



Humanitarian Law Center

Report on Activities and Results

1 January – 31 December 2017

I Documentation and Research

1. Archive

During 2017 around 675 documents were archived in the Humanitarian Law Center's (HLC) archives.

1.1. Copying the archive of the ICTY

As regards the transfer of the public archives of the ICTY, the HLC was not able to finalize the transfer to its Archive due to severe technical problems within the ICTY. Namely, the ICTY has ceased sharing records of the trial days with external entities, including the HLC, after finding out that a large number of recordings were of poor quality and/or inadequately protected:

- Some recordings are heavily corrupted and need to be repaired;
- The testimonies of protected witnesses in several recordings were not adequately secured, and the Court made a decision to inspect all existing recordings.

Recordings in six cases yet to be transferred to the HLC are:

- complete cases of Mucić et al. (IT-96-21), Kovačević, Milan (IT-97-24), Krnojelac, Milorad (IT-97-25) and Blagojević and Jokić (IT-02-60) – total of 454 trial days;
- two cases have only fragmentally been transferred: Kupreškić et al. (IT-95-16) – 16 out of 131 days, and Kordić and Čerkez (IT-95-14/2) – 158 out of 268 days.

At this moment the only case available for transferring is the Karadžić (IT-95-5/18) Case, and copying of the files and trial days is in progress. After the ICTY completes all necessary inspections, the HLC will be able to copy the trial days at the usual pace.

As part of the permanent preservation of the archives copied from the ICTY, during 2017 the HLC has transferred 1,220 days of trials onto a separate server which will guarantee the long-term preservation of these valuable documents. Around 6,500 trial days remain to be transferred, including the ongoing trial in the *Stanišić and Simatović* Case.

1.2. Expanding the archive

The HLC initiated talks with several actors on the possibility to take over and/or preserve their respective archives:

- From the ex-B92 TV station, 12 episodes of the documentary "Good People in an Evil Time" were collected and stored. This serial spread stories about solidarity between people of different ethnicities or religions during the wars in the former Yugoslavia.

- The copies of 30 contracts on the exchange of property which was imposed on Croats living in Serbia as well as on Serbs from Croatia, during the war in Croatia, were collected and stored.
- The complete content of the whistle-blower site *Jugiliks* was collected and stored. That includes 1,400 files in relation to the recent wars in former Yugoslavia and war crimes trials.
- A total of seven documentaries were collected and stored (*The Hell of the Independent State of Croatia, Children behind Wire, Rape during the War - The Invisible Wounds, People and Memories Talk - Regional edition, Live Shield, The Death Camps, Dubrovnik and Crimes against Cultural Heritage*).
- Copying certain episodes of the serial “Truth, Responsibility, Reconciliation” from the ex-B92 TV station is pending.
- An initial contact was made with the “Borba” publishing house, on the possibility to copy their archive on the wars in former Yugoslavia, which is one of the most extensive in Serbia.

1.3. The systematization of the Archive and digitalization

The systematization of the Archive was launched in August 2017. The archive material has been classified into five areas: (Human Rights, War Crimes, Media, Education and Outreach, and HLC’s Internal Documents), and systematized into funds and sub-funds. A detailed overview has also been prepared, enabling an insight into the material which has already been catalogued and digitalized, and which is the priority for digitalization.

From January 2007 until the end of December 2017, a total of 22,533 documents on 127,938 pages were digitalized, which constitutes approximately 90% of the print documents in the HLC’s Archive. During 2017, 384 documents on 4,721 pages were digitalized.

In 2017, the HLC continued to collect documentation from Serbian courts: a total of 64 documents were collected and stored (3 indictments, 3 judgments, 39 transcripts, 4 court decisions, and 15 documents from the investigation phase).

2. Database

In 2017, the HLC’s database was enriched with 4,136 documents, 710 of which are the testimonies of witnesses and victims; others include human losses research-related documents (transcripts, photographs, memorials, confirmations, media articles, personal documents, etc.), documentation relating to war crimes trials and reparation cases, documentaries, various reports, and business correspondence.

During its past work on the investigation of human losses, the HLC has prepared guidelines for about 25 types of documents (witness statements, judgments, indictments, trial records, death certificates, birth certificates, reports, memorials, publications, records, photographs, etc.). Currently, and according to these models, the HLC is editing an archive fund containing documents related to the human rights

violations in Kosovo of persons whose immovable property has been illegally alienated, robbed or destroyed.

In the course of 2017, the HLC began work on drafting guidelines for handling such documentation. These guidelines are designed to describe how to handle a document from its receipt within an organization to its storage into the database, to introduce models for entering different types of documents, and to provide a manual for the handling of the database. The HLC estimates that it will take some months to edit that database in accordance with these guidelines.

