



Humanitarian Law Center

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## **Report on activities and accomplishments in 2014**

### **Mission**

The Humanitarian Law Center (HLC) supports post-Yugoslav societies in the promotion of the rule of law and the acceptance of the legacy of grave human rights violations, and therefore in establishing the criminal responsibility of perpetrators, serving justice, and preventing recurrence.



Humanitarian Law Center

## Introduction

In March 2014, Serbia held early parliamentary elections. The coalition gathered around the Serbian Progressive Party (SNS) won an absolute majority in the Serbian Parliament. The SNS and the Socialist Party of Serbia (SPS) formed a new Government in April, with Aleksandar Vučić, former First Deputy PM, as the new Prime Minister, thus confirming the continued political domination of the actors who served in the Slobodan Milošević regime during the armed conflicts in the Former Yugoslavia during the 1990s. The new Government, just like the preceding ones, did not put the principles and values of transitional justice and dealing with the crimes of the nineties at the top of its political agenda. However, at the same time, the Government sent a message to domestic and international audiences signalling Serbia's unqualified commitment to EU accession process and the social and institutional reforms that need to be undertaken on the path towards accession.<sup>1</sup>

In March 2012, Serbia was granted the status of EU candidate country. In January 2014, the EU officially commenced EU accession talks with Serbia. In 2014, the European Commission (EC) completed the screening process for chapters 23 and 24, related to the judiciary, fundamental rights, justice, freedoms and security. In July, the EC released its Screening Report, which includes recommendations regarding the harmonization of Serbian legislation in these areas with the EU *acquis*. By the end of 2014, the Government of Serbia had developed draft action plans for implementation of the EC recommendations, which have yet to be approved by the EC, in order to open negotiations on these two chapters. Despite the efforts made by the HLC and Amnesty International<sup>2</sup>, the EC has failed to comprehensively address transitional justice themes in Serbia. Instead, the EC has focused mainly on war crimes trials, while entirely neglecting other issues, such as fulfilling the right to reparation for victims, or the difficulties in the process of finding missing persons.

In October 2014, the EC issued its regular annual report on the progress made by Serbia in the process of EU accession, which stated that Serbia still has significant steps to make in order to meet the criteria for opening the negotiations on chapters 23 and 24. In contrast to the Screening Report, the Progress Report did point out, for the first time, that the existing legal framework regulating compensation for war crimes victims was inadequate.<sup>3</sup> Furthermore, as in its reports for previous years, the EC pointed out

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<sup>1</sup> B92, 'Keynote Address by Prime Minister-designate Aleksandar Vučić', 27 April 2014, available at: [http://www.b92.net/info/dokumenti/index.php?nav\\_id=841275](http://www.b92.net/info/dokumenti/index.php?nav_id=841275), accessed 27 February 2015.

<sup>2</sup> Amnesty International, 'Serbia: Ending Impunity for Crimes under International Law', June 2014, available at: <https://www.amnesty.org/en/documents/EUR70/012/2014/en/>.

<sup>3</sup> EC Progress Report for Serbia available at: [http://www.europa.rs/upload/2014serbia-progress-report\\_en.pdf](http://www.europa.rs/upload/2014serbia-progress-report_en.pdf), accessed on 10 February 2015.



Humanitarian Law Center

the problems in war crimes processing (few indictments, no indictments against high-ranking perpetrators, poor witness protection system etc.).

Despite their stated commitment to European integration, democratization of society, the rule of law and protection of human rights, the political authorities in Serbia during 2014 not only failed to lend the necessary support to domestic war crimes processing, but in their public statements and by their legislative initiatives, actually undermined the work of the Office of the War Crimes Prosecutor (OWCP). The first such attempt at undermining the OWCP was made in late October, when the term of office of the War Crimes Prosecutor, Vladimir Vukčević, was shortened by amendments made to the Public Prosecution Act through a fast-tracked parliamentary passage. Two months later, however, presumably under pressure from the international community, the Act was amended again to allow the Prosecutor to remain in office until the end of 2015.<sup>4</sup> In November, the Chair of the Parliamentary Committee on Kosovo and a ranking SNS official, Milovan Drecun, publicly questioned the legality of the appointment of Bruno Vekarić as Deputy War Crimes Prosecutor.<sup>5</sup>

Towards the end of 2013, the first mortal remains were exhumed from Rudnica, a location in Southern Serbia. Excavations at Rudnica had begun in 2007, as part of the search efforts to locate a mass grave holding the bodies of Kosovo Albanians, after the Kosovo authorities shared information about the existence and location of this mass grave in Serbia with their Serbian counterparts. In 2014, the relevant Serbian authorities exhumed and identified 52 bodies belonging to Kosovo Albanian civilians who had been killed at the hands of Serbian forces during the war in Kosovo in 1999.<sup>6</sup> By October, all the bodies found in the mass grave had been handed over to the Kosovo authorities. Throughout 2014, the Serbian authorities kept completely silent about the exhumation and handover of the bodies to the Kosovo authorities, even though they frequently went public about some ordinary crimes of much lesser magnitude. None of the representatives of state institutions, including the OWCP, publicly spoke about the need to establish criminal responsibility for these crimes, which resulted in the deaths of many civilians, nor did they speak about the question of who bore the responsibility for transferring and concealing the bodies. The news media, by scarcely reporting on this issue, and by failing to investigate the topic of the mass grave at Rudnica, demonstrated once again that war crimes committed by Serbian forces continue to be a rarely and reluctantly discussed subject.

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<sup>4</sup> *Danas*, 'Vladimir Vukčević remains in office until the expiry of his term of office', 20 January 2015, available at: [http://www.danas.rs/danasrs/drustvo/vladimir\\_vukcevic\\_ostaje\\_tuzilac\\_do\\_kraja\\_mandata.55.html?news\\_id=296063](http://www.danas.rs/danasrs/drustvo/vladimir_vukcevic_ostaje_tuzilac_do_kraja_mandata.55.html?news_id=296063), accessed 27 February 2015.

<sup>5</sup> *Blic*, 'Drecun: Bruno Vekarić unlawfully appointed Deputy Prosecutor', 20 November 2014, available at: <http://www.blic.rs/Vesti/Politika/512763/Drecun-Bruno-Vekaric-protivzakonito-zamenik-tuzioca>, accessed 27 February 2014.

<sup>6</sup> On 29 January 2015, the HLC published the 'Rudnica' Dossier, which offers data and evidence on crimes committed by Serbian forces against the civilians whose bodies were found at Rudnica, as well as evidence showing that the bodies were concealed. The Dossier is available at: <http://www.hlc-rdc.org/?p=28016>



Humanitarian Law Center

At the same time, the Serbian press reported widely on the signing of the Declaration on Missing Persons, which took place in August 2014, at the initiative of the International Commission on Missing Persons. The Declaration was signed by the Presidents of Serbia, Croatia, Montenegro and the presiding member of the Presidency of Bosnia and Herzegovina.<sup>7</sup> From the content of the Declaration, from the lack of concrete steps to facilitate the process of finding missing persons after the signing, and especially from the way in which the Serbian authorities have dealt with the recently uncovered mass grave at Rudnica, one may conclude that the Declaration was signed only to receive media attention - that is to say, to enhance the image of the Serbian President in the eyes of the international community. In other words, the Declaration has not brought any changes in the way Serbian institutions deal with the concrete problems associated with the search for missing persons, and is yet another example of a political declaration of commitment to reconciliation with no real effect whatsoever when it comes to addressing the specific challenges in pursuing justice and ascertaining the truth about past crimes.

