



Perspectives Series: Research Report

Do memory initiatives have a role in addressing cultures of silence that perpetuate impunity in Bosnia and Herzegovina?

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impunity  watch

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Cover photo by Vesna Anđić. The cemetery at Alifakovac, Sarajevo, Bosnia and Herzegovina.

## Impunity Watch

Impunity Watch (IW) is a Netherlands-based, international non-profit organisation seeking to promote accountability for atrocities in countries emerging from a violent past. IW produces research-based policy advice concerning processes intended to enforce victims' rights to truth, justice, reparations and non-recurrence (TJRNR). IW works closely with civil society organisations in countries emerging from armed conflict and repression to increase their influence on the creation and implementation of related policies. IW currently runs Country Programmes in Guatemala and Burundi, while also undertaking specific and comparative research in other conflict-affected countries on particular aspects of impunity as part of a 'Perspectives Programme'.

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## **Report Summary**

Bosnia and Herzegovina suffers a debilitating ‘culture of silence’ about its recent and historical past, based primarily on competing versions of that past and negation of the ethnic Other. This culture of silence, characterised by denial, manipulation, politicisation and mistruths impedes progress in transitional justice and other efforts to deal with the past. The situation is compounded by the prioritisation of criminal justice, leaving many in the region dissatisfied and no nearer to reconciliation.

In a context where truth and memory are so heavily ethicised and form essential components of one’s identity, impunity festers. Memory initiatives, rather than contributing to alleviating this state of affairs, have often become the vehicles through which its promotion is maintained by exploiting the representation of stakeholders, the truth-telling potential of initiatives and the engagement of younger generations. For these reasons, the possibility for a collective memory in Bosnia and Herzegovina remains at best a utopian possibility.

The essentiality of wider approaches to dealing with the past is nonetheless clear. Memory initiatives are one such approach, but must be approached carefully given their current (and frequent) misuse and a number of complex, intertwining dilemmas that memorialisation faces in contexts such as Bosnia and Herzegovina. A fundamental issue that is yet to be resolved is the often overt contradiction between private, informal initiatives and those that cross into the margins of public memory.

Given the evidence demonstrating the negative impact of memory initiatives in Bosnia and Herzegovina, assumptions that frequently provide the foundations for reliance on memorialisation should be questioned. Memorialisation is an extremely pressing issue and a present danger for Bosnian society, but in the absence of wider commitment to political change individual initiatives will only have sporadic success. There is evidence of the potential for memory initiatives to contribute to breaking the culture of silence, but this can only take place alongside other transformative approaches and in a context of more sustained efforts to thoroughly address the impunity that is currently experienced.



## Table of Contents

<b>REPORT SUMMARY</b>	<b>V</b>
<b>TABLE OF CONTENTS</b>	<b>VII</b>
<b>ABBREVIATIONS</b>	<b>VIII</b>
<b>1. INTRODUCTION</b>	<b>9</b>
1.1. THE IMPUNITY WATCH RESEARCH PROJECT IN BOSNIA AND HERZEGOVINA	9
1.2. RESEARCH QUESTIONS	10
1.2.1. THE RESEARCH PROBLEM	10
1.2.2. RESEARCH QUESTIONS	10
1.3. METHODOLOGY	12
1.3.1. DATA COLLECTION AND QUALITATIVE CASE STUDIES OF MEMORIALISATION IN BIH	12
1.3.2. PARTNER ORGANISATIONS	14
1.3.3. CHALLENGES TO THE RESEARCH PROJECT	14
1.4. THEORETICAL CONTEXT – DILEMMAS - OF MEMORIALISATION	14
1.5. MAIN ARGUMENTS	15
<b>2. MEMORIALISATION IN THE BOSNIAN CASE</b>	<b>17</b>
2.1. CONFLICT BACKGROUND	17
2.2. POST-WAR BOSNIA AND UNCERTAINTY ABOUT THE PAST	17
2.3. CHALLENGES TO MEMORIALISATION IN BIH	18
2.3.1. THE POLITICAL AND SOCIAL CONTEXT IN BOSNIA	18
2.3.2. SITUATION OF IMPUNITY IN BOSNIA AND HERZEGOVINA	19
2.3.3. MECHANISMS FOR WAR CRIMES PUNISHMENT	20
2.3.4. CULTURE OF SILENCE IN BOSNIA AND HERZEGOVINA	21
2.3.5. CULTURE OF SILENCE AND MEMORIALISATION	23
2.4. MEMORIALISATION WITHIN THE BOSNIAN CONTEXT	26
2.5. REFLECTION	28
<b>3. CASE STUDIES</b>	<b>29</b>
3.1. MEMORIAL CENTRE IN POTOČARI	29
3.1.1. THE PROJECT BACKGROUND	29
3.1.2. THE MEMORY INITIATIVE	30
3.1.3. DISCUSSION	31
3.1.4. CONCLUDING COMMENTS AND THE KRAVICA EXAMPLE	33
3.2. CONCENTRATION CAMP OMARSKA	34
3.2.1. THE PROJECT BACKGROUND	34
3.2.2. THE MEMORY INITIATIVE	35
3.2.3. DISCUSSION	36
3.2.4. CONCLUDING COMMENTS	38
3.3. THE OLD BRIDGE, MOSTAR	39
3.3.1. THE PROJECT BACKGROUND	39
3.3.2. MEMORY INITIATIVES	41
3.3.3. DISCUSSION	43
3.3.4. CONCLUDING COMMENTS	44
<b>4. FINDINGS</b>	<b>47</b>
4.1. MEMORY INITIATIVES, STAKEHOLDERS AND REPRESENTATION	47
4.2. MEMORY INITIATIVES AND TRUTH-TELLING	48
4.3. MEMORY INITIATIVES AND FUTURE GENERATIONS	49
<b>5. GENERAL CONCLUSION</b>	<b>51</b>
<b>6. RECOMMENDATIONS</b>	<b>53</b>
<b>REFERENCES</b>	<b>57</b>
<b>LIST OF INTERVIEWEES</b>	<b>61</b>

## Abbreviations

ABiH (Army of Bosnia and Herzegovina)

AFH (Anne Frank House)

BiH (Bosnia and Herzegovina)

BIRN (Balkan Investigative Reporting Network)

CSO (Civil Society Organisation)

DPA (Dayton Peace Agreement)

EU (European Union)

EUAM (European Union Administration of Mostar)

FBiH (Federation of Bosnia and Herzegovina)

HR (High Representative)

HVO (Croatian Defence Council)

ICTY (International Criminal Tribunal for the former Yugoslavia)

IDP (Internally Displaced Person)

IW (Impunity Watch)

JNA (Yugoslav National Army)

MIU (Mostar Implementation Unit)

NATO (North Atlantic Treaty Organisation)

NGO (Non Governmental Organisation)

OHR (Office of the High Representative)

OKC Abrašević (Youth Cultural Centre Abrašević)

RDC (Research and Documentation Centre)

REKOM (Coalition for REKOM)

RS (Republika Srpska)

UN (United Nations)

UNDP (United Nations Development Programme)

UNESCO (United Nations Educational, Scientific and Cultural Organisation)

US (United States)

USIP (United States Institute for Peace)

WCC (War Crimes Chamber)

WWII (Second World War)



## 1. Introduction

The present Research Report from Bosnia and Herzegovina forms a constitutive part of Impunity Watch’s Perspectives Project on Memorialisation after gross violations of human rights, together with research conducted in four other post-conflict countries. The overarching aim of the comparative research is to develop greater depth of insight into memorialisation and to support CSOs when working with memorialisation as part of a transitional justice agenda. As stated by Impunity Watch, the way that issues of memorialisation are dealt with reflects not only events of the past, but testifies to the prevailing values and competing interests present in societies struggling to come to terms with violent conflict in the present.<sup>1</sup>

### 1.1. The Impunity Watch Research Project in Bosnia and Herzegovina

The specific purpose of the field research undertaken in Bosnia and Herzegovina (hereafter, BiH) was to study the existence and types of memory initiatives that have been initiated in the specific post-conflict context, and to understand their role (if any) in combating impunity after the conflict.<sup>2</sup> According to IW’s Research Instrument, the following definition of ‘impunity’ is upheld:

*“[...] the impossibility de jure or de facto of bringing the perpetrators of violations to account whether in criminal, civil, administrative or disciplinary proceedings since they are not subject to any inquiry that might lead to their being accused, arrested, tried and, if found guilty, sentenced to appropriate penalties, and to making reparations to their victims.”<sup>3</sup>*

In operationalising this definition, IW undertakes research that seeks to understand the root causes of impunity and the obligations to state compliance with international obligations in light of the rights of victims to truth, justice, reparations and efforts to ensure non-recurrence. In order to examine these issues, the obstacles to truth, justice, reparations and measures to ensure non-recurrence are analysed across several areas that span institutional, technical-legal, social, cultural and political issues. These are the following:

- **Normative Framework**, including the state’s obligations to respond to serious crimes, the legal framework relevant to the state’s ability to fulfil those obligations, and the relevant laws, if any, which implement the state’s efforts to ensure non-recurrence of such crimes and violations;
- **Resources and capacities** of the institutions responsible for providing truth, justice, reparations and non-recurrence
- **Institutional independence and willingness** of those institutions to guarantee these rights and combat impunity
- **Political will**
- **Entrenched interests** that seek to prevent or influence genuine processes for dealing with the past
- **Societal factors**, particularly those that are wholly or partially beyond the control of the state but which have nonetheless played a role in obstructing transitional justice processes and influencing the success or failure of state efforts to respond to past atrocities.<sup>4</sup>

In line with the above definitions and the specific aims of the Research in to Memorialisation, BiH provides an excellent case study for further research. Among the most violent conflicts in the 20<sup>th</sup> century, the nature of the atrocities committed on its territory have not only shocked the Western world but have led to the introduction of new categories of crimes – collective and otherwise - under international criminal law, necessitating greater study of ethnic grievances and intractability. As demonstrated in this report, sixteen years after the signature of the peace agreement, transitional justice is still very much an on-going process in BiH. It thus remains crucial to examine how these processes of dealing with the past function and where the problems and solutions may lie. To do so will help the civil society - along with other significant actors - to work on this issue more consciously, thoroughly and efficiently. Memorialisation is just one of the issues that should be tackled in this context of impunity.

<sup>1</sup> Impunity Watch, 2010. *Perspectives Programme: Memorialisation of Grave International Crimes*.

<sup>2</sup> Impunity Watch, 2010. *Perspectives Programme: Memorialisation of Grave International Crimes: Field Research Framework*.

<sup>3</sup> Impunity Watch, 2007. *Research Instrument*. Available at: <<http://www.impunitywatch.org/upload/UserFiles/file/IW%20Research%20Instrument.pdf>>.

<sup>4</sup> *Ibid.*

## 1.2. Research Questions

### 1.2.1. The Research Problem

In order to begin to enhance understanding of the role of memory initiatives in post-conflict societies, the following broad research question was developed: *‘Do memory initiatives have a role (positive or negative) in addressing cultures of silence that perpetuate impunity’*. Through field research and content analysis, this report examines the role played by memorialisation in post-conflict BiH.

The following working definition of ‘memory initiatives’ was provided to researchers, reflecting not only traditional, often static, memorials or monuments, but also those initiatives that are less traditional and perhaps more dynamic:

*“[...] memory initiatives are understood as incorporating the full range of activities promoted by civil society organisations, which aim to enhance the understanding of a history of conflict and help to establish publicly acknowledged, fair, accurate and sensitive memories of the past. Initiatives include, but are not limited to, museums, exhibits, memorials, monuments, remembrance days, theatrical performances, victim/survivor organisations, educational and awareness programmes, and documentation.”*

Since impunity is understood beyond simply the absence of judicial accountability to include the absence of truth about the past and non-recognition of abuses suffered, the contention is that memory initiatives have the potential to play a crucial role in combating impunity by helping societies to deal fairly and honestly with the past, and can also provide a platform for mourning, remembrance, acknowledging injustice and education. However, in spite of an emerging international norm of memorialisation and the recognition that it continues to attract after violence, memorialisation is severely under-researched, particularly as concerns its connection to impunity and within processes of transitional justice. As a result, little is known about the specific links between memorialisation and combating impunity in BiH.

The aim of the report is, thus, to enhance the understanding of the role of memory initiatives in BiH. The context of abuse, together with the institutionalisation of transitional justice predominantly in a criminal justice format, render BiH an important case to study. At the outset, it is important to recognise the proposition that memory initiatives, whilst ostensibly methods that may play a positive role in combating impunity, may well have the opposite effect, either entrenching already existing impunity or perhaps leading to the further alienation of groups. This fact is particularly germane given the complexity and controversy of ‘truth’ and ‘memory’ after violence, especially in a context (as in BiH) where ethnic identities played a central and crucial role in the conflict.

### 1.2.2. Research Questions

In the Research Framework drawn at the outset of the project, a conceptual framework was put forward in addition to the abovementioned definitions of ‘impunity’ and ‘memory initiatives’. This framework was based on the assumption that ‘cultures of silence’ contribute to impunity in a society attempting to recover from violence, since silence (absolute or relative) not only prevents an honest examination of the past, but furthermore excludes the possibility of learning from past circumstances and facilitates the denial of responsibility of those who would otherwise be acknowledged as having at least some culpability in past violations. The conceptualisation of cultures of silence was therefore presupposed around three components, each fundamental for combating impunity: stakeholders and representation (actors); truth-telling; and future generations.

Within each of these components, identified and refined on the basis of IW’s previous research and wider Memorialisation Project, research questions were devised. Each research project within the five contexts under study will address these sub-questions, modified and adapted to the circumstances of the particular context under study.

#### **Stakeholders and Representation – Victims, survivors, affected communities, perpetrators and so-called ‘bystanders’**

Given the centrality of conflict identities and post-conflict stakeholders to any examination of the past, particularly one centred around impunity, the first component will address the manner in which stakeholders are (or are not) represented in memory initiatives. This representation, or lack thereof, provides crucial insight into impunity resulting from the absence of truth, among other factors. The aims, target groups, approaches and usage of memory initiatives and how these affect victims, their relatives and communities will thus be examined. By recognising that memory initiatives can have different meanings, the research will explore victim/survivor responses to initiatives, analysing their genesis and purpose, representativeness of the conflict in BiH, cultural sensitivity, contribution to reconciliation and education, and impact on transitional policies. Furthermore the relationships between these different actors and their links to memorialisation are to be examined. Where possible, the extent to which memory initiatives go beyond conflict identities to address wider culpabilities, or indeed succeed in including a range of actors in initiatives – e.g. both ‘victims’ and ‘perpetrators’ - will be explored.

The following sub-questions will guide the research:

- Who is represented by the memory initiative and who is left out?

- Does the memory initiative only represent stakeholders in relation to the most recent conflict, or also in relation to earlier conflicts/repressive regimes, e.g. colonialism or WWII?
- How are different stakeholders represented by the memorial initiative? What role is attributed to each of them, and is this restricted to one simple category (e.g. victim or perpetrator)?
- Is there room in the memory initiative for a more complex or nuanced representation of roles?
- Are certain roles played by certain stakeholders during the conflict omitted from the memorial initiative intentionally?
- If memory initiatives are considered processes, has the memorial initiative in question changed over time in terms of which stakeholders it represents, and how they are involved or represented, and/ or in terms of the aesthetic appearance of the site and involvement in it of different media, e.g. objects and narratives)?
- How do stakeholders (with different identities) respond to the memorial initiative?
- Has the manner in which different groups have been represented or involved in the memorial initiative contributed to social debate about the past, or led to a push for other mechanisms to deal with it (e.g. truth-seeking mechanisms, criminal justice, reparations, institutional reform)?

### Truth-Telling

An inclusive, accepted narrative of the past that successfully contributes to the restoration of social networks across ethnic and other divisions remains something of a utopian desire in many contexts. Remaining alive to this fact, the component of ‘truth-telling’ seeks to understand whether (and how) memory initiatives can, or do contribute to such an objective. Once again, the absence of an agreed version of the past or an inclusive collective memory or understanding provides fertile ground for impunity, since the (relative) silence that underpins such remaining divisions is usually based on either distortions of the past or the failure to acknowledge the Other. Put simply, disputes about the past obstruct the truth that can combat impunity. Understanding whether the full range of responsibilities for past crimes is acknowledged and whether the adopted ‘truth’ legitimises or contradicts ‘official’ versions will be important. Whether initiatives can contribute to increasing collective understanding and acknowledgement of the past and the responsibility of perpetrators will be explored. The research will thus be directed towards the transitional justice imperative to establish the truth about years of violent conflict.<sup>5</sup>

The principal sub-questions include:

- Whose truth/version(s) of the truth is/are represented by the memorial initiative? Which other versions are left out or forgotten?
- Does the memory initiative refer only to one period of conflict, or also to preceding conflicts and their (alleged) relation to those that occurred later?
- How are different versions of the past represented by the memory initiatives (facts, personal stories, interpretations, physical evidence, archives, legal evidence, etc.)?
- If memory initiatives are considered processes, has the memorial initiative in question changed over time in terms of how it represents the past? Have other versions been added, for example, creating a broader understanding of the past?
- How does the memory initiative truth relate to the official government version of the past?
- Has the way in which the truth has been represented by the memorial contributed to social debate about the past or led to a push for other mechanisms to deal with the past?

### Younger generations

Given the imperative of non-recurrence of the violations of the past, younger generations are crucial to any process of transitional justice. Their exclusion would seem both illogical and dangerous if past violence is to be avoided in the future. However, the way in which younger generations reflect on and confront the truth, justice and possibly reparations that are provided for the past will be important for understanding whether the root causes of impunity have been fully addressed, and the extent to which particular mechanisms or processes have contributed to this. Since the nexus between younger generations, who have not directly experienced BiH’s war, and memory initiatives is by no means guaranteed, the potential for memory initiatives to be relevant beyond the immediate aftermath of violence must be examined. This suggests that memory initiatives may have a role in combating intolerance and creating a human rights

<sup>5</sup> Impunity Watch, 2010. *Perspectives Programme: Memorialisation of Grave International Crimes. Field research framework.*



culture, if they are indeed intended to contribute more overtly to transformation of a particular society like BiH after the cessation of conflict. The research will consequently explore how memory initiatives contribute to creating historical memory, the extent to which they engage or exclude younger generations, whether they serve pedagogical purposes, and whether there is agreement on the account of the past.

In analysing these elements of impact several questions will once again prove instructive:

- How do future generations respond to the memory initiatives?
- Which members of younger/future generations do the memory initiatives target?
- How are these future generations addressed? Are they being addressed with regard to one conflict period, or also to others, past or potential conflict periods?
- If memory initiatives are considered processes, has the memory initiatives in question changed over time in terms of notions of what is relevant for future generations?
- Has the way in which future generations have been involved/addressed by the memory initiatives contributed to social debate about the past or led to a push for other mechanisms to deal with the past?

The present report will as far as possible ensure that these questions, challenges and dilemmas are applied when analysing the state of memorialisation in BiH. In order to reach that aim, the research will undertake specific methodologies, detailed in the subsequent section.

### 1.3. Methodology

#### 1.3.1. Data collection and qualitative case studies of memorialisation in BiH

The previous section of this first chapter has outlined the rationale for undertaking the research and indicated the potential outcomes that may be provided. The principal research question and the sub-questions that can be drawn from the conceptual framework will be examined on the basis of two main methods of data collection. The first will involve a simple literature and desk study, utilising secondary data, supplemented where necessary by primary data obtained from interviews. The second data collection method will involve ethnographic research into three memory initiatives selected as case studies, with data obtained primarily through the use of semi-structured qualitative interviews.

In itself, BiH is a relevant case study for research. It has been extensively covered by academics and practitioners, particularly in the areas of peace-building, transitional justice and ethnic relations. Whilst memorialisation remains an under-researched subject across the board, these wider studies ensure that the Bosnian case is a valid selection for research. Indeed as the literature shows, memorialisation is a phenomenon which often develops in a more systematic way in the aftermath of a conflict, while a certain level of peace-building has been already achieved. This is not to suggest the coordination of memorialisation necessarily, but rather that the space for memorialisation may be opened, facilitating such efforts to a greater extent than before. The studies and literature on the abovementioned subjects will be examined, which will provide the background study (the backbone) for this research. Furthermore, online data in the form of archives and other resources are an invaluable source of information, as are the official documents (reports) of local, national and international bodies.

The choice of an in-depth, qualitative analysis is justified by the purpose of the research project itself. Selecting three case studies will allow greater depth of information than otherwise available when utilising different approaches, which will further allow the research question as applicable to the wider situation in BiH to be analysed. Without the capacity to research each memory initiative in BiH in-depth, the qualitative study has been designed to facilitate the full range of issues facing memorialisation in BiH to be confronted, in addition to the prevailing impunity in the country. The absence of any rigorous quantitative study of such initiatives also demands the use of the chosen approach. It must nevertheless be acknowledged that societal and political exigencies in BiH, as well as the limitations of the research budget prevented the expected use of focus groups to supplement the analysis. To attempt to counteract any shortfall in data, a greater number of interviews were conducted as compared to the other research projects undertaken in the other research countries.

The semi-structured interview protocols were adapted to BiH from guidelines provided by IW, and utilised for research upon each of the selected memory initiatives (see below) in order to allow conclusions to be drawn from the data as a whole. Interviews were conducted with experts on impunity and memorialisation in BiH, including representatives from several CSOs and NGOs, but also professors, victims, policy advisors, researchers, experts in the field of culture and education, journalists, members of the international community present in BiH, and so on. The interviews were conducted in Mostar, Prijedor, Sarajevo, Srebrenica and Tuzla. The selection of these locations was based upon an initial study of the background and context of impunity and the culture of silence in BiH, as well as on a preliminary mapping of memorialisation. Geographical spread was also taken into consideration.

To ensure representation of all ethnic groups, the researcher carefully selected interviewees to avoid any intrinsic bias or influence on the research findings. Since BiH consists of several ethnic groups, the Bosniaks, Croats and Serbs as the biggest groups were the main focus of the research. Nevertheless, in spite of the attempts to ensure equal representation, it was not possible to achieve an equal number of interviewees for each (ethnic) group identified. Some groups were more eager to talk about the theme of this research than others. One group that proved particularly difficult to interview were the politicians of BiH, with memorialisation often considered too sensitive a subject to discuss. This in itself is instructive for the research question posed. In the research it furthermore became apparent that Serbs and Croats were not as eager to share their expertise and relate their stories as the Bosniak communities. A complete list of interviewees can be found in the annex of the report. In order to supplement the data and views of certain of the more reluctant (ethnic) groups, special attention was paid to their opinions through the collection of data from other sources, for example newspaper articles in which their opinions could be extracted.

As noted, in order to provide a complete and scientifically-valid study of memorialisation in BiH, this research focuses on three case studies chosen as representative of the culture of remembrance in BiH, and moreover the tension and silence that prevail in the wider society. After the initial mapping, the three case studies selected are: (i) the Memorial Centre in Potočari near Srebrenica; (ii) the Concentration camp, Omarska near Prijedor; and (iii) the Old Bridge in Mostar. The selection of three case studies not only allows each to be studied to quite a profound level of analysis, but should be the minimum required to formulate a genuine qualitative analysis. The selection allowed the researcher to extrapolate and use the comparison as an exemplifying study of memorialisation in BiH. In other words, examining patterns of memorialisation and their development must be done using a minimum of three case studies in order to ensure that the conclusions are able to represent the wider situation in a given context, and address the posed research question with a degree of rigour and persuasion.

The broad justifications for the selection of the case studies can be found in the following characteristics of the initiatives:

The first case study this report will focus on is the Memorial Centre in Potočari, near Srebrenica. This is a relevant case because of its worldwide reputation and attention that it draws to the memory of the genocide at Srebrenica. Nevertheless, this international attention and in many ways iconic status as an initiative for commemoration of the past and for maintaining the memory of the events of 1995 in particular, may obscure wider questions. Other than what can be found in newspapers, reports and journals, it is necessary to question the extent to which one is aware of the role the memorial centre plays in breaking down silence about the past. Examining this aspect of the memorial will provide insight into the memorial itself, into the problems Srebrenica and its population continue to face, but also the wider place of the initiative in BiH and in the context of the prevailing need for effective transitional justice in BiH. The impact of the genocide at Srebrenica and its memorialisation is enormous, not only on the local level but just as much on national, regional and international scale. Owing to the implications for relationships between the different ethnic groups in BiH, as well as among the different countries in the region, it would be an oversight to leave Potočari out as case study. Furthermore, studying areas of BiH where the conflict was in many ways at its most intense – the perpetration of genocide – against patterns of memorialisation will allow discernment of the complexities of memorialisation after the most serious crimes.

The second case study selection is the Omarska concentration camp near Prijedor. The choice to write about the former concentration camp at Omarska was to demonstrate the complexities and issues surrounding a *lieux de mémoire* that is still not marked as a memorial. Here, the initial mapping and observation of memory initiatives raised the difficulties that the victims and survivors are struggling with in attempting to make the former camp a place of remembrance. The unfolding process is extremely informative, not simply as it provides specific insight into the underlying reasons for why victims may seek memory initiatives, but moreover because it allows the wider problems, dynamics and vested interests to be explored. Furthermore, through the analysis of this case study, a window into the wider culture of silence in BiH is provided, specifically concerning the space within the society as a whole for people to erect memorials and with them open up the discussion on past events. An important factor identified at the outset as being intertwined with this particular memorial is economic interests, often inseparable from the interests of certain stakeholders.

The third and final case study is that of the Old Bridge in Mostar. This international symbol of peace and reconciliation that at a certain moment in BiH's history attracted so much fanfare is well known all over the world. The symbolism of the bridge towards the reconciliation of two communities should necessarily allow the issues at stake in the current research to be explored. The bridge was originally regarded as the very embodiment of reconciliation and efforts to challenge the culture of silence perpetuated by ethnic divisions. This research was thus directed towards uncovering the authenticity of such claims, at the grassroots level, rather than at the level of international symbolism. The situation in the city of Mostar was thus also examined, as a reflection of the wider circumstances of the memory initiative and the country. Concerning this memory initiative, the desire was to attempt to understand the effects of a permanent, architectural construction

that exists as a prominent and constant reminder of the past. Nonetheless, several other issues were tackled, including the problems faced by Mostar in the present day, the culture of remembrance that exists beyond the Old Bridge and whether the Old Bridge indeed influences former ethnic divisions for the better. Significantly, the selection of this case study also provides insight into the tensions between Croats and Bosniaks that exist as a result of the conflict that took place within the borders of present-day Bosnia and Herzegovina. Whereas the other case studies deal with ethnic tensions between Bosniaks and Serbs, Mostar allows for another dimension of memorialisation to be examined.

