



Humanitarian Law Center

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## Activities and Achievements in 2012

### **Mission**

Humanitarian Law Center [HLC] supports post-Yugoslav societies establish the rule of law and accept the legacy of gross human rights violations in order to establish criminal responsibility of perpetrators, serve justice, and prevent recurrence.



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## Introduction

The year 2012 was marked by several events which had a negative effect on the process of establishing Transitional Justice in Serbia and other post-Yugoslav countries.

After the General Elections in Serbia, which were held in May 2012, the Government of the Republic of Serbia was formed by the coalitions gathered around the Serb Progressive Party, the Socialist Party of Serbia and a number of minor political parties. Tomislav Nikolić was elected President of Serbia. The fact that the parties and individuals who represented the backbone of the regime which had participated in the mass crimes committed in the former Yugoslavia during the 1990s, now play the key role in the new Government, represents a huge challenge to the process of advocating for Transitional Justice in Serbia. The newly elected President of the State and other officials have not only failed to offer their declared support for the existing institutional mechanisms and initiatives of Transitional Justice, but in their statements they have undermined the process of building trust in the region of the former Yugoslavia. On the eve of the second round of the Presidential Election, Tomislav Nikolić already gave an interview to the German *Frankfurt Allemagne Zeitung* newspaper in which he stated that “Vukovar was a Serbian town and Croats should not return there”; that he is proud to be a “Chetnik”; and that his dreams about the borders at the time of the breakup of Yugoslavia had not come true.<sup>1</sup> After he was appointed President, Tomislav Nikolić denied the genocide in Srebrenica on two occasions in his public statements.<sup>2</sup>

The former President of Serbia, Boris Tadić, made his own contribution to the impression that Serbian politicians still do not have a responsible attitude towards the atrocities committed during the 1990s, by stating on October 28<sup>th</sup>, 2012, on the “*Nedeljom u 2*” show on the Croatian Radio and Television Service, that he could not say that genocide was committed in Srebrenica and that, as a politician, he would wait to state his position until after all legal proceedings had been completed. This statement has greatly devalued the apology which he addressed as the President of Serbia in 2004 to the victims of the crime committed by members of the Serb community, as well as other symbolic gestures which were made for the purpose of recognizing the victims of the genocide.

The prosecution of war crimes in Serbia is still under strong political influence. Even eight years after the establishment of specialized institutions for the prosecution of perpetrators of war crimes, a climate in which these institutions can investigate the responsibility of high military and police officials for the crimes committed during the 1990s independently and professionally, has not yet been created in

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<sup>1</sup> FAZ, „Die Serben durften nicht entscheiden, wo sie leben wollen“ May 19th 2012, <http://www.faz.net/aktuell/politik/ausland/wahl-in-serbien-die-serben-durften-nicht-entscheiden-wo-sie-leben-wollen-11750937.html>

<sup>2</sup> “It was not genocide that was committed against Bosniaks in Srebrenica, but rather a crime that was committed by individuals, who should be punished for the crime they committed”, RTCG, May 31<sup>st</sup>, 2012. In an interview for the *Corriere della Sera* magazine, given on the occasion of a visit to Italy on October 9<sup>th</sup>, 2012, Nikolić stated that no genocide was committed in Srebrenica, and that “no Serb would admit to the commission of genocide” and so he would not either.



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Serbia. The case of General Ljubiša Diković, the Serbian Army Chief of Staff, speaks volumes about this. Indeed, on January 23<sup>rd</sup>, 2012, less than two months after Diković was appointed Chief of Staff, the HLC published the *Ljubiša Diković* Dossier, which contains information and evidence relating to the involvement of the Yugoslav Army units under Diković's command in the crimes against Bosniaks from BiH and Kosovo Albanians, and pointed out that Diković is not worthy of holding the position of Chief of Staff, because of his failure to prevent these crimes and punish the perpetrators of these crimes.<sup>3</sup> The Dossier is based on statements given by the surviving victims, victims' family members, and insider witnesses, as well as on authentic army documents. Despite the fact that there are huge amounts of documents and that these are cases of mass crimes with several hundreds of civilian casualties, the Office of the War Crimes Prosecutor (OWCP) still issued a press statement less than 48 hours after the publication of the Dossier in which it said that there are no grounds for the suspicion that Diković was involved in these war crimes. Several days later, Deputy War Crimes Prosecutor, Bruno Vekarić, in reply to the HLC assertion that he had failed to examine the Dossier in a thorough and professional manner, stated that it had only required "two clicks on the computer".<sup>4</sup> Statements by the then Minister of Defence, Dragan Šutanovac (Democratic Party), who began defending General Diković immediately after the Dossier was published, and who stated that the accusations of the HLC were "false, inappropriate and monstrous", contributed greatly to the unprofessional reaction of the Office of the War Crimes Prosecutor.<sup>5</sup> In March 2012, General Diković filed a private criminal complaint against the HLC Executive Director, Nataša Kandić, for libel.<sup>6</sup>

The case of the arrest of five Albanians, former soldiers of the Liberation Army of Preshevo, Bujanovac and Medvedja," (LAPBM) from Bujanovac, only two days before the General Election in Serbia show that the OWCP is still susceptible to political influence. The Minister of the Interior, Ivica Dačić, stated that these persons were arrested because of the suspicion that they had committed war crimes during the conflict in the Preshevo Valley in 2001, upon an order issued by the OWCP. Three weeks later, all of the arrested persons were released, without a court ruling on the termination of detention. The War Crimes Prosecutor, Vladimir Vukčević, stated that the criminal proceedings had been aborted, because at the time the Law was passed, the LAPBM was considered a terrorist organization and not a party to the armed conflict, and because of this, the arrested persons were granted amnesty for the crimes they had been charged with, pursuant to the Law on Amnesty passed in 2001.<sup>7</sup> The Prosecutor did not, however, offer an explanation for considering the Law on Amnesty, which covers acts of terrorism and enemy association an obstacle for the prosecution of war crimes. There is a general impression among the public that these arrests were politically directed, in order to promote the interests of Minister Dačić

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<sup>3</sup> See the HLC's press release: "New Republic of Serbia Army Chief of Staff Has Tainted Past", January 23<sup>rd</sup>, 2012.

<sup>4</sup> RTS, *Da možda ne Show*, January 28<sup>th</sup>, 2012.

<sup>5</sup> "Šutanovac Defends Diković," RTS, January 25<sup>th</sup>, 2012.