3. Human Losses Register

During 2017, the HLC have continued to document human losses during the wars in the former Yugoslavia.

The latest HLC research into human losses reveals that the total number of victims of the war in Kosovo in 1998-2000 was 13,583, and the total number of human losses of citizens of Serbia and of Montenegro during the wars in former Yugoslavia was 2,042. The second volume of the Kosovo Memory Book is due to be published in 2018.

The total number of human losses of citizens of Serbia and of Montenegro during the wars in former Yugoslavia was 2,042. The HLC's findings are that a larger number of them were killed or went missing during the war in Croatia (1,123), than in Bosnia-Herzegovina (726), Serbia (109), Slovenia (28), or Montenegro (20). For 36 of them, it was not possible to establish the place of murder or disappearance.

The complete list of victims identified so far is publicly available at the special web site [Kosovo Memory Book](#). In addition to the names search, the web site offers the possibility to submit items of information about the victims who appear or do not appear on the list. During 2017, 4,600 users visited this web site.

II Justice and Institutional Reform

1. Urging for Accountability for War Crimes

1.1. Identifying Perpetrators of War Crimes

In 2017, the HLC published two dossiers about unprosecuted crimes and possible perpetrators of war crimes.

In January, the HLC presented the Dossier “[The cover-up of evidence of crimes during the war in Kosovo: Concealment of Bodies Operation](#)”, which shows how the operation of concealing the bodies of Albanians killed during the war in Kosovo in 1999 was planned and executed, and which civilian, military and police institutions were involved in it. The objective of the Dossier is to point to the perpetrators of the concealment of one of the most serious crimes in Kosovo, to enable the citizens of Serbia to hear about the crimes committed in their name, and to encourage witnesses to come forward with their knowledge about these events and help the search for the more than one thousand bodies of Albanian civilians who were killed during the conflict in Kosovo and who are still reported as missing.

Around 50 representatives of embassies, media and civil society attended the [presentation](#) of the Dossier. Several media houses [reported](#) on this event.

On the occasion of commemorating the genocide in Srebrenica, the Dossier “[Deportation of Srebrenica Refugees](#)” was presented in Belgrade. The dossier relays how Serbian forces captured refugees from Srebrenica who were seeking safety in Serbia after the fall of the protected enclave of Srebrenica and handed them over to the Republic of Srpska army and police, knowing that they will most probably be killed. This dossier shades some light on these less known events and brings evidence on how Serbia breached its international commitments to protect the refugees. It also clarifies how these actions had involved Serbia in Srebrenica genocide, and thus makes it responsible for breaching the international humanitarian law also. The presentation was followed online, and also in person by around 35 representatives of the media, national institutions, international organizations, civil society activists, and foreign embassies. The dossier drew significant media attention, with more than 10 media outlets [reporting](#) on its findings and producing stories based on the facts it revealed.

The HLC has presented evidence of war crimes and possible perpetrators through its multimedia site, [Zone of \(Non\) Responsibility](#), which currently contains data on a total of 34 crimes committed in the territory of the former Yugoslavia, and 117 authentic military and police documents that were presented to the ICTY as the evidence for 108 persons having committed crimes. During 2017, the portal was visited by 2,847 users.

In 2017, the HLC produced its first short documentary from the series “HLC Dossiers”, relaying the findings published in the dossiers about unpunished crimes and their possible perpetrators in a short and accessible format. The film “[General Diković and the 37th Brigade in Kosovo](#)” was released on February 21st, and less than 24 hours after its release it had been watched by around 19,000 users.

1.2. Enhancing Accountability for Past Atrocities

a. Criminal Complaints

in 2017, the HLC filed four criminal complaints against persons about whom there is reasonable suspicion that they committed war crimes in Croatia and Bosnia and Herzegovina (BH):

- against [members of the Republic of Srpska Army](#) for murdering three members of the Army of Bosnia-Herzegovina in Golo Brdo (BH) in July 1993;
- against [Radojica Božović](#), a former high-ranking member of the Red Berets, as well as against two other members of this unit, for crimes committed in Doboj (BH) in 1992. The persons charged are suspected of the expulsion of several hundred Bosniaks from the village of Bukovačke Čivčije, killing one member of the Croatian National Guard, robbing civilians, and abusing and torturing prisoners in the Doboj district prison;
- against dozens of persons suspected of the unlawful deportation of refugees who sought safety on the territory of Serbia after the fall of Srebrenica in July 1995;
- against six identified and several unidentified [members of the Yugoslav People's Army](#) (JNA) and Territorial Defense Unit, for the killings of 48 Croatian civilians in the villages of Skabrnja and Nadin (Croatia) in November 1991.

b. Constitutional Complaints

Aiming to raise the effectiveness of the war crimes trials, the HLC filed three constitutional complaints.