### 1.3.2. Partner Organisations

Throughout the research process two partner organisations from Bosnia and Herzegovina, the Nansen Dialogue Centre Sarajevo and the Society for Threatened Peoples in Sarajevo, have invested their time and effort to make the report a valuable contribution with reliable results. The extensive grassroots experience of the two partners has been a major contribution to the writing of the report. Furthermore, the involvement and cooperation of local organisations is very important for the research, since Impunity Watch believes in trying to stimulate NGOs/CSOs (local and international, working in Bosnia and Herzegovina) to work more consciously on the theme of memorialisation and impunity in the future by providing them with the results of the research.

### 1.3.3. Challenges to the research project

Completing such a research project is not without challenges, some of which have been highlighted earlier in terms of data availability or case study selection. Representativeness across ethnic groups was sought wherever possible and the potential effects of bias resulting from ethnic interpretations were identified, and taken into consideration in the analysis.

## 1.4. Theoretical Context – Dilemmas - of Memorialisation

As outlined above, the research seeks to look at the role of memorialisation in addressing cultures of silence that perpetuate impunity. The hypothesis is based on the idea that memory initiatives may represent a crucial method for combating impunity.

The preliminary study conducted prior to the research has established a theoretical framework based on existing literature and the experience and insight of CSOs. The relative dearth of information that exists to confront memorialisation as a specific mechanism for addressing impunity, leads to the expression of much of this theoretical framework in the form of identified dilemmas. Indeed, in hypothesising the role of memory initiatives after violence, the dilemmas listed here are not only some of the foremost issues that must be tackled through research, but also those that CSOs must grapple with in attempting to utilise memorialisation. The principal dilemmas, which will ultimately contribute to framing the subsequent analysis, are the following:

- What should memory initiatives have as their aims, and is it possible for them to espouse more than one? Should they serve only to dignify certain groups of victims, their relatives and their communities, or should they also aim to speak to society as a whole so as to help establish a widely accepted version of the history of a violent past, educate younger generations and reconcile different sides?
- Should all conflict victims, including armed combatants from all sides, be represented in the memorialisation process? Should those victims who were unarmed receive special treatment? How can initiatives deal with groups who were both perpetrators and victims, and communicate the role of bystanders? Is there a value in attempting to reflect the influence of past colonialism in fomenting conflict and crimes?
- Should initiatives attempt to involve (suspected) perpetrators in the process of memorialisation, or should their only involvement in transitional justice processes be as the objects of criminal prosecution? Should initiatives remain places for victims and affected communities, or should they seek to encourage broader reflection and reaction?
- Should the international community seek to play an active role in promoting and supporting the process of memorialisation, or can this be counterproductive? Is memorialisation something that post-conflict countries should and can deal with themselves?
- Can memory initiatives help to provide justice in the broadest understanding of the term? More specifically, can they play a role in judicial processes? Is there a danger that this could make victims and witnesses of abuses less willing to reveal their experiences and therefore obstruct the initiatives truth-telling role? Will this create more opposition among perpetrators to truth-telling mechanisms such as archives and museums?
- What is the role of the bystander and how can memory initiatives lead to self-reflection and a culture of non-recurrence?

- How can memory initiatives balance acknowledgement of ethnically-based crimes and respect cultural approaches to honouring victims with the need to communicate more generally to all sections of society? Is it possible to avoid alienating different groups in the process of memorialisation?
- Are there ways of overcoming competing versions of past events as represented by different memory initiatives? What can be done to alleviate the pain, tension and disinformation created by controversial and contested memorials? Can initiatives make visible issues that are denied by parts of a society and/or the state?
- How can memory initiatives, official and unofficial, ensure they are legitimate in the eyes of those they seek to honour and comfort? What are the different ways in which the community can be involved and represented in the memorialisation process? How do memory initiatives contribute to public debate about the past, the perpetrators, and the state?

As noted, these dilemmas have been identified in consultation with CSOs and researchers during the initial phases of the immediate project. Whilst necessarily differing according to the specific context in each country under study, the dilemmas remain broadly applicable across contexts and relevant to all situations of post-conflict reconstruction and transitional justice.

## 1.5. Main Arguments

As previously outlined in this report, the aim of the IW research project was to examine memory initiatives and their impact on impunity. The research will help study whether these initiatives can support transitional societies in evolving towards long-lasting peace, which should be framed around the rights of victims to truth, justice, reparations and non-recurrence towards the combat of long-standing impunity. The case study of BiH additionally aims to examine if memorialisation projects have contributed to the demand for these rights, arguing that processes can be challenged by contextual elements.

In the subsequent chapter the situation of impunity and memorialisation in BiH will be presented. Here, the interplay between these two issues will be demonstrated in light of the existing culture of silence in the country. Following this, the third and fourth chapters will present the in-depth case studies of the selected memory initiatives in the country and will analyse their implications both for the future of BiH and the study of memorialisation. To achieve this purpose the researcher prioritised the aforementioned ‘dilemmas’, in particular the manner in which they may act as barriers to memorialisation and impunity reduction. These dilemmas have been identified by IW as challenging memorialisation and therefore nurturing impunity in post-conflict societies.

In completing this analysis, the core argument put forward by the research is that in fighting impunity, certain contextual factors have a greater impact in BiH than others. Indeed, whilst the full range of identified dilemmas are applicable to BiH, some are necessarily of more relevance, which accounts for the greater attention given to them in the research. To be sure, while discussing the post-war situation in BiH one understands that in the particular context of BiH certain patterns have already developed and shape memorialisation; this is the case concerning the culture of silence, which plays a significant part in Bosnian society today. In others words, despite the fact that the dilemmas are clearly connected to memorialisation and impunity (as demonstrated in the literature), the extent to which certain of them have an impact on the process depends on the context. Therefore the present research shows that specific dilemmas are particularly challenging for memorialisation as a method for combating impunity in BiH.

From the findings in the context analysis an underlying assumption (hypothesis) is to be found throughout the report. This is that memorialisation is not only crucial in the battle against impunity but has a role in ensuring long-lasting peace and supporting stability in transitional societies when directed towards the combat of cultures of silence and the impunity that results. However the ways through which this should be achieved have not yet been explored. Therefore it is important to keep this hypothesis at the forefront of one’s mind when reading the report. The point of departure for the research is thus the attempt to examine the validity and content of this hypothesis in the Bosnian context, as well as proving its implications in the case study analysis. The report will also set the analysis in a wider context, namely the extent to which current memory initiatives have a positive impact on impunity.

Because of the complexity of this theme in this particular case, after handling the general context of memorialisation in BiH, attention will be paid to the three case studies outlined earlier. They will allow clarification of the culture of remembrance and its relation towards impunity by making use of practical examples. This will illustrate the existence of the abovementioned dilemmas (as far as they are of use for the respective case study being dealt with) in practice, including their effects on affected communities and the local (even national) population at large. Conclusions about the culture of silence in BiH will then follow. As concluding comments, general recommendations are provided, directed towards various key actors engaged with Bosnia-Herzegovina or key to the internal political situation in the country, as well as recommendations targeted at the various case studies that have been researched.

To achieve these objectives the research will begin by taking the hypothesised ‘culture of silence’ that prevails in BiH (that will be detailed in the next chapter of the report), as reflected in the three components (stakeholders, truth-telling, youth), and its relationship to the situation of impunity as concerns the rights to justice, truth, reparations and guarantees of non-recurrence. The three identified components are the focus points of this report and are necessarily interconnected with the dilemmas regarding the culture of remembrance and impunity facing BiH.



## 2. Memorialisation in the Bosnian Case

### 2.1. Conflict Background

The roots of the conflict in BiH can be traced back as far as the 15th century Ottoman rule. For the purposes of brevity, only a succinct description of the more recent history of violence will be given.

After the death of Josip 'Tito' Broz in 1980 a power-struggle ensued in the six republics (Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Serbia and Slovenia) and the two autonomous regions (Kosovo and Vojvodina) of Yugoslavia, characterised by increased nationalism. This intensified when Slobodan Milošević came to power, with tensions mounting as Slovenia and Croatia began a path towards independence. At the same time, in the Krajina region of Croatia, Serbs began a call for autonomy leading to their declaration of autonomy in 1991. Both Croatia and Slovenia proclaimed their independence in June 1991, but whilst the latter passed relatively peacefully the independence of Croatia led to hostilities between Croat militias and the local Serbs and the Yugoslav National Army (JNA). The latter coalition strived to take control of Vukovar and Dubrovnik, strategically important places in Yugoslavia.

Concerned by the events, the United Nations (UN) authorised a peacekeeping mission and weapons embargo in the region and eventually deployed peacekeepers to monitor a brokered ceasefire. In the meantime BiH held a referendum on its status, with a majority of citizens voting for independence from Yugoslavia. The result was officially recognised by the European Union (EU). The Serb response was to set up roadblocks around BiH's major cities and the establishment of a Serb parliament, as well as the killing, forced displacement and destruction of large swathes of BiH's population. After a humanitarian crisis quickly emerged, UN peacekeepers were deployed to facilitate the delivery of aid in BiH and the UN installed a 'no-fly zone' over the country in October 1993. NATO participated in air strikes against Bosnian-Serb forces and the UN mission was later upgraded into a Chapter VII mission. However, the violence against the civilian population continued and despite the UN's declaration of certain 'safe havens', some of the worst violence was perpetrated while the international community looked on.

The rise of an intra-state ethnic conflict led to thousands of deaths, displaced persons and refugees in the whole of the Balkans region, with violence perpetrated along religious and ethnic lines. The genocide at Srebrenica in 1995 demonstrates the level of organisation and intensity that this violence often reached. What is often considered as the most violent war Europe has seen since World War II is also recognised as an infamous case of international peace-building. Subsequent efforts to maintain and entrench viable peace in the region also characterise not only BiH, but the wider region. As BiH represents a well-known case study, a decision has been made to provide only a succinct presentation of the main aspects of the conflict and its history, particularly those that are of relevance for this study.

### 2.2. Post-War Bosnia and Uncertainty About the Past

The Dayton Peace Accords (DPA) signed on 21 November 1995 brought an end to open hostilities in BiH. It left Bosnia with a weak central state, consisting of two entities. In spite of important international support, the state had few financial resources and no army. Famously, the agreement failed to address the core socio-political issues behind the conflict. Still today, the DPA represents a, if not the, key obstacle to positive development in BiH.

Although Dayton succeeded in ending the hostilities, it did not encourage the normalisation of the new Bosnian society. In order to avoid further conflict within Bosnia, the DPA established a complex political structure divided into two entities. On the one hand Dayton created the Republika Srpska, predominantly Serb and characterised by a centralised government, whilst on the other hand the Federation of Bosnia and Herzegovina was created, consisting of mostly Bosnian Muslims and Croats and highly decentralised into ten powerful cantons. Today the consequence is a state with few powers over its substructures. It appears these entities were built with little consideration for the central state and as a result by little cooperation between the entities or ethnic groups. Autonomy was given to the regions to deal with otherwise national matters such as education or economy. For some, such a level of decentralisation means the state cannot fulfil its tasks properly and is dysfunctional. Therefore, the problematic legacy of the DPA to Bosnian society is the complication of an already difficult task of reconstruction and moving on from the past. In making such observations the intention is not to argue for or against the efficiency of the DPA, but rather to present the context within which the people of BiH have to work in dealing with the past and which may obstruct fighting the culture of silence and the combating of impunity.

In addition to the in effect *de jure* and *de facto* partition of Bosnia, in the same area of interest one should point out the issue of returning refugees and the loss of homes. The Bosnian conflict saw nearly one-and-a-half million refugees and exiles leaving the country. To this day the situation of these refugees is high on the official agenda in BiH and by the end of 2004, one million people had returned to their homes. That still leaves hundreds of thousands of refugees who will probably never return to Bosnia. Future stability has thus been significantly obstructed by the large numbers of displaced persons as well as the resentment caused by the inability of people to return to their homes. It should also be mentioned that there are efforts on the part of the international agencies to empower Bosnian civil society as a means through

which to improve the prevailing situation and promote a genuine and vibrant democracy. In this respect, according to Fagan (2005), “a vibrant sector of local advocacy networks can entrench democratic values, heal the wounds of ethnic conflict, and facilitate economic growth, bringing an end to the international administration of Bosnia”.

In this section reference has been made to the contextual aspects of post-war BiH and the lack of support by the Dayton institutions in certain areas that are otherwise considered as important, for example by scholars. Moreover, amid much dissent and disagreement, not least on the conclusions to be taken from the Bosnian experience, a specific element seems to bring consensus and unity: the situation and future of BiH remain precarious. Indeed, emphasis should be given to the fact that there is little common ground on the vision for BiH in the future.

Post-war Bosnia remains characterised by far-reaching and wide-ranging questions about what happened during the war, not least as a consequence of the war crimes, crimes against humanity and genocide that took place.<sup>6</sup> And this only on the territory of BiH. Despite international and national efforts, relatively few of these events have been uncovered and in many cases the perpetrators are often still unknown. The lack of exact numbers of those killed and those with responsibility is today a burden on BiH society, and something that feeds division. In this respect, Dr. Franjo Topić of the Croatian Cultural Society ‘Napredak’ warns about politicians who “manipulate everything in their own interest”.<sup>7</sup> Denis Hadžović of the Centre of Security Studies in Sarajevo is in agreement, stating that “politicians manipulate facts for their own use”.<sup>8</sup> This political manipulation resonates in the rest of Bosnian society. The gravity of the problem can be seen in the case of missing persons, which in itself is a sensitive subject. Accusations have been made by war victims in *Republika Srpska* that the Bosnian state is not doing enough to find missing Serbs. In turn, the state body responsible for missing persons has countered such claims by insisting that more Bosniak victims have been identified simply because they make up the majority of victims.<sup>9</sup> Although it is widely accepted that Bosniaks were disproportionately affected by the conflict, the issue is clearly one that divides communities in BiH.

## 2.3. Challenges to Memorialisation in BiH

### 2.3.1. The Political and Social Context in Bosnia

According to many respondents in the research and in the study of the literature, the main issue in BiH is the country’s division at all levels of the state system. Everything from state institutions to civil society organisations is organised along ethnic lines, which creates tension between the three ethnic communities in the country and impacts on wider issues in society.<sup>10</sup>

One such issue is that of returnees. Facilitation of the return of refugees as part of the DPA has in many ways failed. The consequence of such a failure is that people still live in divided communities, even though they are located in the same town, with certain groups still discriminated against.<sup>11</sup> The divided school system on the other hand is a perfect illustration of the *de facto* ethnic partition that can be observed in Bosnia since 1995. These schools, known as ‘two schools under one roof’, are characterised by the physical division of pupils whereby, among other things, multiple curriculums are utilised - each ethnic group having its own.<sup>12</sup>

The divided schools in BiH are nonetheless only a representation of the problems with which the country is faced. Here it thus illustrates the wider phenomena that characterise the political and social spheres in BiH, such as: a bad economy; high unemployment rate; corruption; the power vacuum caused by the absence of government after the 2010 October elections; ethnic divisions; and violence amongst the youth. These problems become explosive whenever the violent past is raised, since not only are the consequences of that violence still being felt, but they are exacerbated by present difficulties. Moreover, limited space exists in BiH for talking about the events that have occurred. Tension thus results, as well as consequent mistrust and an almost total malfunctioning of the country. The build-up of these post-war problems crystallised in the threat made by the *Republika Srpska* President, Milorad Dodik in May 2011 to hold a referendum to question the legitimacy of the country’s central institutions. Prior to the intervention of the EU’s High Representative for Foreign and Security Policy which put a stop to the plans, the call for a referendum threatened to lead the country towards renewed hostilities.

<sup>6</sup> Institute for War & Peace Reporting, *Introduction to Balkan War Crimes Court*. Available at: <iwpr.net/programme/international-justice-icity/introduction-balkan-war-crimes-courts> [Accessed 28 April 2011].

<sup>7</sup> Franjo Topić, *Interview with the author*, Hrvatsko Kulturno Društvo “Napredak”, April 2011.

<sup>8</sup> Denis Hadžović, *Interview with the author*, Centre for Security Studies, March 2011.

<sup>9</sup> Bjelajac, M., 2011. War of words over missing Bosnian Serbs. *Institute for War & Peace Reporting*. Available at: <iwpr.net/report-news/war-words-over-missing-bosnian-serbs> [Accessed 28 April 2011].

<sup>10</sup> Ingrid Halbritter, *Interview with the author*, Dadasos, March 2011.

<sup>11</sup> Anisa Sućeska-Vekić, *Interview with the author*, Balkan Investigative Reporting Network, April 2011.

<sup>12</sup> Balkan Insight, 2010. *Bosnia: No End to “Two Schools Under One Roof”*. Available at: <www.balkaninsight.com/en/article/bosnia-no-end-to-two-schools-under-one-roof> [Accessed 28 April 2011].

This physical division of different ethnic groups within the country finds resonance in efforts aimed at memorialisation. Within communities around the country, the local population (read: ethnic community) that is in the majority in effect decides what memorials will be erected, therefore having a monopoly on to whom they are dedicated and upon whom ownership is conferred. In practice, this suggests that memorialisation suffers the same divisions as are manifest in the wider population. In such a context it becomes essential to reside in a community where one's own ethnic group is in the majority in order to have the space to commemorate one's 'own' victims. Indeed, it can readily be stated that every town in BiH is marked and owned by the majority population, visible through the building of Catholic or Orthodox churches and/or mosques, but even through the erection of memorials exclusively for the remembrance of the victims (civilian or military) of the ethnic group to which the majority of the residents of that town belong. This causes the memorialisation process to be divided along ethnic lines and, in turn, prevents the different ethnic groups from facing the past and the facts that fall outside of their interest. Instead, every group has the freedom to commemorate its own victims exclusively, stripped of context and factual (plural) 'truth'.

### 2.3.2. Situation of Impunity in Bosnia and Herzegovina

An incontrovertible situation of impunity is visible in BiH. Among certain segments of society and in public discussions war crimes are even glorified.<sup>13</sup> Impunity remains a key issue in BiH and one of the fundamental contextual factors that define the existing situation.

Since the end of the war, several indicted war criminals are still free, their continued freedom preventing victims, survivors and affected communities from truly integrating the past into their lives in order to move forward.<sup>14</sup> A considerable amount of interviewees argued that from time to time they saw alleged war criminals walking down the street. Furthermore, in some cases these same suspected criminals still work in state institutions. The consequences require little explanation, yet this situation also illustrates a lack of political responsibility, as well as a continuation of the former system as nationalistic politicians and wartime officials maintain positions of power. Owing to weak, corrupted or politicised justice procedures, and even the very influence of these 'entrenched interests',<sup>15</sup> the willingness and ability to prosecute such individuals is severely restricted.<sup>16</sup> Even when alleged perpetrators are brought to justice, each side tends to regard the indicted suspects or the convicted criminals as 'heroes' - protests against sentences and extraditions are commonplace.<sup>17</sup>

Nonetheless, with the intervention of the International Criminal Tribunal for the former Yugoslavia (ICTY), some of these persons have faced trial and have been called to account for their responsibility during the war. At the time of writing, the international community was still delighting in the capture of former general Ratko Mladić and Goran Hadzic, the two last remaining fugitives from the Tribunal. This is certainly of great importance for the fight against impunity and non-recurrence of conflict in BiH and in the Balkans region as a whole, though it can be questioned whether the prosecution of two men will make any tangible differences for the families of those killed allegedly under their watch. Of course accountability is necessary, but these prosecutions alone will not be enough to guarantee the many rights of victims that remain outstanding and to address BiH's societal ills. In fact, the arrest of Mladić has been described as a "hollow victory"<sup>18</sup> and by some survivors as only "a small satisfaction".<sup>19</sup> Moreover, such outcomes still remain unusual for (suspected) direct perpetrators of crimes as many remain in power and therefore prosecution will not be forthcoming.<sup>20</sup> One can thus observe a lack of political willingness to fight impunity in an effective and non-selective manner. For those communities where victim and perpetrator live next to each other there are obvious difficulties stemming from this state of affairs. In addition, the willingness of refugees to return to such communities is reduced, all of which contributes to a culture of impunity. Violence of the past, though no longer expressed through the most heinous violations of international law, now finds expression through other means.

Impunity is thus ever-present in BiH,<sup>21</sup> compounded by a slow and inefficient justice system. According to practitioners such as Mediha Mustafic-Smajic, director of the Association of Srebrenica 'Sjaj', "war criminals are still working in state institutions".<sup>22</sup> For Edita Pasic, "in Bosnia and Herzegovina, war crimes have been legalised".<sup>23</sup> The state of BiH, thus, has a

<sup>13</sup> Sisson, J., 2007. Dealing with the past in post-conflict societies: ten years after the peace accords in Guatemala and Bosnia and Herzegovina. *Swiss Peace Conference Series*, p. 48.

<sup>14</sup> *Ibid*, p. 47.

<sup>15</sup> Impunity Watch, *supra* note 3.

<sup>16</sup> Zupan, N., 2004. Transitional justice and dealing with the past in countries of former Yugoslavia. In: Fischer, M. (ed.), 2006. *Peacebuilding and Civil Society in Bosnia-Herzegovina. Ten Years after Dayton*. Münster: Lit Verlag, pp. 327-342.

<sup>17</sup> Bastedo, K., 2009. Transnational "truths": Dealing with the past in Bosnia & Herzegovina. *Perspectives on global issues*, 3(2), p. 8.

<sup>18</sup> Vulliamy, E., 2011. Ratko Mladic's arrest is a hollow victory in a country that refuses to apologise. *The Guardian Online*. Available at: <<http://www.guardian.co.uk/commentisfree/2011/may/28/ratko-mladic-bosnia-ed-vulliamy?INTCMP=ILCNETTXT3487>> [Accessed 28 May 2011].

<sup>19</sup> Balkan Insight, 2010. *Bosnia: No End to "Two Schools Under One Roof"*. Available at: <[www.balkaninsight.com/en/article/bosnia-no-end-to-two-schools-under-one-roof](http://www.balkaninsight.com/en/article/bosnia-no-end-to-two-schools-under-one-roof)> [Accessed 28 April 2011].

<sup>20</sup> Sisson, *supra*.

<sup>21</sup> Amnesty International, *Bosnia and Herzegovina Human Rights*. Available at: <[www.amnestyusa.org/all-countries/bosnia-and-herzegovina/page.do?id=1011121](http://www.amnestyusa.org/all-countries/bosnia-and-herzegovina/page.do?id=1011121)> [Accessed 8 June 2011].

<sup>22</sup> Mediha Mustafić-Smajić, *Interview with the author*, Udruženje 'Sjaj' Srebrenica, March 2011.

complicit role in the impunity of war criminals. This represents a contextual element that will be further elaborated upon in the analysis offered in the later chapters.

### 2.3.3. Mechanisms for War Crimes Punishment

In May 1993, the United Nations Security Council established the International Criminal Tribunal for the former Yugoslavia (ICTY) in response to the mass atrocities then taking place in Croatia and BiH. The key objective of the ICTY was - and still is - to prosecute persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia.<sup>24</sup> By bringing perpetrators before the Tribunal, the ICTY has furthermore been touted as a means through which to bring peace to the region, to deter the future perpetration of such crimes within its mandate and – importantly – to render justice to the thousands of victims and their families. To this day the ICTY has indicted over 160 persons, including heads of state, prime ministers, army chiefs-of-staff, interior ministers and many other high- and mid-level political, military and police leaders from various parties to the Yugoslav conflicts. Its indictments address crimes committed from 1991 to 2001 against members of various ethnic groups in Croatia, BiH, Serbia, Kosovo and the Former Yugoslav Republic of Macedonia. More than 60 individuals have been convicted and at the time of writing, more than 40 people were facing proceedings before the Tribunal.<sup>25</sup> The ICTY has made some substantial achievements in other areas: it has contributed to jurisprudence (especially on gender-related crimes and rape) and the development of international humanitarian law; it has documented and acknowledged the suffering of thousands of victims; it has created a rich evidentiary archive; it in no small part paved the way for the International Criminal Court; and finally it has significantly contributed to the State Court of BiH, working on capacity-building with judges and prosecutors in the former Yugoslavia. This was intended to ensure that local courts are able to continue prosecuting war crimes long after the ICTY has closed its doors.

Alongside the ICTY, the local War Crimes Chamber (WCC), part of the State Court of BiH, opened in 2005. Due to the enormous caseload of war crimes cases with which ICTY was dealing and the Tribunal's Completion Strategy slating its upcoming closure, the WCC is supposed to deal with cases handed down to them.<sup>26</sup> It has voiced its desire to encourage the return of refugees by prosecuting perpetrators across the country.<sup>27</sup> One should mention there are also sixteen domestic courts that have jurisdiction over war crimes, crimes against humanity and genocide. They consist of ten cantonal courts in the Federation, five district courts in Republika Srpska and one in Brčko District. These domestic courts will handle 90 per cent of the above caseload.<sup>28</sup>

There are, thus, juridical mechanisms in place to fight impunity of war criminals in BiH. The core achievement of these different courts has been a shift from impunity towards accountability for many perpetrators and the contribution to the establishment of facts, bringing justice to thousands of victims and giving them a voice. In many ways, the rule of law has also been strengthened as a result in BiH.<sup>29</sup> To date the ICTY still remains an important instrument of retributive justice.<sup>30</sup>

Despite some of the positive developments brought about by criminal justice process, criticism remains. In one of a few similar studies, Janine Natalya Clark (2009) found that none of the respondents in the study were entirely satisfied with the current functioning of the ICTY.<sup>31</sup> Criticisms of the ICTY are various, with some parallel findings reflected in the immediate study on memorialisation, and include the tardiness and limited number of cases, the lightness of sentencing and the fundamental problem of no outreach campaign in the first years of its functioning.<sup>32</sup> The idolisation of war criminals is a fact in BiH, and the ICTY's remarkably poor levels of outreach have exacerbated the phenomenon. Court documents were not available in the local language until 1999 when the Tribunal's official Outreach Programme was created; during the six years prior, the only information about the Tribunal came from local media outlets that usually presented what little information they had about court proceedings in slanted ethno-nationalist terms. The Outreach Programme has only partially improved the situation, since inadequate funding has meant that in practice outreach efforts are directed mainly towards local politicians and the legal community, not the population as a whole.<sup>33</sup> The lack of information causes misconceptions and a credibility gap and because the ICTY has not done enough to connect with the local population, it has inadvertently contributed to existing ethnic tensions.<sup>34</sup>

<sup>23</sup> Edita Pašić, *Interview with the author*, Foundation of Local Democracy, March 2011.

