have transformative power when it comes to transitional justice, when it comes to reconciliation with the past, and not even when it comes to raising awareness.

I would now just like to refer to this most recent case in which a Croatian journalist found footage allegedly showing Vučić participating in those notorious "Sarajevo safari" tourist attractions in which people were killed.

In the current wave among young people in Serbia, I really did see that they began to talk more and more about the siege of Sarajevo. And I believe that even some young people who did not even know that the siege of Sarajevo took place—when it was and what it entailed—began to talk about it. They did not go very deeply into what exactly happened, but it clearly began to interest them, and I see that as a positive thing.

Now, if it turns out that the accusation by the Croatian investigative journalist is not accurate, I believe that we are only producing even greater consequences—and that is: "aha, okay, from this we can conclude that some claims related to the wars of the 1990s are not true."

And that is solely because we do not have a foundation of high-quality knowledge and information on which we can build new information that reaches us.

So I believe that the protests—again—do not have transformative power. What may happen, and with this I would like to conclude, is that this transformative power may only emerge once these protests choose a direction after a change of regime.

We still do not know what that direction will be—whether it will be a democratic direction or some other one. Unfortunately, we cannot say that with certainty.

So only when we see which direction is chosen after a change of regime will we be able to say whether these protests had transformative power [connection interrupted] in terms of transitional justice.

Aleksandar Maršavelski:

Thank you very much. *(applause)* Thank you to our colleague Pajić, who has been exposed—not only to criminal prosecution—but also to a media lynching in Serbia, and who has been separated from her family and her friends.

As well as to our colleagues who are here with us in Zagreb today—four of them—who were also members of the activist group STAV in Novi Sad, who were among the most active participants in the student protests and who, unfortunately, ended up in Croatia.

But, as I say, in a certain way also fortunately so, because life may be calmer in Croatia. Everything has its advantages and disadvantages.

Still, considering what happened to yours colleagues who remained in Serbia—six of them who ended up in detention, including months-long pre-trial detention—it is, after all, fortunate that you are now here with us in Croatia.

So, does anyone among you wish to speak, or... Let us proceed in order.

Jovan Dražić:

Hello everyone. I would like to build on what Mila and the professors have said. I think that, first of all, when we talk about nationalism in Serbia today—especially among young people—in my experience and based on what I have seen, there is one crucial difference between nationalism today and nationalism in the 1990s. Back then, there was a state of war, crisis, and everything that comes with it, and it amounted to a form of collective hysteria of unimaginable proportions. Today it is somewhat different, because we no longer have that level of collective nationalist hysteria—we are left only with its consequences.

So we have—quite literally—that legacy. On the one hand, this is something that is very difficult to maneuver around, because it is deeply entrenched; on the other hand, it is not as extreme.

My view is that such attitudes cannot be changed within any foreseeable period of time. But precisely because they are so deeply rooted and inherited, I think they can be worked with much more effectively—they can be corrected much more easily than, for example, the mentality could have been corrected back then.

I would say that there is a widespread thesis in Serbia related to Milošević, namely that people did not begin to hate Milošević because he led wars, but because he lost wars. I think that the current mentality in Serbia, when we look at Vučić and how people view Vučić—not only young people, but those participating in the protests more broadly—is relatively similar.

I think that if Vučić had decided to intervene militarily in Kosovo, to enter into some kind of war—and now, regardless of whether he would have won or lost it, he would probably have lost—whatever the outcome, I believe far fewer people would be on the streets protesting.

That is because a large number of people are coming to the protests for precisely that reason. For a good portion of people, the collapse of the canopy was a trigger, a reason to take to the streets, and so on.

But after that, the largest part—not of the student narrative, not of the general message, but internally—has been the question of Kosovo. And that is where the problem arises. This is not something that can be resolved in the near future, but I think it is something where there is room to work. There is room to talk about it; there is room—if not to change it—then at least to adjust it. We can arrive at a common point from which we will be able—perhaps not during the protests, but after the protests, once the regime falls—to work together.

Of course, the key thing in all of this is that we talk to such people—and there are many of them. We must give them space to argue their side as well, because there are a lot of them.

And I think that we—people like us—often have this weakness that we sometimes end up in bubbles, isolating ourselves from that part of society, analyzing it, but not com-

municating with it. And we have to communicate, so that it does not turn out the same way it did after October 5th, or something similar.

That is my message for now.

Aleksandar Maršavelski:

I know this is difficult, especially if part of the people are genuinely motivated by the Kosovo narrative and by the claim that Vučić has "given up" Kosovo, and so on. But on the other hand, if that narrative is allowed to persist, the government that comes afterward will once again be the same. And then the country will once again spin in that vortex of nationalism and never actually get out of it. Serbia will remain stuck in that transition.

What can certainly be done, however, is to try at least to establish some form of consensus. If the majority is not motivated by Kosovo—and I believe it is not—then a consensus could be established that flags reading "Kosovo will never be surrendered" should not be present, and that chants such as "Aco Šiptare" should not be shouted, because this kind of hate speech against Albanians is generally very widespread, even though it is, in a way, also directed against those in power.

Can that at least be achieved?

Doroteja Antić:

First of all, greetings to everyone. I am extremely glad to be here on this panel with all the guests. I would like to build on both your question and what has been said so far.

Generally, when all of this is viewed in the context of transitional justice processes, I believe that Serbia has exclusively regressed in recent years. I think the most important point is precisely what Mila mentioned—that something interesting has happened for the first time: a generation that grew up and came of age precisely in a period when the media discourse was never more saturated with harmful narratives has developed a need to dig a little deeper and perhaps reach what is actually the truth. As for the messages at the protests, I think they are a direct consequence of this overall overload of information, of these mixed narratives present both on social media and in the media more broadly, and they simply stem from one fact: that the majority of young people—and older people as well—in Serbia are media illiterate.

The problem is that a great many people who are now out on the streets feel an instinctive need to be there; they understand that something is happening, but they do not go into details, and what they lack is precisely this contextual knowledge and an understanding of the context from the 1990s and earlier. They do not understand or perceive at all the harmfulness of repeating certain phrases, or the harmfulness—sometimes even unconscious—of reinforcing certain narratives that have literally surrounded them since birth and that they take for granted. So I think the struggle with these messages will definitely be a long one, but what primarily makes me incredibly glad—sitting here and looking at this hall, and at many others—is that there are now young people in the room who feel a need to finally learn much, much more about all of this and to actually educate themselves, in the right places, about immensely important topics.

I truly think that this is actually the biggest step toward student protests playing an important role in a broader transformative process, and toward finally taking a step—not backward, but forward—in the process of transitional justice in Serbia and the region. And I believe that, ultimately, when we look at everything together, this is the main achievement of the entire uprising. Because this is something that will never simply pass; rather, this awareness of why it is important to deconstruct the narratives with which one is inundated from birth will continue to be passed on to subsequent generations.

And that the importance of demystifying all of this in Serbia will finally become something standard, rather than the idea that, as a society, we are so lazy that we simply keep swallowing everything that is served to us.