The HLC lodged a constitutional complaint against the Office of the War Crimes Prosecutor (OWCP), alleging that this office did not conduct an effective investigation against the suspects Božidar Delić, Radivoje Paravinja and several unidentified members of the 549th Motorized Brigade of the Yugoslav Army. In December 2013, the HLC filed a criminal complaint against these persons, alleging that they committed war crimes against civilians, and proposing the questioning of the suspects, as well as witnesses (the HLC confirmed they were able to ensure the presence of some of the witnesses). Since the filing of the criminal charges the OWCP has so far examined only a few witnesses from Serbia, but it has not examined any of the suspects or witnesses from Kosovo, arguing that there is no possibility of cooperation with the EULEX. The HLC's constitutional complaint alleged a violation of the procedural aspect of the right to life, as well as the right to an effective remedy.

The second constitutional [complaint](#) was filed for violation of the right to a fair trial and the right to legal remedy of the injured parties in the Trnje Case before the High Court in Belgrade. In this case, in September 2017 an objection was filed in order to expedite the procedure, since almost a decade had passed since the filing of the criminal complaint, and only nine of the 22 scheduled trials were held, and the accused persons abused their procedural rights by submitting questionable medical documentation

justifying non-appearance in court. After the court dismissed these objections as unfounded, the HLC filed a constitutional complaint.

A constitutional complaint was also filed for the suspension of the investigation against Dragan Živanović, a former commander of the 125th Motorized Brigade, for the criminal offense of war crimes against civilians, as well as for violation of the right to a fair trial and the right to an effective investigation in this proceeding. The HLC pointed out that the OWCP's decision to suspend the investigation was brought without any explanation, that the injured parties were not given an explanation of the basis on which the OWCP decided not to issue an indictment, that the OWCP did not expose all the evidence that the injured party proposed, that the suspect was placed in a more favorable position because the files of the investigation were made available to him before he was examined, that the proxy of the injured party was denied the right to attend and question witnesses being examined, that the principle of "equality of arms" had been violated, and that the investigation was generally ineffective because all the evidence was not presented or adequately evaluated.

2. War Crimes Trials

2.1. Monitoring and reporting on war crimes trials

In 2017, the HLC monitored all war crimes trials before the War Crimes Chambers of the Higher Court in Belgrade (18 cases), as well as one case before the Appellate Court and one case before the general courts. The [daily reports](#) from these trials are available on the HLC's website (in the Serbian language), together with indictments, judgments from completed cases and transcripts from earlier and ongoing cases. The HLC's website is still the only place where these documents are publicly accessible online. In addition to daily reports, the HLC published 13 press releases, highlighting problems and challenges in relation to establishing criminal responsibility for war crimes trials, and recommending solutions.

On May 25th the HLC [published](#) the "[Report on War Crimes Trials in Serbia during 2016](#)". The report includes an analysis of all 28 cases that were conducted before the courts in Serbia in 2016, placing them in the socio-political context that affects their processing. This report is the only comprehensive overview of the prosecution of war crimes trials in Serbia, which among other things, presents one of the key benchmarks for joining the EU. The presentation was followed online, and also in person by around 40 representatives of the media, national institutions, international organizations, civil society activists, and foreign embassies. Several media houses [reported](#) on this event.

2.2. Legal Representation of Victims in War Crimes Trials

The HLC lawyers represented the victims and their families in the trials in the *Ćuška, Trnje, Lovas, Bratunac, Skočić, and Srebrenica* Cases, as well as in the process of raising an objection and constitutional complaint at the abandonment of the prosecution of retired General of the Yugoslav Army Dragan Živanović for crimes committed in Kosovo in 1999.

In the periods between the trials, the HLC informed the victims' families about the course of the pending proceedings, shared documents that they were interested in with them, informed them about their rights and the ways in which they can realize these rights, and provided logistical assistance for their realization, such as assistance to come to Serbia and follow the trials. 18 family members monitored war crimes trials held before Serbian courts.

2.3. Monitoring the Implementation of the National Strategy for the Prosecution of War Crimes

Since the adoption of the National Strategy for the Prosecution of War Crimes in Serbia, the HLC has been monitoring its implementation. The most serious challenge in collecting the relevant information has been the nonexistence of an official monitoring mechanism (established only in September 2017, 18 months after the Strategy was adopted). That fact drove the HLC to turn to other channels, and during the reporting period, 32 requests for access to information of public importance have been sent. Other sources included national and EU reports on Serbia's progress in implementing the needed reforms, such as the implementation of the Chapter 23 Action Plan.

Based on this research, the HLC [published](#) the "[Initial Report on the Implementation of the National Strategy for the Prosecution of War Crimes](#)", which was both the baseline and shadow report on the implementation of the National Strategy. The presentation was followed online, and also in person by around 30 representatives of the media, national institutions, international organizations, civil society activists, and foreign embassies. Several media outlets [reported](#) on this event.