Where the status and rights of victims are concerned, 2014 was marked by the release of a draft version of a bill that is expected to define the status of civilian victims of war in Serbia, the families of fallen combatants, disabled war veterans and war veterans. The provisions of the draft bill have clearly shown that Serbian institutions do not care about the real needs and rights of the victims of war crimes and other human rights violations living in Serbia, nor do they care about complying with binding international human rights standards. The draft bill, released for public consultation in late 2014, practically adopts the existing legal regime relating to the status and rights of civilian victims of war (prescribed by the Law on the Rights of Civilian Invalids of War), which is deeply incompatible with international standards for the protection of victims of human rights abuses, and because of which regime Serbia has been repeatedly criticised by several international bodies and organizations which monitor the human rights situation in Serbia. At the same time, the bill offers significant improvements in the legal status of disabled war veterans and the families of fallen combatants and veterans. The fact that not a single war victims' association was consulted in the process of drafting the bill or during public consultation, clearly suggests that the Ministry of Labour, Employment, Veteran and Social Policy was primarily concerned with the needs of disabled veterans and the families of fallen combatants, without focusing at all on the needs of civilian victims of war.<sup>8</sup>

In November 2014, Vojislav Šešelj, President of the Serbian Radical Party, charged by the International Criminal Tribunal for the Former Yugoslavia (ICTY) with grave crimes committed during the wars in the former Yugoslavia, was granted provisional release on "humanitarian grounds". The response of the

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<sup>7</sup> RTS, 'Missing Persons Declaration Signed', 29 August 2014, available at: <http://www.rts.rs/page/stories/sr/story/11/Region/1683841/Potpisana+Deklaracija+o+nestalima.html>, accessed 4 March 2015.

<sup>8</sup> The HLC Comments concerning the problematic aspects of the proposed law are available at: <http://www.hlc-rdc.org/?p=27883>.



## Humanitarian Law Center

general public and politicians from Yugoslavia's successor states to the belligerent statements made by Šešelj on his return to Serbia has shown the fragility of the reconciliation process in the region, and that the subject of the 1990s wars can still have an enormous impact on inter-state relations in the region. Thus, some of Šešelj's statements concerning the war in Croatia, along with the Serbian Government's failure to counter them, have led to a significant deterioration in Serbia-Croatia relations.<sup>9</sup>

The Initiative for creating a regional commission tasked with establishing the facts about all the victims of the wars fought in the former Yugoslavia (RECOM) has been the only positive example of the successor states to the former Yugoslavia making an effort to deal with the legacy of the wars of the 1990s. In November 2014, a Working Group, composed of experts – the personal envoys of the Presidents and Presidency (BiH) of the states created on the territory of the former Yugoslavia<sup>10</sup> – and mandated to examine the legal and constitutional options for establishing RECOM, completed its year-long work by making necessary changes to the Draft RECOM Statute that had been prepared by the Coalition for RECOM. After eight years of regional consultations and public and institutional advocacy by civil society organizations, the way has finally been paved for taking concrete political steps towards establishing RECOM.

### I Research and Documentation

Over 2014, the HLC continued to collect and analyse information on human losses and perpetrators of war crimes during the armed conflicts in the territory of the former Yugoslavia.

#### 1. Human Losses in Armed Conflicts in the Former Yugoslavia<sup>11</sup>

Together with its regional partner organizations, the HLC continued working to document, verify and update the registers of persons who were killed or disappeared in the armed conflicts in Kosovo, Croatia, and Bosnia and Herzegovina (BH). In 2014, priority was given to standardization, control and evaluation of the HLC's database of human losses in Kosovo.

##### 1.1. Registers of Persons Killed and Disappeared in Kosovo between 1998 and 2000<sup>12</sup>

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<sup>9</sup> Croatian Prime Minister Zoran Milanović cancelled his participation at an important international meeting in Belgrade, the China-CEE/SEE summit, which took place on 16 November 2014, because, as he stated, the Government of the Republic of Serbia failed to respond and distance itself from the statements made by Vojislav Šešelj on his return from The Hague.

<sup>10</sup> Envoys of the Presidents of Croatia, Serbia, Montenegro and the Croatian and Bosnian members of the Presidency of BiH. Macedonian President said he would support the creation of RECOM if the Presidents/Presidency members achieve consensus on it.

<sup>11</sup> Data for this section of the Report was taken from the Report on Human Losses in Wars in the Former Yugoslavia – implementation in 2014 -fff.

<sup>12</sup> As of 31 May 2014, 12,196 victims who were identified through independent HLC and HLCK research as having lost their lives between 1 January 1999 and 31 December 2000 in connection with the war in Kosovo, had been registered in the HLC



#### Humanitarian Law Center

The register of persons killed or disappeared in Kosovo between 1998 and 2000 is being compiled jointly by the HLC and HLC-Kosovo (HLCK). 5,320 documents, including 665 witness statements concerning war victims, were entered into the database, and then examined and classified, during 2014. On the basis of the statements, 940 files on war victims (683 Albanians, 220 Serbs and 37 members of other ethnic groups) were complemented with information on circumstances of death. On the basis of 984 verifications it was established that 434 'possible victims' (386 Albanians, 37 Serbs and 11 members of other ethnic groups) were not true war victims, the names of 391 (367 Albanians, 10 Serbs and 14 members of other ethnic groups) were misspelt, but they were indeed true war victims, and that 175 'possible victims' were also true victims of war.

#### **1.1.2. Kosovo Memory Book (KMB)**

During 2014, the HLC continued preparation of the second volume of the KMB, analysing the material about the victims in the municipalities of Gjilan/Gnjilane, Glogoc/Glogovac, Istog/Istok, Kamenicë/Kamenica, Fushë Kosovë/Kosovo Polje, Kaçanik/Kaçanik, Klinë/Klina, Malishevë/Mališevo, Ferizaj/Uroševac and Gjakovë/Đakovica. HLC analysts prepared draft narratives about 1,965 war victims in these municipalities.

#### **1.1.3. Evaluation of the Database of Human Losses in Kosovo 1998-2000**

The evaluation of the Human Losses in Kosovo Database by an international team of experts<sup>13</sup> was completed towards the end of 2014. The presentation of the final evaluation report and the Database itself is scheduled for February 2015. The evaluation was requested with a view to obtaining an expert assessment of the quality of data contained in the Database. The international expert team assessed the number of independent sources, and types, status, categories and dates of origin of the documents.

In order to prepare the Database for final evaluation, the HLC has developed a methodology for research and standardization of the KMB Database, which includes definitions and descriptions of the categories and terminology used: the time period and the area researched, types of human rights violations, overview of methods of data collection from witness statements and through analysing the content of documents, methods of document classification by groups, authors, types, character and date of origin, and data checking by cross-checking with other databases. Classification of all documents archived in the KMB Database, by group, author, character and date of origin, was completed by September 2014.