<sup>24</sup> UN SC Resolution 827 (1993).

<sup>25</sup> International Criminal Tribunal for the former Yugoslavia, *About the ICTY*. Available at: <[www.icty.org/sections/AbouttheICTY](http://www.icty.org/sections/AbouttheICTY)> [Accessed 6 May 2011].

<sup>26</sup> Priesner, S., O'Donoghue, L. and Dedic, A., 2006. Transitional justice in Bosnia and Herzegovina: Findings of a public survey. *Local-Global: Identity, Security, Community*, 2. Available at <[mams.rmit.edu.au/3bk59qvfdyr.pdf](http://mams.rmit.edu.au/3bk59qvfdyr.pdf)> [Accessed 6 May 2011].

<sup>27</sup> Bastedo, *supra*, p. 10.

<sup>28</sup> Priesner, O'Donoghue and Dedić, *supra*.

<sup>29</sup> Priesner, O'Donoghue and Dedić, *supra*.

<sup>30</sup> Sisson, *supra*, p. 23.

<sup>31</sup> Clark, J.N., 2009. From negative to positive peace: The case of Bosnia and Herzegovina. *Journal of Human Rights*, 8:360, p. 373.

<sup>32</sup> Priesner, O'Donoghue and Dedić, *supra*.

<sup>33</sup> Bastedo, *supra*, p. 8.

<sup>34</sup> Bastedo, *supra*, p. 8.

The possibility and the space for multiple truths to emerge and continue to exist has caused war criminals on all sides to be characterised as heroes. Due to the limited visibility and impact, the ICTY's decisions have had little or no effect in changing this situation. As a result, the proceedings have been largely viewed as illegitimate. Many deny that convicted offenders are guilty; if they are guilty of anything, the party line goes, it is only of defending 'our' people. In addition, the WCC and domestic courts are not spared of critical remarks. The Chamber's capacity and political will to function properly are usually questioned,<sup>35</sup> while the domestic courts are criticised for their lack of capacity, absence of adequate witness protection measures, poor preparation of the prosecution's cases and a lack of procedural rules facilitating testimonies of key witnesses from other parts of the former Yugoslavia.<sup>36</sup> Moreover, the domestic courts can be criticised for a lack of impartiality and for their vulnerability to political influence.

Whilst concerted efforts have been made towards fighting impunity through the judiciary in BiH, numerous flaws in the process impact on the current culture of impunity in the country. In addition, the failure to make substantial inroads into this culture is an important element of the existing culture of silence that prevails in BiH and which further sustains impunity.

#### 2.3.4. Culture of Silence in Bosnia and Herzegovina

One of the principal factors precipitating the continuance of impunity in BiH is the culture of silence that lies within Bosnian society. Indications of this have been referred to above, but some of the most important aspects of this culture of silence will be raised in the following section. The aim is to provide a more nuanced understanding not only of the way in which impunity can be manifested beyond the absence of accountability for serious crimes, but also of the place and particular importance that memorialisation may occupy in BiH.

Dealing with the past is essential for Bosnia; it is necessary to face the events, which took place during the war, before one can move forward and resolve the problems of the present and the future. As earlier outlined, a culture of silence prevails in BiH whereby people are afraid to talk about what happened during the war, but also whereby those people that are willing to talk about the past feel the constraints of grief, real or imagined threats to stay silent, shame, guilt or the pressure of conformity.<sup>37</sup> Yet the culture of silence also exists since competing versions of the truth divided along ethnic lines are maintained that prevent constructive dialogue and obscure the facts.<sup>38</sup> The mistruths dominating BiH society for over a decade have in many ways eroded the relevance given to individual memory, replacing it with ethnically-oriented views of history. This has consequently encouraged collective group identities and by removing the individual, these collective mistruths have set a vicious cycle of relativity in motion.<sup>39</sup> This, in its turn, makes impunity possible, since it facilitates the legitimisation of war crimes ('we have only acted by killing out of protection for the things they have done to us').

While recognising the legitimate right of communities to commemorate on their own terms, the culture of silence is also maintained in BiH when groups or individuals refuse or fail to acknowledge the suffering of others, or the potential responsibilities that they bear. In doing so, a relative silence is maintained about past roles and the full range of actors during the war, preventing individuals and communities from fully knowing the truth and also maintaining distance from the Other.

#### Truth-Telling

Initiatives have nevertheless been attempted that aim to uncover the truth, or the facts of the war. In the late nineties, attempts were made to set up a truth commission, including attempts supported by the United States Institute for Peace (USIP). This foundation has instigated and supported two initiatives of this kind, carried out through local CSOs, but for both technical and ideological reasons these initiatives were unsuccessful.<sup>40</sup> A particular obstacle to the establishment of a regional truth commission had been the ICTY, concerned at the effect that such a body would have upon its own mandate. Moreover, the absence of charismatic, iconic figures that contributed to the legitimacy of South Africa's commission continues to impede such a truth-seeking project in BiH. One should note that these projects were also acting as investigative bodies for fact-finding on the events that took place in Srebrenica, Sarajevo and Bijeljina.<sup>41</sup> Given the technical and ideological problems, the full truth about the past was thus never brought to light. This malfunctioning of such commissions has a considerable impact on memorialisation in BiH since citizens do not have access to objective facts and descriptions of events that have occurred during the conflict upon which memorialisation can be based. Therefore, the people are prevented from attaining a level of knowledge (about the truth) that could guide them towards a

<sup>35</sup> Sisson, *supra*, p. 23.

<sup>36</sup> Zupan, *supra*, p. 2.

<sup>37</sup> Clark, *supra*, p. 370.

<sup>38</sup> Fadila Memišević, *Interview with the author*, Društvo za ugrožene narode, October 2010.

<sup>39</sup> Bastedo, *supra*, p. 5.

<sup>40</sup> Jelačić, N. and Ahmetašević, N., 2006. Truth commission divides Bosnia. *Balkan Investigative Reporting Network*. Available at: <birn.eu.com/en/28/10/1202> [Accessed 9 May 2011].

<sup>41</sup> UNDP, 2009. Vodić kroz tranzicijsku pravdu u Bosni i Hercegovini, pp. 53-55.

professional, selective and inclusive culture of remembrance – one that could help to fight impunity in the long term. In such absence, these shortcomings potentially give way to ‘coloured’, biased and discriminatory memorialisation.

Nonetheless, a more recent truth commission initiative known as the Coalition for REKOM (REKOM) should be mentioned. Initiated by the Humanitarian Law Centre from Belgrade, the Research and Documentation Centre from Sarajevo and Documenta from Zagreb, the coalition has the aim of ensuring “*a future without fear that crimes will happen again*”. REKOM is a regional initiative of non-governmental organisations, victims’ organisations and individuals advocating for the establishment of an official inter-state (regional) and independent commission that would investigate and disclose the facts about war crimes and other serious violations of human rights committed in the former Yugoslavia. It would also include resolution of the fate of missing persons and locating their remains. The initiative was launched in 2008 in Podgorica (Montenegro) at a regional consultation with victims and representatives of organisations of victims. The five objectives of the coalition are: (i) to create a public platform for victims and civil society to speak about their needs and duties in relation to the crimes committed in the past; (ii) to generate support among citizens and governments in the post-Yugoslav countries for the establishment of REKOM; (iii) to develop the REKOM model; (iv) to debate about everything that happened in the past among various social groups in local communities; and (v) to create a climate favourable to changed social relation towards victims.

Despite criticism of its functioning, REKOM has proceeded to organise consultations with several CSOs/NGOs and key persons on the issue of truth/fact-finding. It remains however arguable whether the project will be able to gather the (political) support it needs to become a successful truth/fact-finding commission in the region.

It has been previously discussed that creating shared memories can contribute to a shared frame of reference in divided societies. Together with the restoration of justice, truth-seeking efforts and society’s acknowledgement of the atrocities play a key role.<sup>42</sup> For precisely these reasons a new initiative on dealing with the past, the ‘Expert Working Group on Transitional Justice’, has been established. This working group – initiated by the United Nations Development Programme (UNDP) – consists of fifteen members, ten of whom are members of institutions at the level of the *Republika Srpska*, the Federation of Bosnia and Herzegovina and the national level. Out of the five remaining members, three are from NGOs and two are independent experts. The main idea behind the project is one of national impact; civil society should play a prominent role without being the only carrier of activities.<sup>43</sup> Truth-telling, institutional reform, rehabilitation of victims, monuments and reparations are the core themes of this strategy for which a draft should soon be released.<sup>44</sup> Although acclaimed by civil society actors, critical voices have recently come to the fore. Some claim that this project is a copy of the REKOM initiative, whilst others argue that the initiative will take years to be implemented while BiH is facing immediate despair. There is indeed a general scepticism about the willingness of politicians to deal with this debate, and it remains extremely difficult to establish a truth that is accepted by all former conflicting parties, particularly since the number of victims continues to be a matter of controversial debate on all sides.<sup>45</sup> Criticism of the Working Group initiative, particularly those centred on the REKOM comparison, do not bode well for the potential of establishing the truth in BiH.

When looking closely at the current Bosnian context, one observes a certain denial when it comes to discussing the events of the past, which is present at all levels of society. The so-called ‘interpretative denial’, implying that the ‘raw facts’ are being negated or manipulated to generate a specific meaning, once again is demonstrative of BiH’s culture of silence.<sup>46</sup> Denial of certain facts from the 1992-1995 conflict, or the creativeness of interpretation to include negation, is furthermore connected to the culture of victimhood in BiH, whereby “*everybody wants to be a victim*”.<sup>47</sup> Such victimhood, at the (ethnic) group level and individual level, implies denial of the Other. It is important for people to present themselves as the ones who were on the ‘right’ side,<sup>48</sup> which removes any (collective) guilt and attempts to evade being marked as an aggressor by others. At the individual level, the symptom relates to material and also moral gains, including the supposed moral high ground and hierarchy of victims. None of these different truths and the victimhood of each group implies any acceptance of responsibility, though there is no doubt that atrocities were committed by all sides during the war.<sup>49</sup>

Additionally, denial is both a tool of the victims as well as the perpetrators – though the use of denial by the former receives much less attention, in large part owing to the desire not to affront their suffering. When not used to deny the

<sup>42</sup> Sisson, *supra*, p. 64.

<sup>43</sup> Aleksandra Letić, *Interview with the author*, Helsinki Committee for Human Rights Bijeljina, November 2010.

<sup>44</sup> Branka Antić –Stauber, *Interview with the author*, Udruženje Snaga Žene, March 2011.

<sup>45</sup> Sisson, *supra*, p. 23.

<sup>46</sup> Clark, *supra*, p. 370.

<sup>47</sup> Elma Demir, *Interview with the author*, Association for Democratic Initiatives, March 2011.

<sup>48</sup> Amira Kavgić, *Interview with the author*, Inicijative Prezivjelih od Mina, March 2011.

<sup>49</sup> Bastedo, *supra*, p. 12.

suffering of others, but as a way to block one's own trauma – common practice in BiH – any space for empathy towards other victims is prevented. Significantly, any interpretative framework within which these processes of victimisation can be understood will also be prevented.<sup>50</sup> It remains crucial for all stakeholders in BiH to closely look at the past and acknowledge events that took place, whether positive or negative for the group one belongs to. It is equally important to put these same events into perspective to allow the prevailing culture of silence to be broken down. These demands are nevertheless a heavy burden on a society such as BiH, with the short-term prospects for such processes seemingly small.

### 2.3.5. Culture of Silence and Memorialisation

In the preceding sections the negative consequences of the culture of silence have been raised, particularly the potential for maintaining or even further deteriorating the fragile context in transitional societies. In this section the ways through which the culture of silence specifically relates to memorialisation in BiH will be examined. More importantly, the key players within this process that will have a role in memory initiatives will be highlighted.

#### Stakeholders

Many actors have a role to play in post-conflict Bosnia. Victims and survivors are perhaps the first of them. It has previously been argued that current efforts towards even restorative justice in BiH mainly focus on perpetrators. In many ways, this can be seen as an illustration of the agenda ruling this process, whereby the view of justice of neither the political system in BiH nor the ICTY is profitable to the victims. Indeed the international tribunals are accountable to, and respond most readily to, international lawyers' jurisprudential and other agendas, and thus only incidentally to the needs of victims of mass atrocity (of course, despite claims to the contrary).<sup>51</sup> In addition, the political climate in the country shows a lack of political protection of and support to victims given by state institutions.<sup>52</sup> Furthermore, victims in some cases are being instrumentalised for political purposes, for instance in campaigns presenting the Other as negative and ignoring the crimes of one's own group.<sup>53</sup> Even though the overall society respects victims and their past, victims have been marginalised up to the point of solely being addressed by grassroots and community projects. So far macro- and more structural approaches have largely failed to include policies aimed at addressing their needs and as a consequence, victimisation – or indeed a sort of double victimisation – remains widespread.<sup>54</sup> As a result of both this victimisation and denial of the past, many leave the country thinking that their suffering will diminish, or alternatively that crimes will remain hidden.<sup>55</sup>

There is also the added complication in BiH of the organisation of victims' groups according to ethnic identity. Here, competing narratives of the past are maintained. This situation often reveals a lack of constructive communication and cooperation between these victims' groups and the perception of other organisations – whose members belong to a different ethnic group – as having less right to the status of 'victim', or more fatally as enemies. The result is dismissal and lack of acknowledgement of the suffering 'on the other side', which is particularly problematic in the case of those victims' organisations that have become highly politicised in BiH. As noted earlier, victim status has obvious benefits and is an identity that is claimed by all groups in BiH. In this context, organisations and victims themselves are susceptible to abuse by nationalist politicians.<sup>56</sup>

As such, politicians are a key stakeholder or actor in the creation and maintenance of the culture of silence and therefore impunity in BiH. The political climate is known to keep the country in a fragile state. According to High Representative, Valentin Inzko this causes a negative impact on the lives of BiH citizens, blocks progress towards integration in the EU and the North Atlantic Treaty Organisation (NATO) and it prevents real economic development from taking place.<sup>57</sup> These factors clearly have an impact on the view Bosnian citizens have of themselves, but also of the Other. Many respondents to this research argued that they found politicians dissatisfactory as they misuse facts about the past to serve their own interest. This confirms much of what is written in the literature about Bosnian politicians as one of the main groups that poses obstacles to dealing with the past.<sup>58</sup> In fact, BiH decision-makers in successive governments and parliaments have not undertaken major efforts to foster justice or fact-finding – key elements to healthy recovery as previously mentioned.

Two examples are illustrative. Sixteen years after the war, it is still not possible to get reliable figures from the BiH administration about how many people died, how many left the country and how many have returned. Numbers are highly speculative and can be manipulated according to individual political purposes.<sup>59</sup> Politicians whose power base is

<sup>50</sup> Stubbs, P., 2003. Dealing with the past in Bosnia-Herzegovina, Croatia and Serbia & Montenegro. *Quaker Peace and Social Witness*, p. 9.

<sup>51</sup> Clark, *supra*, pp. 375-376.

<sup>52</sup> Sisson, *supra*, pp. 23-24.

<sup>53</sup> *Ibid*, p. 24.

<sup>54</sup> *Ibid*, p. 63.

<sup>55</sup> *Ibid*, p. 48.

<sup>56</sup> Franović, I., 2008. Dealing with the past in the context of ethnonationalism. The case of Bosnia and Herzegovina, Croatia and Serbia. *Bergdorf Occasional Paper Series*, Number 29, p. 43.

<sup>57</sup> *Vijesti.nl*. 2011. Inzko u Vijeću sigurnosti UN-a o politickoj situaciji u BiH. Available at: <[www.vijesti.nl/?p=56161](http://www.vijesti.nl/?p=56161)> [Accessed 9 May 2011].

<sup>58</sup> Stubbs, *supra*, p. 8.

<sup>59</sup> Sisson, *supra*, p. 23.-24.

contingent upon fear of the Other have deliberately reshaped factual information surrounding the conflict beyond recognition.<sup>60</sup> This can be seen in recent political developments in BiH since 2006.<sup>61</sup> This attitude of politicians can be partly explained by the fact that many were active before and during the war, meaning that any public debate on the past and the war would force them to deal with their own responsibility.<sup>62</sup> In practice, nationalist politicians derive power and votes from their manipulation of the past and their stereotypical understandings of the nature of the Other.<sup>63</sup> This manipulation by politicians can also be seen in another illuminating example – the apologies by officials that have been offered in recent years.<sup>64</sup> These apologies have in the main part been seen as purely political, timed according to political exigencies or to forward a particular agenda, resulting in little meaningful impact. Nonetheless, apologies may still be important.<sup>65</sup> As one interviewee of this research stated: “*it does not change anything. However, it can bring something else to the table that does have the power to change something.*”<sup>66</sup>

Within this political context, memory initiatives do not escape the reach of political manipulation. Most politicians support and visit memorials or monuments – and expressly seek attention for this – but almost exclusively endorse those that are claimed by the ethnic group they themselves belong to. If memory initiatives and political apologies are to harness any power that they have to change the situation in BiH, it would appear that a major obstacle exists in the shape of the dynamic between current politics and past events. At present, little progress has been made in this regard. This is a major constraint to combating impunity in BiH, since the culture of silence that this dynamic creates is both visible and enduring.

Considering this political status quo, many consider that non-governmental actors provide an answer. The lack of governmental and political initiatives to deal with the past has brought non-governmental organisations and civil society organisations to the fore to play a leading role in this process. They have in many ways played a positive part in memorialisation, even in spite of concern about their high degree of exclusivity and methods. Civil society in BiH is still relatively weak, mainly divided along ethnic lines, with strong competition among the organisations for both resources and attention. The various efforts undertaken are quite disparate and uncoordinated and there are few common projects. Additionally the gap between actors from urban areas and rural areas is problematic, just as it exists between national level players and those with grassroots and local backgrounds.<sup>67</sup> Civil society is also not able to plan and subsequently achieve significant outreach towards a broader public and substantial impact on the societal level, often owing to the difficulties raised above.<sup>68</sup> They also face practical issues in trying to reach their objectives, not least because of funding issues and differences in the agendas and priorities of civil society and those of groups of war veterans, victims and survivors.<sup>69</sup> Although NGOs/CSOs have many shortcomings in their work on impunity and dealing with the past, they still have major capacities and experience that should be built upon. This may include supporting regional truth-seeking processes through locally-based initiatives in order to enhance their legitimacy at the local level.

Civil society is not alone in having a role to play in the development of BiH and potentially in efforts aimed at memorialisation. The research has highlighted the almost unanimous concerns of interviewees about the media as an actor negatively influencing memorialisation. Claims of bias, particularly in views of the past,<sup>70</sup> as well as sensationalism and an insistence on showing negative examples of interaction between ethnic groups were often raised.<sup>71</sup> Besides the fact that many journalists are not independent – politicians own several media companies – there is also a lack of adequate knowledge, quality and investigative skills amongst journalists. This makes it difficult to obtain objective information from media sources in BiH, compounded by the fact that the media rarely obtains official reports, especially on transitional justice and memorialisation – subjects which the media rarely report on.<sup>72</sup> The media show little interest in developing and promoting a positive image of the multi-ethnic character of BiH and its neighbouring countries.<sup>73</sup> Many citizens of BiH thus see the media continuing to be framed in terms of a one-sided understanding of the past,<sup>74</sup> with state-control and other influences meaning that the media represent often antagonistic truths.<sup>75</sup> To counteract this negativity, the Balkan Investigative Reporting Network (BIRN) was established to produce professional and investigative reporting,

<sup>60</sup> Bastedo, *supra*, p. 17.

<sup>61</sup> Sisson, *supra*, p. 29.

<sup>62</sup> *Ibid*, p. 28.

<sup>63</sup> Stubbs, *supra*, p. 9.

<sup>64</sup> Franović, *supra*, p. 32.

<sup>65</sup> *Ibid*.

<sup>66</sup> Saja Coric, *Interview with the author*, Udruženje Logoraša Logora Vojno, March 2011.

<sup>67</sup> Sisson, *supra*, p. 65-66.

<sup>68</sup> *Ibid*, 66.

<sup>69</sup> Stubbs, *supra*, p. 14.

<sup>70</sup> Sabira Medić, *Interview with the author*, Berek, March 2011.

<sup>71</sup> UNDP, 2009. Transitional justice guidebook for Bosnia and Herzegovina: executive summary, p. 59.

<sup>72</sup> *Ibid*.

<sup>73</sup> Stubbs, *supra*, p. 2.

<sup>74</sup> Zupan, *supra*, p. 9.

<sup>75</sup> Sisson, *supra*, p. 62.



especially on the work of the ICTY.<sup>76</sup> Many respondents claimed that BIRN is a positive development, though the problem remains that nationalist voices of the hard-line media are heard more loudly and by a bigger audience.

A final stakeholder or actor with an influence on the culture of silence in BiH is the international community. For years BiH has been overseen by the international community, with one of the most significant actors being the Office of the High Representative and EU special representative (OHR), with the High Representative (HR) at its head. The High Representative is the ultimate and the uppermost interpreter of the Dayton accords and controls its implementation. In this position, the High Representative has three priorities: building a democratic state; carrying through economic reforms; and promoting the return of refugees.

The international community involvement in the Balkans is thus effected through international organisations and international NGOs. The literature on post-war BiH clearly states the crucial role played by the international community in the region, with at least a theoretical role for breaking the culture of silence, perhaps through supporting memory initiatives. In some cases international actors have done outstanding work, for example through financing and practically supporting many grassroots projects. Nonetheless, support for the constructive role of international actors in BiH often gives way to dissatisfaction with their presence. These criticisms derive from criticism of the practicality of the DPA, the lasting timeframe of their involvement, as well as the current approach to war criminals who are still politically active. Significantly, much criticism surrounds the role of international actors in their (absent) strategy for addressing impunity and the culture of silence.<sup>77</sup> In particular, the EU as a major actor in BiH and with the possibility to put conditions on EU accession has a significant role to play, but has thus far failed to capitalise on this position in order to ensure that peacebuilding and the reduction of impunity are prioritised and fully subscribed to by politicians in the Western Balkans.<sup>78</sup>

Specific criticism of the role of international actors was raised in this research concerning the funding of memorialisation projects. As in other contexts, the lack of tangible and immediate results means that funding for such projects has not been forthcoming. In a wider sense, this illustrates the lack of consideration and strategic view given to dealing with the past by the international community in BiH, beyond mechanisms of criminal justice. As Zupan argues, *“In order to keep the fragile peace agreements, it [the international community] is rather advocating to forget the past and look to the future in Bosnia while much more support is given to the process of dealing with the past in Serbia.”*<sup>79</sup> The suggestion from interviewees is that the international agenda for dealing with the past in BiH is flawed, with the space for opening dialogue about the past and creating a healthy culture of remembrance limited. It would appear that even consideration of this facet of transitional justice and post-conflict development has been side-lined, meaning that international actors have inadvertently contributed to the culture of silence.

Alongside these criticisms there is nevertheless recognition of the need for sustained intervention. It is widely believed that new conflict would erupt if the international community were to leave BiH, particularly without doing something about the silence of the past.<sup>80</sup> Most respondents indicated that the international community should work on addressing the current political standstill in BiH and furthermore engage in efforts towards memorialisation.<sup>81</sup> In addition, there is a certain expectation that EU and NATO membership would solve most of BiH’s problems with the past. The suggestion is that future integration into the EU/NATO can have an important psychological impact on the respective societies, serving as an incentive for democratic reforms and discussion about history. Taking this perspective, it is argued that the EU and NATO could contribute to the creation of favourable conditions and incentives in the region by setting more specific conditions on membership and particularly in the denunciation of nationalist rhetoric and rollback strategies. EU and NATO integration remain problematic however, with concrete, transparent, credible and achievable criteria yet to fully emerge, often difficult for the population at large to accept.<sup>82</sup>

The gulf between the beliefs of the population and the realities of political decisions highlighted here demonstrates some of the misconceptions that may motivate opinions in BiH. Indeed, there are limits to what the international community can do. The fact is that a solution – on the BiH situation in general, but on dealing with the past specifically – cannot come from the outside.<sup>83</sup> This is especially the case as far as dealing with the past is concerned.

<sup>76</sup> *Ibid*, p. 28.

<sup>77</sup> Kristina Čorić, *Interview with the author*, OKC Abrašević, March 2011.

<sup>78</sup> Van den Berg, D., 2011. The Necessity of the Rehabilitation of the Citizen: peacebuilding and the EU enlargement process. *Civil Society Dialogue Network (CSDN)*. Available at: <[http://www.eplo.org/assets/files/2.%20Activities/CSDN/Member%20State%20Meetings/Romania/CSDN\\_Romania\\_DiscussionPaper\\_PeacebuildinginEUenlargement.pdf](http://www.eplo.org/assets/files/2.%20Activities/CSDN/Member%20State%20Meetings/Romania/CSDN_Romania_DiscussionPaper_PeacebuildinginEUenlargement.pdf)>.

<sup>79</sup> Zupan, *supra*, p. 2.

<sup>80</sup> Bastedo, *supra*, p. 4.

<sup>81</sup> Saja Čorić, *Interview with the author*, Udruženje Logoraša Logora Vojno, March 2011.

<sup>82</sup> Sisson, *supra*, p. 32.

<sup>83</sup> *Ibid*, p. 31.

## Future generations, education and memorials

The extent to which future generations are included and engaged with the issues that have been raised thus far provides genuine insight into the culture of silence in BiH and thus impunity. Their involvement, understanding of the past and contribution to social debate, or lack thereof, allow key insight into both the impunity that exists and the opportunities for combating it.