At the end of 2017, the HLC's report was still the only report (official or unofficial) on the implementation of the National Strategy.

3. Reparations

3.1. Assisting Victims in Seeking Reparation

The HLC has continued to represent around 175 victims of war-related human rights abuses in their pursuit of reparations for the wrongs inflicted upon them during the wars in former Yugoslavia.

a. Obtaining the status of civilian invalid of war/family member of civilian invalid of war

The HLC represented nine victims in administrative procedures for obtaining the status of a civilian victim of war, and collected the power of attorney for the three new applicants. One person represented by the HLC in 2017 earned the right to monthly cash payments as a member of the civilian victim of war category. It is Dušanka Vitošević from Orahovac, whose husband was kidnapped by members of the KLA on June 16, 1999.

In 2017 four cases in which the HLC represents six victims were before the Constitutional Court. These are the cases in which the HLC has submitted constitutional complaints in 2014-2016, owing to the

rejection of appeals against decisions denying victims the status of a civilian victim of war. In 2017, the Constitutional Court dismissed the constitutional complaint concerning two victims, refusing to state the allegations of violation of the applicants' rights guaranteed by the Constitution, with a simple indication of the non-fulfillment of the requirements of the Law.

An important achievement is the acceptance of the constitutional complaint of a victim in the Sjeverin Case, where it was established that the Law on the Rights of Civilian Invalids of War should be applied also to cases where death occurred outside the territory of Serbia. The decision is significant, because it changes the practice by which a claim cannot be accepted if the death or injury occurred on the territory of another republic of the former Yugoslavia, according to which dozens of previously adopted claims were subsequently abolished. However, after having ordered the competent ministry to reconsider the applicant's request, the Ministry of Labor made a decision substantially identical with its previous position and again rejected the request. This controversial issue has not yet been resolved in favor of the victims, and the dispute in this case is still pending before the Administrative Court.

The HLC filed one petition with the European Court of Human Rights for discriminatory implementation of the Law on Civilian Invalids of War. In 2017, the European Court rejected one application filed in 2016, on behalf of the sisters of the two victims of the abduction in Sjeverin.

b. Compensation claims

To the courts in Serbia the HLC submitted four claims for compensation for pecuniary and non-pecuniary damage, with the aim to obtain compensation for family members of the victims, on grounds of the deaths of their relatives where those deaths were the responsibility of the authorities of the Republic of Serbia.

During the reporting period, none of the victims represented by the HLC has received damages compensation as a result of any final court decision. The court of first instance partially adopted the claims of three victims, but the state appealed against these judgments. The second instance court in four cases confirmed 12 refusals for compensation, while three cases were returned to the first-instance court for re-adjudication.

During the given period, the HLC performed the enforced execution of earlier rulings for a total of five victims.

In the lawsuits dismissed before the courts, the HLC represented victims before the highest domestic courts of instance, and, in cases of failure, before the European Court of Human Rights: in the course of 2017, five constitutional complaints were filed on behalf of 24 victims, and complaints to the European Court of Human Rights were filed on behalf of eight former detainees in Serbian camps, and on behalf of five Albanians detained in prisons in Serbia in 1999 and 2000. By the end of 2017, all the constitutional complaints and appeals to the European Court were under consideration.

c. Property Claims in Criminal Proceedings

In 2017, the HLC filed the first property claim for war crimes cases processed in Serbia. In this claim, the victim, who is also represented in criminal proceedings before the High Court in Belgrade by the HLC, claims a property claim for damages she has suffered. She is a protected witness in the case against Dalibor Maksimović, who was charged with the murder of several persons and the multiple rape of a witness, crimes allegedly committed during the 1992 war and the war in BiH. The decision on the request had not been announced by the end of 2017.

3.2. Advocacy for the Reform of the Legal Framework on Victims' Right to Reparation

The Constitutional Court rejected the HLC's initiative for assessing the constitutionality of the Law on the Rights of Civilian Invalids of War, submitted in 2016. In an [analysis](#) published on that occasion, the HLC pointed out that the formal argumentation provided by the Constitutional Court did not represent a substantive constitutional assessment of this Law, but was rather based on insufficiently reasoned reproduction of the provisions of the Law, thus bringing the highest judicial institution in the country onto the side of those other state organs in keeping this discriminatory regulation in place, which deprives most of the civilian victims of the wars living in Serbia.