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database, of which 10,468 were registered with complete and 820 with incomplete personal information. The war victim status of a remaining 908 victims has yet to be verified through field research. In addition, 749 possible Albanian victims were also registered in the database. The HLCK investigated the fate of these victims during 2012 and 2013, but its researchers did not find proof of their existence &/ war deaths.

<sup>13</sup> Comprising: Patrick Ball, PhD, expert on statistical analyses of war crimes and human rights abuses databases; Professor Michael Spagat, expert on recording and creation of databases of casualties of armed conflict; and Jule Krüger, PhD, consultant for the analysis of armed conflict data.



## Humanitarian Law Center

By the end of 2014, 31,600 documents were stored in the Human Losses in Kosovo Database and classified: 14,612 witness statements on war victims and 'possible war victims' and 16,988 other documents, including 6,922 photographs of victims, 2,056 media items, 1,998 memorials, 1,643 certificates, 1,341 personal documents, 723 court documents and 2,305 other documents containing data on war victims.

During the reporting period, the database analysts entered two large records on Albanian victims into the Database: Josef Martinsen's<sup>14</sup> list with 9,491 names of victims<sup>15</sup>, and the record compiled by the Kosovo Council for Defence of Human Rights and Freedoms, containing 8,911 names. After cross-checking this data with other registers of victims, the KMB team came up with fewer new victims of war, and after verifying information in the field, the team confirmed that 1,438 reported victims were not true victims of war.

The expert team's report will be presented in early February 2015 in Belgrade and Pristina.

### **1.2. Register of Human Losses of Citizens of Serbia and Montenegro during the Armed Conflicts in Slovenia, Croatia and BiH (1991-1995)<sup>16</sup>**

In 2014, the HLC interviewed 187 witnesses or family members of members of the armed forces of Serbia and Montenegro. Through these interviews, the HLC collected information on 121 military casualties of the war in Croatia, and on 66 members of the Serbian armed forces who died or went missing in the Bosnian war. Having verified the information concerning 153 individuals whose names appeared in obituaries and memorials in Serbia, the HLC established that 69 of these victims of war were citizens of the Socialist Federative Republic Yugoslavia (SFRY). 38 of them lost their lives in the war in Croatia and 31 in BiH. In the reporting period, the HLC researchers obtained and analysed 949 documents about military victims from Serbia and Montenegro in the wars in Croatia and BiH, in which 857 victims are mentioned.

### **1.3. Register of Human Losses Among Croatian Citizens in the Armed Conflict in Croatia**

This segment of the project is carried out in cooperation with Documenta, a Zagreb-based organization. Documenta collects information on Croatian victims of war and Serbian victims whose families live in Croatia, and HLC researchers collect information on Croatian victims of Serbian ethnicity whose families

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<sup>14</sup> Josef Martinsen, *What happened in Kosovo, 1998–1999 – A documentation* (Oslo: Sypress Forlag, 2010).

<sup>15</sup> As examination of the original records containing 11,602 names showed that 2,111 names were registered twice, 9,491 names were entered into the Database.

<sup>16</sup> According to information contained in the analysed documents, 1,965 citizens of Serbia and Montenegro and one Chinese citizen lost their lives in the wars in Croatia and BiH. On the basis of witness statements and verifications in the field, the deaths of 1,079 war victims were documented, 985 of which with complete and 60 with incomplete personal information. The remaining 34 individuals were found to have died under circumstances that were not connected with the war.



Humanitarian Law Center

now live in Serbia. In 2014, HLC researchers interviewed 435 witnesses, on the basis of which they established the identity and circumstances of death or disappearance for 550 war victims. A total of 1,999 documents about victims were collected over this period.

## **2. Dossiers on War Crimes Perpetrators who have gone unpunished**

Over 2014, the HLC team worked on five dossiers relating to crimes committed by the Serbian Army and Police during the armed conflict in Kosovo and the concealment of bodies of killed Kosovo Albanians in mass graves in Serbia, namely: Dossier 23 on Special Police Units (PJP), Dossier 35 on the PJP Detachment, Dossier 37 on the PJP Detachment, the Meja and Korenica Dossier and the Rudnica Dossier. In the course of research, more than 1,500 documents from the ICTY and HLC databases were examined.

### Access to Official Military and Police Archives

While working on the Dossiers, the HLC submitted to the Serbian Ministry of the Interior (MUP) and the Serbian Ministry of Defence (MO) 84 requests for access to information and documentation regarding certain units or individuals. As the Ministries refused to provide access to the information requested, the HLC filed 45 complaints to the Commissioner for Information of Public Interest. In May 2014, the Commissioner accepted a complaint the HLC lodged in the previous reporting period and ordered the Ministry of Defence to allow the HLC access to information requested on two active-duty members of the Serbian Army.<sup>17</sup>

## **3. Zone of (Non)Responsibility<sup>18</sup>**

In March 2014, the HLC launched *Zone of (Non)Responsibility*, a web presentation of crimes committed in the 1990s in the course of the armed conflicts in the former Yugoslavia for which no one has yet been prosecuted. By the end of 2014, information on 21 crimes committed by Serbian forces against Albanian civilians in 1998 and 1999, data on 45 suspected perpetrators, and 60 authentic military and police documents had been posted on this web presentation.

*Zone of (Non)Responsibility* reconstructs the army and police structures, from direct perpetrators to police and army generals, on the basis of the statements of survivors, eye-witnesses and insider-witnesses and authentic military and police documents, maps, forensic reports and other documents that were collected by the ICTY, HLC and HLCK. It is available in Serbian and English.

## **4. Database**

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<sup>17</sup> Officers Pavle Gavrilović and Rajko Kozlina, accused of the crime committed in the village of Trnje, Kosovo, in March 1999, and indicted by the OWCP in 2013.

<sup>18</sup> See: [www.zonaneodgovornosti.net](http://www.zonaneodgovornosti.net).



## Humanitarian Law Center

Between January and December 2014, a total of 10,525 new documents on human losses and perpetrators of war crimes committed during the wars in the former Yugoslavia were entered into the Database. Of these, 1,184 are statements of witnesses, 1,220 verifications made by HLC and HLC researchers, 2,646 documents (including 1,849 video recordings of trial days) from the ICTY Court Records Database, and 5,475 documents from other sources (1,106 media items, 1,871 photographs of victims, 622 memorials, 884 certificates, excerpts from vital records, personal documents and another 992 documents obtained from domestic courts, international organizations, victims' associations etc.).

By 31 December 2014, a total of 102,498 documents had been stored in the Database, approximately 70,000 of which relate to human losses in the wars fought in the former Yugoslavia in the 1990s, including 14,495 statements and 4,290 verifications by the survivors, witnesses and family members of the victims, and over 12,000 documents from the ICTY Court Records Database.

### 5. HLC Archive<sup>19</sup>

During 2014, some 2,000 printed documents were stored in the HLC Archive. Over 50% of the documents were created or collected as part of the research into human losses and monitoring of war crimes trials. All the stored documents were catalogued. In addition, over 100 documents referring to the *Gotovina et al.* Case, which was completed before the ICTY, were catalogued. Over the same period, 1,386 printed documents, on 6,571 pages, were digitized.

