



People2People event on “Justice and Reconciliation”
with representatives from CSOs from BiH

Brussels, Belgium | 1-2 July 2015

Event Report





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Introduction

Through its People to People component, TACSO supported the organisation of an event on 'Justice and Reconciliation' with representatives of civil society organisations from Bosnia and Herzegovina, with a focus on the 20th anniversary Srebrenica Commemoration in Brussels, July 1-2, 2015. The event was attended by representatives of CSOs who are directly or indirectly linked to the civilian victims of Srebrenica genocide.

Over the two days, participants (all supported by TACSO) were able to exchange their position in relation to the issues concerning justice and reconciliation in Bosnia and Herzegovina, attend a photo exhibition, and contribute to the discussions at the European Parliament on the need for adopting the European Resolution on Srebrenica Genocide. During the visit, participants also had the honour to have a session on justice and reconciliation in Bosnia and Herzegovina with Commissioner Johannes Hahn.





Study Tour Programme

Seminar at the DG NEAR with the D4 Unit

On behalf of Unit D4, Michaela Machiele, George Cigler and Giulio Venneri attended the first session.

The overall objective of the P2P event was the inauguration of a photo exhibition on women of Srebrenica, making a small contribution to ensure that the Srebrenica genocide will never be forgotten. The aim of the European Commission and D4 is to remember victims and to welcome victims of the genocide.

Countries of the region need to go through the reconciliation process, and reconciliation is possible only once victims receive justice.

The objective of the session was to address three main issues:

1. What has been achieved to date in bringing justice in BiH?
2. How has progress been achieved and where are the challenges?
3. How do participants see the role of the EU in this process?

In general, justice is a complex challenge, and it remains high on the EU agenda.

BiH representatives suggested that the EU could contribute to the following:

1. **Judiciary:** it is true that the EU did a lot in reforming judiciary in BiH, nevertheless results are not at the satisfactory level in comparison to what has been invested. It would be important to ensure that the legacy of the Hague Tribunal, i.e. ICTY verdicts, are brought closer to the local communities and local domestic judiciary. It is possible to use the archive from ICTY for domestic judiciary.

This is important since only a small portion of war criminals have been convicted having in mind the volume of war crimes in BiH. This is important if we truly want to contribute to development of better society than we have nowadays, which is heavily divided. Also it would be important if the EU could provide support in transposition of standards.

In addition it was recognised that very little of available ICTY indictments have been used. Therefore, it would be good to organise trainings for prosecutors on this topic also enhancing their capacities in the area of utilisation of the certified e-evidence.

The EU provided support to witnesses of war crimes. Such support started from scratch, it was unknown what the witness care was. Though there are some improvements, still basic infrastructure is missing when talking about witnesses' care.

The state strategy for the prosecution of war criminals is 'a dead letter on paper'. The last year of the strategy is coming to an end, and nothing has been implemented.

Who will take care of the war victims after closure of the ICTY? EU should do something for the end beneficiaries. Economic aspect of war survivors is very difficult, and no one is taking care of their difficult economic situation in BiH.

2. Civil Society Organisations: CSOs were of the opinion that any progress that has happened in BiH, has happened thanks to CSOs and that the state and politicians have not done anything in this regard. BiH is politically divided country, and they believe that the EU should not let this remain to be the case. CSO representatives suggested that the EU should prevent BiH politicians from interfering in the results of the CSO activities. It is important to ensure that politicians maintain established standards, and the dignity of CSOs in all parts of BiH.

It was recognised that CSOs have contributed to changing policies in BiH to some extent. However, CSOs do not have the power to create policies. It is also important to think about how to restore the confidence of people in politicians.

CSO representatives expressed their view that civil society in the Republika Srpska is dying. They pointed out that CSOs in the RS are hostages of politicians; therefore there is a great need for support of the community, media and networking of the CSOs in the RS.

CSOs that are critical of the political elite in the RS are stigmatised. The problem of the RS is more or less the problem of the entire BiH.

3. Media: Further support to independent media is needed.





Meeting with representatives from relevant line services of the European Commission

Meeting with Commissioner Hahn

The Commissioner expressed that he feels honoured to patronage the photo exhibition dedicated to the women of Srebrenica. The European Commission is grateful to everybody who has contributed to the exhibition. The event symbolizes that the genocide in Srebrenica is not forgotten, the process of justice and reconciliation in BiH is not over, and the EC is trying to find the best solution. At the same time, this cannot compensate for the pain and sadness of those concerned.