From late 2016, the HLC renewed discussion with the Office of the Ombudsman on the possibilities for improvement of the legislative framework for civilian victims of war in Serbia. The Ombudsman offered to have the [HLC's Model Law](#) on the rights of civilian victims of war put before the National Assembly of the Republic of Serbia as a bill proposed by the Ombudsman. It was agreed that two steps need to be taken in order to adapt the existing Model Law to a formal bill, fit for submission to the Parliament: an independent expert review was performed by in mid-February, after which the HLC and the Ombudsman agreed to form an expert working group, tasked to draft a formal proposal that would be adapted to the requirements of parliamentary procedure. Although future members for this expert group were identified and agreed to take part, the entire project has been halted owing to the election of the new Ombudsman. Following his election, the HLC had a meeting with Mr. Zoran Pašalić in August 2017. He has ultimately avoided to cooperate on the development of a new proposal of the Law on Civilian Invalids of War.

In August, the HLC [presented](#) its Report [The legal and institutional framework in Serbia regarding the rights and needs of civilian victims of war](#), which provides a brief overview of the existing system in Serbia in terms of the rights and needs of civilian victims, and seeks to ascertain its key shortcomings and identify recommendations for its amendments and improvements. The presentation was followed online, and also in person by around 25 representatives of the media, national institutions, international organizations, civil society activists, and foreign embassies. Several media agencies [reported](#) on this event.

3.3. Research on Global Reparations

Within the “Global Reparations Summit” project, implemented jointly with the Global Initiative for Truth, Justice and Reconciliation, the HLC has prepared a case study on reparations in the former Yugoslav countries. The findings from this research will be consolidated into a mapping and assessment report, which will present cases of reparations programs and initiatives at the community/national/regional/international levels, through the lens of the 10th anniversary of the UN Basic Principles. The report will be presented in late March 2018 at the Global Reparations Summit in Belgrade.

4. Illuminating the malpractice of relevant institutions

The research on politically motivated trials of Kosovo Albanians in Serbia in the period 1998-2000 was finished and the report [“Judging with impunity: The role of prosecutors and judges in show trials of Kosovo Albanians in the period 1998–2000”](#) was [published](#) in July. The Report points to a number of violations of fundamental human rights committed during criminal proceedings against Kosovo Albanians in the period 1998-2000, before district courts in Serbia. Moreover, it shows who the prosecutors and judges were and where they are today. Thus, apart from informing the public on these lesser known events from 1990s, the Report also fills the gap which is the result of not having an official lustration process in Serbia. The presentation was followed online, and also in person by around 30 representatives of the media, national institutions, international organizations, civil society activists, and foreign embassies. Several media houses [reported](#) on this event.

The basis of the research was the documentation from the HLC database, while the rest of the relevant documents were collected by the HLC directly from the courts in Kraljevo, Prokuplje, Niš, Zaječar and Leskovac, before which the proceedings were conducted. On that occasion, about 8000 pages from over 200 cases were scanned, thus completing a database related to these criminal proceedings.

III Truth-seeking and Truth-telling

1. RECOM Process

Together with its partners from the Coalition for RECOM, the HLC continued to advocate to both the society and the politicians on the importance of a regional truth-seeking and truth-telling mechanism.

At [conferences](#) held during March, the Coalition for RECOM warned the public and the government authorities that the process of establishing transitional justice is in crisis, and that facing the past is blocked in the countries of the region. The conferences were held in Belgrade, Zagreb, Sarajevo and Priština/Prishtine, and received considerable media attention. The aim of the conferences was that the public, especially the relevant domestic and international institutions, should be warned that the processes of transitional justice are irreversible and that the current moment may be the last possibility for these processes to be fully adopted and implemented. The Coalition for RECOM used these conferences to call on the politicians to commit to the establishment of RECOM at the upcoming summits in the framework of the Berlin Process, and has asked for the support of European and other relevant international institutions.

Along with the conferences, the RECOM Public Advocates held meetings with political leaders and representatives of national and international organisations and institutions, highlighting the importance of discussing the RECOM Initiative within the Berlin Process. The aim was to ask for their support in sensitizing the post-Yugoslav countries to discussing this issue at the Summit in Trieste (July 2017).

Also, another round of the signatures-collecting [campaign](#) was held in May, resulting in 50,000 citizens of Bosnia and Herzegovina, Croatia, Serbia and Kosovo calling on the leaders of post-Yugoslav states to conclude an official agreement to establish RECOM as part of the Berlin Process.

At the Civil Society Forum held alongside the Trieste Summit of the Berlin Process, the Regional Coordinator of the Initiative for RECOM, Nataša Kandić, presented the idea of establishing the Regional Commission to the ministries of foreign affairs of the Western Balkans states. Eventually, as was presented in the final [declaration](#) of this summit, the participants at the summit „took note with interest of the recommendations stemming from the Civil Society Forum, including the RECOM Initiative, demonstrating that the Summits are part of a common endeavour“.