The HLC continued to transfer audio-visual recordings of trials held before the ICTY to its archive. During 2014, 720 recorded trials days (on 1,627 DVDs) pertaining to 25 cases were copied and transferred to the HLC Archive.<sup>20</sup>

In order to permanently preserve the recordings of ICTY trials currently stored on DVDs (which have a limited shelf life), the HLC is transferring video material from the ICTY archives, kept in the HLC Archive, to its new server. During the reporting period, 1,971 trials days (on 6,084 DVDs) were transferred to the server.

## II Justice and Institutional Reform

In 2014, the HLC continued to provide legal assistance to victims and help them exercise their right to justice and reparation by representing them in war crime cases and reparation lawsuits. The HLC also continued to monitor and analyse domestic war crimes trials.

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<sup>19</sup> The content of the HLC Archive, by archival funds, is available at: [www.hlc-rdc.org](http://www.hlc-rdc.org).

<sup>20</sup> By the end of June 2014, recordings of 9,243 trial days and 115,746 documents from ICTY trials were transferred.



Humanitarian Law Center

## 1. Support for the Development of the 2015-2025 Strategy for the Prosecution of War Crimes

Supporting Serbian institutions in devising the 2015-2025 National Strategy for the Prosecution of War Crimes, the HLC in 2014 finalized and presented its *Analysis of the Prosecution of War Crimes in Serbia*, covering the period 2004-2013.<sup>21</sup> The Analysis contains 15 chapters, which give an account of the work of key institutions in the prosecution of war crimes, and raising issues important for the credibility of war crimes trials in Serbia, such as the compliance of indictments and convictions in domestic cases with the facts established by the ICTY. The Analysis concludes with 75 recommendations to state bodies of the Republic of Serbia and to international stakeholders on how to improve all aspects of the prosecution of war crimes in Serbia.

In order to provide a comprehensive insight into the results and effects of war crimes prosecutions in the first ten years of existence in Serbia of institutions specialized in the processing of war crimes, the HLC conducted and published its analyses of media and political discourses on domestic war crime trials in the researched period. The *Analysis of political discourses on domestic war crimes trials in Serbia 2003-2013*<sup>22</sup> shows how the attitude of political elites toward this subject has changed over time, from reluctance to prosecute war crimes to demanding that all crimes be punished, but has never turned into unambiguous political support for the trials and the institutions engaged in the prosecution. The *Analysis of media discourses on war crimes trials in Serbia 2003-2013*<sup>23</sup> offered numerous examples of biased and unprofessional reporting on war crimes trials, to illustrate its major finding - that the media in Serbia have not contributed towards opening a broad social debate about the past.

After publishing the Analyses, the HLC launched an expert consultation process on the subject. The experts consulted during the process were prosecutors and judges dealing with war crime cases, representatives of relevant ministries, domestic legal experts, relevant international experts and civil society actors. In November and December 2014, the HLC held five consultative meetings to discuss support to victims and witnesses, protection of victims and witnesses of war crimes, the pre-trial stage in war crimes cases, the application of the principles of command responsibility, and the presentation of war crimes trials.

A proposal for a Strategy for the Prosecution of War Crimes in Serbia for 2015-2025 was drafted, based on recommendations made by the participants in the meetings aimed at advancing the prosecution of war crimes in Serbia. The Strategy proposal will be submitted to the Ministry of Justice of the Republic of Serbia in March 2015.

## 2. Representing Victims in War Crimes Cases

Over 2014, the HLC attorneys represented victims and their family members in six war crimes cases, five of which are being tried before the Higher Court in Belgrade (War Crimes Department) – *Čuška/Qushk*, *Trnje*, *Tenja II*, *Lovas* and *Sotin*. 20 trial days were held in these cases, over the course of which three

<sup>21</sup> Available in electronic format at: <http://www.hlc-rdc.org/?p=27457>.

<sup>22</sup> Available at: [http://www.hlc-rdc.org/wp-content/uploads/2014/11/politicki-diskursi\\_SR.pdf](http://www.hlc-rdc.org/wp-content/uploads/2014/11/politicki-diskursi_SR.pdf).

<sup>23</sup> Available at: [http://www.hlc-rdc.org/wp-content/uploads/2014/11/medijski-diskursi\\_SR.pdf](http://www.hlc-rdc.org/wp-content/uploads/2014/11/medijski-diskursi_SR.pdf).



## Humanitarian Law Center

witnesses and an expert witness were heard.<sup>24</sup> The HLC also represented victims in the *Skočiči* Case before the Court of Appeals in Belgrade.

### 3. Monitoring of War Crimes Trials in Serbia

The HLC team monitored the following proceedings before the Higher Court in Belgrade: *Bosanski Petrovac*, *Sanski most*, *Bihać*, *Luka Camp* and *Beli Manastir*. A total of eight trial days were held in these cases during the reporting period.<sup>25</sup> Further, a HLC lawyer monitored sessions of the appeals chamber in two cases (*Mark Kashnjeti* and *Čelebići*). The reports were posted on the HLC website.

The *Report on War Crimes Trials in Serbia in 2013* was prepared and presented at a debate held in July 2014.<sup>26</sup> The Report provides information about, and legal analyses of, proceedings and rulings in 20 war crimes cases heard by the Higher Court in Belgrade, the Court of Appeals and courts of general jurisdictions, which the HLC monitored, or in which it represented the injured parties, during 2014.

#### Anonymization of Judgments Declared Unlawful Thanks to HLC Efforts

Since 2012, the legal team of the HLC had repeatedly drawn attention to the Serbian courts' unlawful practice of anonymization (redacting or blacking out parts of a text containing information on convicted individuals, witnesses, crimes etc.) following the judgments passed in war crimes cases. The HLC lodged six complaints with the Commissioner for Information of Public Importance and Personal Data Protection against such a practice. In March 2014, the Commissioner accepted the complaint against the anonymization of the judgment delivered in the *Gnjilane Group* case and declared the practice of anonymization of judgments in war crimes cases unlawful.<sup>27</sup>

### 4. Criminal Complaints against War Crimes Suspects

For the purpose of drawing up criminal complaints against perpetrators of war crimes, the HLC team analysed statements of witnesses and survivors of war crimes, military and police documentation and other relevant material about perpetrators of war crimes in Kosovo. Upon analyzing the material, the HLC drew up three criminal complaints against 11 identified and a few dozen unidentified members of the VJ and Serbian MUP for the crimes committed in 1999 in the Kosovo municipality of Orahovac/Rrahovec, which resulted in the deaths of more than 1000 civilians.

### 5. Advocacy for the Right of Victims to Receive Reparations

Over the past year, the HLC carried out several different activities aimed at helping the victims of war crimes and human rights violations committed in connection with the wars to exercise their right to

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<sup>24</sup> All trials in Serbia were suspended owing to the strike of Serbian lawyers' which started in September 2014.

<sup>25</sup> See note above.

<sup>26</sup> See page 19.

<sup>27</sup> See the press releases: "Anonymization of judgments in war crimes cases contrary to national and international regulations", 21 January 2014, and "Anonymization of judgments in war crimes cases is unlawful", 25 March 2014. Available at: [www.hlc-rcd.org](http://www.hlc-rcd.org). Accessed 9 July 2014.