Indeed, future generations have been identified as important actors for memorialisation, which is most certainly the case in BiH. However, their specific situation is challenging. Unemployment is a major issue – the majority of the 517,000 unemployed in BiH are youth. When young people finish school they are unable to find jobs, leading to discouragement, apathy and social exclusion.<sup>84</sup> A 2005 report showed that 77% wish to leave BiH, of which 24% would have no aspirations to return.<sup>85</sup> Moreover, this already delicate socio-economic situation is challenged by their ethnically-oriented education – both formal and informal. From early childhood young people are often socialised in a way that – whether by design or otherwise - treats the Other differently.<sup>86</sup> At home, children face their family's war trauma, while most of them have not experienced the war themselves. This situation is then further aggravated by an education system that literally divides pupils into the 'two schools under one roof' system, rather than introducing the past in a professional, objective and in many ways truthful manner. Indeed, three cantons of BiH operate the 'two schools under one roof' system. In its most extreme form, children from different ethnic groups have their own classrooms in different parts of the school building or they use the same classrooms in shifts.<sup>87</sup> Furthermore three textbooks are used for history, geography and linguistics, each of which furthers the idea of victimisation effectively stimulating new generations of ethnic division.

To this day, initial research seems to suggest that memory initiatives do not pay special attention to young people and their education. Though often erected with the idea of teaching new generations about history, the message is usually one of division and hatred. This is made possible by the employment of mistruths about the past, which gives youth a distorted picture about the past conflict and their neighbours of other ethnic backgrounds. By contrast, it would appear that there is little room to question these messages and thus for discussion of the past. Accepting that violence will logically provoke one-sided interpretations of the past especially when the trauma is still raw, it may be realised that time may well be vital in the evolution of the message being presented. In such contexts the international community can play an important role, as objective outsiders. Museums also offer potential in this regard to fill the consequent void and provide a more objective education about the past. Unfortunately, until today, museums largely fail in this objective. No museum exists in BiH that is dedicated to giving an overview of the country's general history and the war of the 90's in particular.<sup>88</sup> One could quite readily argue here that with such processes the Bosnian youth are being raised to discriminate and perhaps hate, without factually knowing the basis for such contempt towards other ethnic groups and whether their beliefs are well-founded. Since young people are physically divided, they are not able to break down these prejudices and build a common future. As future leaders of the country, they could - and should - be the ones who take a leading role in the issues the country is facing and make a more stable and healthy living environment for themselves.

Sixteen years after the end of the conflict, the factors that facilitate BiH's culture of silence not only enable impunity, but also act as barriers to memorialisation. At present, memorialisation is thus contributing to the culture of silence in BiH in many ways, rather than acting to break it. In other ways, however, those same factors severely restrict the value and use of memorialisation. The crucial expression of impunity in BiH is made possible by this '*don't talk about the past*' context. One must therefore establish the potential role that memorialisation may play in BiH. To do so requires an in-depth understanding of the dynamics at play, which the following sections aim to provide. This begins with a short mapping of current memorialisation efforts.

### 2.4. Memorialisation within the Bosnian Context

The Bosnian context, prevailing culture of silence and consequences for impunity have been established. In the following brief section, an overview is provided of memorialisation efforts and the state of memorialisation in BiH, as a consequence of and as a factor in this context. Previous research by Impunity Watch has indeed shown the potential importance of memorials as a way to deal with the past.

Although there is a visible culture of silence in Bosnia and Herzegovina, which is entangled with the multiple other problems that the country is facing, there are distinguishable initiatives that seek to challenge this literal silence. One should nonetheless bear in mind the silence that results from misinterpretations or distortions of the truth when considering such initiatives. Victims and/or survivors are usually the catalysts for these initiatives, with memorials to be

<sup>84</sup> UNDP, 2011. Young and unemployed in Bosnia and Herzegovina. Available at: <[www.undp.ba/index.aspx?PID=3&RID=55](http://www.undp.ba/index.aspx?PID=3&RID=55)> [Accessed 12 May 2011].

<sup>85</sup> Novi Most International. Young people in Bosnia & Herzegovina. Available at: <[www.novimost.org/aboutyoungpeople.htm](http://www.novimost.org/aboutyoungpeople.htm)> [Accessed 12 May 2011].

<sup>86</sup> Sarić, V., 2010. Balkan Youth to Follow Karadzic Trial Closely. *Institute for War & Peace Reporting*. Available at: <[iwpr.net/report-news/balkan-youth-follow-karadzic-trial-closely](http://iwpr.net/report-news/balkan-youth-follow-karadzic-trial-closely)> [Accessed 12 May 2011].

<sup>87</sup> Clark, *supra*, p. 365.

<sup>88</sup> Muhiba Kaljanac, *Interview with the author*, Historical Museum, March 2011.

found all over the country. Although these memorials appear to be mostly initiated by victims'/survivors' organisations, funds often originate from administrations,<sup>89</sup> private donors or international actors.<sup>90</sup> The initiatives can mainly be categorised as follows:

- **Plaques:** for instance the plaque for citizens who were killed or went missing at Rasavci (near Prijedor for the Serbs) or at Kozaruša (near Kozarac for the Bosniaks). But there are also plaques dedicated to soldiers. Plaques can be found in the neighbourhood of a place of atrocity as well as on a wall of a mosque or church (the latter depending on the ethnic background of the victims). Examples of these plaques are to be found at the mosque in Golubić (near Bihać) and at the Catholic Church in Drvar.;
- **Monuments:** including the monument for Croat victims (unknown whether for soldiers or civilians) at Jajce or the monument near the hydroelectric plant at Gacko for the Serb victims (unknown whether for soldiers or civilians);
- **Cemeteries:** such as the cemetery at Bosanski Petrovac (for civilians) or at Butmir (in Sarajevo for the fallen soldiers). A well-known cemetery is, of course, the cemetery in Potočari for the genocide of Srebrenica, which is part of the Memorial Centre. Up till now, 3.749 victims have been buried at this cemetery.;
- **Memorial centres:** for instance Dreznica Memorial Centre (for soldiers of the Army of Bosnia and Herzegovina), Potočari Memorial Centre (for the victims of the genocide in Srebrenica committed in July 1995) and the Memorial Centre Rujani (for the defenders of Livno, unknown whether for civilians or soldiers). The opening of professional memorial centres is not happening too often in Bosnia and Herzegovina yet. The mentioned examples are exception to the rule.;
- **Other memory initiatives** (more artistic and ad hoc): for instance the 'Sarajevo Roses' in Sarajevo (every shell that exploded on a road or paved area left a splattered imprint, reminiscent of the shape of a flower. Instead of building over or repairing these concrete scars, artists have painted the "petals" of these craters. Today, they are the constant reminders of the war.). Another example is the 'March of Peace' from Srebrenica to Tuzla (march organised to honour those Srebrenica residents (of Bosniak background) who fled through the woods in July 1995 in an attempt to reach territory controlled by the Army of Bosnia and Herzegovina)

Though a licence to erect a memorial is needed, a coordinated approach to memorialisation at state level is non-existent. It should not be surprising to note that memorials are almost completely built along ethnic lines with only a small number of examples of universal monuments or monuments erected upon initiatives launched by two peoples.<sup>91</sup> Thus, whilst most respondents acknowledge the importance of memory initiatives for dealing with the past, with some even calling it the basis of transitional justice,<sup>92</sup> the absence of a general memory initiative for victims of all ethnic groups is in itself telling. According to interviewees, the politicisation of memory initiatives means that a victim-perpetrator message is enforced, rather than one of truth. Moreover one has come across cases where memorials are being misused by politicians to spread their nationalistic or hatred message, as noted earlier.<sup>93</sup> That can be seen as nurturing the phenomena of multiple truths, denial and political manipulation.

As a consequence an overall memory initiative for all victims of the war remains desirable according to many respondents. For some, it could lead towards empathy and encourage all parties to acknowledge what has happened in the past. It may also teach new generations about history and could act as a method for ensuring non-recurrence, by reminding them to prevent such atrocities from happening in the future.<sup>94</sup> Whilst these objectives are desirable, any such efforts aimed at generating them have consistently failed, owing in large part to political disagreements between politicians from all sides.<sup>95</sup> This illustrates the difficulty of attempting to commemorate the war in a universal, non-ethnic way, where multiple questions remain unresolved, not least the location for such an initiative. The importance of such a project remains however, as identified in both the literature and interviews conducted in BiH.

A glance back to BiH's history also provides crucial insight into the need for memorialisation, demonstrated by the consequences of its absence in the past and the important role that history has played in the recent violence. Here, the suggestion once again relates to the need for guarantees of non-recurrence. Indeed, history has played a significant role in the current BiH socio-political landscape and its culture of remembrance. For many, the recent conflict can be partly explained by centuries of history as far back as the Ottoman Empire ruling the Balkans. By thus analysing the memorialisation patterns within an older conflict, one can address several issues faced by memorialisation in the current case.

<sup>89</sup> Elma Demir, *Interview with the author*, Association for Democratic Initiatives, March 2011.

<sup>90</sup> Branka Rajner, *Interview with the author*, Human Rights Office Tuzla, March 2011.

<sup>91</sup> UNDP, 2009. Transitional justice guidebook for Bosnia and Herzegovina: Executive summary, p.45

<sup>92</sup> Merdžana Subašić, *Interview with the author*, Istraživačko Dokumentacioni Centar, , March 2011.

<sup>93</sup> Elma Demir, *Interview with the author*, Association for Democratic Initiatives, March 2011.

<sup>94</sup> Anisa Sućeska-Vekić, *Interview with the author*, Balkan Investigative Reporting Network, March 2011.

<sup>95</sup> Velma Saric, *Interview with the author*, Centre for Justice and Reconciliation, March 2011.

It is widely recognised that the Second World War (WWII) had a prominent place in Bosnian history. The events that led to WWII, the way in which the war was ended and the socialist period thereafter are frequently considered as parameters of the 1992-1995 war. Interestingly, WWII was followed by a similar approach to dealing with the past as is happening in BiH today. The facts were not established and in many ways there was denial and amnesia about what had happened.<sup>96</sup> Here, space was only provided for the remembrance of soldiers and civilians who had fought on the side of the communist partisans. There was a clear silence regarding other groups, who had fought for example on the side of the nationalists. In one way, this development can be marked as positive. It did cause people of Yugoslavia to commemorate the struggle in which people of all ethnicities participated. In this sense, it did cause some manifestation of unity. However, dealing with the past of WWII can teach us much about the necessity to fight denial and amnesia and work towards an open discussion of past events, truth finding and acknowledgement of one another's losses. The silence and the absence of a plural truth have caused many people to carry deep-rooted grievances with them. The inability to speak of certain things and events and to commemorate them has indirectly (together with many other issues) caused the war of the 1990's to take on such forms as it did.

Another side effect of the silence about the events of WWII is that because many facts are still not established, people mix up stories about the Second World War with stories of other conflicts, especially the war of the 1990's. It is, for example, very common that people make use of terms as 'ustaše' or 'četniks' (names of nationalist warring parties during WWII) to refer to the warring parties of the 1990's conflict. These names are applied without knowing the exact facts about these groups, but also about the groups, which have fought each other in the most recent conflict. Thus, misinformation leads to misuse, which itself leads to disrespect. This escalation can increase tension between different ethnic groups and (indirectly) cause new conflicts. On several occasions academics have strongly focused on the idea of past grievances as root-causes of contemporary conflicts. Hence it is very important to keep in mind the effect of denial and amnesia after the WWII and that actions should be taken in avoiding such developments for the recent conflict. This is a question that will be further discussed in the case studies.

One final remark should be made. Opinions are not uniform on the question of whether truth-telling should begin with WWII. Some respondents found that this was necessary if one is to deal with the past in a proper manner, while other voices suggested that digging into the past of more than 70 years ago is not desirable because it may lead to renewed grievances amongst the ethnic groups. Here, the suggestion was that it would be better to begin by filling the gaps of the events which led to the beginning of the war in the 1990's. If nothing else, the lack of answers to these issues demonstrates the importance of preventing the war of the 1990s from descending into a similar state of amnesia and unresolved, unspoken issues.

## 2.5. Reflection

In this chapter the concepts that lie behind the idea of memorialisation, the potential importance of such a process and the contextual challenges that can often overshadow any success have been highlighted. A presentation of the Bosnian case that includes elements of the context that will impact on memory initiatives has also been provided. In particular, the various layers of society and actors in the memorialisation process in BiH have been looked at. Whilst some level of analysis regarding their importance has been offered, these arguments have raised further questions.

Indeed one could argue that to this day memory initiatives within the Bosnian context, truth-telling and restorative justice seem to have failed. At the very least they face strong and credible criticism. The partiality of many of these initiatives has been frequently referred to. One wonders what types of initiatives could succeed in BiH. An attempt to provide answers to this question will be undertaken by way of qualitative case studies of the three Bosnian initiatives previously described. The report has highlighted the particularly important international presence in BiH, which naturally leads to questions of the role it may have in memorialisation despite its apparent absence from the current agenda. For this there is a pressing need to demonstrate the importance of memorialisation and the need to support memory initiatives, particularly since they may potentially assist in the fight against impunity. The consequences of continued impunity are too profound to ignore, but these unresolved dilemmas facing memorialisation in BiH must be tackled and understood, perhaps before international actors will seriously engage with the issue. The case studies will help in the consideration of these dilemmas.

Furthermore, the relationships and/or impacts of criminal proceedings on truth-telling and memorialisation will be examined. This is significant in a transitional justice context where criminal justice has been prioritised and where a lively debate on the relationship between truth and justice - notably their complementarity (or not) - currently exists. The possibility of multiple truths operating in parallel and the ambiguous role of the education system in contributing to historical truths further complicate the memory-scape in BiH. The hope is that the present study can at least in some small part contribute to enriching this debate.

<sup>96</sup> Anisa Sućeska-Vekić, *Interview with the author*, Balkan Investigative Reporting Network, March 2011.

## 3. Case Studies

The selection of the case studies to be examined in the following section has been justified in chapter 1. The aim of the analysis that follows is to draw conclusions based on the central research question; that is whether memory initiatives have a role – either positive or negative – in the culture of silence that perpetuates impunity in BiH. The previous chapters of this report have highlighted the contextual elements that justify BiH to be a relevant case that will give the research insight on memory initiatives and their impacts.

### 3.1. Memorial Centre in Potočari

#### 3.1.1. The Project Background

In July 1995, the UN-protected enclave of Srebrenica was the scene of what has been legally classified as genocide by the International Court of Justice and the ICTY. After the DUTCHBAT battalion, mandated to protect Bosnian-Muslims gathered in the enclave, could not prevent Bosnian-Serb forces from capturing the area, men and boys were separated from women and girls and subsequently murdered. The massacre, described as the worst on European soil since WWII, resulted in the deaths of more than 8,000 Bosnian-Muslim men and boys under the command of Ratko Mladić.

After lobbying by victims, the High Representative, Wolfgang Petritsch decided on 25 October 2000 that the location of Potočari – in the municipality of Srebrenica - was to welcome a cemetery and a monument in honour of the victims of the Srebrenica genocide in July 1995. On 10 July 2001, Petritsch formally established the foundation, ‘Srebrenica–Potočari’, a non-profit organisation whose goal was to build and maintain the complex. With this decision the roles of the Executive Committee and the Advising Working Groups were determined. On 25 March 2003, the ‘Battery Factory’, which used to house the DUTCHBAT battalion,<sup>97</sup> was made part of the Memorial Centre Potočari.<sup>98</sup> It would, the suggestion was, serve a dual purpose: a place where relatives of those killed can mourn their dead and where they, and the rest of BiH, can try to come to terms with the past and build the future.<sup>99</sup> In March of that same year, the first 600 identified bodies were buried at the cemetery of the memorial.<sup>100</sup> In 2007, the High Representative, Christian Schwarz-Schilling decided that the BiH administration would be the responsible executive of the centre via a council appointed by the national Council of Ministers.<sup>101</sup>

The initiative to build a memorial centre for the victims of the genocide in Srebrenica began straight after the war. The main initiators were the surviving women (mothers and widows) of the genocide who sought to establish a foundation and a memorial centre where the bodies of the victims could be laid to rest. They insisted on the current location in Potočari to be the place of this memorial centre.<sup>102</sup> To achieve this goal, they prepared a petition and then convinced the High Representative of the validity of their project.<sup>103</sup> The victims of the largest mass murder in Europe since WWII are thus being buried at the cemetery of the Memorial Centre.

During the events that transpired in July 1995, mostly men and boys were killed after they were separated from the women of Srebrenica. After the genocide, the victims were dumped into mass graves, which were later excavated in order to rebury the bodies in smaller graves. The goal of such an endeavour was clear: to cover-up the evidence and all traces of the genocide.<sup>104</sup> At the time of writing, 4,524 victims had been buried in the cemetery. Although it is very difficult to determine the exact number of victims of the genocide, 8,372 is the current estimate.<sup>105</sup> These numbers will change as identification of bodies in the mass graves continues and will remain an on-going process for the foreseeable future.<sup>106</sup>

<sup>97</sup> DUTCHBAT, or ‘Dutch Battalion’, was the name of the Dutch contingent of UN-mandated peacekeepers tasked with protecting the enclave of Srebrenica.

<sup>98</sup> Memoijalni Centar Potočari, *Memorijalni Centar*. Available at: <[www.potocarimc.ba/%5Fba/mc](http://www.potocarimc.ba/%5Fba/mc)> [Accessed 18 April 2011].

<sup>99</sup> Pollack, C.E., 2003. Intentions of burial: Mourning, politics, and memorials following the massacre at Srebrenica. *Death Studies*, 27, p. 126. The initiative received funding from the Dutch Government, among others, and benefited from the cooperation of Netherlands-based organisations, IKV Pax Christi and Kamp Westerbork.

<sup>100</sup> Memoijalni Centar Potočari, *Memorijalni Centar*. Available at: <[www.potocarimc.ba/%5Fba/mc](http://www.potocarimc.ba/%5Fba/mc)> [Accessed 18 April 2011].

<sup>101</sup> Deutsche Welle, 2007. *Schwarz-Schilling nametnuo odluku o Memorijalnom centru Srebrenica-Potočari*. Available at: <<http://www.dw-world.de/dw/article/0,,2634609,00.html>> [Accessed 18 April 2011].

<sup>102</sup> International Centre for Transitional Justice. *Srebrenica-Potočari Memorial and Cemetery*. Available at: <[memoryandjustice.org/site/srebrenica-potochari-memorial-and-cemetery](http://memoryandjustice.org/site/srebrenica-potochari-memorial-and-cemetery)> [Accessed 18 April 2011].

<sup>103</sup> Amra Begić, *Interview with the author*, Memoijalni Centar Potočari, March 2011.

<sup>104</sup> Voice of America News, 2010. *15<sup>th</sup> Anniversary of Srebrenica*, Available at: <[www.voanews.com/policy/editorials/democracy/15th-Anniversary-Of-Srebrenica-98546934.html](http://www.voanews.com/policy/editorials/democracy/15th-Anniversary-Of-Srebrenica-98546934.html)> [Accessed 18 April 2011].

<sup>105</sup> Amra Begić, *Interview with the author*, Memoijalni Centar Potočari, March 2011.

<sup>106</sup> Salimović, S., 2010. U Potočarima ce biti sahranjen in jedan katolik, *Radio Slobodna Evropa*, Available at: <[www.slobodnaevropa.org/content/rudolf\\_hren\\_barbara\\_hren\\_sahrana\\_potocari/2092432.html](http://www.slobodnaevropa.org/content/rudolf_hren_barbara_hren_sahrana_potocari/2092432.html)> [Accessed 18 May 2011].

Finally, the idea of a second phase of the Memorial Centre was recently proposed. This second phase mainly concerns the Battery Factory building. An idea was adopted in 2010 after the signing of a contract with *Energoinvest* to produce a concept design and an implementation project. This project was presented at the beginning of April 2011 in Sarajevo. At the end of May of the same year, the necessary documentation for the project was collected, then the set-up of an action plan and the search for funds for the execution of the project would commence.<sup>107</sup> The purpose of the second phase is to complete 8,000 white *nisani* (grave stones), which was part of the original idea in the project's conception. According to Amra Begić, who works at the Memorial Centre, in the future there will be a documentation centre, an archive and a collection of the possessions of the victims, though funding is still required.<sup>108</sup>

Overall, the message that the Memorial Centre as a whole is intended to convey is one of reminding and informing future generations about what happened in July 1995.<sup>109</sup>

### 3.1.2. The Memory Initiative

The Memorial Centre in Potočari comprises two main sections: the cemetery and the museum. This museum consists mainly of the *Spomen Soba* (Memorial Room), which tells the personal stories of victims of the genocide. Some personal belongings are also included in the presentation and the room plays a vivid movie of the 1995 events that took place in Srebrenica. Both the Dutch government and the Memorial's foundation financed the *Spomen Soba*.<sup>110</sup> In contrast, while the museum caters for visitors (including guided tours), the cemetery is a place where families, victims and survivors can bury their loved ones and mourn their loss. An interesting point to consider concerning the information provided during the guided tour is that information is given about the victims before the genocide, the time during the war, the international community, the UN, and the fall of the enclave, but because many facts are still to be established only the universally agreed facts are included.<sup>111</sup>

Each year the centre welcomes around 123,000 visitors, of which around 60,000 visit the centre on July 11<sup>th</sup>.<sup>112</sup> Despite visits to the centre not being compulsory, many pupils go to the centre, although according to some respondents to this study such visits should be added to the school curriculum on a national level. In this way, it was suggested that future generations would be faced with the past and new conflicts prevented (the implication being that education about past horrors will lead to deterrence and non-recurrence). Such ideal notions should however be set in the aforementioned context whereby school curricula, particularly history curricula, have been politicised, with much difficulty in achieving consensus. According to Amra Begić, it is thus better to receive visitors who are genuinely interested in the genocide of Srebrenica rather than forcing people to come and visit the centre without interest and respect for the events that took place.<sup>113</sup> Partly for these reasons, and according to Amra Begić herself, no special efforts are made to attract Serb visitors. However, the potential effects of such an approach will be that visitors will probably be either those directly affected by Srebrenica as an individual or community or interested outsiders, perhaps limiting the wider societal effect of the initiative on other groups.

In this regard, there seem to be many history students from Australia visiting the centre, while there are few persons of Serb ethnicity who visit on a personal and voluntary account. The Serbs who do visit the centre are usually workers and/or members of NGOs and CSOs, or local politicians present during the 11 July commemorations.<sup>114</sup> One possible explanation for this is that Serbs do not wish to visit the centre as they do not acknowledge the extent of what happened in Srebrenica, particularly its legal characterisation as genocide. In a context (explained in the foregoing sections) where the genocide is denied by actors at all levels, notably influential political elites, this will prevent any genuine confrontation with the past by portions of the Serb population for whom a visit to the centre would constitute acknowledgement of the events. Another more complex explanation could be those Serbs interested in visiting the centre with sincere intentions are discouraged by the reactions they may attract from within their own ethnic community. Complicating this matter, the centre makes no special efforts to attract Serb visitors.<sup>115</sup> Several dynamics are at play here, explored further below.

At the outset it is necessary to offer an initial reflection on some of these dynamics. Indeed, the fear of ostracism that motivates the apparent self-imposed absence of Serbs for various reasons demonstrates how memory initiatives may often reflect the wider difficulties faced in a society. Moreover, the failure to address this necessarily further entrenches such difficulties. The dilemma is whether a centre should pay special attention to attract one particular group of visitors,

<sup>107</sup> Memorijalni Centar Potočari, 2011. *Prezentiran idejni projekat za izgradnju II faze Memorijalnog centra*, Available at: <[www.potocarimc.ba/\\_ba/index.php?kategorija=i.ba.online](http://www.potocarimc.ba/_ba/index.php?kategorija=i.ba.online)> [Accessed 17 May 2011].

<sup>108</sup> Amra Begić, *Interview with the author*, Memorijalni Centar Potočari, March 2011.

<sup>109</sup> Simić, A., 2009. *Memorijalni Centar Potočari: kozmicka, a ne ovozemaljska bol, Oslobođenje*, Available at: <[www.oslobodjenje.ba/index.php?id=2744](http://www.oslobodjenje.ba/index.php?id=2744)> [Accessed 7 September 2010].

<sup>110</sup> Amra Begić, *Interview with the author*, Memorijalni Centar Potočari, March 2011.

<sup>111</sup> *Ibid.*

<sup>112</sup> *Ibid.*

<sup>113</sup> *Ibid.*

<sup>114</sup> *Ibid.*

<sup>115</sup> *Ibid.*

in this case Serbs, especially those whom the ‘owners’ of the initiative (Bosniaks in this case) regard as perpetrators. To some, this would mean that the ‘perpetrators’ would receive more attention and special treatment, which should be reserved for the victims of the genocide. By contrast, the viewing of an entire ethnic group as ‘perpetrators’ is more than problematic – especially those within the group who do not subscribe to the ethnic rhetoric that denies the genocide. Whilst in this context, the centre appears unable to open up a discussion about the past and break the existing silence which widely exists between the Bosniaks and Serbs on this issue, it should again be repeated that the perpetual denial of the genocide by many in the Serb community presents an enormous challenge to any initiative.<sup>116</sup> These issues, along with the failures and successes of this project are discussed below.

### 3.1.3. Discussion

As noted earlier, the role of the victims organised in victims’ organisations was significant in initiating the memorial project as well as driving its purpose and eventually determining its location. Amra Begić confirms this fact.<sup>117</sup> Nonetheless, it is important to make distinctions within the category of victims/survivors, rather than claiming that they comprise a homogeneous group.

To this end, it must be first recognised that not all victims and survivors necessarily share a common viewpoint, nor should be treated as an explicitly generalisable category. Indeed, claims abound that victims’ groups themselves are divided into categories, whilst during the research it was expressly recognised that members of different groups have distinct grievances. (At some level, however, it was suggested that these grievances are still addressed by the Srebrenica project.) Pollack goes further in drawing distinctions within these categories, labelling them according to their relative political isolation and consequent distinct desires, based on those persons who are part of organisations and those that remain independent. Pollack suggests, commenting on the memorials at Srebrenica, that:

*“The survivors are divided into those people who are involved in political organisations and those who remained politically isolated. In brief, survivors who remained politically isolated desired a place to mourn their loved ones in accordance with their traditions. Those involved in advocacy and political organisations viewed burial as a means towards achieving political ends.”<sup>118</sup>*

According to Pollack, people who are involved in organisations view burial as a form of recognition; recognition of the Srebrenica genocide by Serbs and proof that RS is built on blood. In addition, the burial is suggested as representing a form of symbolic punishment for the crimes, because the very presence of the Memorial Centre forces Serbs (who are collectively seen as the perpetrators in this case) to deal with the past. On the other hand, Pollack suggests that those persons who remain outside of organisations have less political clout and thus assign different objectives to the centre.