The professor spoke about a perfectly developed media machinery whose very purpose is precisely to confuse people to such an extent that they do not even consider that there might be something wrong with the phrase "Aco Šiptare."

So I think that now, when people have finally realized that this too is an issue, that it needs to be discussed, and that—perhaps—something is wrong here, this represents a first step. A small step.

I think this will be an extremely long process, but it is something that, honestly, however small it may be, is far more than what we had before.

So I think that, for now, the student movement does not yet have that transformative role; however, it does have the potential to acquire it soon, in its full sense—if I may put it that way. *(applause)*

Aleksandar Maršavelski:

One of the colleagues who is in exile has also enrolled at our faculty—political science—so he is now a student with us as well.

Branislav Đorđević:

Good afternoon, everyone. Does the student movement have the strength for transformation? I think that, unfortunately, it does not—but because it was not conceived in that way. It was conceived to bring us into a kind of pre-democratic phase, in which we would have a time-limited government or something similar, which would then lead to the establishment of normal institutions, so that we could later deal with transitional justice and everything else.

But this is where my criticism comes from: we cannot then engage in flirting and courting. We advocate solidarity, certain human rights, and at the same time slogans like "Aco Šiptare" are being used, which—according to court rulings—constitute a criminal offense. Veterans should not be there; they have no place there—they participated in the civil wars in the territory of the former Yugoslavia, and I do not know, that is something that truly bothers me.

If we are going to create a movement whose goal is to establish some form of democracy, then it must deal with that. It should not engage in this kind of... flirting, in order to appease one part of the population vis-à-vis another part; that population needs to grow up and must become literate. We have spent years being careful not to say that there was genocide in Srebrenica, because one part of the people would get angry, and so on. Let them be angry—and let them grow up. *(applause)*

Aleksandar Maršavelski:

If I may take a bit more of your time—what you said about not supporting the presence of veterans at the protests, veterans who on the one hand are protecting students from the police, but who were at the same time involved in those wrong wars—we do have that positive example we mentioned, Goran Samardžić, who actually acknowledged that RTS was responsible for the propaganda that led him into the war in Bosnia and Herzegovina, where he was wounded, and that all of it was wrong.

Is it actually possible to draw out more such examples among veterans, and to turn that into a positive story—about veterans themselves confronting their past?

Branislav Đorđević:

I think it is possible, but in most cases, when I encountered such veterans, they did not want to be veterans at all. They did not become veterans of their own free will; they did not go voluntarily to the battlefield to defend the weak. Rather, Slobodan Milošević's regime rounded them up from their homes, separated them from their families, and sent them to the battlefield to die for interests—honestly, I no longer even know whose or for what.

And quite simply, when it comes to certain facts—facts are not negotiable. There are court judgments, there are written records. And yes, he is a positive example, but then there is no reason for him to wear a uniform. Someone who was caught in that vortex of hell, as he himself called it—the point is that we need to get rid of those uniforms. The point is to rehabilitate those people, so that they do not carry the scars of that war, and that they come out and tell us the story they lived through, so that we do not repeat the same mistakes. Not to glorify uniforms, not to glorify how they are protecting us now, or how they "protected" us in the 1990s—from whom, exactly, were they protecting us? (applause)

And that is why, for example—just to briefly touch on the student list and then I will finish—yes, it includes nationalists, communists, liberals, all sorts of people, but about some individuals there should be no debate. We have, for instance, one candidate on that list—Milo Lompar. This is a man who rehabilitates Milan Nedić, who is proven to have collaborated with the Nazis and to have sent people to be executed in Kragujevac.

And then—well, you know how it goes—he "saved" Serbs by exchanging them for Roma, I mean, and then we enter into that kind of logic. He appears at the promotion of Radovan Karadžić's book, then talks a bit to students about some Kosovo myth, and so on. Facts are not negotiable, and that is that. Only then can we deal with whether Vučić respects the law or not, or this or that—while we allow ourselves to flirt with these things, but claim that he cannot.

Aleksandar Maršavelski:

And the last colleague from exile. Unfortunately, that is how I have to put it.

Anja Pitulić:

Well, good afternoon everyone, and first of all thank you very much for the invitation. I would like to build on what the professors said about how the student protests are represented in the media, and on what my colleagues have said—primarily what Mila mentioned first, about the basic illiteracy within Serbian society. So, we do have such a problem. The population is not, above all—I will focus here—politically and media literate.

And now we have my generation—these are people, students, who are graduating from universities. Many of them may have studied at faculties where media-related topics are not addressed at all. And a very, very small minority actually had the opportunity to acquire media literacy through their studies. Political literacy, likewise, mostly comes simply from the family environment in Serbia.

And now, one of the greatest "successes" of Aleksandar Vučić's regime is precisely this absolute illiteracy, which he has produced by rewriting history and through his public statements. And so we now have an illiterate—unfortunately—population that is fighting against a regime that made it illiterate, without having become literate before entering that fight. And then we have the circulation of such lies in the media, which students highlight out of fear, because they are currently the most relevant political actors in Serbia. Students distance themselves—not because they are bad or stupid, far from it—but because they are afraid. And the only discourse they can hear is that of Aleksandar Vučić and his media: that, for example, activists are bad, that they want to profit from the student movement, that they are profiteers of the student movement; the same goes for the NGO sector.

That same NGO sector is the only one in Serbia that deals with education and awareness-raising, that actually introduces us to our past—and the context of the past is what shapes our present. And then the regime has turned into enemies precisely those people who go against the messages that suit the authorities. In doing so, they have managed to implant their delusion into a large majority of the population, and now we have these mass disavowals that, to a great extent, harm the student movement.

And I simply think that, with this message of solidarity that remains only verbal and is truly lacking in practice, with nationalism that is flourishing on the streets and at those very protests—where you have banners saying "No surrender," you have flags of Saint Sava the size of my body—and now, for example, if someone were to come to that same

protest with a pride flag, which is also a symbol of solidarity, I am sure that person would not fare well at all. Nor would a person who came with a European Union flag.

And yet our goal is to enter the European Union, in order to get rid of dictatorship in Serbia. I mean, it is actually a ridiculous situation—[this is] something for which you cannot really blame anyone, because they are simply victims of systemic oppression and of long-term efforts to keep the population completely illiterate. And how, then, can we even begin to work on transitional justice? Thank you. *(applause)*

Aleksandar Maršavelski:

I would like to thank Doroteja Antić, Anja Pitulić, Branislav Đorđević (Bane), and Jovan Dražić. I now invite the students who have come to this Forum from Serbia. From the Faculty of Law in Niš – Lana Kocić.

Lana Kocić:

Good afternoon, everyone. First of all, I would like to thank Professor [Maršavelski] for the recommendation, as well as the organizers for the invitation. I am very glad to be here with you today, and I am very glad that I had the opportunity to meet Nataša.