## Humanitarian Law Center

material reparation. Thus the HLC represented victims in compensation lawsuits and proceedings seeking recognition of their civilian victim of war status before administrative authorities. Furthermore, the HLC worked on a model law on civilian victims of war, and took part in a public consultation on the Draft Bill on Civilian Victims of War which was prepared by the Government of the Republic of Serbia.

### **5.1. Upholding Victims Seeking Monetary Compensation**

Since 2005, the HLC has represented 150 victims in some 53 proceedings before Serbian and Kosovar courts. In 2014, HLC lawyers participated in 17 hearings and filed 17 pleadings (appeals, responses to appeals, statements concerning expert findings, etc.).<sup>28</sup> In 2014, seven victims were examined by medical experts. The HLC organized for six of the victims to come to Belgrade and for a medical expert to travel to Pristina to examine one victim. Furthermore, the HLC organized for two victims from Kosovo to give testimonies before the First Basic Court in Belgrade.

The Courts delivered twelve decisions in 2014, four of which were positive, while in the eight other cases the courts rejected the complaints filed by the HLC. Three of the positive decisions were delivered by the Court of Appeals in Belgrade, in appeals proceedings, and one by the First Basic Court in Belgrade. The Constitutional Court rejected three complaints lodged by the HLC on behalf of victims: a complaint lodged on behalf of the victims of a war crime in Podujevë and their family members, a complaint lodged on behalf of the victims of torture in Sandžak, and a complaint lodged on behalf of the victims of an unlawful detention from Kosovo.

After the Constitutional Court in Serbia rejected the complaint filed by the HLC on behalf of family members of the killed Kosovo Albanian Behram Gigollaj, the HLC applied to the European Court of Human Rights (ECHR). Because the ECHR had mislaid the application, the HLC re-applied in April 2014. The court, however, rejected the application, without specifying the grounds for the rejection.

### **5.2. Representing Victims in Proceedings Seeking Recognition of Civilian War Victim Status**

Over the course of 2014, the HLC represented 14 victims of human rights abuses (Serbian citizens) in administrative proceedings for recognition of civilian war victim status, pursuant to the Law on the Rights of Civilian Invalids of War. Three decisions were rendered in 2014: one application was granted and two were rejected. The competent ministry accorded civilian war victim status to the family of a Serbian boy killed in Kosovo in 1998, but denied this status to Bosnian victims of torture in Sandžak. On behalf of those whose applications were rejected, the HLC will file complaints to the Constitutional Court of Serbia for violation of the constitutional principle of non-discrimination.

### **5.3. Advocacy for Changes to the Law Governing the Rights of Civilian War Victims**

In early 2014, the HLC set up a Working Group for the drafting of a model law on the rights of victims of human rights abuses committed in armed conflicts or in connection with armed conflicts between 1991

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<sup>28</sup> In the last quarter of 2014 there were no trials in Serbia owing to the lawyers' strike.



## Humanitarian Law Center

and 2000. The initiative to change the Law on the Rights of Civilian Invalids of War (Model), upon which the system of administrative reparations is based, came after the Ombudsman, the Commissioner for Protection of Equality and the Office for Human and Minority Rights of the Republic of Serbia declined the HLC invitation to work together with this organization on a draft bill and to introduce it into the National Assembly of the Republic of Serbia. The Working Group held 14 meetings in 2014. The model law will be presented to stakeholders and the wider public in early March 2015.

In December 2014, the Ministry of Labour, Employment, Veteran and Social Policy (the Ministry) released a Draft Bill on the Rights of Veterans, Military Invalids, Civilian Invalids of War and their Family Members and launched a public debate on this matter. The HLC prepared an analysis of the Draft Bill and submitted it to the Ministry, drawing attention to the numerous inadequacies in the proposed law, whereby nearly 90% of civilian victims currently living in Serbia would be denied civilian victim of war status and thus left without any government assistance. In its comments, the HLC cited numerous international norms for the protection of victims of human rights abuses as well as international bodies that have opined that the legal framework concerning the exercise of victims' right in Serbia is inadequate.<sup>29</sup>

### III Education about the Past

#### 1. Regional Transitional Justice School

In early February 2014, the HLC, together with its partner organizations, the HLCK and the "Pravnik" (Lawyer) Association from BiH, organized the closing seminar of the second Regional Transitional Justice School, launched in November 2013. At the closing seminar, students from BiH, Kosovo and Serbia presented papers on various subjects in the area of transitional justice.<sup>30</sup>

In November 2014, the HLC, the HLCK and "Pravnik" organized the third Regional Transitional Justice School, which was attended by 25 participants from BiH, Kosovo and Serbia, including assistant professors/lecturers, members of the judiciary and several ministries, and human rights activists, among others. As part of the Regional School study programme, the participants visited several memorials and sites of remembrance in Croatia and BiH – Jasenovac, Prijedor, Vukovar and Sotin – where they had the opportunity to meet with the survivors and family members of the victims and speak with them about the efforts made so far to ensure accountability for the crimes committed against their loved ones.

#### 2. Cooperation with Formal Education Institutions

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<sup>29</sup> See the HLC's comments at: <http://www.hlc-rdc.org/?p=27883>.

<sup>30</sup> At the closing seminar, the students who attended the Regional School were presented with diplomas by Dino Mustafić, theatre director from Sarajevo.



#### Humanitarian Law Center

In late March 2014, the HLC, the Law School of the Union University in Belgrade and HLC Kosovo jointly organized two round-table discussions, titled “Education for Reconciliation: the Role of Education in Establishing Responsibility and the Reconciliation Process“, one of them in Pristina (on 24 March), and the other in Belgrade (on 28 March). The participants, university professors and students from the two countries, discussed options for introducing a Transitional Justice programme into universities, as part of either undergraduate or graduate studies, and the responsibility of academia for promoting such themes among students. Also, the First Transitional Justice School Journal, featuring selected papers written by the students, was presented at the round table by the authors.<sup>31</sup>

Towards the end of the year, the HLC began preparations for the expert conference “The Role of Education in the Reconciliation Process in the Former Yugoslavia“, with around 60 participants – university professors and academic staff, students of the Regional Transitional Justice School from BiH, Kosovo and Serbia and relevant international experts. The conference will discuss options for introducing Transitional Justice into undergraduate and graduate programmes of study.

#### **IV RECOM Initiative<sup>32</sup>**

The RECOM’s Regional Expert Group, made up of representatives of the Presidents and BiH Presidency Members of the successor states to the former Yugoslavia, finished making changes to the RECOM Statute. At its Seventh Assembly, held in November 2014, the Coalition for RECOM approved the changes. Members of the Coalition for RECOM implemented activities aimed at securing public and political support for the establishment of RECOM. The HLC took an active part in all the activities of the Coalition.

#### Regional Expert Group<sup>33</sup>

The Personal Envoys of the Presidents of the countries in the region who participated in the work of the Regional Expert Group for reviewing the Draft RECOM Statute, completed their work on 28 October 2014. Through their joint efforts and consultations with the Presidents and Members of the Presidency of BiH who had delegated them, they made changes to the Draft RECOM Statute which, in their opinion, will offer the legal and constitutional options for establishing RECOM.