The HLC actively participates in all the activities of the Coalition for RECOM, and administers its website <http://www.recom.link>. On the website of the Coalition for RECOM, news about the Coalition's activities, as well as the voices of the victims, the opinions of intellectuals and artists, and information about the issues of dealing with the past in the region and beyond, are published daily.

IV Education Programme

1. Education for Reconciliation

1.1. Schools of Transitional Justice

The 4th National School of Transitional Justice was held from June 5th to July 11th 2017.

The School included lectures on the dissolution of Yugoslavia, mechanisms of transitional justice, achievements in determining criminal justice before the ICTY, human losses during the wars in the former Yugoslavia, war crimes trials in Serbia, recognition of victims, truth-seeking initiatives, prosecution of sexual violence in war, the search for war crimes perpetrators, and an analysis of case studies of crimes committed in Vukovar, and during Operation “Storm” (Oluja), and in Kosovo. The School’s lectures included documentary films that aimed to deepen the topic and allow participants to think about it in some other form than judicial. In addition, films on topics that had not been taught before in the School were also shown to the participants, to allow students also to learn about events that could not be part of the lectures owing to the limited scope of the School.

This year’s School was dedicated to the memory of victims of the Srebrenica genocide. In the absence of official initiatives in Serbia to mark the memory and victims of this crime, the HLC strives to provide a public space in which citizens of Serbia can pay tribute to the victims every year. By linking the commemoration of the Srebrenica genocide with the National School of Transitional Justice, the basic idea has been to explore court-established facts and therefore to reveal the prejudices, lies and manipulation that pervade the crime itself, but also the responsibility and the role of Serbia. This linkage has been achieved in two ways:

- Holding a public lecture on the court-determined facts about the Srebrenica genocide (cf. V Memorialization, 1. Preserving the Memory of Victims)
- School participants commemorating victims through their work.

Several students took an active role in the School and in commemorating the victims of the Srebrenica genocide. In their work, participants recalled the position of victims, their testimonies, and how Serbia today is compelled to punish all those involved in their suffering. Two articles written by the School participants were published in the special edition of the Bulletin *through ACCESSION towards JUSTICE*. One work was prepared in the form of a visual campaign on social networks: the participant chose six statements of victims, transferred them to images and distributed them through the social networks of the HLC (Twitter and Facebook).

A total of 33 young people from across Serbia participated. Among them were students, NGO activists, as well as a dramaturge, a lawyer and court interns, a digital marketing expert, and one member of a political party. In selecting the participants, gender equality, level of knowledge of the topic, ethnic representation and geographical coverage were taken into account.

The School ended with a [public lecture](#) on the court-established facts about the genocide in Srebrenica, on Tuesday, July 11th, 2017. On that day, the participants received certificates. To extend their knowledge of transitional justice mechanisms, all students were also given a CD with selected texts and academic articles, as well as relevant video material.

Several participants were later on involved in various HLC's activities: as panellists on a debate or as interns working on transferring the Archive of the ICTY.

1.2. Building partnerships and knowledge sharing

The aim of the HLC is to establish cooperation with relevant organizations from Serbia, the region and the world, in the fields of education about the past for both young people and teachers.

In late February, the HLC participated in the two-day [workshop](#) organized by the Association for Social History – Euroclio, held in Jagodina (Serbia). The workshop was intended for history teachers in primary and secondary schools, and the topic was how to teach about the wars in the 1990s. On that occasion, the HLC presented the content of history textbooks in Serbia, Croatia and Bosnia-Herzegovina, on the basis of our “Analysis of the content of history textbooks in Serbia about the wars in the former Yugoslavia in the light of the facts established by the ICTY”, published in early 2016. The participation of the HLC in this workshop was the initial step in developing a partnership with this association, within which joint activities aimed at the education of teachers and students about the wars in the former Yugoslavia are being planned.

In its capacity as an expert organization, the HLC participated in the conference organised by Euroclio - European Association of History Educators. The HLC shared information on its resources that could be used for teaching about the events of the 1990s, as well as about its own activities within the non-formal education field. This was also a good opportunity to establish connections with representatives from other associations of history teachers from the region, which will be of great use for the HLC's future engagement in educational processes.

1.3. Library

The HLC Library, containing over 6,000 publications, was enriched with 86 titles.

V Memorialization

1. Preserving the Memory of Victims

1.1. Commemorating Srebrenica Genocide

As already explained (cf. IV Education Programme, 1. Education for Reconciliation, 1.1. Schools of Transitional Justice), this year's national school of transitional justice was dedicated to the memory of the victims of the Srebrenica genocide. This linkage has been achieved in two ways: 1) holding a public lecture on the court-determined facts about the Srebrenica genocide, and 2) school participants commemorating victims through their work.