I would like to begin with the narrative that is present in the Republic of Serbia. I must emphasize that my personal impression is that this is by no means the narrative of my country. Namely, I am aware that, unfortunately, at the moment we may not yet represent the majority in Serbia, but I am certain that we are moving in that direction, that we are on the right path to becoming one. And that is a narrative that is being promoted precisely by the current, that is, the incumbent criminal government. I must say that this is a radical narrative. I will not even say that it is a nationalist narrative. In Serbia there is a major problem with the conflation of nationalism and patriotism. Of course, patriotism is also not desirable when taken to extremes. Nothing that is extreme—whether extremely good or extremely bad—is, for me, truly acceptable.

As for the dissemination of this narrative through the propaganda machinery, I must say that if we were to equate that narrative with the people of our country, it would be the same as saying that when we go to protests—if I may speak colloquially—literally unarmed, and the entire gendarmerie charges at us with shields, armor, and riot gear, that would mean that we accept this as the policy of our state. Because the only policy that Aleksandar Vučić has pursued since coming to power has been a policy of violence and division, but at no point can we accept that as the policy of our country—and the same applies to this nationalist narrative.

I would also touch upon the fact that even during Milošević's time, which you mentioned earlier, when the wars of the 1990s were ongoing, he effectively waged those wars, initiated them, sent people there, but in the end he abandoned them. That is no different from the current situation—namely, when— I will not say "sir," I will simply say Šešelj—when he used to go to those so-called battlefields, he realized that Milošević had, during his rule, so thoroughly entrenched that right-wing, radical propaganda, and used it in such a way as to almost awaken the people and, in some manner, encourage them—though I truly do not know to what—to encourage them to die, justifying this by claiming that it raised morale. He himself never went to those battlefields to fight; instead, he merely sent those people there and observed it all, more or less, from the armchair in his living room. That can in no way be considered the defense of a state. And when they came to power, they presented themselves in precisely this way, and in that way secured their electorate—an electorate that remains theirs to this day—because those people believed that they were defending Serbia from something.

I truly do not know what Serbia needs to be defended from, if not from them themselves. They say that history is written by the victors. For me, these are not victors. I do not know what kind of victor or what kind of hero has blood on his hands. They are no different from the current ruling authorities, and we do not say without reason that their hands are bloody. For me, that can never be a hero. (applause)

What I am about to say does not mean that I have not taken an interest in all those events, or that I do not know what happened at that time, nor that I approve of it. But I must state, as my personal position, that I do not identify with it in any way. Simply because I did not participate in it—by the nature of things—since I was not yet born. And on the other hand, even if I had been born, I certainly would not have supported it or taken part in it.

You mentioned the example of Novi Pazar a moment ago. I believe that we actually have overcome those divisions and that we have managed to do something—not something that previous generations did not want to do, but something they did not succeed in doing—and that is precisely to move beyond those historical disputes and divisions. I believe that we truly have done this.

I watched with great satisfaction the march of students from Novi Pazar, when they were received at our monastery, and when their hosts adapted everything to their customs—their diet and everything they needed. These were people of different faiths eating the same bread under the same sky and under the same roof at that moment. And they showed me what our Serbia is. They showed how Serbia is loved, and that

Serbia belongs neither to me nor to any of these people here, nor to them alone, but that it belongs to all of us.

I consider this to be a real indication that we have moved past those divisions. And I think that none of us wants the past to truly shape our future; rather, we want to reflect on those mistakes and decide what we will do going forward.

In this regard, I must also share a personal experience from just yesterday, which I was discussing with Boris last night. Yesterday, Informer published information claiming that we are now here at a so-called "Ustaša jamboree," and that we came to report to Zagreb in order to overthrow our state once we return. This did not surprise us, because unfortunately we have grown accustomed to such things—and it is very bad when you grow accustomed to bad things. However, we do not lose faith that this can change. I commented on the absurdity of the fact that I have been walking the streets of Zagreb for two days now, surrounded by so-called Ustaše, as labeled by our current criminal regime, and I do not feel unsafe or unprotected. In fact, I feel unsafe when I think about how I will be treated at my own border when I return.

In that sense, we absolutely do not need any Ustaše. We are our own greatest enemies—or rather, not us, not this clear-headed people who have awakened, but the current authorities. That is why I say that Aleksandar Vučić does not need to protect us from anyone. He should try to protect Serbia and us from himself.

But since I am almost certain that this will not happen, we will make sure that we protect our Serbia ourselves. As for the slogans we mentioned, I would agree with the colleague who said earlier that this is one of the smallest problems we currently have. I noticed at the very beginning of these actions that it was enough for, say, one person to carry such a sign for it to be perceived as something acceptable and something that should be done. And that, as has already been said, simply went out into the ether. This is such a large group of people, and moreover a heterogeneous one, that you cannot control individual, incidental outbursts. But I think that, as others have said, we have begun to work on this, we have begun to reach people and explain to them that this really is not good.

I do not want to justify this, because I certainly do not approve of it, especially not in that pejorative sense. But what I personally believe is that this is again a consequence of that radical narrative. Because when they chant "Aco Šiptare," I am almost certain that they do not do so because they believe that Albanians are bad people or that they would today have problems with them—although they did have problems in the past,

often not only because of others but also because of themselves—but rather because they believe that Aleksandar Vučić is acting in their interest.

This certainly is a problem, but an enormously small one compared to all the other problems we have. Namely, this regime has worked on division from the very beginning. It first started by dividing the academic community, and I am very glad that we have managed to overcome that. And when it saw that this no longer worked, it turned to all other possible divisions it could think of.

We have so many bots on social media working constantly to deepen these divisions, because these are divisions of an ideological nature. And as Professor Filipović said earlier, we have gathered around one ultimate goal, and that is currently the epicenter of our attention. Because at the moment we do not even have the conditions to conduct fair elections, let alone to debate ideological questions.

After all, in these thirteen years we are closer than ever before to changing this regime. And I believe that raising ideological issues and divisions within our state and our population at this moment is directly harmful. Because the most important question right now is whether you support a mafia state that has managed to establish itself over these thirteen years, or whether you support the rule-of-law state for which we are fighting.

So, once we secure the conditions to call elections and to fight for a just state, I am almost certain that those ideological questions will also come into turn. And that is what I wanted to say for now. (applause)

Aleksandar Maršavelski:

Thank you very much. Incidentally, let me reveal one little secret—I read out the names of our colleagues because they gave extensive interviews to *Jutarnji list*, to our journalist Ivanka Tomić, and their names were published there, since in the preparatory materials I did not receive the full names of all speakers. And, as Lana said, our other speakers appeared in *Informer*. So now, Boris Kojčinović, Faculty of Philosophy, University of Novi Sad.

Boris Kojčinović:

Thank you. Good afternoon, everyone. I'm glad to be here and that we spent this weekend talking about some important topics. I'm glad I met some people and heard different perspectives that I may not have had the opportunity to hear before.

While others were speaking, I was taking notes to remind myself what I wanted to return to and what I wanted to address in more detail. The first thing I want to say is that, in our country, Serbia, unfortunately, everything is wrong. So many things are wrong there, and everything has been trivialized to such an extent that it is incredibly difficult to do anything at all or to reach people in any meaningful way.