#### 7th Assembly of the Coalition for RECOM

The Coalition for RECOM held its Seventh Assembly on 14 November 2014 in Belgrade (Serbia), which was attended by 104 delegates representing 1,950 Coalition members. The Assembly approved (with one vote against, and two abstentions) the changes to the RECOM Statute made by the Regional Expert

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<sup>31</sup> More at: [www.hlc-rdc.org](http://www.hlc-rdc.org).

<sup>32</sup> All data presented in this section of the Report were taken from the Report on the RECOM Process, January-June 2014 and Report on the RECOM Process, October-December 2014.

<sup>33</sup> Envoys of the Presidents of Montenegro, Serbia, Croatia and Kosovo, and the Bosnian and Croatian Members of the Presidency of BiH.



## Humanitarian Law Center

Group in fulfilling their mandate to explore the constitutional and legal options for the establishment of RECOM in each country.<sup>34</sup>

### 10th Forum on Transitional Justice in Post-Yugoslav Countries

The 10th Forum on Transitional Justice, organized by the Coalition for RECOM, took place on the 15<sup>th</sup> and 16<sup>th</sup> of November 2014 in Belgrade. The forum was dedicated to acknowledgement of the achievements so far in the area of transitional justice, promotion of the use of facts in artworks, and listening to the voice of victims. The forum brought together 158 members of the Coalition for RECOM, and another 159 other participants, among whom were representatives of civil society organizations, artists, writers, academic transitional justice researchers, journalists and other individuals who, as part of their profession or as activists, deal with the theme of Transitional Justice in Post-Yugoslav countries.<sup>35</sup>

### Advocacy<sup>36</sup>

In the first half of 2014, the HLC, together with the Youth Initiative for Human Rights, organized five street actions in Belgrade, entitled *I Support RECOM*. The activists of the Coalition for RECOM collected signatures from citizens supporting the establishment of the Commission, handed out *I Support RECOM* leaflets and announced the action *I Run for RECOM* as part of the Belgrade Marathon Race. Members of the Coalition later participated in the race, wearing RECOM T-shirts. 284 citizens signed the petition for the establishment of RECOM during these street actions.

### Meetings with Representatives of Domestic and International Institutions and Organizations

Two joint meetings of the RECOM Advocates took place in 2014 – on 24 January and 4 May, both in Belgrade. A press conference was held in January, at which the RECOM Advocates Nataša Kandić, Žarko Puhovski, Adriatik Kelmendi and Dino Mustafić called on the political representatives of Post-Yugoslav countries to jointly create RECOM.

In February 2014, RECOM Initiative advocates met with Fatmir Besimi, Vice-President of the Government of Macedonia, who expressed strong support for the creation of a Regional Commission which would deal with war victims in Macedonia as well. On 5 April, the RECOM advocates held a meeting with Bishop Grigorije of Zahumlje and Herzegovina, who pledged to support the process of the further institutionalization of RECOM.

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<sup>34</sup> Macedonian President Gjorge Ivanov informed the Coalition for RECOM that he would support the decision to establish RECOM if the Presidents and Members of BIH Presidency reach a consensus on this matter.

<sup>35</sup> For more information on the Forum and topics discussed, see RECOM Initiative!Voice #20, available at: [http://www.zarekom.org/RECOM-Initiative-Voice/RECOM-Initiative-VOICE-No\\_20-2015.en.html](http://www.zarekom.org/RECOM-Initiative-Voice/RECOM-Initiative-VOICE-No_20-2015.en.html).

<sup>36</sup> Information on advocacy was taken from the Report on the RECOM process, January-June 2014. For more details, visit [www.zarekom.org](http://www.zarekom.org).



## Humanitarian Law Center

On 10 December, the Coalition for RECOM sent a letter to the Presidents and Members of the BiH Presidency, reminding them that the Assembly had supported changes to the RECOM Statute whereby conditions had been created for taking a new step towards the establishment of RECOM. The Coalition also expressed its hopes that the Presidents and the BiH Presidency Members would agree on the form to be used for informing the general public and their Parliaments about their decision to jointly support the creation of the Commission, and urged them to accept the proposal made by the Croatian President that all the Presidents and BiH Presidency Members should, within a previously agreed period of time, send a letter to their respective citizens and Parliaments expressing their joint support for the creation of RECOM.

### RECOM Initiative!Voice

Two issues of the Coalition for RECOM newsletter, *RECOM Initiative !Voice*, were released in 2014. The May issue was dedicated to the reconciliation process, as seen from the veterans' perspectives. The issue released in November was dedicated to reconciliation in Post-Yugoslav countries.<sup>37</sup>

## **V Transitional Justice in the Process of Serbia's EU Accession Talks**

Since January 2014, the HLC has implemented several advocacy activities aimed at including Transitional Justice in Serbia's EU accession process.

### **i. through *ACCESSION towards JUSTICE* Bulletin**

At the beginning of 2014, the HLC launched the bulletin *through ACCESSION towards JUSTICE*. Its objective is to underline the importance of initiating the process of dealing with the past in Serbia, as an EU candidate country, and of establishing a legal system that would guarantee protection and respectful treatment of all victims of crimes and other human rights abuses. The Bulletin provides insight into current developments in the field of Transitional Justice in the context of Serbia's EU accession.

The Bulletin features two regular columns and at least two texts dealing with Transitional Justice in the context of EU integrations. Among the authors whose texts have been published in the Bulletin are: the Head of the European Union Delegation to Serbia, Michael Davenport, former European Parliament Rapporteur for Serbia, Jelko Kacin, President of the International Centre for Transitional Justice, David Tolbert, and Amnesty International activists. In 2014, the HLC released seven issues of the Bulletin and prepared the eighth issue, which was published in January 2015.

### **ii. Analysis of the Degree of Alignment of National Legislation with the EU *Acquis* in the Area of Transitional Justice**

In mid-2014, the HLC wrote an analysis of the compliance of Serbian domestic regulations with the relevant EU regulations, entitled *Transitional Justice in the Process of Serbia's Accession to the European*

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<sup>37</sup>!Voice is available at: <http://www.zarekom.org/>.



## Humanitarian Law Center

*Union*<sup>38</sup>. It discusses the policies and financial instruments by which the EU recommends and promotes justice for crimes of the past, and the EU regulations incorporating transitional justice principles, with which the accession countries will have to align themselves prior to becoming members, and the extent to which Serbian legislation is aligned with these EU regulations. It also offers recommendations regarding the harmonisation of the national legislation with the EU *acquis*.

### iii. Participation in Serbia's EU Accession Talks

In late July 2014, the European Commission (EC) released its Screening Report on Chapter 23, which, among other things, contains findings and recommendations regarding the prosecution of war crimes and the rights of victims. The HLC formulated 48 recommendations on how to comply with the EC recommendations and submitted them to the Ministry of Justice. According to the Ministry of Justice, 42 of the HLC's recommendations have been included in the Action Plan for Chapter 23.<sup>39</sup>

The recommendations are based on research conducted into the practice of war crimes prosecution in Serbia between 2004 and 2014, which was published as part of the Analysis of the Prosecution of War Crimes in Serbia 2004-2014.

