

A DIPLOMATIC GRAVEYARD:

GENOCIDE DENIAL AND GLORIFICATION OF WAR CRIMINALS IN BOSNIA AND HERZEGOVINA

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The Door is Open

On 20 March 2016, the doors of public student dormitory “Dr. Radovan Karadžić” opened to 600 students at the University of Istočno Sarajevo. The name of the 6.5 million euros dorm, funded by the government of the Bosnian-Herzegovinian entity Republika Srpska, “honors the man who set the foundation of the entity.”¹ The opening ceremony was broadcasted and widely reported by the entity’s public broadcaster. With both his daughter and wife attending the ceremony, as well as the political leadership of Republika Srpska.

The tradition of naming institutions, airports or bridges after important historical figures is part of a wider European and Bosnian and Herzegovinian tradition. The largest airport in France, for example, was named after Charles de Gaulle, a statesman and army officer who led the French resistance against Nazis and reestablished democracy in France. One of the Sarajevo bridges has the name of Olga Sučić and Suada Dilberović, two young women killed by paramilitaries during peace demonstrations in Sarajevo in April 1992.

This is why there would be nothing unusual with a student dormitory holding the name of “Dr. Radovan Karadžić” if at that same moment Karadžić was not sitting in prison for war crimes. After 13 years living as a fugitive, in 2008 Karadžić was captured and extradited to the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague. The trial against Karadžić started in October 2009 and lasted for 498 days during which 11,500 exhibits were admitted and the testimony of 586 witnesses was heard.²

“It is what he deserves,” stated the then president of Republika Srpska Milorad Dodik, as he revealed the plate with the name in front of the student dormitory. Adding that “the so-called international community was consistent from the start in an attempt to undermine the trust of people in Republika Srpska, in order to achieve that they discredit Republika Srpska’s leaders. That is ongoing and will not stop.”³

Four days after the opening of the dormitory, the ICTY sentenced Karadžić to 40 years of prison. The ICTY “convicted Radovan Karadžić, former President of Republika Srpska and Supreme Commander of its armed forces, of genocide, crimes against humanity and violations of the laws or customs of war committed by Serb forces during the armed conflict in Bosnia and Herzegovina, from 1992 until 1995.”⁴

The move by Republika Srpska government provoked criticism of Karadžić’s victims in Bosnia and Herzegovina and politicians and observers across the Western Balkans region, the EU and

¹ RTS, “Dodik otvorio Studentski dom “Radovan Karadžić””, March 2016.

<http://www.rts.rs/page/stories/sr/story/11/region/2251799/dodik-otvorio-studentski-dom-radovan-karadzic.html>

² ICTY, “Tribunal convicts Radovan Karadžić for crimes in Bosnia and Herzegovina”, March 2016.

<http://www.icty.org/en/press/tribunal-convicts-radovan-karadzic-for-crimes-in-bosnia-and-herzegovina>

³ RTS, “Dodik otvorio Studentski dom “Radovan Karadžić””, March 2016.

<http://www.rts.rs/page/stories/sr/story/11/region/2251799/dodik-otvorio-studentski-dom-radovan-karadzic.html>

⁴ ICTY, “Tribunal convicts Radovan Karadžić for crimes in Bosnia and Herzegovina”, March 2016.

<http://www.icty.org/en/press/tribunal-convicts-radovan-karadzic-for-crimes-in-bosnia-and-herzegovina>

US. Also, some in Republika Srpska came out strongly against the government's decision.⁵ But three years later students still reside, learn and fall in love in the dormitory named after a sentenced war criminal.

In Bosnia and Herzegovina there are no regulations regarding criminalisation or even penalisation of genocide denial and glorification of war criminals. Bosnian and Herzegovinian governments and parliaments are failing to follow the example of Belgium, which proposed similar legislation on the Bosnian and Herzegovinian war earlier this year.⁶ Quite the contrary, war criminals of all three warring sides have been elected mayors, with public schools and streets named after them, and the leadership banning schoolbooks discussing war crimes. Unless the constantly reinforced nationalistic narrative does not come to an end, younger generations will continue to face the threat of becoming accomplices in the promotion of anti-European values, thus requiring immediate action.