Bane [Branislav Đorđević] spoke about veterans, and that is now a kind of collective identity, a collective consciousness that has been built over years, decades, and now there is an expectation that someone should change it in less than a year. That is impossible. I am deeply convinced that within the student movement a large number of people recognize all the issues we have been talking about here. They recognize them, address them, and think about how to deal with them and what to do with them.

But what is crucial—the fundamental issue—is that not much can be done at a broader, national level without a more normal state and more normal institutions. And with this step we will very likely create some functional institutions, try to arrive at a society governed by the rule of law, and create the ground on which all these questions can be discussed far more seriously than ever before. Why? Because all these issues have been pushed aside and masked by whatever propaganda message or technique happens to be convenient at the moment.

And in Serbia we still have another deep wound: the issue of responsibility in general, where we perceive ourselves as if many things have simply happened to us—as if they just happened.

I think that through these protests we are teaching ourselves, as well as all citizens, that very few things simply happen; that we are where we are because of the decisions we have made and because of the past we have lived through. And that the regime of Aleksandar Vučić and the politics he represents in Serbia did not simply happen to the Serbian people, but were chosen by them, because they were not sufficiently prepared and did not think critically enough at the moments when it truly mattered.

We spoke about media literacy, political literacy, civic literacy—all of these are severely endangered and at a very low level in our country. And then we cannot expect citizens who function at that level to recognize and distinguish certain things. Everything operates on an emotional level, based on myths, stories, and very subjective testimonies of people from one's surroundings—and that's it.

We do not have access to real truth that would allow people to recognize it, communicate on its basis, and establish values within our society. And that is why I would not blame the students who carry the "No Surrender" flag at all. I'll explain very simply why. On several occasions I spoke with some of the students who were carrying that flag and explained to them that it originated with Aleksandar Vučić—and after that, they stopped carrying it.

We are at a level where people are not aware of, and do not understand, where certain messages and key elements of our narrative were inserted into the mainstream. They think that by carrying the "No Surrender" flag they are defending some kind of integrity, when in fact the values and ideas in our society are set up in a very wrong way.

That is, so to speak, extremely difficult—and the student movement itself cannot control everything that happens in the streets. It cannot prevent or confiscate flags or stop chants. We had written documents about what should not be said in the streets, and so on, but that works only within the student movement, among students. Protests are not attended only by students. And not only by those who read the documents we send out. Various people come, and they behave as they think and wish at that moment, in line with what they know and understand.

So there is a problem, but it is very hard to blame those on whom the problem manifests itself. It is much deeper and more structural. And without some change—which this student uprising is at least beginning to bring—we have no prospect of dealing with these issues at all. Because, as Professor Filipović aptly said, we need to build a foundation. Everything here has been destroyed; we need to build a foundation where people can sit down and talk.

In our narrative, in our media, there is no dialogue, no debate, no two sides. And that is a problem even for media outlets that try to report properly, because the other side will not respond to invitations, will not participate in anything. We are a polarized society. And in a deeply polarized society, manipulation is very easy.

We always have other culprits, external enemies, when in fact the main thing is to look in the mirror—to look in the mirror and clean up our own backyard, to put our own country in order. And I believe that students, and generally people who have recognized something in this student movement, are very ready and willing to engage with all these issues. To place this history, however inglorious it may be, into some context, to build a relationship to it, and to move forward so that life can be better. But we have nowhere to do that.

Students exist, students have awakened, but for students to reach citizens, I believe that the fear discussed here—a great fear among students—stems from the risk of distancing themselves from those narratives imposed as patriotism, which are in fact a very false patriotism served through a radical ideology.

Students are afraid to reject them because they recognize that citizens are not sufficiently aware or literate and will not understand it in the right way. And then there is a serious rivalry within the student movement: whether we move progressively forward, or whether we preserve some of these pillars which, in my personal view, are extremely harmful, but which citizens are not ready or capable of recognizing as such.

That is a vortex. Now I'll check whether there's anything else I wanted to add, or whether I should conclude here. I wanted to add just one short point about the shift to the right. Yes, everything has shifted to the right. Students in Serbia—actually, for my graduation thesis I conducted a semiotic analysis of calls to protest by the student movement in Serbia over several months. It was very interesting to see, through that work—which I wrote quickly, because I was in a hurry to graduate—that later I realized there were additional things I could have added to make it more complete.

Namely, one can clearly see a shift from the initial student symbols and values—from student index books, from the bloody hand symbol that directly represented corruption and pointed to a rotten regime—to a protest on Vidovdan featuring the image of the Battle of Kosovo. Why? Because the student movement initially emerged around an ideological minimum that was not really an ideology at all, but was grounded in the rule of law and the functioning of institutions—something we all strive for. But as soon as it needed to be profiled even slightly in any direction, problems emerged.

And they will certainly continue to emerge, because this is an extremely heterogeneous group. We will see where it leads us, but somehow I cannot allow myself to lose hope that the student movement can do something. And yes, otherwise the only thing left for me would be to leave Serbia—or to stay and fight, and to believe that the story we are trying to build will create a better space for the issues discussed here, and for the work that organizations like the one that invited us—working on these issues for thirty years—have been doing.

Our society has never been mature or free enough to deal with this properly, but maybe we can do something—and we believe that we can—and that is why we are doing all this. (applause)

Aleksandar Maršavelski:

Well, thank you—especially for what you said, namely, for actually pointing out one method of dealing with these narratives: to say that they were planted by the regime. And very likely—even when you don't know it—very likely they were. For example, as far as I know, the chant "Aco, pederu" first appeared in one of his own campaign videos. That means it is something he wants to hear; therefore, it should not be used, so to speak.

I would like to spice up this discussion a bit more. We have talked about what should not appear at protests, about those symbols. Now I would like us to comment a bit on what is missing—and perhaps should be present.

Serbia is, after all, a candidate country for membership in the European Union. The European Union is the only actor that has expressed support for the student protests, in the sense that it adopted a resolution on Serbia in which all these shortcomings were recognized. The European Parliament adopted that resolution, as you know. In addition, individual European Union officials—Marta Kos, Irena Joveva, and also our Tonino Picula—met with students and supported them when they went to Brussels and Strasbourg, by bicycle, during that marathon.

And now the question is—and the only one—there has been no support from other states. Not from Russia, or elsewhere. Perhaps some students even expected support, in quotation marks, from brotherly Russia, but in fact received opposite signals from there.

So the question is: how can this issue be addressed—why are there no European flags? Because one political commentator in Croatia wrote, when the protests began, that until EU flags appear at the protests, nothing will come of it. Because, in a way, the European Union also expects—if it recognizes certain things—to receive feedback, to see that the new opposition truly wants EU accession. And if there is not a single flag, nothing at all, then the European Union is far more cautious in its actions and continues to communicate with Vučić, who, as we know, recently met with von der Leyen.

So this is the question, right—it is somewhat complex—but what is your view? Or perhaps someone who is better positioned to answer can respond?