The **public lecture on Srebrenica** was held on the day of the anniversary of this crime, July 11th. The lecture was hosted by Nemanja Stjepanović, a researcher of the HLC, who also has closely followed the work of the ICTY for a long time and who is very well acquainted with the processes conducted before the court for genocide in Srebrenica. The lecture was open to all interested citizens. They had the opportunity to hear about the events during and after the fall of Srebrenica in July 1995, established by the Hague Tribunal; the way the Srebrenica operation took place; how the survivors bore witness to the events in Srebrenica; where and when mass graves were found; and why two international tribunals have concluded that genocide was committed in Srebrenica. Around 50 citizens of Serbia participated, and several media outlets [reported](#) on the event.

Inclusion of School participants (cf. IV Education Programme, 1. Education for Reconciliation, 1.1. Schools of Transitional Justice) in keeping active the memory of the victims of the Srebrenica genocide has also led to the fact that young citizens of Serbia show their disagreement with the official narrative of denial of genocide, as well as solidarity with the victims.

Moreover, on the very day of the anniversary, July 11th, the HLC held a **public debate** on the topic of Serbia's role in this crime, the responsibility that we as Serbian citizens hold, and possible ways for overcoming the legacy of such a heinous crime. Panellists included Marijana Toma, historian; Ivica Đikić, journalist and publicist from Croatia and author of the book "Beara"; Daša Duhaček, professor at the Faculty of Political Science in Belgrade; Vladimir Miladinović, artist; and Filip Švarn, journalist. The debate drew the attention of around 60 citizens of Serbia.

1.2. Special issue of the bulletin "*through ACCESSION towards JUSTICE*"

Marking the 22 anniversary of the genocide in Srebrenica, the HLC issued a [special edition](#) of the bulletin "*through ACCESSION towards JUSTICE*". Two articles were written by the participants at the School of Transitional Justice, in memory of all the victims of the Srebrenica massacre. The Bulletin also gives an overview of court procedures conducted before the courts in Serbia for crimes committed against

Bosniak civilians during July 1995 in and around Srebrenica. The column titled “Current Events” presents the manner in which Serbia remembered victims of the Srebrenica genocide this year.

1.3. Permanent Social Media Campaign for Increasing the Visibility of Victims

The HLC continued to remind the citizens of Serbia of crimes that were committed in their name. On the occasion of anniversaries of certain crimes, the HLC published short fact-based items of information on certain crimes, victims and possible perpetrators, infographics, visuals, and short videos.

VI Outreach

1. Informing the Public on the HLC’s Work and Transitional Justice Issues

During the reporting period, the HLC published 37 [news stories](#) and 24 [press releases](#), reacting to events, announcing activities and reporting on its work, and cited 141 media articles on current issues and affairs concerning transitional justice. The HLC provided over 40 statements for the media and 20 authored pieces.

Seven [publications](#) were published and six conferences for their presentation organized, with total of around **210** representatives of the civil sector, media, institutions and international organizations directly participating and an unknown number of citizens following the debate via the HLC’s live tweeting.

Two debates were held:

- A public [debate](#) on the role and responsibility of Serbia for the Srebrenica genocide, held on the occasion of marking the anniversary of Srebrenica genocide. The panelists - a historian, a journalist, a university professor, and an artist - discussed the topic of how we remember Srebrenica between anniversaries, and the role that journalists, artists, writers, and teachers can play in reminding and educating us about this crime and its legacy. Around **60** citizens of Serbia participated. (cf. V Memorialization, 1. Preserving the Memory of Victims, 1.1. Commemorating Srebrenica Genocide)
- A [debate](#) on the difference between responsibility and individual accountability for war crimes, held in December. The panelists – a professor of political science, a victim family member, and two young activists for human rights – discussed the questions of who is to be blamed for the crimes committed, whether anybody bears the moral responsibility, and how to demonstrate this responsibility. Around **20** participants attended and took very active role in the discussion.

In addition, in 2017, the HLC organized two public lectures (60 participants) and displayed one exhibition (60 participants). **A total number of visitors at all HLC’s public events in 2017 is around 410.**

Marking the 40th anniversary of the adoption of Protocol I additional to the Geneva Conventions, the HLC published a [short video](#) to remind the public that Serbia does not apply its provisions and thus evades its obligation to initiate prosecutions for command responsibility.

During 2017, the HLC website was visited by 30,165 users.

In August 2017, the HLC presented a story for the True Stories Market programme of the Sarajevo Film Festival, which connects filmmakers with organizations that are documenting and researching the Yugoslav Wars of the 90's, with the aim of bringing these stories to wider audiences. The HLC presented its Dossier on the Deportation of Srebrenica Refugees, and its latest criminal complaint against members of the Red Berets for crimes committed in Doboje. Al Jazeera Balkans offered to produce a movie based on the Dossier. Inspired by the story about the Doboje criminal complaint, a Danish documentary film producer, Tue Steen Müller, offered to produce a movie about the dossiers and criminal complaints.¹

2. Outreach of War Crimes Prosecution

Within the scope of the four-year project funded by the European Commission, the HLC and “Danas”, the daily, are publishing a special supplement on Serbia’s dealings with the issues of the past. During the reporting period, 96 [supplements](#) were published. They focused on war crimes trials in Serbia, the region and the ICTY, the position of victims, and the responsibility of Serbian institutions. This is the only newspaper and the only project in Serbia informing on a weekly base about the challenges and developments in dealing with the past in Serbia.