<http://www.rts.rs/page/stories/sr/story/9/Politika/1032566/%C5%A0utanovac+brani+Dikovi%C4%87a.html>

<sup>6</sup> By the end of 2012, the investigation was completed and the trial scheduled for February 13<sup>th</sup>, 2013. However, in late 2012, the Criminal Code was amended and the new code decriminalized libel and, therefore, the proceedings for libel will be aborted.

<sup>7</sup> *Politika*, "Politics Sometimes Stronger Than Justice", June 7<sup>th</sup>, 2012.



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during the electoral silence, and the rare and contradictory public statements made by the Minister and the Prosecutor on this matter only support this impression.

The ICTY judgments rendered in the Gotovina and Haradinaj cases in November 2012 had a particularly negative effect on the reconciliation process in the region. The reaction of the public and representatives of institutions in Croatia, Serbia and Kosovo clearly showed that different perceptions of the events that occurred during the 1990s represent the greatest obstacle for reconciliation in the former Yugoslavia. After the judgments were rendered, experts expressed some serious concerns related to the legal reasoning of the Gotovina judgment<sup>8</sup> and the procedure that preceded the rendering of the Haradinaj judgment<sup>9</sup>. These judgments have caused some of the most serious scrutiny yet of the ICTY's contribution to the establishment of the truth about the events that occurred during the 1990s and reinforced the belief that criminal justice for the crimes committed in the former Yugoslavia is not sufficient for reaching a common standpoint on the wars of the nineteen-nineties/1990s.

Certain progress was made during 2012 in the relations between Serbia and Kosovo. Representatives of Serbia and Kosovo reached an agreement at the beginning of the year regarding the regional representation of Kosovo which represented the termination of the year-long blocking of Kosovo's participation in regional forums and meetings.

In the year in which it celebrated its 20<sup>th</sup> anniversary, the HLC achieved some significant results. Despite the institutions and social context, which were not in favour of the process of Transitional Justice, the HLC continued to document and publicly present facts about the crimes committed and to advocate for the rights of the victims to truth, justice and reparations, and for the creation of conditions which would prevent the recurrence of such crimes.

In December 2012, the HLC Steering Board appointed Sandra Orlović, previously the Deputy of the former Executive Director Nataša Kandić, to the position of HLC Executive Director. Nataša Kandić will still be a member of the HLC team and will be focused on the work of the RECOM Initiative and the compilation of the Register of Human Losses in the former Yugoslavia, and she will also participate in the work of the HLC Steering Board as the Founder of the HLC.

## I Documentation and Memory

The research and collection of materials referring to the crimes committed during the armed conflicts on the territory of the former Yugoslavia were the focus of the HLC's activities again during 2012. The HLC, together with its regional partners, namely the HLC Kosovo and Documenta from Croatia,

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<sup>8</sup> See the analysis by Bogdan Ivanišević „The [Hague Failed to Justify Gotovina Acquittal](#)”, published on the Balkan Insight, November 19<sup>th</sup>, 2012.

<sup>9</sup> See HLC's press release, “Although the Verdict is Founded on Evidence, It Has Not Brought Justice for the Victims”, November 29<sup>th</sup>, 2012.



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continued to work on the compilation of the list of individual human losses in the armed conflicts on the territory of the former Yugoslavia.

## **1. Human Losses During Armed Conflicts in Former Yugoslavia**

During the year 2012, the HLC continued its work of documenting, verifying and updating registers of persons who were killed or went missing during the armed conflicts in Kosovo, Croatia, and Bosnia and Herzegovina, and also continued preparation of the Kosovo Memory Book and the creation of an interactive map of human losses during the wars waged on the territory of the former Yugoslavia.

### **1.1. Register of Killed and Missing in Kosovo in Period 1998-2000**

The HLC compiles a list of human losses during the war in Kosovo in cooperation with the HLC Kosovo<sup>10</sup>. During 2012, the HLC and HLC Kosovo researchers interviewed 446 witnesses (eye-witnesses and family members). On the basis of their statements, they collected information about 696 victims of war, thus updating files of 925 victims. During the research, 490 photographs of victims, 788 photographs of graves and 193 personal documents of victims (death reports and reports on the identification of mortal remains) were collected.

Following the analysis of the material collected during the research, the number of verified victims was increased by 177 (new victims in the register). For 233 names, which had been registered earlier only on the basis of one source, the research showed that they were cases of victims who were double-registered<sup>11</sup> or victims who lost their lives in circumstances which were not a direct result of the armed conflict.

On the basis of the material gathered, the HLC also registered 93 additional possible victims<sup>12</sup>. During the reporting period, 590 names were removed from the register of possible victims because it was established that these were cases of double-registered victims, or cases of people who were not victims of war crimes, or people who had died of natural causes. Another 377 victims were transferred from the status of possible victims to the status of confirmed victims.

#### **1.1.1. Kosovo Memory Book**

The Kosovo Memory Book represents a unique form for the presentation of information about human losses in the war in Kosovo. The Memory Book offers short narratives about every individual person;

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<sup>10</sup> Since April 2011, HLC Kosovo has been an independent organization.

<sup>11</sup> In most cases, victims were double-registered in the Database because victims' names were misspelled in some sources.

<sup>12</sup> The status of 'possible victim' in the Database means that the victim has been registered on the basis of only one source and that, according to the rules of methodology, it is necessary to confirm the existence of this victim by at least one more independent source.



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these narratives contain basic personal and family information about each individual, as well as a factual description of the circumstances under which this person lost their life or disappeared.

During the reporting period, the HLC team have worked on the preparation of the second and third volumes of the Kosovo Memory Book. The HLC researchers wrote 655 draft narratives, which describe the fate of 1,209 persons who were killed or who disappeared in the period January – April 1999. The narratives about victims of war in the Municipalities of Dečan/Deçan and Gnjilane/Gnjilan were edited and approved by the project coordinator, and were then proofread and translated into Albanian and English.

### **1.1.2. Evaluation of Database and Information on Human Losses in Kosovo 1998-2000.**

In July 2012, a team of international experts<sup>13</sup> initiated a process of evaluation of the information on human losses in Kosovo and of the HLC Database software. The evaluation of the information on human losses in Kosovo will include a comparative analysis of the HLC's information and information on human losses from other sources (OMPF, OSCE, Human Rights Watch, etc.), and an analysis of certain sources of information about human losses in the HLC's Database. Members of the team visited the HLC in July and November 2012. During these visits to the HLC, the members of the team made a detailed inspection of the contents and technical characteristics of the Database, and the methodology for the collection and verification of information. The presentation of the evaluation results has been scheduled to take place in mid-2013, when the next volume of the Kosovo Memory Book will be published.