Boris Kojčinović:

I would just briefly comment on this, because somehow we are talking about this—about all of this—with kid gloves. We pretend as if the European Union reacted immediately, as if the European Union immediately recognized what is happening in Serbia—yes—but as if there were no foreign policy considerations, no other political interests. Let me be clear right away: I am much more in favor of the European Union than of Russia. But we do need to set things out as they actually are, and to emphasize one more important point: active work is being done to prevent the citizens of Serbia from entering the European Union. This is being done directly by the current authorities. How, then, can they be a better interlocutor for the European Union than the student movement, about which it may or may not be clear whether it aspires to EU membership?

These are, well—these are certain double standards and interests that go beyond the mere question of whether there is an EU flag present. And why is there no EU flag? Precisely because this regime has, through the media, framed it as something negative, and then citizens come to believe that.

So we are stuck in a vicious circle and just going around in it.

Natalija Petrović:

I would like to directly build on what Boris said, namely that the regime has portrayed the European Union as something negative through the media. And I would add that no citizen of Serbia, no matter how educated, is immune to propaganda. This is something we have seen even in the case of my colleagues, my comrades from STAV, whom the regime managed to demonize so thoroughly—even though they were the first to act before this entire student movement emerged—they fought for the things they believed in and for what they considered right. In that sense, they were a kind of pre-student movement, and they were the only ones fighting for all of this, but the machinery is so powerful. And even—yes—students do not watch *Informer*. There are people who do not watch *Informer*, who get their information only through N1, independent media, the few that we still have, but that propaganda is simply so, so deep.

I actually wanted to start with this—and I will return to the European Union later—with the following: "**Ustaša rally staged by the blockaders. A full bus of Serb-haters went to Zagreb to overthrow the state. At the head of the column: Biserko, Kandić, Delimeđac. Serb-hating blockaders who advocate the independence of Kosovo and Metohija, recognition of the so-called genocide in Srebrenica, and the destruction of

Serbia are heading straight to Croatia for an NGO gathering. While honest people in Serbia work, build, and fight for the future, the haters do not rest. We have just obtained the exclusive list of passengers who yesterday, with the carrier Bust Travel, set off straight for Zagreb—and it's a chilling crew: Natalija Petrović, Uroš Antić, Davud Delimeđac, Boris Kojčinović, Tatjana Rašić, Jelena Mihajlović, Lana Kocić, Tea Krstić."

This—here—is a concrete example of what the media discourse in the Republic of Serbia looks like. And citizens consume this on a daily basis, and not a small portion of them. And with that, it is very difficult to communicate any more complex values and ideas beyond this basic level for which the student movement has been fighting from the very beginning.

As for the European Union and Russia: Russia is de facto an autocratic country. Autocrats stick together. And Serbia has also, by all possible democratic indicators, fallen, and we are now a state under repression, if I am not mistaken. There was research on this—I cannot recall now who told me—but from *Istinomer*, in fact, they networked with other fact-checking media in other autocratic regimes and saw how, for example, in Georgia, in Russia, in Serbia, and elsewhere, these narratives are absolutely identical.

So it is no wonder that students are not addressing Russia, because we have nothing to gain from Russia, while Serbia has a Ministry for European Integration. Our Constitution states that we are guided by European values. So that is indeed a path. We have, I don't even know how many clusters opened, and we are, supposedly, making some effort to enter the European Union.

But how should I put this—we, as young people who cycled for fourteen days to Strasbourg in order to speak with European institutions; who ran an ultramarathon to Brussels in order to speak with Members of the European Parliament—we received no reaction. This European resolution, the resolution of the European Parliament, came so late. We were somehow disappointed.

It is not that the European Union has excessive competences, since we are not a member state—they cannot, of course, directly intervene—but one narrative that is very present in Serbia is this: Milošević fell because he gave to the European Union and to those to whom he had to give what was required. Vučić will fall when he gives to the European Union, to America, to whoever needs what they need. And all of this we are doing is in vain, because he is merely a marionette of some great powers.

And if that is a narrative that is omnipresent and that people truly believe in, it becomes very difficult to explain—and to believe—that there is any hope or any assistance that someone can provide to us.

And finally, I would just return to the fact that within this movement we are really working on some foundations—the foundations of democracy. Ultimately, not only of democracy and human rights, but also of solidarity and understanding in our society. We are only now building a space in which people might, at some point in the future, actually be able to talk, to have dialogue—because that, we have established, does not exist. So as not to repeat myself, I am truly proud to be sitting here, listening to my interlocutors, nodding my head, and I would just applaud like this, because I genuinely agree with everyone. And I am happy to be on the right side and that all of you here are my comrades. I think I will end on that note. (applause)

Lana Kocić:

Thank you. I would just like to add something regarding the European Union, because I really cannot hold back on this issue. As far as regime media are concerned, I find myself in a kind of cyclical loop in terms of how I am portrayed. When they first dragged my name through the media, I was targeted as an *Ustaša* and as someone who invoked Operation Storm. After that, when they found out that I was a scholarship holder—specifically, a German one—I then became a foreign mercenary, even though it is a Serbian foundation that, by coincidence, cooperates with the German Embassy.

But then, after giving a statement to N1, when I explicitly spoke about the European Union and said that I am indeed pro-European in principle, but that I approach all of this critically, I suddenly became a Russophile. So that is a cyclical loop from which none of us, evidently, will be able to escape until this evil is gone.

As for the European Union itself, I wanted to say this: if someone asks me how I imagine the Serbia we are fighting for, I imagine the Serbia that Dr. Zoran Đinđić fought for. And if that is not a pro-European path for a state, then I truly do not know what is. But even in his case it was clear that his actions were not uncompromising in the sense that he was ready to give everything away or agree to everything—and that is something I genuinely support.

On the other hand, this is not something that has been going on for a month; this has been going on for years. The European Union is really in such a position, and has such levers of power, that it could be far more rigorous and exert much stronger pressure

on the current authorities in Serbia. However, I believe that the current authorities are the most suitable interlocutors for them—and not only for them. It would be politically naïve to say that they have no influence whatsoever on our government.

I am a lawyer, so I cannot say that they brought him to power or that this is legitimate, but of course they have significant influence. We have tried to reach them, as my colleagues mentioned. So it is not that we are silent, and it is not that EU flags are not carried at our protests. They are carried, and because of that we are even daily attacked by those who are positioned somewhat further to the right than we are.

So I think it is not only up to us; it is also up to the European Union—precisely because of the leverage it possesses, which it is absolutely not using in a fully appropriate way.

And finally, I would like to say something about ourselves, that is, about what we are fighting for. As long as we do not manage to secure respect for one not-so-thick booklet that every one of us can buy in a well-stocked bookstore—the Constitution of the Republic of Serbia—we cannot expect to respect international rules either.

That is why I said, precisely in that interview where I was labeled a Russophile, that we want to join the European Union and that we do not want to go backwards; we want to move forward. But this state is ours, and we must put our own house in order ourselves; we must set ourselves straight first, so that we can later coordinate with them. (applause)

Boris Kojčinović:

Symbolically, we opened three clusters—just to say that.