### iv. Advocacy Before EU Institutions

Over 2014, the HLC held four meetings with representatives of the EU Delegation to Serbia and EU member states. The HLC drew their attention to the inefficiency of war crime processing, neglect of the right of victims of war crimes to reparation, and failure to undertake reforms in the army and police, and called on the EU to use the accession process to encourage Serbia to carry out necessary reforms in these areas.

In mid-October, HLC representatives, assisted by legal expert Saša Gajin, visited Brussels, where they met with representatives of the European Parliament, European Commission, European External Action Service, and NGOs operating at the EU level, and urged them to include these themes in the process of Serbia's EU accession.

## VI Information and Outreach

### 1. HLC Website

During 2014, news items, announcements, press releases and publication were posted on the HLC website, as well as media reports, covering subjects relevant to Transitional Justice, such as the documentation used in war crimes trials and other items. Some 70 texts were posted on the *Transitional Justice in Focus* section, featuring interviews, analyses, newspaper articles and opinion pieces dealing with the subject of Transitional Justice.

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<sup>38</sup> See: <http://www.hlc-rdc.org/?p=26929>.

<sup>39</sup> The Ministry of Justice's report on input received from civil society organizations in the process of developing the Action Plan for Chapter 23 is available at: <http://www.mpravde.gov.rs/tekst/7715/drugi-nacrt-akcionog-plana-za-poglavlje-23.php>.



## Humanitarian Law Center

The HLC website had approximately 40,679 visitors in 2014.

In addition to its own web page, the HLC administers the web pages of the Kosovo Memory Book, RECOM Initiative, Zone of (Non)Responsibility, Transitional Justice School, and Human Losses during the Armed Conflicts in the Former Yugoslavia. These pages had over 20,000 visitors in 2014. The video materials uploaded to the FHP-a *presshlc* at [www.youtube.com](http://www.youtube.com) were viewed 24,886 times.

### 2. Press Releases and News

In 2014, the HLC issued 30 press releases, in which it transmitted its reactions to various events relevant for Transitional Justice, offered its recommendations to institutions on how to advance transitional justice processes and promoted the needs and rights of victims of war crimes. 37 brief news items were issued in 2014. Most press releases and news items were translated into English and Albanian. Press releases and news items are posted on the HLC website and distributed by email to over one thousand addresses, and uploaded to the HLC's Facebook and Twitter pages.

For the purpose of keeping the general public informed on ongoing domestic war crimes trials, the HLC posted on its website 15 trial reports, 60 transcripts from trials, 18 court decisions and seven indictments.

### 3. Publications<sup>40</sup>

#### *i. Transitional Justice School Journal*

The first *Regional Transitional Justice School Journal* is a product of the Regional School of Transitional Justice that took place in January 2013. It is a collection of papers authored by Regional Transitional Justice School students on topics such as memorialisation policies and the exercise of victims' rights to reparation in BiH, non-judicial fact-finding mechanisms, war crimes trials before the ICTY and Kosovo courts, the contents of history textbooks in BiH and Serbia and the role of the media in transitional justice processes. The Journal was published in BHS languages, Albanian and English.

#### *ii. Transitional Justice in the Process of Serbia's Accession to the European Union*

The analysis *Transitional Justice in the Process of Serbia's Accession to the European Union* was published in Serbian and English, with a print run of 180 copies, and distributed to the Embassies of the EU members' states in Serbia, the EC Delegation to Serbia, and various institutions and media outlets.

#### *iii. through ACCESSION towards JUSTICE (Bulletin)*

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<sup>40</sup> All HLC publications are available in electronic format at [www.hlc-rdc.org](http://www.hlc-rdc.org).



Humanitarian Law Center

Seven issues of the Bulletin were published in 2014, in Serbian and English, in electronic format. The Bulletin is distributed through mailing lists and social networks.

iv. Report on War Crimes Trials in Serbia in 2013

The Report is based on the monitoring of the war crimes trials conducted before the War Crimes Department of the Higher Court in Belgrade, the War Crimes Department of the Court of Appeals in Belgrade, and the courts of general jurisdiction in Požarevac, Niš and Prokuplje. It contains findings on the progress achieved and the problems encountered in processing war crimes before domestic courts, and offers in-depth analyses of all cases heard during 2013. The Report was released in early July, in Serbian and English.

v. *Analysis of the Prosecution of War Crimes in Serbia 2004-2013*

In September 2014, the HLC published the *Analysis of the Prosecution of War Crimes in Serbia 2004-2013*, in which the first ten years of the work of the institutions specialised in prosecuting war crimes were analyzed.<sup>41</sup> It was published in Serbian and English and presented at the press conference held on 30 September in Belgrade.

vi. Discourses on War Crimes Trials in Serbia 2003-2013

In collaboration with Katarina Ristić, researcher at the University of Leipzig, the HLC published two analyses –*Media Discourses on War Crimes Trials in Serbia* and *Political and Institutional Discourses on Domestic War Crime Trials in Serbia 2003-2013*. Both analyses were published in Serbian and presented at a press conference held on 2 November in Belgrade.

## 5. Debates and Round Table Discussions

i. ***Round Table Education for Reconciliation: The Role of Education in the Processes of Establishing Responsibility and Reconciliation***<sup>42</sup>

In cooperation with the Union University Law School in Belgrade, the HLC on 28 March organized a round table discussion on *Education for Reconciliation: The Role of Education in the Processes of Establishing Responsibility and Reconciliation*, in the HLC library. The *Journal of the Regional School for Transitional Justice* was presented at the event.

ii. **Focus Group: The trial of Ratko Mladić and Legacy of the Hague Tribunal for Former Yugoslavia**<sup>43</sup>

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<sup>41</sup> More on The Analysis on pages 9-10..

<sup>42</sup> Round Table Report available at: <http://www.hlc-rdc.org/?p=26495>.



## Humanitarian Law Center

A session of the focus group founded to meet the needs of the “Trial of Ratko Mladić and Legacy of the Hague Tribunal for Former Yugoslavia” research project by King’s College, London, was held on 27 May in the HLC library room. Representatives of non-governmental organizations, students and experts in various fields of interest, participated in the focus group. The objective of the focus group was to trigger an exchange of opinions, ideas, perceptions and views regarding the characteristics and course of the trial of Ratko Mladić before the ICTY.

### iii. Press Conferences

On 30 June, the HLC presented the analysis *Transitional Justice in the Process of Serbia’s Accession to the European Union* on the compliance of Serbian legislation with the EU *acquis* in the area of judiciary and fundamental rights – Chapter 23.<sup>44</sup>

On 8 July, the HLC held a debate at the Media Center Belgrade on war crimes trials in Serbia, and presented its *Report on War Crimes Trials In Serbia in 2013*.<sup>45</sup> Participants included representatives of the Office of the War Crimes Prosecutor (OWCP), the Higher Court in Belgrade, the Office of the Public Prosecutor of the Republic of Serbia, the Ministry of Justice, foreign embassies, international organizations, NGOs and the media.