### **1.2. Register of Human Losses of Serbia and Montenegro during Armed Conflicts in Slovenia, Croatia, and BiH (1991-1995)**

During the reporting period, the HLC researchers interviewed 405 witnesses and victims' family members and collected 1,975 documents (birth certificates, death reports, personal documents, photographs, books, etc.). On the basis of the statements and documents collected, information about 352 persons was obtained.

During the reporting period, on the basis of the analysis of 970 documents, information about 134 persons was updated. At the same time, 200 names were removed from the Database because it was established in the analysis of the information that these were double-registered victims or persons who did not die in circumstances which were a direct result of the conflict. For 90 persons, it was established that they were not residing on the territory of Serbia and Montenegro.

Members of the Project Team began writing narratives about the killed or missing citizens of Serbia and Montenegro in January 2012. During the reporting period, analysts wrote 190 draft narratives about 272 victims.

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<sup>13</sup> The evaluation team comprises Patrick Ball and Jule Krüger from the Human Rights Data Analysis Group and Professor Michael Spagat from Royal Holloway College (London).



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### **1.3. Register of Human Losses of Citizens of Serbia and Montenegro during NATO Bombing**

The verification and updating of the previously collected information about human losses of Serbia (excluding Kosovo) and Montenegro during the NATO bombing (March 24<sup>th</sup> – June 9<sup>th</sup>, 1999) began in early March 2012.

During the first phase of verification, 7,200 newspaper articles from the period of the NATO bombing were reviewed. Approximately 80 newspaper articles, which contained information about human losses, were then selected from them. During the reporting period, an HLC researcher interviewed 84 victims' family members and gathered 462 documents (personal documents, photographs, video recordings, etc.). 72 documents were stored in the Database, thus updating the files of 160 victims.

On March 23<sup>rd</sup>, 2012, on the eve of the anniversary of the beginning of the NATO bombing, the HLC issued a press release referring to the interim results of the list of victims of the NATO bombing, and it also published an individual register of human losses on its web page.<sup>14</sup> This is the first and only public list of the individual casualties of the NATO bombing in Serbia and Montenegro.

### **1.4. Register of Human Losses of Citizens of Croatia in Armed Conflicts in Croatia**

In accordance with the need to organize the research required for the compilation of the register of Human Losses on the territory of the former Yugoslavia in the period 1991-2000 in a more efficient and rational manner, the HLC and Documenta reached an agreement that the HLC should take over part of the responsibility for the research and collect information not only about the killed or missing citizens of Serbia and Croatia, but also about killed and missing citizens of Croatia of Serbian nationality, whose families left Croatia and currently live in Serbia.

During the year 2012, the HLC researchers interviewed 471 witnesses and family members of the killed and missing, and collected 907 relevant documents (certificates on the circumstances under which the death occurred, death certificates, photographs, etc.)

During the same period, on the basis of an analysis of 843 documents, 1,059 files on the killed and missing were created in the Database. There are a total of 6,128 persons registered in the HLC's Database, who lost their lives or disappeared during the armed conflict in Croatia and who were at the time of death or disappearance residents of the Republic of Croatia.

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<sup>14</sup> HLC press release, *Human Losses during NATO Bombing of FRY*, March 23<sup>rd</sup>, 2012.



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### **1.5. Interactive Map of Human Losses in Former Yugoslavia (1991-2001)**

The information about the killed and missing during the wars waged on the territory of the former Yugoslavia, which has been gathered by the HLC, HLC Kosovo, the Research and Documentation Centre (RDC) and Documenta during the years' long research, will be available to the public through an online *Interactive Map of Human Losses in Former Yugoslavia* (Interactive Map). With the help of the Google Maps technology, the users of the Interactive Map will have access to the information about the victims of war crimes and killed members of the armed forces on a satellite map of the former Yugoslavia according to the places where they lost their lives or went missing. Besides the most important information about each person (first name, last name, date and place of birth, date and place of death or disappearance), the interactive map will offer users photographs of victims and narratives about victims (from the Kosovo Memory Book), and public documents which contain information about each individual person.

Technical preparations for the creation of an Interactive Map began in June 2012. By the end of 2012, the HLC had changed the titles of more than 11,000 documents in the Database (which will be visible on the Interactive Map), in order to synchronize them with the names in the sources of the narratives, and these documents will be found on the Interactive Map. In November 2012, the researchers from Documenta and the HLC added another 600 locations to the already existing list of locations (21,000) where victims died or disappeared, and which were not found on the Google Maps.

A script which will allow for the design of the Interactive Map and the transfer of the information from the HLC and Documenta Database onto the Interactive Map, was made in December. Accompanying texts (Introduction, About Us, and Info About Victims) have also been prepared in Serbian/Croatian, English, and Albanian.

## **2. Database**

From 2005 until late 2012, 54,577 documents pertaining to war crimes and other human rights violations committed on the territory of the former Yugoslavia were entered into the Database. The material entered into the Database has been systematized and is easy to locate under various headings (victims, perpetrators, witnesses, incidents).

In 2012, 5,755 documents were entered into the database, for 1,987 of which the HLC is the primary source (witness statements, researchers' notes, trial reports), more than 1,478 of which are court documents (mostly from ICTY cases), and more than 2,290 of which are documents from other sources (photographs of victims and gravestones, certifications of vital records, newspaper articles, etc.).

In July 2012, the database software was replaced by new, more advanced software.<sup>15</sup> Documents and information from the old application were automatically transferred into the new application. The

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<sup>15</sup> The creation of new software is part of the development of the HLC Information System. For more information about the Information System, please see page 21.



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automatic migration of documents and information into the new application required the engagement of analysts, mainly for the purpose of verifying whether the migration process was completed successfully. The new database software allows for the creation of statistical data analyses, among other things.

### 3. HLC Archive<sup>16</sup>

The HLC Archive contains 110.25 archival metres of material pertaining to the armed conflicts in the former Yugoslavia. The material is being professionally categorized, preserved and used for the HLC activities. The access to the material, with the permission of the Founder of the HLC, is granted to interested individuals (researchers and students) and organizations.

The Archive contains printed and audio-visual materials. The printed material includes witness statements, a media archive, documents from war crimes trials conducted before local courts and the ICTY, HLC's official correspondence, etc. The greatest part of the audio-visual material represents recordings of the ICTY trials.

During the reporting period, approximately 1,500 printed documents were archived. All documents that had been stored were categorized, and the cataloguing of another 500 documents, which had been stored in the Database earlier, was carried out. During the same period, 4,906 documents on more than 16,500 pages were digitized for the purpose of preserving printed materials.