Aleksandar Maršavelski:

Let me just say something in defense of the European Union. I mean, I am very critical of Jadar and everything connected to it that they have done, but one has to bear in mind that things move very slowly through the European Parliament. That is, when they went in the spring to Brussels and Strasbourg, it takes several months for those initiatives to pass through resolutions, readings, and so on, which is why the reaction is slow.

I regret that, but again, one should not give up on it. I believe that this is the only path. And I do not think that this issue can be resolved from within alone—as long as he has

external support, it will not be possible. He has money and all of that, and real regime change will not be achievable. Milošević fell only when he lost international support.

And that is an important lesson—how this can be achieved. That is why I think contact with the European Union must not be broken off. There were trips to Strasbourg and Brussels, but now there are none. And I think that is the wrong path. There do not have to be flags, but contacts must be maintained.

So, what do you think?

Jelena Mihajlović:

So, you mean good networking. Well—my name is Jelena Mihajlović, from the Faculty of Philosophy in Novi Sad. First of all, I want to thank you for being here and for the opportunity to actually see my colleagues who have been in exile for almost eight months, almost a year. I'm really emotional right now—seeing them and talking about them brings me to tears. I truly apologize. It's hard, as I say, to continue all these topics that my colleagues have raised, because these are, above all, enormous themes that the student movement is dealing with—and we, as participants in that movement, as well.

And we almost don't know where to begin. I have the feeling that everyone has really said everything that needed to be said. And it's difficult, somehow, to put a full stop to all these topics, because, above all, they are so vast. Given that I'm emotional and that it's almost hard for me to articulate words, I just want to say that we, as students in Serbia—and more generally, I would say, almost the entire world—are somehow collectively traumatized by current events. Every day we are bombarded with terrible news, and it's hard for a person to get any rest from all of that. And I came to realize that we, especially as young people in Serbia, have created for ourselves a kind of fictive freedom, which guides us within those small circles of people with whom we feel safe.

And in that sense, these colleagues here with me—we are all, somehow, collectively traumatized by events; it's so easy to laugh at *Informer's* headlines [connection interruption] and it's so easy to ignore things that happen day after day. Because we have all become so numb to the constant terror—excuse me—of this regime, that it has become completely normal for your name to appear in Informer, completely normal, somehow, for the police to beat you and assault you. We even joked while we were waiting for burgers in front of a place—a hotel—when a group of uniformed people, po-

lice officers, arrived. And we all somehow froze collectively and said: "Oh God, they're coming for us." I'm joking—of course they didn't come for us; they came for ćevapi.

But yes—I just want to say how difficult it is to actually connect with people who are not part of all this—almost as if we are speaking two different languages, as if we are not in the same universe at all, on the same—how should I put it—level of reality.

And that, in turn, creates yet another gap—how should I say it—between young people and the whole of society, where, just as we have been collectively traumatized throughout all these years, we can say that there are a million and one generational traumas, which we have, of course, discussed in these conversations and on these panels. Where, quite simply—how should I put it—the mishmash of all those traumas—I mean, historical events, pro-European, pro-Western, pro-Russian orientations—it is really, somehow, so hard to get out of it and simply be a whole person. It's hard, how should I say, to live day to day, literally, as a person in this world. I wouldn't even say now as a young person in Serbia, but rather as a person on planet Earth in general.

But yes—I'll stop here. Honestly, I'm not even sure what exactly I touched upon. All in all, I'm glad to have my colleagues here, I'm glad they are well, and I'm glad that we are all here together as one support group for ourselves. And I hope we will see each other again soon. That's all. *(applause)*

Tamara Rašić:

Thank you, good afternoon everyone. Essentially, I don't know—I wrote down so many things here that I have no idea what I will say. My head is chaos, the country is chaos, the world is chaos, but I just want to remind us where all of this started. And by that I don't mean the four or five demands that were put forward when the student movement began, but rather, for example, the struggle for fair parliamentary elections at the Faculty of Philosophy in Novi Sad. I mention this deliberately, because colleague Fuk mentioned earlier that you are currently having problems with student representatives at your faculties, more precisely with colleagues who are close to the authorities, or however one might put it.

I mention this only as an example, because we, young people in Serbia, through this student movement should not be thinking about how to achieve reconciliation. Everyone should be thinking about that. I am sorry that there are not more colleagues here from Croatia—for instance, how will young people in Zagreb deal with this problem? That is precisely why we need to talk.

But at the same time—now, as I say—my thoughts are racing. Yes, what I wanted to say is this: even if we go back to those four or five demands from which everything started—how did we get from there to a situation where the student movement is now expected, required, to ask itself how to reconcile the Balkans? I mean, that is complete—well—madness in our heads.

And meanwhile, for example, elections are being prepared—which is a big enough issue when we imagine it. And yet we currently observe this as: well, students are just preparing elections now. I mean, that is something our authorities do exclusively. And look how far they have come, right?

So, in that regard, I wanted to say: how could we possibly control certain narratives that even international institutions simply do not control? And that is why I also wanted to link this to the discussion about the European Union. Why should we—why should the European Union expect some students to carry their flags in order for them to feel the need to react to the events that are happening to us?

Forty days of police, forty days of police siege at faculties—that is completely unacceptable. Every day we have examples of situations in which our president of the state, for something he says or does, could go to prison. And yet the European Union continues to talk to him, and to do so behind closed doors.

I am not saying that I am now against the pro-European idea or anything like that, but simply that all of this needs to be discussed. How—what kind of European, how should I put it, values and ideals—are we talking about when Europe demands something from us in return in order to react? I mean, Europe does not react to wars in Ukraine, in Palestine. What could we realistically expect now?

I also wanted to say, with regard to the theme of today's panel: it is very strange to talk about these things at all, because we have become completely accustomed to narratives. When we talk about the examples mentioned here in the program, such as "Aco pederu," which we discussed—that is a very strange habit. I mean, all my friends know that I am a strong ally, and yet even I sometimes slip. Which is very strange. Like—where does that come from? This literally happens at protests: that it is shouted, and then we start among ourselves—"No, no, not 'pederu'—let's say 'thief' now." And then everyone actually starts shouting "thief." But this is an incredible habit that has taken root in our society, and one that may not even be so difficult to eradicate when we talk about the circles in which we move. But we also have other problematic struc-

tures, such as people in black hoodies, who are ready to actively act against anyone who thinks differently from them.

And here I am thinking, for example, of an incident that happened in Croatia some time ago—you will remind me exactly where—in some Serbian cultural center. Yes, when they were shouting outside or whatever, breaking in there. After that, there were protests where those same people appeared again, and again the police did not react. And here we are talking about Zagreb, in Croatia, which is in the European Union. And then we have the same examples in Serbia, where we have those same hooded figures who will also come, spit on me, and tell me that I am a Ustaša. And these are not some, how should I put it, just anonymous hooded figures. It is my neighbor, who has known me since I was a baby, who knows that all my ancestors up to the fifth generation are from Gornji Milanovac, from Serbia, and yet she calls me a Ustaša and tells me: "Go to your Croatia."