The direct connection of victims’ organisations with politics can be disputed, though the very nature of such organisations means that their work necessarily encroaches on the political realm. It would also seem unimaginable that there are no people inside such organisations who simply wish to bury and mourn their loved ones. The division should thus not be made in such a strict manner. What the above does however demonstrate is the overarching dilemma of exactly whose interests memory initiatives represent.

Other criticisms of victims’ organisations similarly hinge on politics, with a certain amount of reproach targeted at those organisations that enjoy the most attention in the media and from (international) politicians. This criticism, remarkably, does not only come from other ethnic groups, but also from Bosniaks, critical of the workings of such organisations. The research unearthed elements of discontent that the attention that some of the larger organisations attract may have the effect of concealing the poverty of certain victims and survivors. The warning is that victims cannot be treated as a homogeneous group, nor do large organisations always and inevitably represent the universal cause of victims. For memory initiatives this suggests that caution is needed when presented with an ostensibly exemplary model of dealing with the past, particularly when criticisms hinge on access to external funding in contrast to the wider social problems that otherwise remain within communities as consequences of that past. Furthermore, competition for resources and attention between local organisations may exacerbate tensions with communities otherwise assumed to be homogeneous.

The context surrounding the memory initiative at Srebrenica thus illustrates that despite the memorialisation process being currently underway substantial grievances still exist among victims. Unresolved grievances ensure that moving forward remains a challenge. In 2010, the President of the United States, Barack Obama, recognised this problem, but as a consequence of wider issues of justice. At the 15<sup>th</sup> anniversary of the Srebrenica genocide, President Obama stated:

<sup>116</sup> Hunin, J., 2011. Wiedergutmachung in Srebrenica lukt slecht, *Volkskrant Online*, Available at: <[www.volkskrant.nl/vk-online/VK/20110609\\_\\_\\_/VKN01\\_014/#original](http://www.volkskrant.nl/vk-online/VK/20110609___/VKN01_014/#original)> [Accessed 10 September 2011].

<sup>117</sup> Amra Begić, *Interview with the author*, Memorijalni Centar Potočari, March 2011.

<sup>118</sup> Pollack, *supra*, p.126.

*“(...) we recognise that there can be no lasting peace without justice, and we know that we will all be judged by the efforts we make in pursuit of justice for Srebrenica’s victims and those whom mourn them. (...) Justice must include a full accounting of the crimes that occurred, full identification and return of those who were lost, and prosecution and punishment of those who carried out the genocide.”<sup>119</sup>*

In spite of the clear criminal justice rhetoric, and by implication the use of the courtroom as a primary method for ensuring peace, the statement also draws attention to the wider need for truth and reparations. This subtly indicates that there may be a role for memory initiatives when directed towards these goals. Today however, the necessary elements for peace proposed by the President are only partially fulfilled. Both the identification of victims of the Srebrenica genocide and the prosecution of those responsible remain on-going processes, with many alleged war criminals still evading prosecution.<sup>120</sup> Even the arrest of Ratko Mladić in May 2011 did little to quell the discontent amongst victims and survivors, particularly given that it took 16 years for his arrest. Feelings that the arrest is too little too late and that the Serbian authorities having had years to locate him are more concerned with EU membership than a genuine fight against impunity, only add to the problem. Further, the polarised reactions among the different ethnic groups to the arrest only perpetuate the divisions of the past and demonstrate that much progress still needs to be made in mutual acknowledgement of suffering and the consequent silence between groups. The extent to which the memorial centre at Srebrenica has made or can make inroads into breaking these barriers to impunity is thus heavily dependent on the wider situation in BiH and the region. Initial evidence suggests that at this national level, the memory initiative has had little impact.

The culture of silence surrounding Srebrenica is additionally strengthened by the structural denial of the events that took place in 1995. Indeed some Serbs – both in BiH and in Serbia – continue to deny the genocide. For instance, in 2009 the Helsinki Committee for Human Rights in Serbia noted in their bulletin that *“the commemoration of the Srebrenica massacre was once again marginalised in Belgrade”*.<sup>121</sup> According to the Committee, with few exceptions, the anniversary of the genocide in Srebrenica passed almost unnoticed and unreported, whilst those media outlets that did report the events tended to dispute the number of victims and the definition accorded to the events. In many ways, this may illustrate the way in which the media propagate ethnic divisions and forms of denial of the past. Moreover, politics cannot be separated from even those developments that would appear positive. One example is the April 2010 adoption of a resolution by the Serbian Parliament condemning the massacre at Srebrenica and apologising to the victims. Though well-received by the international community,<sup>122</sup> the act drew criticism across ethnic lines. Nationalists maintained that the events had been exaggerated and recalled atrocities committed against Serbs during the war,<sup>123</sup> whilst many victims/survivors were unhappy that the massacre was not called ‘genocide’ and once again questioned the motives of the Serbs (EU membership and seeking favour among the international community again being raised).<sup>124</sup>

The positive impact of memorialisation, let alone one specific memory initiative in Srebrenica, is incredibly difficult to discern in the context of a culture of silence surrounding the Srebrenica massacre and the deep-rootedness of that culture in BiH itself. The attitude of many politicians, intellectuals and large sections of the population in Serbia to cover up the past, has found resonance or indeed reflects the way Serbs in *Republika Srpska* deal with the Srebrenica genocide.<sup>125</sup> It is the latter term that of course is the root of much of the problem, delineating those who ostensibly *deserve* sympathy and those who *deserve* condemnation. It is this politicised division that the Srebrenica memorial centre is built upon, whether by design or not, thus rendering the memory initiative at the very heart of the polarisation that still exists. Indeed, the two bombs that were found at the memorial just days before the 2005 commemoration in July demonstrates the (often negative) significance and role of the memory initiative in the region, as well as the provocation felt by many Serbs on the issue of genocide. The placing of the bombs clearly indicates the powerful rejection of the memory initiative and the message it embodies by those persons with opposing narratives of the past.

The status of the initiative is perhaps more a reflection of the culture of silence and impunity in BiH, rather than an overt attempt to antagonise relations with the Serb community. However, according to Bosniaks such deliberate attempts to antagonise *do* exist. The initiative at Bratunac is cited as an example of an initiative implemented with the express

<sup>119</sup> International Centre for Transitional Justice. *Srebrenica-Potočari Memorial and Cemetery*. Available at: <memoryandjustice.org/site/srebrenica-potochari-memorial-and-cemetery> [Accessed 18 April 2011].

<sup>120</sup> Radiosarajevo.ba, 2011. *Haški sud neće prebacivati predmete BiH*, Available at: <www.radiosarajevo.ba/novost/49965/haski-sud-nejce-prebacivati-predmete-u-bih> [Accessed 18 April 2011].

<sup>121</sup> Helsinki Committee for Human Rights, 2009. Srebrenica: Transitional (in)justice. *Helsinki Bulletin*, Issue 34, p. 1-5.

<sup>122</sup> The Sofia Echo, 2010. *EU, Washington welcome Serbia’s resolution condemning Srebrenica massacre*, Available at: <sofiaecho.com/2010/04/01/881756\_eu-washington-welcome-serbias-resolution-condemning-srebrenica-massacre> [Accessed 17 May 2011].

<sup>123</sup> Spiegel Online, 2010. *Serbia apologizes for Srebrenica massacre*, Available at: <www.spiegel.de/international/europe/0,01518,686663,00.html> [Accessed 7 September 2011].

<sup>124</sup> The Sofia Echo, 2010. *EU, Washington welcome Serbia’s resolution condemning Srebrenica massacre*, Available at: <sofiaecho.com/2010/04/01/881756\_eu-washington-welcome-serbias-resolution-condemning-srebrenica-massacre> [Accessed 17 May 2011].

<sup>125</sup> B92, 2010. *Bosnian Serbs commemorate war victims*, Available at: <www.b92.net/eng/news/region-article.php?yyyy=2010&mm=07&dd=12&nav\_id=68377> [Accessed 17 May 2011].



objective of negatively influencing (and entrenching) the culture of silence. On 12 July each year, a memorial for Serbs killed in the Bosnian war (around 3,000 people) is staged in front of a monument erected to honour those killed.<sup>126</sup> The commemoration comes a day after the Srebrenica genocide commemoration and is viewed by Bosniaks as deliberately insulting, especially because of the chosen date. The claim is that the initiative is an attempt to divert attention away from Srebrenica and to ‘keep scores’ on who has done harm to whom. Incidents whereby in 2009 members of the nationalist Serb Ravna Gora Četniks Movement removed the flag of BiH from the Bratunac Municipal Hall, took it to the yard of a nearby pub and proceeded to urinate and spit on it do little to diminish these claims. The nationalist sentiments that accompanied the incident (for example there were shouts of, “Climb down Rasa/Radovan Karadžić/from the mountain!”, “Pure...from Islam”, and “If needed, Serbia will pure the Balkans from Islam by itself”) further demonstrate destructive appropriations of memory initiatives that consequently maintain impunity.<sup>127</sup>

Such incidents, based around memory initiatives, instil both insecurity and tension among the different ethnic groups in the region. Claims were made during the research process that hate speech often goes unpunished, evidence of which appears salient in the current context. Memory initiatives can thus negatively influence a prevailing situation of silence and impunity, threatening peace. The fact that the governments of BiH and the *Republika Srpska* have done little to prevent such incidents has clear implications on other rights of the population notably free speech.

### 3.1.4. Concluding Comments and the Kravica example

Some brief concluding comments are necessary on the Srebrenica case study, which will be complemented by evidence of the two-way denial that currently characterises a memorial at Kravica.

The Srebrenica case study illustrates and gives insight on several of the dilemmas of memorialisation. Dichotomies within groups of victims/survivors assumed to be homogeneous have been clearly found at Srebrenica, where the absence of internalisation by so-called stakeholders of the centre’s message or indeed the rejection of those implementing the initiative directly challenges its ability to address impunity. The very categorisation of victims can be under dispute, while the advantages (financial or otherwise) that certain members of a ‘victim’ group are seen to gain from the initiative leads to discontent among other members of the same apparent group. Furthermore all victims from a given ethnic group do not always wish to deal with the past in the same way. What the Srebrenica case study has shown is that although a memory initiative may be rooted in the grassroots and implemented through the activism of a victims’ organisation, this does not necessarily lead to harmony among the group that such an organisation claims to represent. The simple deference to local actors and reliance on grassroots initiative is thus brought into question, particularly since it challenges the assumption that this deference will always prove beneficial. In Srebrenica new grievances have been created as a direct consequence of the memory initiative, foreseen or unforeseen, but which do little to break the culture of silence.

The memorial at Srebrenica also seems to have achieved little in the way of progress regarding the disputes that are maintained across ethnic lines, particularly in the context of ethnic polarisation to which the national authorities have themselves contributed and failed to utilise the space potentially opened by such memory initiatives to bridge this divide. In fact, in many ways, the memorial has been shown to be the very symbol or manifestation of the division and lack of consensus about the past between many Bosniaks and Serbs. This continued tension appears to have in fact further entrenched denial, silence and impunity and may well inhibit the return of refugees.

The preceding dilemmas of precisely who can and should be involved in memory initiatives relates to the dilemma of the version of the past to be represented at initiatives, and by consequence, the contemporary ideology and collective memory that forms part of identity in the region. Put simply, the wider context of division cannot be separated from the past, thus the Srebrenica memorial is forced to directly confront this situation. Since the situation is characterised by impunity in the legal sense as well as many (still) open wounds, the ability of the Srebrenica initiative to challenge these national difficulties appears extremely limited. Rather than attempting to challenge these broader issues, the suggestion is thus raised as to whether memory initiatives, perhaps learning from the example at Srebrenica, are better targeted at different – perhaps inter-personal – levels within a post-conflict society. This question should be explored further, also taking into account the different objectives that a memory initiative may have. Moreover, the initiative at Srebrenica demonstrates the difficult interplay between memorialisation and other mechanisms, which also must be further explored. Clearly the legal classification of the events as genocide and the prosecutions at the ICTY influence perceptions surrounding the initiative at Srebrenica, often in a negative manner that is used for cementing ethnic ideologies based either on acceptance or rejection of the genocide. The potential for memory initiatives to achieve the opposite and in fact complement or supplement such legal classifications should be examined.

Finally, the case study at Srebrenica demonstrates the potential for misuse of memorialisation and the misappropriation of the past to further division (at least as claimed by opposing ethnic groups). Suggestions of explicit use of initiatives for

<sup>126</sup> B92, 2010. *Bosnian Serbs commemorate war victims*, Available at: <[www.b92.net/eng/news/region-article.php?yyyy=2010&mm=07&dd=12&nav\\_id=68377](http://www.b92.net/eng/news/region-article.php?yyyy=2010&mm=07&dd=12&nav_id=68377)> [Accessed 17 May 2011].

<sup>127</sup> Helsinki Committee for Human Rights, 2009. Srebrenica: Transitional (in)justice. *Helsinki Bulletin*, Issue 34, p. 1-5.



rejectionist purposes demonstrate the potential for memory initiatives to once again maintain impunity through a culture of silence and denial.

To conclude this brief section, the case of Kravica can be highlighted as another example of each of these dilemmas and the existing tensions within memorialisation. At Kravica (Bratunac municipality), a number of Serbs (army and civilians) were killed when the town was captured by Bosniak forces under the command of Naser Orić in January 1993. Organisations from the *Republika Srpska* suggest that a significantly greater number of persons were killed than is widely suggested. Such organisations and families of the victims are also appalled at the ICTY's acquittal of Orić. To thus commemorate the victims, a monument in the shape of a cross was erected in memory of those killed in the war in 1992 and 1993, as well as Serbs who died during WWII. Each January a memorial is held to commemorate these victims. By contrast, many Bosniaks express anger at the initiative, not only since they regard Serbs as perpetrators, but also because the monument stands for Serb soldiers and moreover since in Kravica 1,000 Bosniaks were shot by Serb troops after the fall of Srebrenica.

Tension at the site rose to a maximum when Serb police banned the relatives of Bosniak victims from visiting the site, claiming that their presence posed a security risk and because local Serbs did not want them there. The president of *Republika Srpska*, Milorad Dodik, argued that the gathering of the relatives was “a direct provocation”,<sup>128</sup> and later claimed that:

*“everything that happened in Srebrenica was the peak of everything that had happened in that area in the years before. The Muslim commander Naser Orić has attacked Serb villages with his men and has killed around 3,500 Serbs...Srebrenica was revenge for what happened in Kravica [and] there was a war crime, but no genocide, because women and children were not killed”.*<sup>129</sup>

Memory initiatives at Srebrenica present a direct challenge to the general assumption that memorialisation is inevitably positive for breaking cultures of silence and impunity. Notwithstanding many positive consequences for certain groups and individuals in terms of commemoration and mourning, it is difficult to locate consequences removed from wider divisions or related grievances. As demonstrated, the question is not simply one of ethnic division but also divisions created *within* groups of ‘victims’ and/or ‘survivors’.

## 3.2. Concentration Camp Omarska

### 3.2.1. The Project Background

Omarska is an old iron mine and iron ore processing plant in the Prijedor municipality that was producing three million tons of iron each year in the 1980s.<sup>130</sup> Since 1992 however most people know Omarska as a former concentration camp in the northwest of BiH.

Before the war Prijedor was home to more than 52,000 people, mainly Bosniaks. When Serb forces took control in April 1992, inhabitants were driven from their homes, non-Serbs were captured, of whom thousands were incarcerated in concentration camps and large numbers were deported.<sup>131</sup> In other words, the very backbone of the Muslim and Croatian communities was removed in the area<sup>132</sup> on the basis that Prijedor was considered strategically important. Serbs forces established a corridor between Serbia and Krajina in Croatia and as early as 1991 had organised a Serb-only alternative administration in the Prijedor municipality with mayor Milomir Stakić at its head.<sup>133</sup>

The main objective of the concentration camps, including Omarska, seems to have been the elimination of the non-Serb leadership. For this purpose Omarska, Trnopolje and Keraterm camps were used. While Trnopolje functioned as a staging area for massive deportations of mostly women, children and elderly men, Omarska and Keraterm were places where killings, torture and brutal interrogations took place. In August 1992, two journalists, Ed Vulliamy (The Guardian) and Roy Gutman (Newsday), reported on the Omarska camp. Recounting stories of murder, torture, rape and the horrifying camp conditions, their photos of starving men became synonymous with the atrocities being perpetrated in BiH having captured worldwide attention.<sup>134</sup>

<sup>128</sup> Radio Free Europe, 2008. *Police ban Srebrenica relatives from visiting massacre site*, Available at: <[www.rferl.org/content/Police\\_Ban\\_Srebrenica\\_Women\\_From\\_Massacre\\_Site/1183804.html](http://www.rferl.org/content/Police_Ban_Srebrenica_Women_From_Massacre_Site/1183804.html)> [Accessed 18 May 2011].

<sup>129</sup> Oslobođenje, 2010. *Milorad Dodik za bečki Die Presse: Srebrenica je srpska osveta za Kravice*, Available at: <[www.oslobodjenje.ba/index.php?id=7663](http://www.oslobodjenje.ba/index.php?id=7663)> [Accessed 18 May 2011].

<sup>130</sup> McCracken, P., 2007. *Cleansing the past in Omarska. This Europe*, Available at: <[www.thiseurope.com/node/211](http://www.thiseurope.com/node/211)> [Accessed 27 October 2010].

<sup>131</sup> Lewis, P., 1994. *Word for word/The Balkan war crimes-report; if there ever were a Nuremburg for the former Yugoslavia...* *New York Times Online*, Available at: <[www.nytimes.com/1994/06/12/weekinreview/word-for-word-balkan-war-crimes-report-if-there-ever-were-nuremburg-for-former.html](http://www.nytimes.com/1994/06/12/weekinreview/word-for-word-balkan-war-crimes-report-if-there-ever-were-nuremburg-for-former.html)> [Accessed 19 May 2011].

<sup>132</sup> *Ibid.*

<sup>133</sup> Human Rights Watch. *Background*. Available at: <<http://www.hrw.org/reports/1997/bosnia/Bosnia-02.htm>> [Accessed 27 October 2010].

<sup>134</sup> Askin, K.D., 2003. *Omarska Camp, Bosnia, American Bar Association*. Available at: <[www.americanbar.org/publications/human\\_rights\\_magazine\\_home/irr\\_hr\\_winter03\\_omarskacampbosnia.html](http://www.americanbar.org/publications/human_rights_magazine_home/irr_hr_winter03_omarskacampbosnia.html)> [Accessed 19 May 2011].

It is in the Omarska region (alongside the Bijeljina region) where ethnic cleansing in BiH began.<sup>135</sup> At the time of the visit of Ed Vulliamy and Roy Gutman, Serb forces claimed that Omarska was an investigation centre for men suspected of being in the Bosniak irregular army. They were rounded up or arrested, then ‘screened’ to determine whether they were fighters or civilians.<sup>136</sup> Serb forces categorically denied the existence of torture. Nonetheless, the ICTY stated in 2001 of the camp that:

*“Detainees were kept in inhuman conditions and an atmosphere of extreme mental and physical violence pervaded the camp. Intimidation, extortion, beatings, and torture were customary practices. The arrival of new detainees, interrogations, mealtimes, and use of the toilet facilities provided recurrent opportunities for abuse. Outsiders entered the camp and were permitted to attack the detainees at random and at will. One witness testified that ‘during the night, terrible screams could be heard, moans, beatings, from practically all the rooms which served as the Omarska concentration camp’.”*<sup>137</sup>

Reports from Ed Vulliamy and Roy Gutman caused the international community to pressure the Bosnian Serbs to close the camps, which eventually took place on 6 August 1992. Unfortunately, this did not mean the end of violence, torture and killings. Civilians from Prijedor and many other towns in the area were expelled in September and October 1995, when Željko ‘Arkan’ Ražnjatović joined local forces to conduct ethnic cleansing operations.

The site of the camp consisted of hangars, the management building and the so-called ‘White House’ and the ‘Red House’.<sup>138</sup> In 2004, all of these buildings were bought by steel giant, ArcelorMittal and mining has resumed quietly. ArcelorMittal bought 51% of the *Ljubija* mines, while 49% are still in the hands of *Republika Srpska*. According to BiH newspapers, *Srpska* authorities benefited from the involvement of the Indian-British company, mainly because they gained the opportunity to cover up the genocide they committed against Bosniaks and Croats, particularly since it is estimated that around 1,700 bodies are still to be found on the grounds of the mine. In fact, mass graves have been found locally: only two kilometres from what is today the entrance to the central building of Omarska mine, 456 bodies were recovered from the *Stari Kevljani* mass grave; the *Hrastova Glavica* mass grave revealed 126 human bodies; the *Redak* mass grave contained 74 bodies; and the *Lisac*, *Pasinac* and *Jakarina Kosa* mass graves contained 49, 54 and 373 bodies respectively.<sup>139</sup>

### 3.2.2. The Memory Initiative

In the first years of the new millennium, a group of survivors of Omarska began to visit the former concentration camp. In 2004, these same survivors began an initiative to build a memorial centre in the ‘White House’ of the complex.<sup>140</sup> For the commemoration of the dead and the historical record of BiH, survivors used a series of petitions and letters to call on ArcelorMittal to preserve the premises where prisoners were tortured and killed. According to the Association of Camp Survivors, one of the petitioners, the preservation is “*not only for our future, but for the future of Bosnia, for the reconciliation process*”.<sup>141</sup> The two remaining petitions came from a Bosnian diaspora network in the United Kingdom and a Dutch-based foundation of survivors, *Optimisti 2004*.<sup>142</sup> *Srcem do Mira* and *Izvor*, two organisations from Prijedor, also deserve mention as active and key players in the struggle for a memorial of Omarska.<sup>143</sup>

The survivors had two concrete requests: first, the ‘White House’ and the space around it should be excluded from mining and marked as a former execution ground; and second, the halting of mining until all victims have been exhumed. Placing a memorial on the grounds of ArcelorMittal presented the company with a significant dilemma not only in moral terms, but also because of the desire not to antagonise their predominantly Serb workforce.<sup>144</sup> At the same time, not granting the survivors their demands had clear risks, including bad publicity. Although ArcelorMittal seemed reluctant to deal with the issues raised by the site’s history, they did however agree to begin talks with the parties involved. At first sight, these

<sup>135</sup> Keulemans, C., 2007. Omarska-Fifteen years on, *Bosnian Institute*. Available at: <[www.bosnia.org.uk/news/news\\_body.cfm?newsid=2281](http://www.bosnia.org.uk/news/news_body.cfm?newsid=2281)> [Accessed 19 May 2011].

<sup>136</sup> Vulliamy, E., 1992. Shame of camp Omarska. *The Guardian Online*. Available at: <[www.guardian.co.uk/world/1992/aug/07/warcrimes.edvulliamy/print](http://www.guardian.co.uk/world/1992/aug/07/warcrimes.edvulliamy/print), last update> [Accessed 27 October 2010].

<sup>137</sup> *The Prosecutor v. Kvočka et al.*, Trial Chamber Judgement, 2 November 2001, Case No. IT-98-30/1, para. 45.

<sup>138</sup> Balkan Investigative Reporting Network, 2010. *Omarska: a monument to savagery and resistance*. Available at: <[www.bim.ba/en/230/10/29850/?tpl=30](http://www.bim.ba/en/230/10/29850/?tpl=30)> [Accessed 19 May 2011].

<sup>139</sup> Mulić, S., 2005. Iron ore enriched with human bones. *BH Dani*. Available at: <[www.ex-yupress.com/dani/dani114.html](http://www.ex-yupress.com/dani/dani114.html)> [Accessed 27 October 2010].

<sup>140</sup> Balkan Investigative Reporting Network, 2010. *Omarska: a monument to savagery and resistance*. Available at: <[www.bim.ba/en/230/10/29850/?tpl=30](http://www.bim.ba/en/230/10/29850/?tpl=30)> [Accessed 19 May 2011].

<sup>141</sup> Vulliamy, E., 2004. New battle breaks out over Serb death camp. *The Guardian Online*. Available at: <<http://www.guardian.co.uk/uk/2004/dec/02/balkans>> [Accessed 19 October 2011].

<sup>142</sup> Vulliamy, E., 2004. Fresh battle over Serb death camp. *Bosnian Institute*. Available at: <[www.bosnia.org.uk/bosrep/report\\_format.cfm?articleid=1141&reportid=166](http://www.bosnia.org.uk/bosrep/report_format.cfm?articleid=1141&reportid=166)> [Accessed 19 May 2011].

<sup>143</sup> Mulić, S., 2005. Iron ore enriched with human bones. *BH Dani*. Available at: <[www.ex-yupress.com/dani/dani114.html](http://www.ex-yupress.com/dani/dani114.html)> [Accessed 27 October 2010].