#### ICTY Archive

Bearing in mind the importance of the material created during the operation of the ICTY in establishing the rule of law and dealing with the past in post-Yugoslav states, in 2005 the HLC started transferring the ICTY public judicial database (recordings of trials and documents presented as evidence) to the HLC's Archive. With the help of the Hague Archive Transfer Team, which is located in the ICTY building, the HLC has transferred more than 95% of all trials held and all public exhibits to its own Archive<sup>17</sup>. During the year 2012, the HLC recorded and transferred 504 trial days (on 1,594 DVDs) to its Archive, as well as 5,766 documents in English and the BCS languages.

From 2002 until mid-2012, the HLC transcribed video recordings of ICTY trials in the BCS languages, in order to allow access of the general public in the former Yugoslavia to the trials conducted before this court.<sup>18</sup> In June 2012, the HLC aborted this work on transcription, because it was not able to procure the

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<sup>16</sup> The content of the HLC Archive, by archival Funds, is available at: [www.hlc-rdc.org](http://www.hlc-rdc.org)

<sup>17</sup> Between 2005 and the end of 2012, 8,606 trial days in DVD format were stored in the HLC Archive and 115,746 documents from the judicial database.

<sup>18</sup> By the end of 2012, the HLC had transcribed audio recordings of 1,188 trial days held before the ICTY and had produced approximately 51,000 A4 pages of transcripts in the following cases: *Slobodan Milošević*, *Naser Orić*, *Mitar Vasiljević*, *Limaj et al.*, *Mrkšić et al.*, *Haradinaj et al.*, and *Gotovina et al.*



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funding necessary for this project. Between January and June 2012, transcripts from 20 trial days were made (970 pages) from the *Gotovina et al.* Case.<sup>19</sup>

## II Justice and Institutional Reform

During the year 2012, the HLC carried out a number of activities for the purpose of supporting the process of establishing justice for crimes committed during the 1990s. The HLC represented victims in war crimes trials and in lawsuits initiated for the purpose of realizing the right to reparations; it monitored and analysed war crimes trials conducted before the courts in Serbia; and it worked on the creation of dossiers about the units and individuals who participated in the commission of crimes in Kosovo.

### 1. Representing Victims in War Crimes Trials<sup>20</sup>

In 2012, the HLC provided four legal representatives to represent victims and their family members in four cases conducted before the Higher Court in Belgrade (War Crimes Department): *Lovas, Čuška/Qushk*<sup>21</sup>, *Skočić* and *Tenja II*. There were 57 trial days in the conducting of these cases, during which 65 witnesses were examined, seven of whom were injured parties and seven court experts. The HLC proposed four witnesses in these cases.

The most important role that the HLC representatives have is to examine the witnesses and the accused during the main hearing and clarify the general context of the crimes and the role of institutions in these crimes, and to point to crimes which are related to the crimes subject to the indictment but which are not included in the indictment. In this way, the HLC representatives made a contribution in the *Čuška/Qyshk* Case in September 2012, and the Republic of Serbia Office of the War Crimes Prosecutor extended the indictment to include the crimes which the accused in this case committed the same day (May 14<sup>th</sup>, 1999) in the nearby villages of Ljubenić/Lubeniq, Pavljane/Pavlan and Zahać/Zahaq.<sup>22</sup>

During 2012, the HLC enabled victims' family members from Croatia and BiH to follow 26 trial days before the Higher Court in Belgrade.

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<sup>19</sup> As of 2010, the ICTY started transcribing trials in the BCS languages independently. However, the ICTY does not transcribe entire cases, but only parts of trials which are relevant for pending cases and the prosecution of war crimes before local courts.

<sup>20</sup> For the legal analysis of trials in cases in which the HLC has represented victims, please see the Report on War Crimes Trials in the Republic of Serbia in 2012.

<sup>21</sup> The indictment in this case was extended in September 2012 to include crimes committed in the villages of Ljubenić/Lubeniq, Pavljane/Pavlan and Zahać/Zahaq.

<sup>22</sup> The HLC filed a criminal complaint with the OWCP against the suspects for crimes committed in Pavljane/Pavlan and Zahać/Zahaq. Please see the HLC's press statement: "*Criminal Complaint Filed Against Members of VJ and MUP Serbia Accused of War Crimes against Albanian Civilians in the Villages of Zahać and Pavljane*", August 25<sup>th</sup>, 2010.



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## 2. Monitoring of War Crimes Trials in Serbia

The HLC's war crimes trials monitoring team during the year 2012 monitored all war crimes proceedings conducted in Serbia. During the reporting period, 60 days of trials were held in 13 cases, during which 49 witnesses were examined. Members of the team composed daily trial reports on the basis of their notes and these reports are published on the HLC's web page.

During the year 2012, the HLC monitored war crimes trials in nine cases before the Higher Court in Belgrade (cases: *Bijeljina*, *Bitići/Bytyqi*, *Tuzla Convoy*, *Lički osik*, *Gnjilane Group*, *Beli Manastir*, *Prizren*, *Ovčara V* and *Bosanski Petrovac*), one before the Court of Appeal in Belgrade (*Medak Case*), one before the Higher Court in Niš (*Kušnin/Kushnin Case*), one before the Higher Court in Prokuplje (*Miloš Lukić Case*), and one before the Higher Court in Požarevac (*Orahovac Case*).

During the year 2012, the HLC issued five press releases with regard to the judgments rendered in cases of war crimes, and in these press releases the HLC gave its opinion about the judgments and short analyses of the proceedings.

### Report on War Crimes Trials in Serbia During 2011<sup>23</sup>

The HLC published its Report on War Crimes Trials in the Republic of Serbia during 2011 in April. The Report contains basic information about and legal analyses of trials and judgments rendered in 24 cases of war crimes, which the HLC had monitored during the year 2011 before the Higher Court in Belgrade, the Court of Appeal, and courts of general jurisdiction or in which it represented injured parties.

## 3. Dossiers of War Crimes and Criminal Complaints Against Perpetrators

Since the toppling of Milošević, the institutions in Serbia have not done enough to eradicate impunity for crimes committed by Serb forces in Croatia, BiH and Kosovo, especially as regards the individuals responsible who held middle- and high-ranking positions in the military or police hierarchy. A process for vetting persons (i.e. the examination of their integrity and the accordance of their earlier conduct with international standards of human rights) is still lacking in the institutions, which were engaged in the planning, implementation and concealment of crimes committed during the 1990s. Because of this, the HLC has been working since 2010 on the creation and publication of dossiers about the crimes, and the units and individuals who have not yet been prosecuted for the criminal acts committed. Since 2008, the HLC has been filing criminal complaints against perpetrators of war crimes, which are corroborated by witness statements, ICTY documents and other evidence.<sup>24</sup>

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<sup>23</sup> The Report was presented during the Debate on War Crimes Trials in Serbia held on April 30<sup>th</sup>, 2012 in the Media Centre in Belgrade. To find out more about the Debate, please see page 20.