That is what we need to pay attention to when we talk about reconciliation. So, it is not only young people who are at issue here. We have skipped over many generations who still shape that narrative. So, that would be what I wanted to say. In any case, everything I have heard over these days has been very useful. I think that, however we turn it, young people are still given very little space to talk about these issues, and yet young people are given a hot potato—that they are exclusively responsible for solving the problems. *(applause)*

Aleksandar Maršavelski:

We certainly agree that students cannot solve everything. They can offer some ideas—points to keep in mind—within a certain vision. I think that this is not harmful in any way.

As for the idea that the European Union might react more strongly if there were no war in Ukraine—especially to police violence—people are, after all, dying there.

The European Union—here I really have to clarify this—is heavily focused on Ukraine. Hundreds of billions of euros are going to Ukraine for that war. There is no clear end in sight, is there?

Just as, unfortunately, there is still no end in sight to the protests in Serbia.

And now I will introduce our colleague Uroš Antić, who is originally from Vukovar and studies in Novi Sad, and who gave a very good interview to *Novosti*—the Croatian, that is, Serbian but also Croatian—*Novosti* of the SNV, so to speak.

Uroš, the floor is yours.

Uroš Antić:

That is how I would describe myself as well—Serbian, but also Croatian. I have written down a million things, reacting to different sentences from my colleagues, and now I will try to connect these fragments into a coherent whole.

First of all, I would like to address your need to defend the European Union. And here I would like to open space for a perspective that is often missing. We have members of the majority who have never experienced life in the European Union. We also have members of the majority who actively live within the EU. But perhaps precisely because you belong to that majority, you are not sufficiently sensitive to the shortcomings of the European Union itself.

As you mentioned, I have been officially based in Novi Sad for the past four years, which can probably be heard in my accent. Before that, however, my entire life—from birth until the age of nineteen—I spent in Vukovar. Since 2013, that is, during my teenage years and the beginnings of my activist engagement, my experience is closely tied to the term of Ivan Penava as mayor of Vukovar, who—then perhaps still a "closet fascist" and today certainly openly so—carried out severe discrimination against the largest autochthonous national minority in Croatia, including the one to which I myself belong.

And this all took place within that same European Union that presents itself as a bulwark of democracy. Today, we see that Ivan Penava is merely one small segment, one domino tile, of a much larger fascist movement that has marched into today's European Union across the entire continent.

That is why we cannot view these issues in black-and-white terms. When we talk about them, it is crucial to listen to what minorities have to say and to take seriously the experiences minorities have within communities that are often portrayed as either inherently good or inherently bad.

My involvement in the student movement—linking back to the themes already mentioned—was entirely logical and present from the very beginning. By chance, I found myself with colleagues from STAV on the very first day of the blockade of the Faculty of Philosophy, that is, at the very start of the blockade of the University of Novi Sad.

I see this as the culmination of my activism. Every seminar I attended and every contact with colleagues from the region served as preparation for what followed over the next year. I certainly do not see myself as redundant, even though my formal homeland is Croatia rather than Serbia, because I do not believe in borders that rigidly divide societies and their mutual influences.

Because of that, and through my activism—which is shaped by Vukovar—I cannot speak in Vukovar solely about corruption, in a society that still carries one of the deepest traumas in the post-Yugoslav space. I brought that experience into the student movement and often became a kind of stumbling block, reminding my colleagues, as much as I could as an individual, that many of the problems we face today are consequences of unresolved issues from previous generations and processes initiated thirty years ago, which have stagnated and embedded themselves in every cell—both of those who lived through them and of us who were born afterward.

However, we must understand that ignorance, lack of education, and lack of information are not the greatest problem when they appear among Aleksandar Vučić's electorate—that is part of his mechanism. The more troubling issue is that these same patterns also exist among students, and that is something we often address too passively.

Students who took over the movement after older, pre-political activists initiated it also carry this problem, and it is very present. From such ignorance, we cannot expect people to automatically connect the dots and understand that what happened in Croatia, Bosnia and Herzegovina, and Kosovo is directly linked to what we are dealing with today.

This process of connecting and forming new cognitive links takes time. I believe its beginnings are already visible—but we, as a majority society, are often insensitive to these developments.

I would like to point out recent posts of support—and I am quite proud of this, as I directly contributed to posts by students from the Faculties of Medicine and Philosophy in Novi Sad expressing solidarity with antifascist students in Croatia, as well as with the Serbian community there. For the first time in thirty years, this was done in a healthy way.
For the first time in three decades, both among students and more broadly, Serbs in Croatia were not treated as populist fodder, but as living people trying to survive within a European society. That is a major step forward.

You must understand that just a few months earlier, students organized a protest commemoration of the victims of Operation Storm, to which I reacted very poorly in the heat of the moment. I told my colleagues this openly, as some of them—more right-leaning—approached me enthusiastically, suggesting that I should speak at the protest because my family had been affected by Operation Storm and much of it remains in exile.
I told them: you are doing the exact same thing as those you have been fighting against for thirty years. I cannot accept that members of my family and my community once again become populist fodder—living flesh—for stirring nationalism and gathering votes in the future.

That episode ended, but a few months later, posts like the ones I mentioned began to appear. That is why I say: transition is indeed very slow, but we must understand that we started from below zero, from a kind of ground zero. Creating a positive shift requires enormous effort.

When that effort rests on individuals like myself—because I feel a responsibility as a Serb from Croatia to remind Serbs in Serbia and Croats in Croatia, just as a Bosniak from Serbia may remind the majority—it is clear that such processes take time.

That is where I would conclude.

Davud Delimeđac:

I will just tell you that I was born in 2003. It seems to me that most of you in the audience were already adults in 2003. And if you remember well, that was the year when the Americans entered Baghdad. That was the year when Alija Izetbegović died in Bosnia, and when the prime minister was assassinated in Serbia. In December of that year, early parliamentary elections were held in our country, the Republic of Serbia, in which the radicals won the highest number of votes. The Serbian Radical Party won more than one million votes that December.
And we are talking in that context—the year in which I was born—and with all the problems that accumulated along the way, while the political situation, let's be honest, has not changed dramatically since 2003. So I think all of this must be taken into account, and I strongly agree with Mila, who, by connecting today's topic with the student movement, says that we must deal with transitional justice, because we are, essentially, a product of transitional justice.

That all-powerful Generation Z, which understands technology and treats life like a video game where you pass levels and solve problems quickly, in the Balkans is a generation that is the product of wars and sanctions. And it is no longer a question of whether I will deal with transitional justice and confronting the past, because I myself am a product of it.
My father was on the Dubrovnik front. He was a regular conscript, at the age of 19 or 20. Like many others, his military service was extended and he was sent to Slano [Dubrovnik]. My mother had to interrupt high school in Sarajevo, and when she enrolled at university in Pristina, she had to flee because the war in Kosovo began. So we, as a generation, are deeply connected to all of these events—not only will we deal with them, we live them; they are part of our identity.

Among the few things I carry every day in my backpack, I have a copy of my father's war diary, which I carry with me every single day. So we do not only symbolically carry the burden of the 1990s on our shoulders—I put it in my backpack so that I physically feel it every day, because other generations allowed this burden to be placed on us.