<sup>144</sup> A spokesperson for Mittal Steel had stated the following: “*We are in a very difficult situation. The area is largely populated by Serbs; these are the people we are currently dealing with, and we do not want to do anything to antagonize them*” (cited in *The Guardian*).



talks were successful at the first instance in bringing together people from the opposing ethnic backgrounds to work on the creation of the memorial.<sup>145</sup>

The talks were highlighted by some observers as proof that a proper memorial to the Omarska Camp would break the silence about the past, create a solid foundation for reconciliation and improve the general situation of all communities in the area. ArcelorMittal hired a mediator, former priest Donald Reeves, who has years of experience working in the region on inter-faith reconciliation. Constructive dialogue with representatives of the survivors and families of the missing both inside and outside of BiH was thus facilitated.<sup>146</sup> Finally, an agreement was reached whereby ArcelorMittal committed to finance the construction of the memorial, heralded as a sign of what could be achieved in BiH and as evidence that “we are able to put our differences aside”.<sup>147</sup> However in 2006, just three months after the agreement, the plans were indefinitely put on a hold as ArcelorMittal pulled out of the agreement to finance the memorial, citing continuing local opposition to its establishment.<sup>148</sup> The mayor of Prijedor refused to support the project since he was afraid that a memorial would fuel ethnic tensions in the region.<sup>149</sup> According to Edin Ramulić, this is a non-argument, since there are Serb monuments in the region that are also sources of tension but that are nevertheless established, and people move on.<sup>150</sup> Opposition from the Bosniak diaspora also presented difficulties, particularly by the submission of a petition wherein around 1,200 petitioners called for alternative management of the memorial project.<sup>151</sup> In itself, the petition demonstrates remarkable division between the ideas of the survivors living in the region in BiH and the survivors living abroad.<sup>152</sup> Once again, according to Edin Ramulić from survivors’ organisation *Izvor*, Donald Reeves’ mediation through his organisation, ‘Soul of Europe’, had the idea of building a multi-religious centre on the Omarska grounds. This was found to be inappropriate by the survivors in the diaspora. Finally, critics raised the poor consultation of different groups and disagreement among those same groups on the aim and the approach that the memorial should take as further causing the talks to falter.<sup>153</sup>

### 3.2.3. Discussion

The horrors of Omarska have now been well documented, thanks in a large part to the prosecution of cases before the ICTY. As earlier noted, several cases have confirmed the extreme daily brutality inflicted upon detainees and the systematic abuse suffered by prisoners both physically and psychologically as a result of the camp conditions. The prosecution and sentencing of certain individuals for their role at Omarska has of course also tackled the impunity of a handful of those responsible for the crimes committed. At the time of the agreement in late 2005 to establish the memorial there was therefore cause for optimism; for the first time, it was claimed, members of the Bosniak and Serb ethnic groups, as well as the Croats, had come together with indications that many young Serbs had been involved, believing in the necessity to see justice done and to be able to build a future in the area.

Despite recognition of the events that occurred in the camp, the authoritative establishment of the facts at the ICTY and progress towards the memorial, silence and denial endure. The culture of silence that has been present since the end of the war was apparently fuelled by the calls for a memorial by survivors, which eventually led to its abandonment. This silence still exists – five years after the decision not to establish the memorial - at various levels and among various actors and stakeholders in the locality.

Taking ArcelorMittal to begin, there were clearly other (economic) interests at play that motivated the reluctance of the company to fully engage with the idea of establishing the memorial. Having first denied knowledge of the camp’s use and reputation during the war, the company later gave a small concession by agreeing to begin talks with the various parties. Though clearly there is no question of responsibility on behalf of the company for the crimes committed, the question of ethics and the rights of survivors to the truth have been side-lined. Even having later agreed to finance the construction of the memorial, the abrupt about-turn citing local opposition was in stark contrast to just three months earlier when the rhetoric was one of reconciliation and progress. The turn of events highlights the difficulties facing foreign involvement in the process of memorialisation, including the dilemmas faced even when trying to *simply do the right thing*.

<sup>145</sup> Hawton, N., 2005. Ex-foes make peace at Omarska. *BBC News Website*. Available at: <news.bbc.co.uk/2/hi/europe/4449996.stm> [Accessed 27 October 2010].

<sup>146</sup> Head Groups, 2006. *Mittal Steel and the Omarska mine*. Available at: <www.headgroups.com/hg/display/om/Mittal+Steel+and+the+Omarska+mine > [Accessed 27 October 2010].

<sup>147</sup> Hawton, *supra*.

<sup>148</sup> Hawton, N., 2006. Bosnia war memorial plan halted. *BBC News Website*. Available at: < http://news.bbc.co.uk/2/hi/europe/4731646.stm> [Accessed 27 October 2010].

<sup>149</sup> International Justice Tribune Archive, 2006. *Mittal Steel suspends Omarska memorial over ethnic divisions*. Available at: <www.rnw.nl/international-justice/article/mittal-steel-suspends-omarska-memorial-over-ethnic-divisions?quicktabs\_1=0> [Accessed 20 May 2011].

<sup>150</sup> Edin Ramulić, *Interview with the author*, *Izvor*, March 2011.

<sup>151</sup> International Justice Tribune Archive, 2006. *Mittal Steel suspends Omarska memorial over ethnic divisions*. Available at: <www.rnw.nl/international-justice/article/mittal-steel-suspends-omarska-memorial-over-ethnic-divisions?quicktabs\_1=0> [Accessed 20 May 2011].

<sup>152</sup> The International Committee on Human Rights, 2006. *The Omarska model. A chance not to be missed*. Available at: <www.rnw.nl/international-justice/article/mittal-steel-suspends-omarska-memorial-over-ethnic-divisions?quicktabs\_1=0> [Accessed 20 May 2011].

<sup>153</sup> Head Groups, 2007. *Overview*. Available at: <www.headgroups.com/hg/display/om/Overview> [Accessed 27 October 2010].

At another level, the near-total silence by the municipal, federal and state-level authorities is extremely apparent. Though it is obviously difficult for the authorities to engage in the mediation of tensions between the respective interest groups, no effort was even made to intervene to force ArcelorMittal to halt mining while exhumations and the identification of bodies were conducted. This is clearly a huge failure on the part of the authorities. Indeed, they possess the power to bring the production of the company to a standstill until the remains of all victims have been exhumed and all execution sites have been marked.<sup>154</sup> Instead, they have been silent or have given unfounded excuses, while even today mining continues. Furthermore, one must question why there has yet been little use of the legal system in order to attempt to guarantee the above, at least in the interim period.

Finally, in terms of silence through denial, the memorial raises the familiar issue of ethnic interpretations and differences. Once again, even in spite of the supposed authoritative pronouncements made at the ICTY (the Tribunal proclaimed as a mechanism that would create a historical record of the war to provide a basis for reconciliation) this denial remains. Members of the Serb community have been quoted as being unhappy at the prospect of the memorial, suggesting that it would represent a “*provocation*”.<sup>155</sup> Several parties even question the authenticity of the pictures of Fikret Alić (the man behind the barbed wire from the famous photographs of Ed Vulliamy and Roy Gutman in 1992), with claims that the photos were manipulated.

On the issue of the photos however, a troubling question to pose is whether the history of the mine would have received attention in the absence in the first place of the media reports by Vulliamy and Gutman, and then absent the survivors’ organisations, several NGOs and the Federal Commission on Missing Persons.<sup>156</sup> According to Chris Keulemans, “*those who are in denial wish to move on. They need a better economy and more jobs. Those who remember, demand pause and reconciliation.*”<sup>157</sup> One can contend that this is only partially true of Omarska and BiH generally. For while economic interests play a role in the dispute over the memorial (the predominant Serb workforce), it can readily be argued that questions of economics and employment act also to obfuscate the underlying ethnic motives behind opposition to such memorials. Of course, wider social-political development is an essential part of preventing further violence (indeed the younger Serb respondents cited above spoke of this very need, but that *first* the memorial and reconciliation was necessary), but in Prijedor large numbers within each ethnic group appear to want to remember their own victims and forget about those of the ‘others’. This belies the suggestion made above, since each ethnic group wishes to simultaneously move on *and* pause.

In this light, the erection of memorial plaques and monuments honouring Serb victims (civilians and military) who have died in the region should be remembered.<sup>158</sup> In fact, in Omarska, just twenty metres from where Fikret Alić stood in the famous photograph, there is now a monument for the fallen soldiers of *Republika Srpska*, while there is not a single memorial initiative for the Bosniak and Croat victims. By contrast, in Sanski Most, just a few kilometres from Prijedor, one sees the opposite situation in a predominantly Bosniak town. Here, there are memorials for Bosniaks and Croats, but none for the Serb victims. The only subtle difference is that the Serb memorials in Prijedor and the surrounding area are also dedicated to the military, whereas the Bosniak and Croat memorials are exclusively dedicated to civilian victims.<sup>159</sup> In this sense, there is no better example of the divisions that still exist in the area.

Research in the area provides insight into the local desire of survivors for memorials, beyond commemoration. Whilst the latter is clearly a strong motivation, one can consider the efforts at Omarska in light of another memorial erected at Kozarac. Survivors claim that the monument is insufficient because of it being placed in a predominantly Bosniak town. Whilst this may aid commemoration, the fact that it does not force Serbs to acknowledge the past is for them problematic.<sup>160</sup> Clearly the suggestion offered here is that memorials go beyond simply remembering the past and should confront the Other with their past, or the past of their ethnic compatriots. This more transformative objective has been reiterated in the area, both explicitly and implicitly.

Yet further objectives have been assigned to justify the continued fight for the memorial at Omarska. Acknowledgement and recognition of suffering has been cited,<sup>161</sup> indirectly indicating that the ICTY judgements alone are insufficient in this regard. Further, the right to know the truth and ensuring non-recurrence for the benefit of future generations are clear from the following survivor statements: “*...we want the Serbs to know everything that has happened. That way we can move forward as communities*” and “*...it is important that the memory of what happened in Omarska does not disappear.*”

<sup>154</sup> Mulić, *supra*.

<sup>155</sup> Hawton, *supra*.

<sup>156</sup> Mulić, *supra*.

<sup>157</sup> Keulemans, *supra*.

<sup>158</sup> McCracken, P., 2007. Cleansing the past in Omarska. *This Europe*. Available at: < www.thiseurope.com/node/211> [Accessed 27 October 2010].

<sup>159</sup> Edin Ramulić, *Interview with the author*, Izvor, March 2011.

<sup>160</sup> Satko Mujagić, *Interview with the author*, March 2011.

<sup>161</sup> McCracken, *supra*.

*There must be something to say 'this happened and this was the place'. Something to which we can go every year, to show the children, to lay flowers. Something the future generations can learn from, so it does not happen again.*"<sup>162</sup>

In spite of these pleas, there had been little progress at Omarska since 2006, though recent developments hinted at change. An internet petition calling on the different parties to support the memorial has been established and the number of stakeholders has increased to include the organisations, *Kozarac* and *Prijedor '92* along with the Belgrade-based art project of Milica Tomić, *Four Faces of Omarska*. With these organisations now active alongside the original organisations, consensus was reached on joint goals, and a committee for the memorial was set up. A public conference, with the additional goal of fundraising, has been planned but only few discussions actually took place.<sup>163</sup> An international conference however was held in October 2011 to inform the national and international public about the memory initiative in Omarska and to raise awareness on the issue. In an environment where impunity is still widespread these memorialisation efforts face significant challenges.

Until further progress is made, the only access victims currently have to visit Omarska comes once a year on the anniversary of the day that the concentration camp closed. Even this access has apparently been threatened, however, with reports that on several occasions people have been denied entrance.<sup>164</sup> In the absence of a memorial, obstruction and obfuscation are of course much easier.

### 3.2.4. Concluding Comments

As with the previous case study of Srebrenica, the memory initiative (or indeed its absence) provides interesting reflection on the dilemmas facing efforts towards memorialisation. Once again, these dilemmas relate in a large part and contribute to the culture of silence and impunity, often in a negative way. There are however some positive elements to be extracted.

Briefly, the familiar issue of division based on ethnicity comes to the fore. To a large extent this once again demonstrates the dilemma of attempting to memorialise a past where there are opposing collective memories or interpretations of that past. At Omarska, in spite of some progress at the end of 2005, within a few months the tensions grounded in ethnicity had destroyed much of the reconciliatory rhetoric that had been built. Here, the obvious question to raise is the extent to which memory initiatives dedicated to one group can garner the support of traditionally opposing groups. When such initiatives are based upon something of an implicit negationist rhetoric or the view that one's own suffering is more important, then it should not be surprising that the Other is reluctant to become involved. Perhaps in many respects in a context such as BiH, where identities are still very much built upon interpretations of the past and experiences of the past, this may indeed be naïve to expect. The result is whether such memory initiatives should begin by guaranteeing the needs of the concerned group, before attempting to be inclusive of the Other. Timing becomes of critical importance. However, the extent to which it is realistic to expect complete inclusiveness in one memory initiative should be questioned,

Omarska very clearly demonstrates the dilemmas and difficulties facing the role of outsiders in their involvement, contrasted against the beneficial role that such actors can play. On the one hand, the initial reluctance of ArcelorMittal and the later decision to withdraw support to the memorial have been instrumental in shaping the experience of survivors and perpetuating issues of silence surrounding the camp. By contrast, the role of ArcelorMittal in establishing the dialogue process and the potential significance that financing of the project *could* have had must not be forgotten. Nor must the role of the foreign journalists whose actions were instrumental in bringing the atrocities to the attention of the world be forgotten, particularly since the famous photo of Fikret Alić has itself become not only an iconic image, but one that will forever be maintained in the collective memory of those with an interest in BiH. Alone, this image is testimony to the suffering of those Bosniak men at Omarska (and beyond) and indeed a *de facto* or *accidental memory initiative*. The involvement of outsiders is thus complex and far from simplistic, but clearly can be channelled for positive effect. An interesting dynamic to consider however is the conflict that emerged between local Bosniaks and Bosniaks in the diaspora on the memorial's proposed form. Just as at Srebrenica, such tensions demonstrate that groups or communities imagined or conceived as cohesive cannot be treated as homogeneous.

The fact that the image of Fikret Alić, or the *accidental memory initiative*, has become the iconic image that it is today has nonetheless not prevented it from being disputed by elements of the Serb communities. Certain important issues must be drawn from this in relation to the culture of silence in BiH and the role of memorialisation. First, the dispute of this widely accepted meta-narrative of the conflict parallels the continuing denial among many sections of the local population of what occurred at Omarska and the surrounding area in spite of the supposed authoritative establishment of the facts by the ICTY. That the facts are still disputed despite such supposedly authoritative findings points to the limitations of the ICTY and top-down initiatives generally, but also indicates the need for other post-conflict mechanisms beyond criminal

<sup>162</sup> Vulliamy, *supra*, note 141.

<sup>163</sup> Museum of Contemporary Art, Belgrade. Available at: <[www.msub.org.rs/en/izložba/one-day](http://www.msub.org.rs/en/izložba/one-day)> [Accessed 20 May 2011].

<sup>164</sup> Hadžović, E., 2001. Bosnia: visit to former detention camp highlights dispute. *Balkan Insight*. Available at: <[www.balkaninsight.com/en/article/a-visit-to-bosnia-s-former-camp-triggers-former-inmates-fears](http://www.balkaninsight.com/en/article/a-visit-to-bosnia-s-former-camp-triggers-former-inmates-fears)> [Accessed 20 May 2011].

justice and potentially the need for local memory initiatives in some form. Related to this, the denial of facts established in the courtroom and contributions to reducing impunity through criminal justice secondly shows that these alone do not suffice. In other words, there is a need for a more holistic view of combating ‘impunity’ that is built upon the importance of the right to justice, as well as the rights to the truth, reparations and non-recurrence. On this latter issue, a third issue must be raised from Omarska. Survivors regularly cited the need not only for commemoration, but also for a memorial to force Serb communities to face the past honestly. At present however, neither Omarska nor the other memorials in the area had managed to engender such reflection.

As noted timing is also an important dilemma and one which heavily influences the relation between memorialisation and impunity. Indeed, one can argue that if a memory initiative is implemented too soon after a conflict, the different stakeholders might not only be incapable of reflecting fully on the conflict but furthermore the initiative could damage an already fragile context. By contrast, acting too late may reduce the ability of memory initiatives to effectively counter entrenched identities. At Omarska, the question of younger generations being involved was cited, in order to demonstrate the past to prevent non-recurrence. However, in the absence of mutual recognition it is prudent to ask whether such memorials will only ever be divisive in cases such as Omarska. This question goes to the very heart of the objectives of memorialisation and what can realistically be expected from it. Victims and survivors should of course be allowed to commemorate and mourn, but when examining contributions to reducing impunity and more transformative objectives, more caution is required. Other processes may need to take place first, or indeed new approaches to memorialisation need to be developed, since the Omarska case study suggests that the current approach falters on many fronts.

### 3.3. The Old Bridge, Mostar

#### 3.3.1. The Project Background

The first medieval bridge in Mostar was a wooden suspension bridge of unstable and fragile construction.<sup>165</sup> The Old Bridge of Mostar, known as ‘Stari Most’ in the local languages, was built by the Ottomans in the 16<sup>th</sup> century and famous for its daring arch at a dizzying height and its progressive construction method.<sup>166</sup> The Bridge has witnessed and symbolised four centuries of multi-ethnic life in BiH. Not only has the Bridge connected two town districts for centuries, but it has also linked Christians and Muslims, the Occident and the Orient.<sup>167</sup> For centuries the Bridge had withstood calamities, invasions, wars and even earthquakes.<sup>168</sup> However, in the 1990s it became one of the war’s most famous casualties.<sup>169</sup>

For a substantial period, the houses of the ancient town centre were destroyed, the narrow streets lay in ruins, but the Bridge remained in place. Local citizens attempted to protect it with car tyres and built a makeshift roof with steel metal and carpets. In turn, the Bridge functioned as protection for those who dared to cross it to the only drinking-water source.<sup>170</sup> Mostar was subject to an 18-month siege and was first bombed by the Yugoslav People’s Army on 3 April 1992, which over the ensuing week gradually established control over a large part of the town. On 8 April, the Army of Bosnia and Herzegovina (ABiH) was joined by the Herzegovinian Croats, with the Croatian Defence Council (HVO) as their military formation. These forces together engaged the Yugoslav Army (JNA) and on 12 June the JNA troops were forced out of Mostar. Despite a number of important buildings being destroyed (including a Franciscan monastery, the Catholic cathedral, the bishop’s place with a library of 50,000 books, the Karadzoz-bey mosque, the Roznamed-ij-Ibrahim-efendija mosque and twelve other mosques, as well as secular institution buildings) the Bridge remained. Nonetheless, despite having jointly driven out the JNA, fighting broke out between the ABiH and HVO, the Croats apparently hoping to capture the town as part of the Bosnian-Croat secessionist campaign.<sup>171</sup> On 9 November 1993, Croat artillery hit the Bridge from the surrounding hills and caused its collapse. The act has been considered as both intentional and having calculated symbolism.<sup>172</sup> According to the Croatian General deemed responsible for the shelling, “...it was ‘just an old bridge’ and its destruction would keep Croats and Muslims apart”.<sup>173</sup>

<sup>165</sup> Dean, A. Old bridge area of the old city of Mostar – UNESCO World Heritage List. *VT Hawaii*. Available at: <[www.vthawaii.com/EXTRA/Mostar/Mostar.html](http://www.vthawaii.com/EXTRA/Mostar/Mostar.html), last update > [Accessed 17 September October 2010].

<sup>166</sup> Litos Online. *The Old Bridge in Mostar: reconstruction of a symbol*. Available at: <[www.litosonline.com/en/articles/en/80/old-bridge-mostar-reconstruction-symbol](http://www.litosonline.com/en/articles/en/80/old-bridge-mostar-reconstruction-symbol)> [Accessed 17 September 2011].

<sup>167</sup> *Ibid.*

<sup>168</sup> UNESCO, 2004. *Inauguration of the Mostar bridge*. Available at: <[portal.unesco.org/en/ev.php-URL\\_ID=21743&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=21743&URL_DO=DO_TOPIC&URL_SECTION=201.html)> [Accessed 17 September 2010].

<sup>169</sup> Rubin, A., 2006. Rebuilt bridge becomes symbol of postwar healing. *PBS: America Rebuilds II: return to ground zero*. Available at: <[www.pbs.org/americanrebuilds2/memorial/memorial\\_mostar.html](http://www.pbs.org/americanrebuilds2/memorial/memorial_mostar.html)> [Accessed 17 September 2010].

<sup>170</sup> Litos Online. *The Old Bridge in Mostar: reconstruction of a symbol*. Available at: <[www.litosonline.com/en/articles/en/80/old-bridge-mostar-reconstruction-symbol](http://www.litosonline.com/en/articles/en/80/old-bridge-mostar-reconstruction-symbol)> [Accessed 17 September 2011].

<sup>171</sup> Dean, *supra*.

<sup>172</sup> Rubin, *supra*.

<sup>173</sup> Zimonjić, V.P., 2005. Bombs found at memorial for Srebrenica genocide. *The Independent Online*. Available at: <[www.independent.co.uk/news/world/europe/bombs-found-at-memorial-for-srebrenica-genocide-497720.html](http://www.independent.co.uk/news/world/europe/bombs-found-at-memorial-for-srebrenica-genocide-497720.html)> [Accessed 18 May 2011].

The very essence of the Bridge was one of meeting and cooperation between communities. Its destruction was intended to contribute to the country's division,<sup>174</sup> performed in the context of increasing resentment of the structure among many Croats who saw the Bridge as a symbol of a unity they no longer wished to uphold. For many, the Bridge became seen as an Ottoman monument, thus increasingly regarded as a purely Bosniak symbol.<sup>175</sup> The symbolism of its destruction is thus clear.

The great symbolic worth of the Bridge led to the decision soon after its collapse that reconstruction was needed, a decision spearheaded by the United Nations Educational, Scientific and Cultural Organisation (UNESCO), the BiH government and some local initiators. Amir Pasic, an architect, was one of those initiators. According to Pasic, "*you need a very strong symbol, and the bridge is the crown monument of Bosnia.*"<sup>176</sup> His goal was to reconstruct the structure in its original design, using the same materials and methods as the Ottomans. In July 1998, UNESCO and the World Bank gave support to the project. Funding was forthcoming from the World Bank, the European Bank and five nations – BiH, Croatia, Turkey, Italy and the Netherlands. In addition, international organisations such as the *Aga Khan Trust for Culture* from Geneva and the *World Monuments Fund* from New York donated funds. Additional sources came from individual donors, universities and professional schools.

After thorough research, in 2002 the reconstruction of the Bridge began. Workers had recovered some of the original stones from the river bottom after the Bridge's destruction and cut the remainder from the same quarry used by the Ottomans in the 16<sup>th</sup> century.<sup>177</sup> The total costs of the project were around US \$13 million.<sup>178</sup>

On 23 July 2004, the 'new' Old Bridge was opened. More than 2,000 people took part in the opening ceremony, which included representatives from both the Bosniak and the Croat sides, as well as numerous heads of state. The reopening was considered as symbolic of the healing of divisions between the two ethnic groups, with then High Representative, Lord Paddy Ashdown, stating that "*the new bridge proves that hope triumphs over barbarism*". Sulejman Tihić, the then head of the BiH Presidency, said that "*the reconstruction of the Old Bridge is a victory for Bosnia and Herzegovina, ethnic coexistence and tolerance*".<sup>179</sup> In July 2005, the Bridge was registered on UNESCO's World Heritage List.<sup>180</sup>

In spite of the rhetoric and hyperbole of the reconstruction as symbolic of reconciliation and coexistence, the multi-ethnic town of Mostar still remains divided, even today. Mostar is the capital of a canton with a mixed Croatian-Bosniak population. Only two such cantons, the Herzegovina-Neretva and the Central Bosnia Canton, exist. Traditionally, Mostar was the political centre of the Herzegovina Croats. Indeed whilst Bosniaks and Serbs have their political centres situated in towns where they constitute a clear majority (Sarajevo and Banja Luka), the Croats feel aggrieved in not having such a political centre. Thus, Croats view Mostar as historically their capital. Up until today, Mostar remains divided along ethnic lines: the west is predominantly Croat, whilst the Bosniak majority inhabits the east. The majority of Serbs left the town during the first phase of the conflict.

After the Washington agreement (which called a truce between the Croats and the Bosniaks), Mostar was placed under a European Administration of Mostar (EUAM) from 1994 until 1997, headed by the special European Representative, Hans Koschnick. The municipality of Mostar was established with six sub districts (three Croat and three Bosniak) and a central zone encompassing the former frontline as well as some infrastructure objects and the central administration buildings. As districts were allowed to operate their own budgets and could independently solicit credits and reconstruction aid, district councils became even stronger and voluntary cooperation exclusively took place between the districts of the same ethnic background. The central administration remained dysfunctional. Therefore, in 2004, the High Representative imposed a new statute for the city of Mostar with the abolishment of the six districts as administrative units, the election of one city council and the formation of one unified city administration. A special unit of OHR, the Mostar Implementation Unit (MIU), was established as an expert advisory body with broad discretionary powers. It was disbanded in 2005, when its work was considered to be complete.

However, the measures were not successful, since many problems remain. The city's ownership of and control over public utility companies and other public institutions is still divided along ethno-national lines. The citizens of Mostar (around 100,000) are still facing divided institutions in the field of communal services, culture, sport and recreation. In some other sectors they experience badly performing or dysfunctional administrative institutions. This is possible since resistance by

<sup>174</sup> Rubin, *supra*.

<sup>175</sup> Zimonjić, *supra*.

<sup>176</sup> Rubin, *supra*.

<sup>177</sup> *Ibid*.

<sup>178</sup> International Development Association, 2007. *Reconstructing Bosnia and Herzegovina's greatest symbol bridges ethnic divides*. Available at: <[web.worldbank.org/WBSITE/EXTERNAL/EXTABOUTUS/IDA/0,,contentMDK:21280300~menuPK:4754051~pagePK:51236175~piPK:437394~theSitePK:73154,00.html](http://web.worldbank.org/WBSITE/EXTERNAL/EXTABOUTUS/IDA/0,,contentMDK:21280300~menuPK:4754051~pagePK:51236175~piPK:437394~theSitePK:73154,00.html)> [Accessed 17 September 2010].

<sup>179</sup> BBC News Website, 2004. *Mostar bridge reopens with splash*. Available at: <<http://news.bbc.co.uk/2/hi/europe/3919047.stm>> [Accessed 17 September 2010].

<sup>180</sup> International Development Association, 2007. *Reconstructing Bosnia and Herzegovina's greatest symbol bridges ethnic divides*. Available at: <[web.worldbank.org/WBSITE/EXTERNAL/EXTABOUTUS/IDA/0,,contentMDK:21280300~menuPK:4754051~pagePK:51236175~piPK:437394~theSitePK:73154,00.html](http://web.worldbank.org/WBSITE/EXTERNAL/EXTABOUTUS/IDA/0,,contentMDK:21280300~menuPK:4754051~pagePK:51236175~piPK:437394~theSitePK:73154,00.html)> [Accessed 17 September 2010].



established nationalist political parties to the reform process is still sufficiently strong to ensure serious delays and moments of political crisis.<sup>181</sup> Mostar is not only divided in a political and administrative sense however, the people appear physically divided.