<sup>24</sup> Since 2009, the HLC has filed eight criminal complaints against 199 suspects, 121 of whom are identified.



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### Dossiers

Dossiers are being created on the basis of the analysis of the evidence, transcripts and judgments rendered by the ICTY and local courts which try war crimes, statements given by victims and witnesses collected by the HLC, media reports, and other documents from the HLC Archive. These dossiers offer descriptions of the crimes and the evidence (official documents of the Army and/or Police) which prove the presence of certain units or individuals at the scenes of the crimes at the time these crimes were committed.

The HLC published the *Ljubiša Diković* Dossier in January 2012. The Dossier describes crimes committed in Kosovo during 1998 and 1999 and crimes committed during 1994 and 1995 in Western Serbia, in the area of responsibility of the units under the command of Ljubiša Diković, the current Chief of Staff of the Serbian Army (37<sup>th</sup> Motorized Brigade and 16<sup>th</sup> Border Battalion of the Yugoslav Army). The Dossier is based on documents of the Yugoslav Army, and statements given by insider witnesses, surviving victims and victims' family members. In early February, the HLC also published the Annexe to the Dossier, which, among other items, contains all the relevant documents and maps that the Ljubiša Diković Dossier is based on.<sup>25</sup>

The Dossier of the Yugoslav Army unit in whose area of responsibility in Kosovo more than 2,000 Albanian civilians were killed<sup>26</sup> was also created and translated into English during 2012, and draft dossiers for two other units of the Yugoslav Army were created. Besides this, members of the team also worked on the creation of a dossier which relates to the crimes committed by the Kosovo Liberation Army.

### Filing Criminal Complaints Against Suspected War Criminals

During the reporting period, the HLC's legal team composed five criminal complaints relating to the crimes committed in the Municipalities of Peć/Pejë and Kosovo Polje/Fushe e Kosovë (Kosovo) in March and April 1999. These are cases in which the HLC has identified eyewitnesses of the crime. The criminal complaints will be filed with the OWCP after the information is additionally verified.

## **4. Lexicon of Judicial Facts**

In 2012, the HLC started creating a collection of judicial facts established before the ICTY in order to bring the practice of the ICTY closer to the institutions which are in charge of prosecuting war crimes, but also to other interested individuals and institutions. By the end of 2012, reviews of judicial facts in three ICTY cases had been completed, namely, the cases of *Vujadin Popović et al.* (Srebrenica), *Vlastimir Đorđević* (Kosovo) and *Milutinović et al.* (Kosovo).

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<sup>25</sup> Ljubiša Diković Dossier and Annexe to the Dossier are available in English and Serbian at the following web page [www.hlc-rdc.org](http://www.hlc-rdc.org).

<sup>26</sup> The Dossier was planned for publication in December 2012, but because of the unfavourable social atmosphere after the ICTY judgments in the Gotovina and Haradinaj cases, the presentation of this Dossier was postponed until 2013.



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## **5. Representing Victims of Past Human Rights Violations in Reparations Lawsuits**

Reparations for victims of crimes and other serious human rights violations committed during the 1990s have never been on the agenda of the institutions in Serbia. The out-dated and discriminatory legal framework for the recognition of the status of a civilian war victim<sup>27</sup>, the lack of will on the part of all governments to date since the toppling of Milošević to provide material compensation for victims of crimes committed by Serb forces, illustrate most clearly the attitude of the institutions towards this important aspect of establishing transitional justice in Serbia. In the absence of the political will to grant the right to reparations to victims, the HLC has initiated more than 300 compensation lawsuits against the Republic of Serbia on behalf of more than 1,000 victims since 2000. Since 2012, the HLC has been representing victims in administrative proceedings for the recognition of their status as civilian war victims.

During 2012, the HLC represented 200 victims of war crimes, torture, unlawful detention, persecution and destruction of property in reparations lawsuits.

### **4.1. Support to Victims in Realizing Right to Reparations in Court Proceedings**

During the reporting period, the HLC has represented 188 victims in 52 proceedings before the courts in Serbia, Montenegro and Kosovo. The proceedings were initiated in the period from 2005 to 2010. During the year 2012, 40 main hearing sessions were held. During the same period, HLC attorneys filed 46 motions with the courts (appeals, responses to appeals, statements regarding expert findings, etc.). The courts awarded compensations to 15 victims and dismissed the claims of 30 others.

The HLC organized the arrival of 15 victims from Kosovo and BiH, who gave their statements before the Basic Court in Belgrade. The HLC also organized the arrival of three victims from BiH and Kosovo to undergo medical examination in Belgrade, and they organized the trip of a medical expert to Prishtina in order to examine two victims of unlawful detention in Kosovo.

### **4.2. Support to Victims in Proceedings for Recognition of Status of Civilian War Victim**

In the period from August to October 2012, the HLC initiated 10 administrative proceedings on behalf of 12 victims of human rights violations (citizens of Serbia), for which members of the Serbian Army and Police were responsible, for the purpose of obtaining recognition of the status of civilian war victims according to the Law on the Rights of Civilian War Victims. The respective authorities dismissed all of the claims and explained that the applicants did not meet the legal preconditions for being granted the status of civilian war victim. Namely, the administrative bodies believe that the applicants do not belong to the category of civilian war victims because they suffered violence at the hands of the Serb Army and Police and the Law defines that civilian victims of war are only persons who have suffered violence at the hands of "enemy forces" (Article 2 of the Law).

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<sup>27</sup> The granting of the status of a civilian war victim in Serbia entails certain rights, such as monthly pensions, health security and some other rights.



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Since administrative authorities rendered rulings by which they violated a number of constitutional provisions which guarantee human rights, including the prohibition of discrimination, the HLC filed applications with the Ombudsman on July 26<sup>th</sup> and October 17<sup>th</sup> on behalf of the applicants.