The Doors are Closed

More than two decades after the events took place, some argue that the war in Bosnia and Herzegovina has continued through persuasion of other means. The political climate continues to be destabilised by some political actors and wounds from the war are regularly reopened.

In May 2019, the European Commission published its Opinion on Bosnia and Herzegovina's application for European Union membership. In it the Commission emphasised the importance of this issue, stating that "the political environment [of Bosnia and Herzegovina] is not yet conducive to reconciliation"⁷.

The Commission also criticized the lack of acknowledgement and respect of decisions made by international tribunals, whose impartiality was questioned and oftentimes diminished by domestic political leaders. Although the genocide which took place in Bosnia and Herzegovina has been acknowledged by International Criminal Tribunal for the Former Yugoslavia (ICTY), as well as International Court of Justice (ICJ), it has often been downplayed to a "fabricated myth", as suggested by one of the three members of the Bosnia and Herzegovina's Presidency, Milorad Dodik, and openly supported by mayor of Srebrenica, elected in 2016⁸.

The culture of denial is not something unique for Bosnia and Herzegovina, as similar situations can be traced to revisionists when speaking about Rwandan genocide and the Holocaust. The legal status of these conflicts, however, did result in criminalisation of denial and glorification acts, which is still not the case in Bosnia and Herzegovina for the 1992 to 1995 war.

Following the rulings of international tribunals, the European Parliament has also declared that it rejects any "denial, relativisation, or misinterpretation" of the Srebrenica genocide in its 2015 resolution⁹. By doing so, it has reinforced the idea that acknowledgement of the crime should be a precondition to moving forward. Unsurprisingly, the resolution resulted in mixed responses all over the Balkans. The issue was even raised at international level and fell victim to global power

⁵ Buka, "Dragan Bursać: Radovan Karadžić, najveći srpski guru!", May 2017. <https://www.6yka.com/novosti/dragan-bursac-radovan-karadzic-najveci-srpski-guru>

N1, "Puhalo: Studenti na Palama će spavati kao zaklani", March 2016. <http://ba.n1info.com/Vijesti/a87231/Puhalo-Studenti-na-Palama-ce-spavati-kao-zaklani.html>

⁶ Balkan Insight, "Bosnia, Serbia Unlikely to Copy Belgium's Genocide Denial Law", 17 April 2019.

<https://balkaninsight.com/2019/04/17/bosnia-serbia-unlikely-to-copy-belgiums-genocide-denial-law/>

⁷ European Commission, "Commission Opinion on Bosnia and Herzegovina's application for membership of the European Union", May 2019. <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-bosnia-and-herzegovina-opinion.pdf>

⁸ The Independent, "Srebrenica massacre is 'fabricated myth', Bosnian Serb leader says", April 2019.

<https://www.independent.co.uk/news/world/europe/srebrenica-massacre-genocide-milorad-dodik-bosnia-myth-a8869026.html>

⁹ European Parliament, "European Parliament resolution of 9 July 2015 on the Srebrenica Commemoration", July 2015.

http://www.europarl.europa.eu/doceo/document/TA-8-2015-0276_EN.html

games, as a new low was reached in 2015, when the draft resolution on Srebrenica genocide was vetoed by Russia in the United Nations Security Council. The Russian move was praised by Milorad Dodik, but also by Aleksandar Vučić, then-prime minister of the EU accession process front-runner Serbia. Vučić reconfirmed his stance on victims of the war. While vetoing was claimed to be done for the purpose of saving the countries from regional tension, as warned by Russian ambassador Vitaly I. Churkin, it has done quite the opposite.

Both Bosnia and Herzegovina and Serbia want to join the EU. In that sense, since July 2016, EU member states have adopted a joint position on chapter 23 of membership negotiations with Serbia which states that “the EU therefore underlines the need for Serbia to fully cooperate with the International Criminal Tribunal for the former Yugoslavia and with the Mechanism for International Criminal Tribunals (MICT) by fully accepting and implementing the ICTY’s rulings and decisions.”¹⁰ The Commission’s Opinion on Bosnia and Herzegovina, from May 2019, also provides clear guidance by stating that “revisionism and genocide denial contradict the most fundamental European values” which must stay protected.