As the Commissioner responsible for the enlargement process of the EU, Commissioner Hahn pointed out that a functional judiciary system is key for the prosperity of the Western Balkan Countries. Taking care of victims is also about justice. At the end of a day there is a need for reconciliation, and those who are responsible should go to court. There are no excuses about what has happened. The judiciary system has to function.

Meeting with EEAS team (Western Balkan division)

Representatives of the EEAS talked about security and political problems, as well as the diplomatic situation in the Western Balkans. There is a new EU approach to BiH, which gives priority to socio-economic reforms in order to make the whole country more functional. Also the aim is to improve the efficiency of BiH politicians. This process engages all political parties of BiH, and seeks to establish an EU mechanism for coordination. BiH was invited to submit a membership application, which can happen as soon as next year. Once submitted, it will also need the acceptance of the European Commission. This means that all member states will need to approve.

BiH CSO representatives suggested to the EEAS that Brussels should put pressure on politicians in BiH to respect the work of CSOs and media. This suggestion was supported by the fact that when in 2008 the EU reduced its pressure on BiH politicians, the entire situation in BiH deteriorated. "If Serbia and Kosovo can sit around the same table, than why it is not possible to bring all BiH politicians around the same table?" they asked.

CSO representatives also referred to the difficult socio-economic situation in BiH and the importance of reforms in this segment. They pointed out that at the same time, politicians manipulate the reform agenda and threaten vulnerable groups with losing their rights under such reforms.

Representatives of the EEAS explained that the reforms will impact many people in BiH. Some people will be negatively impacted by the reforms. Through privatisation and in small state companies some people will lose their jobs in order for these companies to become economically viable. When we talk about the state budget, there should be state budget cuts. Therefore not all people will get what they are used to. Nevertheless there will be some measures to compensate those losses.

Representatives of BiH also suggested to EEAS to do something in relation to the negative and threatening rhetoric of some politicians in BiH. The question of reconciliation is difficult, and definitely there are groups in BiH that are working hard towards that goal. But the goal is simply unachievable as long as such negative rhetoric is tolerated and media is one of the major disseminators of such rhetoric.

Meeting at the European Parliament

On the 20th anniversary of the Srebrenica genocide, the European Parliament initiated the process of adopting a new EU resolution on the Srebrenica. The Resolution was initiated by the Croatian MP, Ivan Jakovičić, and lobbied for by other Croatian MPs, Tonino Picula, Dubravka Šuica and Jozo Radoš.

CSO representatives met with members of the EU Parliament, including MPs pushing for the resolution and others. The meeting was chaired by Tonino Picula and by Eduard Kikan (MP from Slovakia) and it was within the scope of the EU Parliamentarian body that is responsible for Bosnia and Herzegovina and Kosovo.

The objective of the meeting was to hear arguments from the victims on the importance of having such resolution adopted by the EU Parliament.

During the debate in relation to the EU Resolution on the Srebrenica Genocide that was to be adopted by the EU Parliament, BiH CSO representatives stated that the EU Parliament should enforce sanctions on some BiH politicians for denying the right for children to learn their mother tongue in their local schools (mainly in schools located in Republika Srpska) that is recognised as a Constitutional category and Constitutional right. They have also asked for the protection of war victims, and for their socio-economic empowerment. This would enable victims to openly speak about their tragedies and not be stigmatised by their immediate communities.

BiH Representatives were taken aback by the negative attitude of MP Cristian Dan Preda, Rapporteur for Bosnia and Herzegovina, toward the suggested EU Resolution. He spoke negatively of having such Resolution adopted by the EU Parliament, and he justified his negative position towards the Resolution based on the inputs he received from BiH politicians. According to him, and on the basis of the received inputs from his counterparts in BiH, he saw the Resolution as a regressive action that will compromise the current reconciliation process.



Such intervention from Preda caused several negative reactions from the MPs, mainly from Jakovičić and Šuica, and they firmly condemned his attitude as relativizing a war crime in BiH. They stated that without proper acknowledgment of the war crimes in BiH, there can be no healthy and sustainable reconciliation process. In addition, MP Radoš expressed incomprehension of such negative attitude towards the Resolution, mainly because the Resolution should not be treated as final truth about the war, but as a way of recognising unacceptable deeds carried out during the war and a way to encourage further dialogue about this. MP Afzal Khan shared his view about the exhibition and the Resolution, and stated that these are symbolic steps that show that the sacrifices of victims of war do not go in vain. This is one of the possible steps in exploring different ideas in order to bring better understanding between different groups. It is for the better protection of human rights in general.