On 30 September, the HLC organized a press conference at the Media Center Belgrade to present the *Analysis of the Prosecution of War Crimes in Serbia 2004-2013*.<sup>46</sup>

On 21 November, the HLC presented the analyses *Political Discourses on Domestic War Crimes Trials in Serbia 2003-2013* and *Media Discourses on War Crimes Trials in Serbia*. The key findings of the analyses were presented by the author, Katarina Ristić, PhD. Journalists, NGO activists, judges, representatives of the OWCP and others took part in the debate that followed.

## 6. Video Production

### i. Documentary “Children After War”

In the first half of 2014, the HLC produced a 25-minute documentary, titled “Children After War”. The film is based on the footage of the eponymous discussion event, which took place in December 2013 on the occasion of the exhibition, “The Bogujevci - a Visual History”. The documentary features seven young people from the former Yugoslavia who, as children, survived or witnessed crimes. It is made in

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<sup>43</sup> Focus Group Report available at: <http://www.hlc-rdc.org/?p=26750>.

<sup>44</sup> For more information on the Conference, visit : <http://www.hlc-rdc.org/?p=26928>.

<sup>45</sup> More on the debate at: <http://www.hlc-rdc.org/?p=27084>.

<sup>46</sup> More on the press conference at: <http://www.hlc-rdc.org/?p=27466>.



## Humanitarian Law Center

the BHS languages and Albanian and has been offered to TV stations in Croatia, BiH, Serbia, Montenegro and Kosovo. So far, three TV stations have aired the film.

### ii. Documentary "People and Memories Speak"

The HLC took part in the production of the documentary "People and Memories Speak", a regional project involving organizations from BiH, Croatia, Kosovo and Serbia. In this documentary, victims and witnesses of war crimes committed in the 1990s share their wartime experiences. The HLC located victims who now live in Serbia, encouraged them to take part in the documentary and organized their trip to Skopje, where the documentary was filmed.

## 7. HLC Library

The HLC Library contains more than 6,000 publications, covering the fields of transitional justice, international humanitarian law, human rights, history, engaged art etc. It is mainly used by employees and associates of the HLC, but also by researchers, students, members of various institutions and non-governmental organizations, and other interested individuals. During 2014, 100 new titles were added to the Library.

## 8. Visits to the HLC

### i. Visit by students, professors and researchers

A group of attendees at the School for International Training (SIT), comprising students at several US universities, visited the HLC on 28 February<sup>47</sup> and 30 September<sup>48</sup>. Professors of several US universities whose students attend the SIT visited the HLC on 25 March.<sup>49</sup> The professors were particularly interested in the role of education and younger generations in the reconciliation process, and the students were interested in the role of young people in the reconciliation process and the challenges faced by victims claiming reparation.

Several representatives of human rights organizations from Georgia (country)<sup>50</sup> visited the HLC in July. They were interested in the role of civil society organizations in implementing transitional justice processes and how these organizations can contribute to these processes, and particularly in the experiences of the Coalition for RECOM.

During August, September and October, the HLC hosted several groups of students and young researchers, including political science students from Europe, students of the 'Hands on the Balkans' programme organized by the Thessaloniki-based Center for Democracy and Reconciliation,<sup>51</sup> students of

<sup>47</sup> More on this visit at: <http://www.hlc-rdc.org/?p=26440>.

<sup>48</sup> More on this visit at: <http://www.hlc-rdc.org/?p=27454>.

<sup>49</sup> More on this visit at: <http://www.hlc-rdc.org/?p=26293>.

<sup>50</sup> More on this visit at: <http://www.hlc-rdc.org/?p=27029>.

<sup>51</sup> More on this visit at: <http://www.hlc-rdc.org/?p=27320>.



## Humanitarian Law Center

the Alpbach Summer School on European Integrations coming from all countries of Southeastern Europe<sup>52</sup>, and students from France, Germany, Kosovo and Serbia who attend the Youth Academy for Dialogue and Cooperation organized by the Youth Initiative for Human Rights.<sup>53</sup>

### ii. Visit by the UN Working Group on Enforced Disappearances

Members of the UN Working Group on Enforced Disappearances visited the HLC on 19 June in order to learn about what steps states in the region have taken to prevent and eradicate enforced disappearances.<sup>54</sup> The HLC informed them about the inadequate legal framework governing the legal position of disappeared persons and their families, and pointed to the absence of any prosecutions for transferring the bodies of Kosovo Albanian victims to locations within Serbia.

## VIII HLC Board of Directors

The HLC Board of Directors (BoD) met twice during the year (on 15 March and 26 October, in Belgrade), and approved the HLC report on activities, the statement of financial activities for 2103, as well as the six-monthly report for January-June 2014).

Prior to the March BoD meeting, a discussion was organized, entitled “Transitional Justice Terminology: Challenges and Controversies“. Participants – members of the HLC BoD, HLC staff and a few professors and experts/practitioners in various areas of transitional justice, law, linguistics and media – discussed the terms used in the relevant literature and expert discussions on transitional justice processes and mechanisms.

## IX Human Resources

In 2014, the HLC began developing procedures for creating a human resources system which is to enhance the internal capacity of the HLC. In June, the HLC management participated in a two-day HR training, which was customized to the specific needs of the HLC and delivered by the PricewaterhouseCoopers (PwC) Academy in Serbia. During the summer, the HLC staff completed two questionnaires regarding satisfaction with working conditions at the HLC. Data from the questionnaires was processed and presented in September to all staff members.

## X Information System

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<sup>52</sup> More on this visit at: <http://www.hlc-rdc.org/?p=27417>.

<sup>53</sup> More on this visit at: <http://www.hlc-rdc.org/?p=27537>.

<sup>54</sup> More on this visit at: <http://www.hlc-rdc.org/?p=26896>.



## Humanitarian Law Center

In 2014, new modules (Human Losses Data Import Module, Staff Record, Project Management and Video Platform) were incorporated into the HLC Information System (IS)<sup>55</sup> and the entire IS was uploaded, which facilitated document search.

### **XI Volunteering at the HLC**

The volunteers who contributed to the HLC's work in 2014 are: Vladimir Koturović, Katarina Vesović and Jakub Ćirić. They all worked on the HLC Archive.

### **XII Audit Report**

In February 2014, the international auditing firm Fabel, Werner & Schnittke GmbH completed their examination of the HLC's financial operations in 2013, and found them to be appropriate and carried out in accordance with international standards and domestic financial management regulations.<sup>56</sup>

### **XIV Donor Support**

In 2013, the following organizations provided financial support for HLC activities: the Open Society Institute, the Sigrid Rausing Trust, the Charles Stewart Mott Foundation, the Norwegian Ministry of Foreign Affairs, Civil Rights Defenders, the Rockefeller Brothers Fund, Robert Bosch Foundation, the European Commission, USAID through the Institute for Sustainable Communities, the Fund for an Open Society, the Swiss Ministry of Foreign Affairs, the National Endowment for Democracy, the Embassy of Great Britain in Serbia, and the French Catholic Committee Against Hunger and for Development.

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<sup>55</sup> Since 2011, the HLC, Documenta and the HLCK have been working together to develop new software – the Information System – which aims to improve and professionalize the record management, retrieval and issuing of documents in all three Centres.

<sup>56</sup> Audit findings were posted on the HLC website.