### Advocacy

During the period from July to October 2012, the HLC organized four meetings with the Commissioner for the Protection of Equality, Nevena Petrušić, the Ombudsman Saša Janković and his Deputy, Miloš Janković. HLC representatives informed them about the proceedings initiated on behalf of victims before the Republic of Serbia administrative bodies, the discriminatory interpretation of the Law by these authorities detrimental to the victims, and the disparity between the rulings handed down by the administrative authorities and international standards of human rights. The HLC demanded in these meetings that these institutions engage themselves in preparing an initiative for passing amendments to the Law in dispute. The Commissioner and the Ombudsman agreed to take part in an official initiative for amending the Law, thus showing their approval of the HLC's arguments.

### **Success Story - State Reparations Programme for Bosniaks Banished from Sandžak**

During the year 2009, the public advocacy process began for adopting the state programme for property reconstruction for Bosniaks from the Municipality of Priboj (Sandžak) who had been driven out by the soldiers of the Yugoslav Army in the period 1992-1999.<sup>28</sup> In the beginning, the advocacy was directed at Members of Parliament and ministers who came from Sandžak, and they created an official initiative for granting compensations to the banished Bosniaks and forwarded it to the Government of the Republic of Serbia. After three years, during which time the HLC representatives, together with the Association of Victims and the Sandžak Committee, held a number of meetings and consultations with government representatives at local and state level, the programme was created within the Ministry Without Portfolio, and then adopted at a session of the Government of the Republic of Serbia held on March 29<sup>th</sup>, 2012, entitled „Programme for the Return of Refugees and Displaced Bosniaks from the Municipality of Priboj in the Period 1991-1999“ (Programme).

The Programme includes the repair and the reconstruction of destroyed houses, compensation for those who do not wish to return or who invested their own money in the reconstruction of their property, the reconstruction of an infrastructure and the creation of the other conditions necessary for the sustainable return of the displaced. In December 2012, representatives of the Government of Serbia

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<sup>28</sup> During the armed conflicts in BiH, particularly in the period from October 1992 to June 1993, Bosniaks in the villages in the Municipality of Priboja, which is located at the border with BiH, were exposed to abuse by VJ soldiers on a daily basis. The soldiers would enter Bosniak houses, conduct unlawful searches, shoot at houses without reason, loot property and threaten the residents of the villages. The Bosniak population from some 20 villages at the border were forced to leave their houses. While they were gone, their property was destroyed and looted. In some cases, the police conducted on-site inspections, but none of these crimes has ever been brought to justice. During the past 20 years, almost none of the displaced and expelled citizens have returned.



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handed over the keys to 11 reconstructed buildings and paid compensation of amounts ranging from 5,000 to 22,000 Euros to the returnees who had reconstructed their houses on their own.

This is the first programme of reparations organized by the Government of Serbia for victims of serious violations of human rights committed by members of Serb forces during 1990s.

### **III Education about the Past and Transitional Justice**

Knowing and accepting the facts about the crimes committed during the 1990s represents one of the key preconditions for the building of trust and reconciliation on the territory of the former Yugoslavia. However, the formal education programmes in post-Yugoslav states do not offer youth an accurate and objective image of the events from the 1990s, but facts which are presented selectively and subjectively - if they are not completely ignored. In view of the time that has passed since the end of the armed conflicts in the former Yugoslavia, the younger generations are starting to play a role in the reconciliation process that is becoming more and more important. In late 2011, the HLC launched a pilot project of the Transitional Justice School based on the established facts about the war crimes committed during the wars waged on the territory of the former Yugoslavia during the 1990s.

A brainstorming meeting was held in February 2012 with experts from Serbia and the region about the HLC's plans to launch its own education programme, and about approaching formal educational institutions for the purpose of introducing topics from the transitional justice field into the curricula.

#### **1. Transitional Justice School**

In the period from October 13<sup>th</sup> until December 10<sup>th</sup>, 2012, the second Transitional Justice School (School) was held, gathering 50 students from all over Serbia. Many of them were undergraduate or graduate students, human rights activists, members of political parties' youth wings, teachers and artists. Ten lecturers held 34 lectures about the facts established in court proceedings conducted before the ICTY and local courts, about out-of-court mechanisms for establishing facts about crimes from the past, and about preservation of the collective memory and reconciliation in post-conflict societies. Diplomas were symbolically awarded on December 10<sup>th</sup>, 2012, which was Human Rights Day.

In their assessment of the school, the students stated that the lectures that they heard were invaluable, because they are not able to receive the information they received during these lectures in their regular schools; and they consider this to be the greatest value of this School.



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## 2. Education for Reconciliation – Regional Transitional Justice School

The preparations for the Regional Transitional Justice School which will be organized in January 2013, began in late October. By the end of the year, the Protocol on Cooperation had been signed with the partners<sup>29</sup>, and the advertising process, the selection of candidates and the creation of the curriculum completed. Besides experts from the HLC, a number of lecturers from the region, mainly university professors, were also activated for the purpose of enriching the academic profile of the School.

There was plenty of interest in the School. The HLC received approximately 80 valid applications (with all accompanying documents) and approximately 100 incomplete applications. 25 young people from BiH, Kosovo and Serbia were admitted to the School. Most of the admitted students are graduate students at faculties in the region and abroad, but some of the students were also lecturers at faculties, employees in the judiciary, state institutions and non-governmental organizations, attorneys and artists.

## IV RECOM Initiative<sup>30</sup>

During the year 2012, the Coalition for RECOM worked assiduously on the process of public and political advocacy for the establishment of RECOM. The HLC was actively involved in all activities of the Coalition.

### Street Actions<sup>31</sup>

During the year 2012, the Coalition for RECOM organized two street actions for the purpose of strengthening public support for the establishment of RECOM.

On September 22<sup>nd</sup>, 2012, the Coalition organized the *RECOM for the Future* action in all capital cities in successor countries of the former Yugoslavia, in which citizens could send postcards to the presidents of all the countries in the region, with messages in which they explained why it is important to establish RECOM. The HLC organized the action in Belgrade.

On October 24<sup>th</sup>, 2012, the HLC and the Youth Initiative for Human Rights organized the action titled *RECOM for the Future of Youth* in which citizens signed the petition for the establishment of RECOM. The action was carried out simultaneously in all the capital cities in the region.

### Meetings with Representatives of Institutions and International Organizations<sup>32</sup>

During the year 2012, the Initiative for RECOM public advocates held more than 20 meetings with representatives of institutions in the successor countries of the former Yugoslavia, Ambassadors, and representatives of the EU and other international organizations. Nataša Kandić, the HLC Director and a

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<sup>29</sup> The Regional School is organized in partnership with the Lawyers Association from Sarajevo and the HLC Kosovo.