A pertinent example of this division is the street known as *Bulevar*. The street runs directly through town, effectively dividing Mostar into the western, Croat part and the eastern, Bosniak part. According to most respondents in the research, the ethnic groups rarely mix, with people mostly restricting themselves to ‘their’ side of Mostar.<sup>182</sup> This means that there are parallel institutions, but also cultural and social structures on each side, within the same town. Whether based on psychological fears,<sup>183</sup> or eruptions of violence, for example during football matches, the divisions are maintained. Commenting on the latter, Kristina Ćorić retold that when such matches take place between the two clubs of Mostar, Velež (predominantly Bosniak) and Zrinjski (mainly Croat), the situation acts as a microcosm of the ills of the wider society. Tension and physical violence is visible and played out<sup>184</sup> with such regularity on these occasions that it is difficult to conclude otherwise than that the violence is by no means random.

Two other examples of this division deserve brief attention. The first concerns the two ‘national’ theatres to be found in the town – one Bosniak, one Croat. These theatres work completely independently of each other, despite facing the same funding problems from the local administrations. Instead of bridging differences and working together, each maintains the division.<sup>185</sup> Secondly, the divided school system in Mostar is particularly disconcerting. The system was reunited on an administrative level in February 2004 and in September of that same year Bosniak and Croat students started to attend the school together. Two former schools, thus, became one administratively unified school much to the delight of the initiators. However, still today instruction in *all* subjects takes place separately, divided in the same way as the rest of the town. In practice this means that reunification has contradictorily maintained separate national curricula for the students of the two ethnic groups, thus preserving ethnic segregation through unification.<sup>186</sup> The fact that the school is an international initiative illustrates how outsiders can misread a situation, and worse, never correct mistakes that are made.

### 3.3.2. Memory Initiatives

In line with the institutional and physical division of the town, remembrance in Mostar is divided. An absence of discussion about the past and consequent silence, perhaps well illustrated by the separate theatres, prevails. No joint memory initiative for all victims of the war exists, with each group maintaining its own commemoration ceremonies, monuments and resultant collective memories. The existence of ‘multiple truths’ in Mostar is no different from the rest of the country and the examples already explained. Bosniaks, just as Croats, have their own stories about what happened during the war, with little flexibility for multiple perspectives and the suffering of others. The place of the Bridge in this context is an ambiguous one, particularly in light of its assumed symbolic worth.

Concerning Mostar’s culture of remembrance more generally for a moment, an example of a memorial initiative only commemorating one ethnic group is the enormous cross erected on Hum Hill in Mostar. This dominant feature of the skyline is situated on the Croat side of town, but is most visibly seen from the eastern, Bosniak side of town (not least at night when it is fully illuminated). This latter point is more than a geographical note; the cross remembers the Croats killed in the region and is a clear demonstration of the religious divide (Catholic-Muslim) between the groups.<sup>187</sup> For obvious reasons, many Bosniaks view the cross as an intentional affront to their suffering, rather than a memorial, and consider it to be a symbol of the Croat victory of Mostar.<sup>188</sup> Whilst its positioning is clearly an issue of provocation according to Bosniaks, some also claim that it is dedicated to the warriors of the HVO who also killed Bosniak civilians and is thus an insult to those victims.

Attention must be drawn to several additional issues that beset Mostar and clearly manifest in the initiative. Indeed, the placing of the cross on Hum Hill has further significance. It is from this location that the Croat forces launched their attacks on Mostar during the war and from where the devastation inflicted upon many Muslim communities was committed. The subtle inference of victory, domination and authority that the cross invokes as it looms large over the town are difficult to ignore. Moreover, the central role of religion cannot be ignored. This is established when one considers Mostar’s then Roman Catholic bishop, Ratko Perić’s refusal to attend the opening of the new Bridge. For many, his refusal and outright contempt for the Bridge sent “a strong rejectionist signal to his large constituency” of the Bridge’s

<sup>181</sup> Veters, L., 2007. The power of administrative categories: emerging notions of citizenship in the divided city of Mostar. *Ethnopolitics*, 6:2, pp. 187-189.

<sup>182</sup> Kristina Ćorić, *Interview with the author*, OKC Abrašević, March 2011.

<sup>183</sup> *Ibid.*

<sup>184</sup> *Ibid.*

<sup>185</sup> Sunje, A., 2010. Rebuilding cultural bridges takes time in divided Mostar. *Balkan Insight*. Available at: <[www.balkaninsight.com/en/article/rebuilding-cultural-bridges-takes-time-in-divided-mostar](http://www.balkaninsight.com/en/article/rebuilding-cultural-bridges-takes-time-in-divided-mostar)> [Accessed 24 May 2011].

<sup>186</sup> Hromadžić, A., 2008. Discourses of integration and practices of reunification at the Mostar Gymnasium, Bosnia and Herzegovina. *Comparative Education Review*, 52:4, p. 549.

<sup>187</sup> Balkan Insight, 2008. *Bosnia Serbs to erect Sarajevo cross*. Available at: <[www.balkaninsight.com/en/article/bosnia-serbs-to-erect-sarajevo-cross](http://www.balkaninsight.com/en/article/bosnia-serbs-to-erect-sarajevo-cross)> [Accessed 24 May 2011].

<sup>188</sup> Nemanja, V., 2010. War victim’s tour. *Big World*. Available at: <[www.bigworldmagazine.com/war-victims-tour](http://www.bigworldmagazine.com/war-victims-tour)> [Accessed 24 May 2011].

symbolism of peace and tolerance.<sup>189</sup> Perhaps more significantly, Peric has been accused of heading a diocese “*bent on gratuitous displays of triumphalism and domination*”<sup>190</sup> of Mostar’s Muslims, in part informed by the premise that the Bridge is a Muslim symbol, thus Catholics deserve their own. Commenting on these simmering divisions and referring specifically to the cross, an International Crisis Group (ICG) report stated in 2003 that:

*“Leaders of the local religious communities, rather than preaching reconciliation and understanding, feed the mutual intolerance of the two major communities. Sometimes clerics initiate and make demands that lay politicians then feel obliged to promote and repeat. There is little inter-confessional dialogue in the city, and projects to build or reconstruct religious objects are often used to inflame passions on the other side.”*<sup>191</sup>

The influence of religious leaders on memory initiatives of the kind noted here was characterised in the same ICG report as “*baleful*”, or malevolent, vindictive. According to one interviewee in the report, “*In the end, everything will depend upon the positions of the church and the mosque.*”<sup>192</sup>

Aside from the purported value of the Bridge, the only memorial in Mostar that represents both Croat and Bosniak victims is a monument for soldiers killed during WWII. The monument can be found in the western, Croat part of Mostar. Unfortunately, it too has become the target for abuse and intolerance. Parts of the monument on which the names of soldiers are engraved have been destroyed and graffiti has been plastered on the monument. It is widely presumed that Croat youth are responsible for the vandalism, seemingly confirmed by the spraying of large swastikas on the monument.<sup>193</sup> Apparent resentment of togetherness and unity, and concurrent adoration of the Croat collaboration with the Germans during the 1940s has been forwarded to explain the use of national-socialist symbols. Evidence such as this also appears to confirm the continued prominence and topicality of WWII not just in the collective memory, but in forming identities. The mythico-histories<sup>194</sup> of past greatness, combined with the failure to address the 1940s past and the muddling of facts from this period and the more recent wars facilitate this state of affairs. Here the failure to deal with one period of violence has produced effects on more contemporary memories.

One further note is required on the defacing of memory initiatives. Other monuments in the town - both Bosniak and Croat - have also been spray-painted with insulting texts and symbols. The situation has been described by communities as ‘the war by graffiti’.<sup>195</sup> Not only are the continuing divisions between communities demonstrated by such actions, but the centrality of memory initiatives as both the targets of and the places for projecting such division is perfectly illustrated.

In this context the reconciliatory rhetoric of the Old Bridge has little purchase. Indeed the Bridge does not seem to bring together the citizens of Mostar and *bridge the gaps* in the spirit of reconciliation. Nor even does the Bridge appear to have radically affected the simple coexistence of the two communities, though one must caution against sweeping conclusions based on the highly visible acts of intolerance documented here. At least part of the explanation rests with the observation that not all of the inhabitants of Mostar regard the Bridge with ownership, fuelled by its location in the eastern, Bosniak part of town and claims – often by influential members of the community – that the Bridge is a Muslim construction. Of course the stone situated on one side of the Bridge with the text, ‘Don’t forget ‘93’ and another plaque underneath the Bridge, each reminding of the destruction of the Bridge by Croat forces, do little to refute such claims. Even though it is widely assumed and accepted that Croat forces destroyed the Bridge, a significant number within the Croat population believe that the facts have not yet been authoritatively established since the case of former General Praljak is on-going at the ICTY.

Though the Bridge does not fulfil the promise of symbolism and reconciliation, it does contribute to the development of Mostar for tourism, with tourists slowly returning to the town.<sup>196</sup> Similarly, *Muzej Hercegovine* (the Museum of Herzegovina) has an establishment located on one of the two sides of the Bridge presenting the history of the region, of Mostar and of the Bridge. However, the period of 1992-1995 is not included, and no information is offered on the Bridge’s destruction. Next to the museum, a privately-owned shop sells memorabilia mostly about the war, whilst on the other side of the Bridge a small photo gallery can be found that depicts the lives of ordinary people during and after the war. The significance of these initiatives appears extremely small, with no place for a multi-ethnic perspective, or attempts to help deal with the war and its polarising consequences.

<sup>189</sup> Traynor, I., 2004. Keep the hate alive. *The Guardian Online*. Available at: <<http://www.guardian.co.uk/world/2004/jul/29/worlddispatch.iantraynor>> [Accessed 21 October 2011].

<sup>190</sup> *Ibid.*

<sup>191</sup> International Crisis Group, 2003. *Building Bridges in Mostar*. Europe Report N°15020, Nov 2003.

<sup>192</sup> *Ibid.*, footnote 19.

<sup>193</sup> Kristina Čorić, *Interview with the author*, OKC Abrašević, March 2011.

<sup>194</sup> Malkki, L. H., 1995. *Purity and Exile: Violence, Memory and National Cosmology Among Hutu Refugees in Tanzania*. London and Chicago: University of Chicago Press.

<sup>195</sup> Depo Portal, 2011. *(Anti)fasisticka prepucavanja: rat grafitima u Mostaru*. Available at: <[depo.ba/hronika/rat-grafitima-u-mostaru](http://depo.ba/hronika/rat-grafitima-u-mostaru)> [Accessed 24 May 2011].

<sup>196</sup> Sunje, *supra*.

The Bridge as a monument of past events does not function as a motor for opening up of a discussion about the past. It is claimed by one group and rejected by the other. These groups are physically and emotionally divided and do not have any common way for dealing with historical injustices. Both groups view themselves as the main victims of the war. Further discussion of past events is not taking place. Even though the Bridge was supposed to be a memory initiative that would break the silence about the past and encourage tolerance, this has not yet occurred.

### 3.3.3. Discussion

The Bridge and town of Mostar in general seem to attest to perhaps some of the most important aspects of the debate surrounding memorialisation and transitional justice. This has mostly been dealt with already, or requires little further discussion. However, some points are particularly noteworthy.

Taking first the great symbolic worth attached to the Bridge, one sees multiple dangers implicit in memory initiatives when viewing them as vehicles for dealing with the past. The symbolism of two civilisations being connected through the physical structure and the consequent impetus that this generated among particularly international actors when juxtaposed against the contemporary situation, must lead to questions of the very basis of the logic behind memory initiatives of this kind being assumed to bring reconciliation. In short, assumptions and judgements of what would appear necessary do not suffice when concerning the reconciliatory potential of such grand initiatives. Indeed the Bridge rather than becoming a symbol of such progress has seemingly been annexed to the Muslim community and used to cement division, not least because the original structure was an Ottoman construction. The example of the Bridge thus demonstrates that international attention (and finances) and a rhetoric of reconciliation are not enough to break a culture of silence and impunity that has deep, unresolved roots and root causes that have been maintained in the present through other means. Here, wider socio-political factors and the politics of identity that underlie the divisions require more comprehensive efforts.

The role of religion and of charismatic or visible leaders in the community has also been suggested with regard to Mostar. Indeed religion has been suggested by some commentators as the very force perpetuating intolerance in the town, particularly where memory initiatives are appropriated to enforce a one-sided, apparently pious rhetoric to the detriment of the other side. In other locations around the world evidence exists of memory initiatives being appropriated by political leaders to support a particular version of the past in order to legitimise a grip on power. In Mostar, the evidence suggests that certain religious figureheads as well as politicians, at least in the past, have exploited the purported purity of religion through memory initiatives in order to similarly assert authority over the town. Little about the Hum Hill cross (its size, location, night-time illumination, justification) appears to contradict this conclusion. The danger of such appropriation and misuse of memory initiatives can be seen in Mostar and will ultimately perpetuate impunity about the past.

A final note on some of the noteworthy points again concerns the role of outside actors. As with other examples already discussed, even the best intentions are not enough to ensure that memory initiatives successfully begin to break cultures of silence. Whilst funding and support of the international community was undoubtedly crucial for the reconstruction of the Bridge, it should be questioned whether efforts could have been directed elsewhere in order to make greater progress towards the objectives of reconciliation, peace, tolerance and unity that the Bridge was lauded as being capable of bringing. Perhaps on a more positive note, there was still some indication of the importance of the ICTY for establishing the facts about events in Mostar, since members of the Croat community appeared to be waiting for the Tribunal's authoritative confirmation that Croat forces caused the Bridge's destruction. The question remains however of whether a formal judgement will bring acknowledgement or rather infuriate Croats and therefore divide the community even more. The situation at Srebrenica should be recalled.

Further attempts to reunite the people of Mostar provide additional focus for discussing the case study. In 2005, a bronze statue of cultural icon, Bruce Lee was inaugurated in the town and intended to be a symbol of reconciliation. According to one of the initiators, Veselin Gatalo, Bruce Lee was a hero for all teenagers in the Balkans, regardless of their ethnicity. The love for Bruce Lee was supposed to remind the citizens of Mostar that despite their differences, they have many things in common, one of them being their admiration of this icon. Furthermore, Bruce Lee would embody justice, mastery and honesty, things that Mostar was badly missing.<sup>197</sup> Unfortunately the statue has had little impact on the division of the different ethnic groups, nor has it provoked an examination across ethnic lines of the culture of remembrance, breaking the silence and dealing with the past. Other initiatives are nonetheless pursued in Mostar, including by the local Youth Cultural Centre Abrašević (OKC Abrašević), which tries to provide a place for young people who do not wish to be divided by ethnicity and religion to meet. Dating back to 1926 when artists needed a space for the development of their work,<sup>198</sup> as of 2003 the centre is located at the boulevard that used to be the front line between the Bosniak and Croat forces. Its activities aim to expose the selfish political interests of "*privileged elites who claim that they are protecting their ethnic groups' vital national interests*" by preserving Mostar's divisions. Abrašević has at least enabled

<sup>197</sup> The Guardian Online, 2005. *In brief: Bruce Lee comes to Bosnia*. Available at: <[www.guardian.co.uk/film/2005/nov/29/news1/print](http://www.guardian.co.uk/film/2005/nov/29/news1/print)> [Accessed 26 October 2010].

<sup>198</sup> Kristina Čorić, *Interview with the author, OKC Abrašević*, March 2011.

young people to gather for exchanging point of view and ideas, as well as simply for socialising.<sup>199</sup> Read together with the evidence presented earlier that youths have been responsible for vandalism and the use of national-socialist symbols, the need for memory initiatives to engage younger generations appears clear.

Another initiative which deserves to be noted highlights the use of initiatives that involve greater degrees of dynamism than many of the static projects that currently exist in Mostar (the Bridge, the cross, monuments, statues) and which appear to have had little positive effect. Art group, 'Abart', which is independently working within OKC Abrašević, has initiated a project titled, '(Re)collecting Mostar'. The work is explained as follows:

*"Based on an open platform model, Abart is focused primarily on research projects and the implementation of artistic interventions in the context of Mostar....As politically active and engaged subjects, we take the situation of Mostar and its polarization as the starting point to open up a discussion about divisions and divides. We are not only interested in religious and ethno-national separations, but rather in observing the ways in which the urban divide affects public spaces and the everyday."<sup>200</sup>*

Through implementing artistic strategies to create a "contact vocabulary" between divided communities Abart intends to "develop a more contemporary approach to culture", particularly one which may answer the expectations of a younger audience by employing innovative methods. The group believes it is crucial for Mostar to deal with the issue of public memory "to produce a more accurate picture of the contemporary urban conditions and the post-conflict identity" of the town. Public memory and its relation to division of the past will be central to this objective. The main problem to be addressed is that in Mostar this vision of public space has been neglected and there is not a clear strategy targeting the problem. Collecting and reinterpreting public memory is posited as a way to bring a new perspective on "how ideologies work in everyday life" and to provide a forum for negotiating a common history. The final goal is to emphasise the existence of a shared history that overcomes the ideological – nationalistic barriers. The data collected will be organised into archives accessible to all citizens.<sup>201</sup>

The approach and objectives are clearly ambitious, but also perhaps exactly what a town like Mostar requires. Having had time to commemorate, mourn and remember the past, and having seen much of this process either appropriated or further entrench divisions, a new approach to memory is badly needed. Monitoring of this fresh approach should be undertaken, particularly as it will offer a completely new, dynamic initiative than those static ventures seen previously and will specifically target younger generations. An interesting point of comparison with the Bridge, should the initiative achieve any success, would be that the initiative finds its justification and objectives in the same areas as were promoted when the Bridge was being reconstructed.

### 3.3.4. Concluding Comments

In the analysis of the previous case studies the idea that in some contexts memory initiatives can have very little impact on the culture of silence and even cause harm to post-conflict and transitional societies was discussed. This case study of Mostar seems to further substantiate this argument. It also adds further weight to challenge the assumption that memorialisation is necessarily a *good* thing.

Indeed the analysis of the project shows that where institutional and political change has been developed along lines of division, then memorialisation will at best face difficulties in attempting to forward an honest examination of the past and at worst will become explicitly appropriated by those divided sides. Here, the memory initiative may well have a strong influence in a negative way on entrenching identities that perpetuate the culture of silence. The dilemmas of politicisation and for whom an initiative is representative are thus seen. Moreover, the influence of specific stakeholders is clearly apparent, indicating that persons who enjoy status in a particular community have the ability to in many ways define the success or failure of initiatives as honest, and genuine efforts to address the past. When these stakeholders become initiators, then the value of memory initiatives for addressing cultures of silence will significantly diminish.

Aside from the message being promoted by other initiatives, the Bridge essentially sought a positive set of objectives intended to ease Mostar's divisions. Nonetheless, much of the haughty rhetoric heard during the inauguration ceremony and before, when compared to the prevailing situation, raises questions of the objectives of memory initiatives. It should be questioned whether such lofty goals of reconciliation and unity can be achieved by such initiatives, since even a Bridge widely acknowledged for its symbolism has apparently been incapable of ushering-in greater tolerance between communities. Since Mostar is recognised as having been a place that once enjoyed cohesion and cooperation between communities, and then destroyed by war, more careful examinations of the causes of the breakdown of such ties are required before these grand objectives are put forward (this goes for Mostar and elsewhere). In fact, one issue raised above is the failure to deal with WWII and then subsequent attempts to address the more recent violence. Left unresolved, the Mostar example demonstrates that cultures of silence and impunity will eventually re-surface.

<sup>199</sup> Sunje, *supra*.

<sup>200</sup> Abart, 2010. *(Re)collecting Mostar*. Available at: <abart.ba/?lang=en> [Accessed 24 May 2011].

<sup>201</sup> *Ibid*.

One must however attach a small additional comment to the above. That is, that throughout the history of Mostar, the destruction of the Bridge, and the present situation, the power of symbolism has been apparent and indeed has been the very thing manipulated to further intolerance. Finding a way to reverse this dynamic for the better suggests that memory initiatives may yet have an influential role to assume in Mostar.

The various examples demonstrated in Mostar of course reveal the problems associated with attempting to reach consensus and an honest account of the facts that occurred. Where this cannot be achieved, obfuscation and manipulation feed identities that are based on division, which then find justification in memory initiatives. This cyclic creation of divided identities based on mythico-histories is extremely damaging in Mostar and forewarns about the implementation of memorials aimed at bringing peace and reconciliation where such a consensus has not yet been reached on the past. Smaller initiatives that serve objectives of commemoration will perhaps not face this dilemma, but those grander initiatives will too readily become targets for abuse – physically and in the shaping of identities – if grievances are unresolved.

A final note can be offered on more recent developments. The as yet unknown fact of tourism to Mostar is one such development. The Bridge's place as a World Heritage site perhaps offers both opportunity but also cause for concern in terms of dealing with the past in Mostar. Whether divisions will in some way be further entrenched by such tourism or whether it can act to stimulate greater examination of the past remains to be seen. In addition, the new Abart project appears to offer hope, as it in many ways embodies the very opposite approach that has been much-criticised above, whilst maintaining similar objectives. Finding innovative ways to engage younger generations in the process of combating the culture of silence that perpetuates impunity may well represent a new way to deal with an old problem in Mostar.



## 4. Findings

Having dealt with the general context within BiH and the case studies in turn, some of the principal findings from the research are presented in the subsequent sections based on the original research question that was posed in the first chapter.

In BiH, a culture of silence based on competing versions of the past and negation of the Other ethnic group perpetuates impunity. In many ways, large numbers of the population in BiH deny at least some part of the history of the Other, if not the whole history of that group. Open discussion between ethnic groups particularly about the past remains an extremely contentious and politicised issue. When combined with degrees of shame for acts perpetrated in the name of one's ethnic group and the inability to honestly face the past, as well as the political organisation of the country along ethnic lines, this denial of the basic facts or the truths of the Other creates a situation wherein progress through efforts aimed at dealing with the past becomes exceptionally challenging.

Such a situation is vulnerable to the exploitation and manipulation for personal – or group – interests that BiH currently witnesses, with the space for polarised truths manifest in the continued hero status that many convicted war criminals still enjoy. Many respondents referred to the politicisation of memory initiatives, meaning that the often misleading victim-perpetrator dichotomy is reinforced, rather than the truth. It is frequently politicians who are assigned the responsibility for using memory in this way in order to spread nationalist rhetoric that further nurture the ethnicised truths and denial currently in place. Here, memory initiatives become central to the reinforcement of identities that in a large part are based on differences with the Other that are informed by misuse of the past.

It is for these reasons that initiatives have begun – and continue to be suggested, for example in the form of a universal monument – to attempt to represent an inclusive version of the past, common or at least agreed across ethnic lines. Despite the objective desirability of such an initiative in terms of repairing divisions and warning future generations against recurrence, the practice is of course fraught with difficulties. Political disagreements again come to the fore, demonstrating the complexity of attempting to somehow allow for multiple truths about the past, whilst ensuring that such truths are not built upon negating each other.

Nonetheless, the importance of dealing with the past and establishing the facts and a collective memory are clear. Memorialisation in BiH demonstrates this, not least with the references to WWII that have been frequently raised. Failing to establish the facts about this period of history and the consequent plurality of (negative) conflicting memories led to many unresolved, unspoken issues, but also something of a glorification of the myths of this period. These factors each underlie the identities and processes of memorialisation in the current historical period, demonstrating the consequences of a failure to address simmering divisions.

Reflecting on memory initiatives has allowed for these dynamics to be explored. It has also indirectly allowed for the other initiatives such as the ICTY to be examined, whereby the prevailing culture of impunity in BiH seems to require more than that which has currently been implemented. The in-depth case studies of memory initiatives have demonstrated several significant findings in the study of memorialisation relative to the combating of impunity, in addition to those raised above. They have also addressed the dilemmas faced by these initiatives, leading to some superseding inferences presented below.

### 4.1. Memory Initiatives, Stakeholders and Representation

From the evidence gained through the three case studies an overriding sense of the division that is manifest in BiH and the wider region after the conflict is felt. In each of the three case studies – by coincidence – interviews and other data sources made reference to the word *provocation* as not only resulting indirectly from a memory initiative, but, depending on the identity of the informant, as a direct, intentional purpose of the initiative in question. This clearly has profound consequences and offers crucial insight into the role of memory initiatives in addressing cultures of silence that perpetuate impunity.

In spite of the potential for memory initiatives to offer distinct advantages in terms of commemoration and mourning – factors not the focus of the research – the evidence gained has highlighted the negative role that they can have in combating impunity. The place of stakeholders is central to this dynamic. Particularly considering inter-groups relationships, the erection of initiatives almost exclusively along ethnic lines has in many respects only further entrenched a culture of silence between those groups. In many ways this state of affairs is a consequence of victims or victims' organisations usually being the initiators of memory initiatives and of course a consequence of multiple interpretations of the past, to be discussed further below. In this respect and in a context whereby identity is in a large part based on what the Other is not, the representation of a particular ethnic groups' version of the past should be expected. Indeed it is natural for victims to desire to commemorate their dead in a manner that best suits their needs. When such initiative is taken without the express intention of antagonising the Other then any antagonism that is produced is more a reflection of the wider context than the fault of the memory initiative. However, the situation is more complicated than this, as the case studies demonstrate. For not only are there cases in which memory initiatives are expressly used to antagonise the

Other, but the very nature of memory initiatives in a context such as BiH perhaps necessitates some reflection on the part of the initiators in order not to further (though innocently) antagonise the Other. Once again, the tension between purely commemorative purposes and the wider context is apparent. Here outsiders may have a role in assisting initiators to avoid unintentionally antagonising other communities. The case studies examined this issue further. Indeed present throughout the analysis was the perennial issue of whether initiatives in a context like BiH can be – or should attempt to be – inclusive across ethnic lines. The issue of Serbs visiting the memorials at Srebrenica, as well as the Bridge at Mostar illustrate this problem, whilst at Omarska many of the initiators expressed the desire for Serbs to engage and support the initiative, but without perhaps confronting the difficulties that this would entail for them. This is particularly so where, again, identities are built around interpretations and memories of the past. Ultimately, the case studies seem to suggest that where physical and emotional divides are present and rely so heavily on the meaning that is given to the past, trying to include all stakeholders in initiatives such as traditional memorials will be extremely difficult. This suggests that other initiatives that are directed at perhaps addressing these identities should be undertaken, for example through local truth-telling or initiatives that provide a platform for inter-ethnic dialogue. Perhaps more disconcertingly it can be questioned as to whether victims may themselves benefit from the culture of silence in that it reinforces their identity. Consequently uncertainty may surround the extent to which there is a genuine desire to see that the past is inclusively dealt with.