A [public opinion survey](#), measuring the public awareness of war crime trials and prosecution, was conducted during July and August 2017, and published in December. The survey was conducted by the Research and Publishing Centre Demostat, in cooperation with the HLC and the daily newspaper “Danas”, for the first time since 2011. It presents the views of citizens about war crimes trials before domestic courts and the Hague Tribunal, as well as their views about the opening of archives, regional cooperation of judicial bodies, political rehabilitation of convicted war criminals, compensations to victims and raising of war memorials, and reform of the educational programme, and addresses in conclusion the perception of guilt and responsibility for the crimes committed and the general awareness of citizens about the wars and crimes committed in the ‘90s.

3. Advocacy to Include Transitional Justice into Serbia’s EU Accession Agenda

In January 2017, the HLC submitted to the Foreign Affairs Committee of the European Parliament its comments on the Draft Report on Serbia for 2016. The final version of the [Report](#) that was adopted by the European Parliament in June 2017 contains all of the proposals submitted by the HLC.

¹ See Tue Steen Müller’s blog about the HLC’s presentation at the Sarajevo Film Festival. <http://www.filmkommentaren.dk/blog/blogpost/4001/>

In late March, the HLC held a briefing meeting dedicated to reviewing the progress made in fulfilling the interim benchmarks in relation to war crimes, set out in Chapter 23: EU Common Position. Namely, Chapter 23 in Serbia's EU accession negotiations contains an obligation for Serbia to improve the prosecution of war crimes and the search for missing persons, and also sets out the conditions for progress in Serbia's European integration. The meeting was well attended by representatives from the embassies of the EU member states and other relevant states (Switzerland, United States of America) and organisations (OSCE Mission to Serbia) – there were 18 participants.

In late June 2017, the representatives of the HLC visited the Brussels-based EU institutions relevant for Serbia. The HLC presented them with the state of play in Serbia as regards the rule of law, including the developments in domestic war crimes trials, the level of protection of victims' rights to reparations and redress, as well as the advocacy for the Initiative for RECOM and the deeper and more targeted institutional reforms. The interlocutors were the European Parliament's Rapporteur on Serbia Mr David McAllister, shadow rapporteurs for Serbia Ms Tanja Fajon, Ivo Vajgl and Igorš Šoltes, chair of the EU-Serbia parliamentary delegation Mr Eduard Kukan, representatives of the Serbia Unit within the Directorate responsible for enlargement process, and the representatives of the European External Action Service. The HLC also had a chance to present the state of play in Serbia to representatives of the Estonian Permanent Representation to the EU, which coincided with Estonia taking over the presidency of the EU Council.

VII Transfer of Knowledge on Transitional Justice

As a member of the Global Initiative for Transitional Justice, during 2017 the HLC provided trainings on the mechanisms of transitional justice and on documenting violations of human rights, to a number of Iraqi- and Southern-Sudan-based NGOs.

In February the HLC participated in the documentation training held in Erbil, Iraq. The HLC lead the sessions pertaining to: introduction to human rights documentation, overview of documentation in specific transitional justice processes, conducting the interview, vulnerable populations, after the interview, ethical considerations when collecting the narrative, recording and storing information, verifying the accuracy of information and assisted in the facilitation of the other sessions.

In May, the HLC participated as facilitator in the Training of Trainers and Advocacy Workshop in Erbil, Iraq. HLC lead the sessions on the mentorship program and the training of new documenters; best practices for statement collection and the use of documentation for advocacy projects.

In May, the HLC also participated in the Training of Trainers workshops in Entebbe, Uganda. HLC's facilitators were responsible for the sessions on the events based model, verification of information, before, during and after the interview, interview tool and interview guide, effective statement collection and ethical concerns when collecting narratives, and interviewing vulnerable populations. In preparation for the second phase of the workshop, HLC facilitators worked with their mentees on particular presentation topics.

In September, the HLC participated in the ToT, database training and documenters' meeting in Kigali, Rwanda. With the assistance of the consortium partners, the database training was conducted by documenters previously trained by the Initiative and who have been inputting statements into the database. The last two days were organized as a meeting of those members of the HRDI who have conducted documentation missions. The meeting was mostly focused on reflecting on the HRDI's successes and challenges to date, as well as lessons learned.