And something that is very closely connected to the student movement, and specifically to the topic of Novi Pazar, would not have been possible if there had not been certain remarkable women—whom I found myself next to yesterday on the front page of *Informer*—and those are Nataša and Sonja, along with many other people in our country who actually opened up space within civil society where young people could, in some way, educate themselves and talk about these topics.
If I, as a high school student and later as a university student, had not had the opportunity, through various NGOs and civil society organizations, to hear about and discuss the wars of the 1990s and to understand why this is such an important topic in our society, I believe that what happened with the students from Novi Pazar would not have happened. Someone had to recognize this as an important issue and take certain steps forward.

When it comes to Novi Pazar, which I would really like us to focus on—because, according to some analyses and conversations over the past month, it represents the only tangible proof and success of the student movement—I would tell you this: at the moment when we, students from Novi Pazar, were marching toward Kragujevac at one of those large protests, I said the sentence: "Students from Novi Pazar feel like citizens of the Republic of Serbia for the first time."
I believe that neither the people marching with me nor those who welcomed us fully understood what that meant. But I and some of the people with me at that moment recognized the importance of that idea, precisely because of the knowledge we had

gained and perhaps because of attending seminars and programs in the civil sector, and we knew that it might become a turning point. And that is exactly what happened. That seemingly banal sentence began to circulate in the following months, and at the next protest, students from Novi Pazar for the first time freely carried the Sandžak Bosniak flag within the country—a flag that is legally recognized and regulated—and they carried it safely to Niš, another city in that same state. That was the moment when I realized that perhaps something had begun to change at the level of people's minds.
And that was a wave that started, and I hope it will not stop. As much as it may have happened accidentally, but with good intentions and thoughtful reflection, it needs to be corrected and perhaps guided in some way, so that it does not lose its compass.

You mentioned the tightening around the student movement and how we have, in some way, begun to lose control to certain misguided ideas. There was only one fact that was incorrectly presented regarding students distancing themselves from certain external actors. You said that students distanced themselves from the inquiry commission. In fact, part of the students—or individual faculties, or a single faculty—did so, which means that this idea or this kind of infiltration into the movement was never essential or majority-based.
It may be present at the moment, but I would say it is still marginal, and that we are quite skillfully fighting to prevent these ideas from becoming mainstream. Even if that may not always be visible on the streets, because some things simply cannot be controlled.

I would also like to return to Novi Pazar once more: at this moment, that university—which most analysts consider a revelation and the only genuinely positive development within the movement—is now facing closure because of everything it has done. An academic community in a small town in southern Serbia, in Sandžak, is currently collapsing.
During her term, the current rector, together with the administration, the senate, and the council, has dismissed 32 professors from the university, which, at a small university, represents a quarter of the teaching staff. After all of this, 200 students have lost their student status and the possibility to continue their studies. The State University of Novi Pazar is on the brink of collapse.

The students of the State University of Novi Pazar have called for a protest on the twenty-first [21 December 2025], and I hope that the whole of Serbia will respond and that we might try, perhaps for the last time, to save that university. This shows very clearly how much this movement has struck a nerve with those in power—and how the

behavior of the system toward Bosniaks in the Republic of Serbia can be characterized as the behavior of a state toward a minority people.

I would ask each of you, in any way you can—if you cannot come to Novi Pazar on the twenty-first—to at least show support within your own communities, on social media or elsewhere. Because an entire region could be left without a higher education institution, and this goes beyond the borders of Serbia—it concerns parts of Montenegro, Bosnia, Kosovo, and all those who study in Novi Pazar. (applause)

Another important topic we mentioned was the relationship between students and the European Union. I think that, based on everything I have said, it is quite clear how my colleagues today view the European Union. Whether this comes from their beliefs or from their personal experience with the EU's reactions is more or less irrelevant. That is the reality for both older and younger people in Serbia today.

And it is deeply discouraging that statistics show that support for the European Union in 2001—two years after the NATO bombing—was higher than it is today. These are facts.

The essential problem of the student movement is that over the course of this year we did not grow from a social movement into a political organization or a political movement. We did not have a clearly defined political goal, framework, or hierarchy with which someone could negotiate. I am almost certain that, had we had that, this would have been resolved long ago.

It is clear why things stand as they do. But what gives me a certain sense of satisfaction and personal fulfillment is the liberation that has taken place at the level of our individual minds. Those of us who were activists even before this now feel freer to engage in our communities.

The love that has begun to spread and the sense of freedom that can be felt on the streets can be a good platform for working on all the topics we have discussed over the past few days.

In my eyes, Serbia is becoming a better country. Over the course of this year, all of us have, in some way, become more empathetic and compassionate. We have begun to cry in the streets, and it seems to me that we have individually become better people—which, for me, is enough, whatever happens with everything else. (applause)

Aleksandar Maršavelski:

Thank you all. I know that many others wanted to say something as well—unfortunately, that is not possible—but there will certainly be other opportunities. This was extremely interesting and very complex.

Congratulations to the students for everything you are doing—this truly is something very significant. At this moment, there is no movement like the one you have initiated anywhere else in the world.

And now, to conclude, I will give the floor to our Nataša Kandić.

Nataša Kandić:

In accordance with the programme, we are bringing this session to a close. And very briefly, I would like to recall the words of Professor Nataša Milićević—that within the broader academic community there exists an academic ghetto, namely the State University of Novi Pazar.

To conclude. Yesterday and today, we have uttered the word *"potential"* eighty-nine times—whether asking whether the student uprising or the student protests have potential. We no longer need to ask that question. That potential exists. It is not an illusion. We have felt it. We have touched it.

There is potential for change. We still do not yet have that public space—as Denisa would put it—for deliberation, for critical reflection and debate. But it is being created.

And now I give the floor to Vesna Teršelić. The two of us launched this REKOM initiative back in 2006, and it has—let me say—already had a long and substantial history.

Vesna Teršelić:

And woven into this struggle of yours—into our shared struggle—are all the struggles that came before. So when you feel overwhelmed, remember the people who fought before you or whose rights were violated through war crimes. Know how important the experience of solidarity that you are building is, and how important it is that we support one another along the way, that we are human to one another.

And when they try to repress you, there will also be moments when perhaps even the police who are now repressing you will begin to protect those who are protesting. I wish for there to be as many such moments as possible. For all of us, I wish that in

the struggles we wage together we do not forget that there were generations before us who fought for human rights, for women's rights.

Our grandmothers could not even have dreamed of how far we would come by this moment. And I am certain that you will go very far. Nataša and I have been fighting for a long time, and even before the moment when the REKOM initiative was launched, we fought in different ways for human rights.

And I am confident that 2026, and the years that follow, will be better than this one—no matter how many reasons we may have right now to feel depressed—provided that we continue to seek ways to remain in solidarity and to be human to one another.

I wish you a safe journey back to your cities, across the post-Yugoslav countries and the European Union. Let us stay in touch and continue to fight together in our shared struggle. Thank you. *(applause)*

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