Ambassador of BiH, Bisera Turković condemned the position of Preda, and called him to take into consideration the audience he is talking to. She pointed out that there is a need for the Resolution, because silence will not prevent future genocides.

BiH CSO representatives stated that such relativization of war crimes has meant that BiH is struggling with and lagging behind in the reconciliation process for the past 20 years.

Furthermore, BiH CSO representatives called for the harmonisation of all relevant legislation across entire BiH.

Also, MPs were introduced to the need for a thorough transformation of the education system in BiH, because the education system has led to total division and polarisation of youth in BiH since the end of the war. The current education system does not nurture tolerance, or respect of others and differences.

The session was concluded by MP Kukan who expressed the highest respect for the work of the BiH CSO representatives who took part at the session. He has encouraged everyone to continue their work.

Conclusions

No particular recommendation was made as a follow up to this event.

A general observation is that it was very noble to organise such event on the eve of the 20th anniversary of the Srebrenica Genocide. It was also important that the EC expressed its support to reconciliation in BiH, by hosting the exhibition and putting forward the Resolution for adoption, which was adopted a few days later.

However, having in mind the political importance of the EU Parliament session in particular, the negative side of the whole visit was that the participants were not informed about the objectives of the session well in advance and did not have time for proper preparation. This almost put the entire session in jeopardy.





Annexes



Annex 1: List of participants

Name and Surname	Position in organisation / Name of organisation
Ms Hajra Catic	President Citizens' Association "Women of Srebrenica" - Tuzla
Ms Nura Begovic	Vice President Citizens' Association "Women of Srebrenica" - Tuzla
Ms Munira Subasic	President Citizens' Association "Mothers of Srebrenica and Zepa Enclave" Movement
Ms Hatidza Mehmedovic	President Citizens' Association "Srebrenica Mothers" - Srebrenica
Ms Bakira Hasečić	President The Association "Women Victims of War" Sarajevo
Mr Almir Salihovic	President Students Association of Srebrenica
Ms Alma Masic	Director Youth Initiative for Human Rights in BH
Ms Dženana Karup Druško	Director The Coalition for RECOM - Partner organisation in BiH - Association Transitional Justice Accountability and Remembrance in BiH
Ms Mirna Buljugić	Director for BiH Balkan Investigative Reporting Network/BIRN
Ms Jasna Zečević	Director Vive Žene
Ms Sabiha Husić	Director MEDICA Zenica
Mr Murat Tahirovic	President Association of Victims and Witnesses of Genocide



Name and Surname	Position in organisation / Name of organisation
Ms Dražana Lepir	Director Ostra nula
Ms Maša Mirković	Director Nova generacija
Mr Vladimir Ćorić	Executive Director OKC Abrašević
Ms Dragana Jovanović	President Association of Friends of Srebrenica
Artists	
Mr. Miran Norderland	Author and Project Director Virtual FAMA Collection Co-author FAMA Project, FAMA Collection
Mr Sead Husic	Independent Artist/ Photographer
Ms. Ieva Liucija Husic (Zygaite)	Independent Artist
TACSO staff	
Ms. Jasenka Perović	Team Leader, Regional Office
Ms. Marijana Aksin-Mačak	Team Leader Assistant/AFO, Regional Office



Annex 2: Agenda

Day 1: 01 July 2015

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| 09:30 - 11:00 | Seminar at DG NEAR with the D4 team |
| 11:30 - 12:30 | Meeting with representatives from the relevant line services of the European Commission (i.e. DG Home and DG Justice) |
| 12:30 - 17:00 | Free afternoon |
| 17:15 - 18:00 | Meeting with Commissioner Hahn |
| 18:00 - 19:00 | Inauguration of the photo exhibition on Srebrenica in Berlaymont, at the presence of Commissioner Johannes Hahn |

Day 2: 02 July 2015

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|---------------|---|
| 09:30 - 10:30 | Meeting with EEAS colleagues (Western Balkans division) |
| 11:00 - 12:30 | Meeting at the European Parliament (Joint Meeting of the Delegation for relations with Bosnia and Herzegovina, and Kosovo and the Working Group on the Western Balkans of the Committee on Foreign Affairs) |
| Afternoon | Departure for BiH |



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