Moreover, the case studies underline that stakeholders themselves do not represent homogeneous categories. Conflicts within groups assumed to have identical interests in fact reveal aspects of the culture of silence that are little understood, or even spoken of. Even being rooted in the grassroots does not automatically mean that memory initiatives represent the view of all victims, as demonstrated at Srebrenica and Omarska, as well as other examples referred to. Once again this demands that one challenges the assumptions that often surround memorialisation. Tensions were highlighted concerning the nature of initiatives, but perhaps more importantly the extent to which initiatives truly represent the persons that they claim to, or rather represent the interests of a few. Such failures to generate ownership will ultimately hamper initiative from positively addressing cultures of silence.

Looking further at the stakeholders that have a role in contributing to the culture of silence in BiH, there are those who clearly benefit from the divisions that characterise both the past and present and who seek to manipulate memory initiatives for this very purpose. Many politicians and other leading community figureheads are perhaps the biggest benefactors of silence about the past, since they gain votes and legitimacy from manipulating past events and dividing the population along ethnic lines. Memory initiatives are a tool in this process. This further explains why there has been little concerted effort to uncover the truth about what happened during the conflict. Instead, these stakeholders have made use of the multiple versions of the truth and silence to maintain their positions. The media has also often had a negative role in this process. In all, these problems mean that little space is facilitated for discussion of the past outside of polarising debates that hinge on forwarding a one-sided version of events and denying other versions.

Finally, the role of the international community and other outsiders is ambiguous, though often equally problematic. It is clear that involvement in an issue such as memorialisation in a context such as BiH is extremely sensitive. Despite the role accorded to the international community in mediating the end of the conflict and also of other outsiders in significant moments during the conflict, outsiders have not yet found a balance on how to engage in BiH regarding memorialisation. Indeed outsiders are not a united entity, with different actors having different agendas. Experiences in Mostar, Srebrenica and Omarska highlight that funds can be vital, but on the other hand that the absence of a clear strategy based on a careful reading of the situation and realistic expectations can be very damaging. Nonetheless, in spite of the difficulties, there is a role for outsiders to play particularly as concerns ensuring that politics in BiH begins to move beyond ethnic and identity politics. Once again, the EU can play an important role here, particularly within the framework of accession strategies.

## 4.2. Memory Initiatives and Truth-Telling

The case studies and analysis offer insight into the second component of the culture of silence subject of the research: truth-telling. Here, questions concerning whose truth is represented in initiatives, what period of the past is covered, the manner in which facts are interpreted or represented, and so forth are relevant, particularly as they contribute to the impunity that results from failures to protect victims' rights to truth, justice, reparations and non-recurrence.

The case studies demonstrate many dilemmas facing memorialisation as a means through which to challenge impunity. Indeed, each of the initiatives seems to have had little impact on either the local culture of silence or the culture of silence that exists at the group, societal or national level. Once again, progress measured by way of local or individual recognition of facts linked to commemoration or acknowledgement (for example of the genocide and victims at Srebrenica) should not be discounted, but this remains only a small part of breaking the impunity that still exists. Many of the problems dealt with here concern the limitations of initiatives in contributing to the divisions between groups. Concerning these limitations, the value of honest truth-telling has seemingly not taken root. Much to the contrary, specific interpretations and versions of the truth are more characteristic of the situation, thereby cultivating division and impunity along ethnic lines. Here, once again, negating the 'version', suffering or past of the Other is central to identities and memory initiatives.



Furthering this idea, the research has demonstrated how memory initiatives may become the very symbol of group divisions and the lack of consensus about the past, or indeed may become essential to shaping such identities. Where this is the case, memory initiatives can thus further entrench a culture of silence. Here it is necessary to recognise the potential for misuse and misappropriation for such ends. The case of BiH thus demonstrates that where such identities are so deep-rooted, such multiple truths about the past are maintained with little or no flexibility for entertaining the suffering of others. In itself, the presence of multiple truths should not be problematic, but where these form the very basis of identity, memorialisation becomes part of the problem. This requires a re-examination of the value of an initiative in such a context and consideration of the need for a more holistic approach. Currently, there is little room for open discussion between groups and the current approach to memorialisation – often traditional memorials – has seemingly had little influence.

The case studies reveal further insight into this problem of truth-telling in BiH. Firstly, the initiatives make clear that in certain respects the failure to address episodes of violence that preceded the 1990s conflict continue to impact the present. Whilst attempting to deal with the past during WWII within memory initiatives dedicated to the most recent violence in itself presents problems, it is clear that such truth-telling is indeed needed. Here, the mythico-histories and glorification of the past has shaped certain present identities. In comparison, similar dynamics have emerged in the prevailing context, where war criminals are equally revered by certain groups in BiH. The current inability of memory initiatives to address these dynamics is enormously damaging for combating impunity.

Secondly, as hinted at above, truth-telling at memory initiatives is intertwined with other initiatives directed at dealing with the past. In BiH, the ICTY is perhaps the most prominent. Nonetheless, the situation is also rather bleak. For in spite of the authoritative establishment of facts at the ICTY, memory initiatives have seemingly been unable to build on these developments to embed such truths. This points to failings of both sets of initiatives. Once again, when faced with genocide or crimes against humanity committed in concentration camps, denial was favoured, indicating that the dynamics of identity have greater influence than current efforts towards truth and justice. This also indicates that memory initiatives must do more if such authoritative facts are to be internalised. It seems that in a context such as BiH, simply basing an initiative on the very fact of an episode of violence or a legal classification of an atrocity – while important for victims – will have little wider transformative effect. This is because the reaction of opposing groups may necessarily be one of denial, which further indicates that memory initiatives need to be more engaging and dynamic if they are to achieve the objectives of inculcating honest examinations of the past.

### 4.3. Memory Initiatives and Future Generations

In many ways the current efforts towards memorialisation are dangerous and not sustainable. This is particularly the case when future generations are taken into account.

Since many among the contemporary youth have not experienced the war themselves, they are dependent on their environment, parents, teachers, peers and the media for information about the conflict. Unfortunately, these information outlets are not free from bias as has been demonstrated and may propagate ‘ethnicised’ or ‘politicised’ versions of the past or blatantly untrue facts. Divisions in BiH, including those which directly affect younger generations (divided schools, etc.) further contribute to a situation where the past can become manipulated along lines of polarisation. This does little to guide younger generations away from the prejudices of the past, who themselves may begin to assume the divided identities as demonstrated above. In this way, a new generation is raised to uphold the culture of silence or to take up violence. This will be extremely dangerous for the future of BiH.

The current approach to memory demonstrated by the case studies examined in detail shows little attention given to future generations. Certain initiatives taken at Mostar offer some hope for alternative approaches that may well produce change, but this will require further examination in the future. Interesting to note here is that these initiatives are organised differently to the more rigid initiatives that characterise much of the memorialisation landscape in BiH, with more dynamic and dialogue favoured. Nonetheless, the oversight of not allowing specific focus on younger generations may well account for the vandalism and other acts of destruction apparently committed by youths. In general there has been no overt attempt made by the initiatives studied to involve younger generations.

The research has shown that in some contexts, the direct victims of conflicts are no longer able to move on from the past either because perceptions of identities are too deeply internalised due to the political and institutional context since the end of the conflict, or because the gravity of the events is such that moving forward can become too difficult. Younger generations can often therefore be – depending on the extensive analysis of the context – the best target for successful memory initiatives. This will however require further examination in a context such as BiH. A natural implication from this however is that the education system could represent a way of effectively dealing with the past by allowing ethnic identities to not be used to polarise memories of the past. If we consider the importance of a collective truth, the argument that has been put forward by this study, it appears that relying on an objective and neutral view within education programs rather than ethnically divided schools could improve both perceptions and memorialisation, thus contributing to combating impunity.

Finally, the research illustrates the worrying issue that younger generations have not been involved in memory initiatives. They have not taken any part in design or have not been consulted, which is a worrying trend to maintain. The research has highlighted the need for greater innovation and appreciation of timing, identities and the potential for provocation. Younger generations offer dynamic potential for change in this regard.

## 5. General Conclusion

Memorialisation in BiH exemplifies the difficulties and dilemmas that memory initiatives and other mechanisms that are put in place to deal with the past face after violence. In many ways these initiatives in BiH have become a crucial part of the culture of silence and impunity that exists in the country, often in negative ways.

Before offering a general conclusion to the research question posed it is necessary first to recognise that at an individual level or at the level of specific victim communities' memory initiatives may well be considered as both effective and appropriate in guaranteeing commemorative ends. Whilst not central to the research, the examination does not deny this important aspect of dealing with the past, nor the crucial need for such commemoration. Nonetheless, the aggregation of purposes beyond these objectives, the potential raised for memory initiatives to contribute to combating impunity and the often central role that these initiatives have gained in BiH, means that an examination of their place within the culture of silence is essential.

The evidence from the three case studies and the wider context within BiH, demonstrates that memory initiatives have become places where wider grievances resulting from past violence (poverty, inequality, etc.) and the divisions that characterised that violence are projected and played out. Each ethnic group maintains its own version of the truth and largely denies the version of others. The initiatives both reflect and become the very places for the perpetuation of silence and impunity in society in BiH. To a large extent, this is a result of the context of ethnicisation and politicisation of memory that has festered unabated in BiH and into which memorialisation has been placed. Memory initiatives and memorials have until today been initiated almost exclusively along ethnic lines, though often for commemoration. In this respect the failures and difficulties surrounding memory initiatives are thus symptomatic of the wider context, but have also been appropriated to perpetuate the underlying issues. Their ability to assume a positive role with regards to stakeholders, truth-telling and future generations has thus been limited to a handful of examples, or to benefits that support only one ethnic group. Put simply, memory initiatives have had little success at addressing the culture of silence and indeed have become part of that culture in many respects.

The evidence therefore cautions against assuming that memorialisation will always be a positive endeavour. Pinpointing specific positive impacts on the localised culture of silence at particular initiatives and thus impact on the wider culture of silence is extremely difficult. Both Srebrenica and Mostar demonstrate that ethnic divisions remain heavily associated with memory initiatives, even causing division and silence to be further entrenched. By consequence, impunity is maintained. Of perhaps unexpected significance is evidence from Srebrenica that new dimensions of the culture of silence can in fact be created. In this example divisions were created within groups assumed to be homogeneous.

Related to the aforementioned problem, the research findings have also led to questions regarding the basis of the logic for memory initiatives, in particular the assumptions made concerning their reconciliatory value. In fact, little evidence from the case studies suggests that the latter has had any substantial effect. Thus, whilst an apparent moral and intellectual logic may lie behind connecting memory initiatives to reconciliation and other grand objectives, in practice the situation appears much less clear-cut. No better example of this state of affairs can be cited than that of the Bridge at Mostar: in spite of international fanfare and rhetoric about the Bridge's significance for both communities in the town, the socio-political and other realities – unaddressed – belie such rhetoric. Once again, this must lead to greater examination of the basis upon which such supposed objectives are forwarded. Moreover, the case studies point to the significance of timing in this regard. Implementing memory initiatives in contexts where the past is still disputed will not only restrict the positive impact of those initiatives, but leaves initiatives open to abuse and to becoming instrumental in the construction and maintenance of divided identities.

The lack of consensus about the past in BiH also leaves memory vulnerable to myths and untruths, which thereby permeate into memory initiatives. The culture of silence is then further entrenched, perhaps most visible in the championing of war criminals as heroes. Indeed, it is not uncommon for convicted war criminals to be honoured despite their judicial condemnation. Within this context, the inability of any mechanism or approach to write a collective and honest version of the past across ethnic lines creates a wilderness of memory initiatives that exploit such a lack of consensus. Individuals and groups – stakeholders – also exploit the process, as demonstrated, through the benefits that they gain from seeing the maintenance of the culture of silence. In all, memorialisation is an extremely pressing issue and present danger for Bosnian society.

The research indicates that an important dilemma facing memorialisation in the combat of impunity is how to resolve the tension between the very personal process that it can represent and the need to ensure that partial or ethnicised truths do not entrench divisions. In other words, memorialisation in BiH has yet to find ways to balance whether (and how) single memory initiatives can address the grievances of a specific group of victims or survivors, whilst at the same time not antagonising other groups or even facilitating dialogue and reflection between groups. Once again, the issue becomes one of objectives, and cannot be separated from the total absence of a collective truth in BiH that can support each ethnic group in dealing with the past. Individual and group 'truths' exist, but an objective, collective 'truth' – in spite of the efforts of for example the ICTY – is yet to emerge.

In a context of a myriad disparate memory initiatives and the lack of such a collective truth or memory, memorialisation contributes to - rather than combats - silence and impunity. One suggestion hinted at in the report is for the international community, notwithstanding issues of ownership and other dangers, to take a more considered role in the process, by assisting in the writing of such an objective version of the past. In addition, the emergence of new initiatives for dealing with the past should be monitored as early indications suggest that the greater dynamism and flexibility that they present could offer better possibilities than static ventures for getting to grips with the past. This appears particularly the case when one considers evidence of the involvement of younger generations. The potential of this group across ethnic lines should be harnessed, especially given the wider problems facing BiH (unemployment, etc.) and which also become manifest at memory initiatives, particularly memorials.

In the absence of concerted effort and change at the political level in BiH the situation will perhaps remain problematic. Civil society and the international community can have a role in lobbying for change. For in BiH most people experience the past as a defining facet of the present and the future. The establishment of the truth and facts about that past is, thus, crucial, but should also be done with care and special attention to victims and survivors. The context demonstrates that criminal justice is important, but alone will not suffice to combat impunity. Victims and survivors must be provided with the opportunity to mourn and express their experience of violence, but at the same time dialogue is needed between divided communities. The potential for memory initiatives to play a role in this process exists, but in BiH memorialisation is currently dominated by the purpose of only representing one group's interpretation of the past. In this context the culture of silence is fuelled rather than addressed.

## 6. Recommendations

### **To the national authorities in BiH:**

- Establish a coordinated, participatory approach and policy for memorialisation.
- Condemn and take steps to prevent the politicisation and monopolisation of memory initiatives by politicians.
- Support the continued need for criminal prosecutions and truth-seeking as key priorities.
- *Republika Srpska*: Refrain from undermining the work of the War Crimes Chamber and cease plans for legislation calling for the Chamber to be abolished.
- Continue work to reform the justice system in BiH.
- Incorporate basic human rights education, including the abhorrence of international crimes, in school curricula.
- Publicly endorse the judicial findings of the ICTY, regardless of ethnic or political persuasion.
- Take a strong stance on the need for exhumation at the remaining mass gravesites.

### **To the Republic of Serbia (Belgrade):**

- Recognise the influence that Belgrade has upon the *Republika Srpska* in a positive and negative manner.
- Apologise for and condemn the crimes committed at Srebrenica as ‘genocide’.
- Take action to combat negationism, genocide denial and the celebration of war criminals as ‘heroes’.
- Continue with the genuine pursuit of indicted persons and persons accused of war crimes.
- Pressure the authorities and politicians in the *Republika Srpska* to undertake genuine reform, the pursuit of truth and justice, and avoid manipulation of the past for political purposes.
- Publicly endorse the convictions, judicial record and other important decisions of the ICTY and War Crimes Chamber.

### **To the national authorities in BiH and international policymakers:**

- Truth, combined with justice, reparations and guarantees of non-recurrence are still needed to combat impunity in BiH, and are still crucial elements to any policy in the country.
- The right to know the truth must include objectively-researched figures of the number of persons killed; projects objectively documenting such figures through independent research must be supported at the local, national and regional level.
- Prioritise local truth-telling and dialogue initiatives in order to build citizen tolerance to counteract ethnicised politics, to build greater openness to acknowledging the war-time experiences of other communities, and to open the space for discussion of the events that took place.
- At the same time, support the implementation of local initiatives through the Legacy Strategy of the ICTY, explicitly recognising that prosecutions alone are insufficient for adequately dealing with the past in BiH.
- Through comprehensive programmes of action, address the key socio-political conditions are also part of the root causes of the conflict and which remain problematic in contemporary BiH.
- Consider vetting of public officials in order to ensure that persons bearing responsibility for past crimes do not enjoy positions of power; OHR must use the Bonn powers in situations where persons implicated in war crimes hold important political positions, ensuring such persons are banned from public office if found guilty by competent judicial authorities.
- Take steps to ensure professionalisation of the media.

### **To EU decision-makers**

- Support the implementation and prioritisation of the recommendations as formulated above.
- Include citizens and civil society as a component of stable and sustainable state-building in the Balkans and as a fundamental dimension of the Instrument for Pre-Accession Assistance (IPA).
- Include local truth-finding, dialogue and other initiatives including memorialisation as elements of a ‘dealing with the past’ component of the IPA.

- Consult with and include the needs of ordinary citizens in the IPA, avoiding outside assessments of whether or not sufficient time has passed to *move on*.
- Address the Balkan states in an integrated manner, developing an approach that inter-links country-specific conditions for EU membership with regional and inter-state conditions.
- Support any petition by the initiators at Omarska seeking ArcelorMittal to grant free access to the site for commemorative purposes.
- Be more visible in the public debate in BiH, particularly in supporting the continued need to deal with the past and in clearly articulating why impunity will hamper BiH's process towards EU membership.

***To the ICTY and the International Residual Mechanism for Criminal Tribunals (IRMCT):***

- Conceptualise 'memorialisation' beyond the simple classification as symbolic reparations.
- Support legitimate memorialisation efforts, particularly those that encourage inter-ethnic dialogue.
- Support initiatives that work at the local level to enhance truth-telling through the Legacy Strategy and on the basis of the judicially-verified facts.
- Better inform local communities through the Legacy Strategy about the Tribunal's judicial record to begin dispelling misconceptions about the Tribunal.
- Work more closely with the national authorities to reform the criminal justice system in BiH.
- Take steps to overcome the Tribunal's credibility gap in BiH and to ensure that the facts established by the Tribunal are accepted across communities.

***To national and international actors involved directly in memorialisation:***

- Accord younger generations a greater stake in memorialisation processes.
- Together with experienced international actors, for example UNESCO, initiate a process towards writing a collective history of BiH to include WWII and develop programmes allowing educators in secondary school institutions to travel to EU member states to understand how educational institutions in such countries address difficult historical periods in their own curricula.
- Implement programmes of mutual understanding alongside memorialisation to promote (re)humanisation of the ethnic Other at the local level in particular, complemented by equivalent national and regional programmes.
- Support the initiators of memory initiatives in avoiding unintentional antagonism of other communities.
- Open displays of support for local initiatives can be more effective than financial support and deserve greater priority.
- Monitor and openly condemn the politicisation of memory initiatives whenever it occurs and prioritise funding for memory initiatives that reject politicisation.
- Initiate inter-university capacity-building programmes whereby established European research institutions assist the development of local capacities for research and fact-finding in BiH.

***To victims, civil society organisations and citizens of BiH:***

- Undertake programmes for constructive, cross-community dialogue.
- Focus on similarities between communities, rather than differences.
- Recognise that individuals, not collectives were responsible for crimes of the past.
- Call upon more religious leaders to assume a more constructive role in efforts for dealing with the past.
- Support victims and victims' associations in their memory initiatives, provided that they are not politicised, are based on facts and are directed towards inter-community contact and dialogue.
- Citizens: Take the lead in holding politicians accountable for their actions.

***To the initiators at Potočari:***

- Use the opportunity of the 'second phase' of development of the Battery Factory site to: assess both the positive and negative consequences of the initiative to date; listen to legitimately-expressed concerns at the memorialisation

process; ensure that younger generations are prioritised; engage Serb communities; and participate actively in a process of constructive dialogue.

- If the memorial centre is to increase impact as an educational centre on the acknowledged facts (using former WWII concentration camps as a possible example), provide conditions whereby all groups with a genuine interest in the genocide feel able to visit, including by ensuring the removal of overtly offensive or inflammatory language, whilst still reserving the cemetery for the legitimate right of victims to mourn their loved ones.
- Ensure transparency on the part of the initiating organisations in order to respond to legitimately expressed grievances and to maintain the authenticity of the initiative's character as victim-led.
- Examine the possibilities, including initiating consultations with the local population, concerning the options for socio-economic improvement programmes.
- With the support of international partners, develop the educational work of the centre and develop programmes for dialogue and exchange between ethnic groups, prioritising younger generations.

***To the initiators at Omarska:***

- Petition the local authorities and international community to ensure that ArcelorMittal allows free access to the site for commemorative purposes.
- Gather all available information to document and map the remaining sites of mass graves.
- With the facilitation of international partners and objective outsiders, bring all concerned actors together to once again re-start an inclusive process of mediation and dialogue.
- Facilitate active dialogue between younger generations from different ethnic communities and thereby build on the positive signals emerging from younger generations.
- Try to use dialogue rather than antagonism and force to garner Serb recognition of the crimes committed at Omarska.

***To ArcelorMittal:***

- Make good on the promise delivered in 2005 to facilitate the construction of a memorial.
- Acknowledge that whether by design or otherwise, the company *is* part of the local ethnic dynamic and to state otherwise is short-sighted.
- Explicitly include responsibility to the victims of the crimes committed at Omarska in the company's 'Corporate Responsibility' strategy.
- To truly employ a strategy that gives special attention to the dignity of individuals (as stated in the company's 'Mission and Vision'), the dignity of victims cannot be ignored and their legitimate rights to the truth, to commemorate and to bury the victims of crimes against humanity must be of critical importance.

***To civil society, national authorities and the international community in Mostar***

- Undertake initiatives to advance dialogue and exchange between communities, as the static construction of the Bridge prevents a dynamic process from taking root.
- Support joint initiatives to bridge the ethnic divide, such as a joint production by the 'two' national theatres.
- Local truth-telling and exchange must be facilitated, building on current initiatives that engage younger generations using a 'contact vocabulary' rationale.
- Facilitate programmes for social organisations and associations to overcome the ethnicisation that characterises occasions such as sporting events.
- Religious institutions at the national and international level must recognise their responsibility to guarantee that local representatives do not promote intolerance and to encourage inter-faith dialogue, whilst condemning the actions of former representatives that fuelled hatred.
- Write a common curriculum for the 'unified' school in Mostar with assistance from international organisations.
- Prioritise other programmes for youth education, including impartial education about WWII.
- Increase awareness of the events that took place in Mostar in order to prevent denial and obfuscation.
- Monitor the Praljak proceedings at the ICTY and inform communities of the decision.

- Together with UNESCO and other international actors, and building on Mostar's pre-war image as a multicultural place of tolerance, examine the effect of the war on destroying this culture in order to promote a shared history, free from bias.



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### **Mostar**

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- Azra Hasanbegovic, Zena BiH, 09.03.2011
- Dzenana Dedic, LDA Mostar, 14.10.2010
- Fadila Hadzic La Strada, 10.03.2011
- Kristina Coric, OKC Abrasevic, 08.03.2011
- Radmila Borozan, OSCE Mostar, 10.03.2011
- Saja Coric, Udruzenje Logorasa Logora Vojno, 10.03.2011

### **Prijedor**

- Edin Ramulic, Izvor, 16.03.2011
- Husein Pasalic, Familija, 16.03.2011
- Murisa Maric, DON Prijedor, 14.03.2011
- Sabira Medic, Berek, 15.03.2011
- Senka Jakupovic, Dijakom, 16.03.2011

### **Sarajevo**

- Adelheid Wolfl, Der Standard, 29.03.2011
- Adis Susnjar and Borka Rudic, BH Novinari, 31.03.2011
- Alma Masic, Youth Initiative for Human Rights, 06.10.2010
- Anisa Suceska-Vekic, Balkan Investigative Reporting Network, 01.04.2011
- Denis Hadžović, Centre for Security Studies, 31.03.2011
- Edita Prsic, Foundation of Local Democracy, 29.03.2011
- Elma Demir, Association for Democratic Initiatives, 01.03.2011
- Emir Kovacevic, Multireligious Council BiH, 02.03.2011
- Fadila Memisevic and Belma Zulcic, Society of Threatened Peoples, 04.10.2010
- Franjo Topic, Hrvatsko Kulturno Društvo 'Napredak', 01.04.2011
- Goran Bubalo, Catholic Relief Service, 29.03.2011
- Haris Lokvranic, Swiss Embassy, 11.03.2011
- Ingrid Halbritter, Dadalos, 29.03.2011
- Jantine van Bakel, Dutch Embassy, 28.03.2011
- Jasmin, Krug 99, 01.03.2011
- Jonathan Francis, Swedish International Development Agency, 03.03.2011
- Lejla Mamut, TRIAL, 31.03.2011
- Ljiljeta Goranci Brkic, Nansen Dialogue Centre Sarajevo, 06.10.2010
- Marija Saric, Wings of Hope, 29.03.2011
- Marko Orsolic, International Multireligious and Intercultural Centre, 05.03.2011
- Margareta Wennlund Åkerblom and Christina Gampstorp, Living History Forum, 03.03.2011
- Merdzana Subasic, Istrazivacko Dokumentacioni Centar, 04.10.2010
- Mervan Mirascija, Open Society Fund, 03.03.2011
- Muhiba Kaljanac, Historic Museum, 30.03.2011
- Nuna, Zene Zenama, 02.03.2011
- Sanela Paripovic, United Nations Development Programme, 28.03.2011
- Satko Mujagic, Ministry of Justice, 30.03.2011 (spoke in this interview on his own account)
- Tamara Smidling, Centar za Nenasilnu Akciju, 05.10.2010
- Velma Saric and Alison Sluiter, Centre for Justice and Reconciliation, 30.03.2011
- Zivica Abadzic and Muhamed Braco Dzemedzic, Helsinki Committee for Human Rights, 07.10.2010

### **Srebrenica**

- Amra Begic, Memorijalni Centar Potočari, 21.03.2011
- Mediha Mustafic-Smajic, Udruzenje Sjav Srebrenica, 21.03.2011
- Stana Medic, Sara, 21.03.2011

### **Tuzla**

- Amra Ovcina-Hamidovic, Organisation for Security and Cooperation in Europe, 23.03.2011
- Brank Antic-Stauber, Snaga Zene, 24.03.2011
- Branka Rajner, Human Rights Office Tuzla, 23.03.2011
- Hajra Catic, Zene Srebrenice, 23.03.2011
- Amira Kavgic, Inicijative Prezivjelih od Mina, 23.03.2011





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