<sup>30</sup> For more details about the RECOM process, please visit [www.zarekom.org](http://www.zarekom.org)

<sup>31</sup> For more information about street actions, please visit [www.zarekom.org](http://www.zarekom.org).

<sup>32</sup> For more information about the activities of the advocates, please visit [www.zarekom.org](http://www.zarekom.org).



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public advocate of the Initiative for RECOM, participated in the meetings with the President of Croatia, Ivo Josipović (May 8<sup>th</sup>, 2012), Macedonian President Đorđe Ivanov (October 30<sup>th</sup>, 2012), and the meeting with representatives of the Embassies of the member countries of the EU in Serbia (June 20<sup>th</sup>, 2012).

### Debate on Reconciliation and Justice from the Standpoint of the Academic and Artistic Communities<sup>33</sup>

On December 13<sup>th</sup>, 2012, the HLC organized the Debate on Reconciliation and Justice from the Standpoint of the Academic and Artistic Communities. The Debate, which was held in the Media Centre in Belgrade, gathered 25 artists, professors of law and the political sciences, human rights activists, and diplomats. The participants discussed, among other things, the prospects for reaching consensus on a common narrative about the past, about the Initiative for RECOM as a new approach to reconciliation, and about artists' contributions to the reconciliation process.

### RECOM Initiative !Voice

The HLC continued preparing and disseminating during the year 2012 the Coalition for RECOM newsletter entitled *RECOM Initiative !Voice* (!Voice). *!Voice* publishes columns and media reports from all successor countries of the former Yugoslavia and abroad, concerning the RECOM process and all other issues relevant to the process of dealing with the past in the region of the former Yugoslavia. Nine issues of *!Voice* were published during the reporting period, and it was disseminated to thousands of addresses in the region in printed and electronic format.

### Coalition for RECOM Web Page

During the year 2012, the HLC edited and updated the web page of the Coalition for RECOM ([www.zarekom.org](http://www.zarekom.org)). More than 130 news items, media reports and other texts were posted on this web page. The page had 22.000 visitors.

## **V Monitoring of Transitional Justice Process in Post-Yugoslav Countries**

Since 2000, the HLC has been continuously monitoring and analysing the measures which state institutions and civil society organizations in post-Yugoslav countries are taking for the purpose of establishing transitional justice. Four annual reports on the progress of transitional justice in post-Yugoslav countries have been published so far.

During the reporting period, the preparations for the report for the years 2010 and 2011 continued, and for the first time, this report will also cover Slovenia and Macedonia. The HLC conducted its own independent research in Serbia and coordinated the research conducted by organizations and independent researchers in other countries<sup>34</sup>. In late March, the research was completed and the first

<sup>33</sup> For more information about the debate, please visit [www.zarekom.org](http://www.zarekom.org).

<sup>34</sup> Center for Democracy and Transitional Justice (Banja Luka, BiH), Transitional Justice, Responsibility and Memory Association (Sarajevo, BiH), the Youth Initiative for Human Rights Croatia, and the Humanitarian Law Center Kosovo. The research in Slovenia was conducted by the journalist Igor Mekina, in Macedonia by Oliver Stanoeski, a PhD candidate and Assistant at the



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draft report was prepared. By the end of June, the preliminary overview of the parts of the report, which refer to war crimes trials, institutional reform and material reparations, had been created. By the end of the year, the proofreading in the Serbian, Montenegrin, Croatian, Bosnian, Albanian, Macedonian and Slovenian languages was completed and the report was sent for printing. During January, the report will be translated into English.

## VI Public Information and Outreach

### 1.1. Press Releases and News

During 2012, the HLC issued 71 news and press releases in the Serbian language, in which it expressed its reactions to current issues and events in the transitional justice arena. Most press releases and news items were translated into English and Albanian. Press releases and news are being posted on the HLC's web page, distributed by email at over a thousand addresses and posted on social networks.

### 1.2. Publications<sup>35</sup>

#### Report on War Crimes Trials in Serbia in 2011

The HLC published the Report on War Crimes Trials in Serbia in 2011 in April. The report is published in Serbian and English in 550 copies. The report was presented in the Debate on War Crimes Trials in Serbia, which was held on April 24<sup>th</sup>, 2012.

The report contains the basic findings of the HLC about war crimes trials in Serbia during 2011, and information and legal analyses of all cases of war crimes. A part of the report refers to those cases which involve regional cooperation in prosecuting war crimes and which drew a lot of public attention during the year 2012 (Purda Case, Divjak Case, Šeks Case, Veljko Marić Case).

#### Ljubiša Diković Dossier<sup>36</sup>

The HLC published the *Ljubiša Diković Dossier* in November. 200 copies have been issued in Serbian and English.

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Institute for Security, Defence, and Peace at the Faculty of Philosophy in Skopje, and in Montenegro by Lidija Franović, a journalist.

<sup>35</sup> All publications are available in electronic form at: [www.hlc-rdc.org](http://www.hlc-rdc.org)

<sup>36</sup> For more information about the Ljubiša Diković Dossier, please see page 12.



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### The Bosnian Book of the Dead

During the year 2012, the HLC supported the publication of “The Bosnian Book of the Dead” by the Research and Documentation Center (RDC) from Sarajevo. “The Bosnian Book of the Dead” represents a unique document on human losses during the war in BiH, since it contains personal information about 95,940 persons, who lost their lives or who disappeared during the war in BiH. The Book is the result of many years of research by the RDC and it is based on a variety of sources (witness statements, media reports, documents of missing persons’ institutions, judicial institutions, etc.) “The Bosnian Book of the Dead” is printed in four volumes and in 1,000 copies in the Bosnian and English languages.

### **1.3. Forum on Transitional Justice**

In December 2012, the Humanitarian Law Center published the fourth issue of the Forum on Transitional Justice, the magazine which deals with different aspects of and challenges to the process of establishing transitional justice in post-conflict societies. The editor of the fourth issue of the Forum was Denisa Kostrovicova, Professor of Global Policy at the London School of Economics. The topics of the fourth issue include restorative justice and transitional justice from the standpoint of the epistemic community, the media and the ICTY. Articles authored by Diane Orentlicher from the American University in Washington, Eric Gordy from University College London, John Gledhill from Oxford University, John Hocking, the ICTY Registrar, and Florence Hartmann, former spokesperson of the ICTY Office of the Prosecutor, were published in an issue which included more than 15 authors from all around the World. The Forum was published in 500 copies in the Serbian and English languages.<sup>37</sup>

### **1.4. HLC Web Page**

During the reporting period, 71 press releases and news items about current events in Serbia and the activities of the HLC, more than 115 reports from trials before local courts, more than 200 transcripts from trials before local courts and the ICTY, one dossier and one report were posted on the HLC’s web page. 110 media reports about the HLC were posted on that part of the web page entitled “The HLC in the Media”.