Down the Same Road

The glorification of war criminals is not reserved for the political leadership in Bosnia and Herzegovina. In 2013, the president of Republika Srpska student union, Predrag Govedarica, invited his fellow students to attend the grand reception for Momčilo Krajišnik, released after serving a sentence for crimes against humanity committed during the war. Using various media channels, Govedarica argued that “the students [of Republika Srpska] are thankful to Krajišnik” for establishing a university they aim to improve every day. Before the ceremony, the streets of Sarajevo were filled with posters “The return of war criminal, Momčilo Krajišnik - a war criminal.”¹¹ More than 2000 people attended the ceremony in Istočno Sarajevo.

Similar instances were found when Slobodan Praljak, a Bosnian Croat war criminal took his life in The Hague Courtroom in 2017. Then member of the Presidency, Dragan Čović, stated that his act showed “what sacrifice he was ready to make” to prove his innocence, despite findings showcased in the ICTY.¹² Following his death, thousands of citizens gathered all around Federation of Bosnia and Herzegovina, most notably in his hometown Čapljina, where hundreds of candles were used to spell out his name. A local flower shop owner, a woman in her late 20s, stated that this was the first time she found an act of suicide “heroic”. Adding that she took her “kids to light candles for him.”¹³

There should be no mistake, these events are not accidental or part of the rise of extremism of the radical few, increasingly found in many European states. It is a consequence of long-term institutionalised nationalism, which continues to be used as a post-war political tool of mobilizing masses.

In 2017, the use of new history books for 9th grade pupils was approved in parts of Federation of Bosnia and Herzegovina, including lessons on Srebrenica genocide and the Sarajevo siege. This provoked reaction by Republika Srpska Minister of Education and Culture, Dane Malešević, who announced that the schoolbooks will be banned in 22 schools within the entity, using the school

¹⁰ Council of the European Union, “Accession negotiations with Serbia Chapter 23 : Judiciary and fundamental rights”, July 2016. http://www.mei.gov.rs/upload/documents/pristupni_pregovori/pregovaracke_pozicije/Ch23%20EU%20Common%20Position.pdf

¹¹ Nezavisne, “Pozvao studente da dočekaju Momčila Krajišnika”, August 2013. <https://www.nezavisne.com/novosti/bih/Pozvao-studente-da-docekaju-Momcila-Krajisnika/206990>

Večernji, “Krajišnik: Nisam očekivao doček, ipak sam ja ratni zločinac”, August 2013.

<https://www.vecernji.hr/vijesti/krajisnik-nisam-ocekivao-docek-ipak-sam-ja-ratni-zlocinac-606238>

¹² BBC News, “Slobodan Praljak suicide: War criminal 'took cyanide' in Hague court”, December 2017.

<https://www.bbc.com/news/world-europe-42204587>

¹³ <https://www.theguardian.com/world/2017/dec/02/slobodan-praljak-suicide-reopens-old-wounds-bosnia>

curriculum of the Canton of Sarajevo. Malešević justified this decision by calling upon the 2002 OSCE agreement on exclusion of war related topics in schools, signed by all ministries of education in Bosnia and Herzegovina. Adding that the entity is respecting the agreement “so that children will not be burdened with the topic” and “in the interest of healthy coexistence in Bosnia and Herzegovina”.¹⁴ This wish for healthy coexistence was not equally reflected in a fight for abolition of the controversial ‘two schools under one roof’ practices, where pupils are separated into different classes based on ethnicity or recognition of Bosnian language as official within the Republika Srpska entity. In 2018, Malešević announced the introduction of new history books for Republika Srpska high schools, containing the lesson “Civil war in Bosnia and Herzegovina from ‘92 until ‘95”.

A public primary school in the capital Sarajevo had also been the centre of controversy just a few months later. In August 2018, it was officially renamed to honour World War II writer and fighter Mustafa Busuladžić, after the Assembly of the Canton of Sarajevo accepted the 2017 proposal. Busuladžić’s views have often been described as “anti-Semitic” and supportive of pro-fascist Ustaša regime. He was sentenced to death in June 1945, after the publication of anti-communist brochure “Muslims in Soviet Russia”. The US Embassy in Bosnia and Herzegovina expressed its deep disappointment with the decision of the Canton’s authorities, followed by a protest note of the Embassy of Israel in Tirana. The efforts to accept the initiative of maintaining the school’s previous name failed to be successful in 2018, with 8 votes against and 6 abstentions. In March 2019, the proposal has been finally accepted with 18 votes in favour, however, the decision has failed to be implemented until present day.