The list of individual human losses during the NATO bombing in 1999 and the overview of audio and video recordings of ICTY trials, which are located in the HLC Archive, were posted on the HLC’s web page during 2012. All TV reports had been previously posted on YouTube and Blip.tv. During 2012, approximately 46,300 visitors visited the web page.

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<sup>37</sup> Available at: <http://www.hlc-rdc.org/?cat=223>.



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During the reporting period, the HLC continued to update the web pages of the Kosovo Memory Book<sup>38</sup> and RECOM Initiative<sup>39</sup>.

### 1.5. Conferences and Debates

#### 1.5.1. Debate on War Crimes Trials in Serbia<sup>40</sup>

On April 27<sup>th</sup>, 2012, the HLC organized the Debate on War Crimes Trials in Serbia in the Media Centre in Belgrade. The Debate was organized anent the publication of the *Report on War Crimes Trials in Serbia in 2011*. Representatives of the Office of the War Crimes Prosecutor, the Higher Court in Belgrade War Crimes Department, The Court of Appeal in Belgrade, courts in cities other than Belgrade, attorneys, representatives of the civil society, OSCE representatives and representatives of Embassies, participated in the Debate.

### 1.6. HLC Library

The HLC's Library contains more than 6,000 publications from the arena of transitional justice, international humanitarian law, human rights, history, engaged art, etc. The HLC Library is mainly used by employees and associates of the HLC, but also by researchers, students, representatives of institutions and other non-governmental organizations, and other interested individuals. Several tens of users used the HLC Library during 2012. During 2012, the Library acquired 339 new titles.

### 1.6. Visits to HLC

Over 200 students, who stayed in Belgrade as part of various study programmes, journalists and transitional justice researchers visited the HLC during 2012. During these visits, representatives of the HLC spoke about the mission and activities of the HLC, challenges in the process of dealing with the legacy of the past in the former Yugoslavia and current political issues.

EULEX prosecutors and investigators of war crimes and organized crime, members of the Norwegian Parliament, US academics (journalists and former Ambassadors), students from New York and Princeton University, and Jelko Kacin, the European Parliament Rapporteur for Serbia, also visited the HLC.

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<sup>38</sup> [www.kosovomemorybook.org](http://www.kosovomemorybook.org)

<sup>39</sup> <http://www.zarekom.org>.

<sup>40</sup> Transcript, video reports and a summary of the discussion are available at [www.hlc-rdc.org](http://www.hlc-rdc.org).



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## VII Volunteering in HLC

During 2012, volunteers Andrea Milosavljević (as part of the Transfer of ICTY Archive project) and Luka Šakić (within the Informal Education Programme) contributed to the work of the HLC.

## VIII Coalition for Access to Justice

In December 2011, the HLC and six other human rights organizations and one journalists association<sup>41</sup> founded the Coalition for Access to Justice. The purpose of the Coalition is to urge the public to start an initiative for adopting amendments of certain laws (the Civil Procedure Code, Criminal Code and Criminal Procedure Code, which have a negative effect at the established level of human rights and freedoms, particularly as regards the free access of citizens to the judiciary and freedom of opinion. During 2012, the Coalition issued nine press statements.

## VII HLC Steering Board

During the reporting period, the Steering Board (SB) of the HLC had two meetings. The first meeting was held in Belgrade on March 18<sup>th</sup>, 2012, and at this meeting, among other things, the Financial Report and the HLC Activity Report, as well as the New Rules and Regulations, were adopted. The second SB meeting was held on December 8<sup>th</sup>, 2012 in Sarajevo, when Sandra Orlović was appointed new Executive Director of the HLC.

## VIII Information System<sup>42</sup>

The HLC, together with Documenta and HLC Kosovo, has been working since 2011 on the development of software – for the Information System, which is aimed at improving and professionalizing the records, management and issuing of documents in all three centres. During 2012, the HLC team which works on the development of the Information System (archivists, IT systems administrator, Data Base Coordinator) participated in eight meetings<sup>43</sup> with programmers and representatives of Documenta and HLC Kosovo. During 2012, all six planned modules were created and installed.<sup>44</sup>

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<sup>41</sup> The Coalition for Access to Justice comprises: the Center for Advanced Legal Studies, Civil Rights Defenders, CHRIS – network of human rights committees in Serbia, the Humanitarian Law Center, the Youth Initiative for Human Rights, the Independent Journalists' Association of Vojvodina, Praxis, the Sandžak Committee for the Protection of Human Rights and Freedoms.

<sup>42</sup> The Information System is software which will enable professional documents and information management.

<sup>43</sup> Three meetings were held in Zagreb, four in Belgrade, and one with Skype.

<sup>44</sup> The modules are as follows: Documents Requests Processing, Document Analysis, Document Management, Education (Events), Finances, and Personal Records.



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In late 2012, the HLC upgraded its existing financial operation software in that part relating to financial monitoring and financial reporting. This upgrade will allow for the monitoring of the financial implementation of projects on a daily basis by t types of expenditure and by donors in RSD, Euros, Dollars and GBP.

### **IX Audit Reports**

The audit of the financial reports for all HLC projects for 2011, and for administrative and financial operational systems, was made in May. The audit was made by the German Audit Agency Fabel, Werner & Schnittke GmbH<sup>45</sup>, which gave a positive evaluation in its report and stated that the finances and administration are conducted at a highly professional level. The audit report was posted on the HLC's web page.

The audit of the RECOM Initiative, the Advocating for the Recognition of Victims' Rights to Truth and Reparations project (sponsored by Civil Rights Defenders) and for the Support for Civil Society in Establishing Strong Relations in Advocating for the Establishment of Transitional Justice project (sponsored by the EC), were also done during 2012.

### **X Donors' Support**

During the year 2012, the activities of the HLC were sponsored by: Open Society Institute, Sigrid Rausing Trust, Charles Stewart Mott Foundation, Norwegian Ministry of Foreign Affairs, Civil Rights Defenders, Rockefeller Brothers Fund, European Commission, USAID through Institute for Sustainable Communities, Fund For An Open Society, Swiss Federal Department of Foreign Affairs, National Endowment for Democracy, Embassy of Great Britain, French Catholic Committee Against Hunger and for Development, and the OSCE Mission to Serbia.

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<sup>45</sup> [www.fws-audit.com](http://www.fws-audit.com)