What Concerns the Youth?

Nevertheless, the youth still persists. According to 2018/2019 findings published by the German-based Friedrich-Ebert-Stiftung foundation, younger population of the Balkans regions still shares high rates of optimism for the future, greatly shaped by existing perceptions of European identity and the EU. Though religion may still have a great role in their personal lives, the issues of public matter, such as corruption and high unemployment rates, seem to be of a higher concern. It was also discovered that the participants are overwhelmingly pro-European and in favour of establishing welfare systems. However, they expressed their worries about underrepresentation in the political system, which directly leads to disinterest towards political participation. Earlier political involvement has been heavily misused, primarily for the purpose of finding better job opportunities in the public sector, where political membership plays a vital role in employment procedures. Despite the rather positive implications of the FES reports, it was also noticed that there is a continuous rise of support in authoritarian tendencies for economic reasons. It is for these reasons therefore that the Europeanisation of the region must be preserved.

In April 2019, the representatives of 12 Bosnian-Herzegovinian associations of genocide victims called upon the domestic and international authorities to further engage in the removal of practices and ideologies created by war criminal Karadžić. The House of Representatives of the Federation of Bosnia and Herzegovina responded to the initiative by accepting a resolution on the matter in May 2019. The resolution invited the representatives and delegates of two parliamentary chambers of the country to establish legislation regarding genocide denial, the Holocaust and other forms of war crime glorification. It also urged other legal bodies on cantonal, entity and state level to accept 2015 European Parliament resolution on Srebrenica Commemoration and the authorities of Republika Srpska to revoke the decision on the student dormitory name.

¹⁴ Balkan Insight, “Bosnian Serbs to Ban Lessons on Srebrenica Genocide”, June 2017. <http://archive.balkaninsight.com/en/article/bosnian-serbs-to-ban-lectures-on-srebrenica-sarajevo-siege-06-06-2017>

The EU's top officials, Federica Mogherini and Johannes Hahn, welcomed the decisions of international tribunals in a letter to war crime victims associations, stating that "denial or revisionism contradict the most fundamental European values" and "there is no place in the EU for inflammatory rhetoric, let alone for the glorification of war criminals from any side." Their letter led to a heated discussion between members of the National Assembly of Serbia in July 2019. Vojislav Šešelj, a convicted war criminal and president of Serbian Radical Party (SRS), declared that genocide in Srebrenica did not happen, repeatedly encouraging the government to gather information about the "fraud participated by International Court of Justice". Vladimir Đurić, a representative of newly established Party of Modern Serbia, criticized his claims and stressed the importance of accepting the European Parliament resolution on 2018 Commission Report on Serbia. The resolution states that "recognition of the Srebrenica genocide is a fundamental step in Serbia's path towards joining the European Union."¹⁵ The High Representative for Bosnia and Herzegovina Valentin Inzko also declared that he will advocate for the adoption of genocide denial law, despite possessing legal powers to directly enforce it.

With this in mind, progress has been made to bring the European hopefuls of the Western Balkans closer together. In 2016, six Prime Ministers of the region signed an agreement on establishment of RYCO, an independently functioning organization aiming to promote reconciliation and cooperation among younger population. Similar actions were taken by Youth Initiative for Human Rights in five countries of Western Balkans, with the goal of connecting young people and helping them face the truth on past events and war crimes of the region. Their other areas of work include the promotion of human rights, as well as EU integration and democratization processes of the Western Balkans. It is believed therefore that more can be done in order to support the given organizations, emphasising the potential of EUROCLIO-HIP as the first association of history teachers and educators in the country.

Recommendations:

- Countries in the region, including Serbia and Bosnia and Herzegovina, as part of their EU accession process, should be conditioned to adopt a law that would penalise glorification of persons and acts committed during the 1990s war which were ruled by the ICTY.
- A similar legal basis should be also established for lustration from elective positions for convicted war criminals, in order to avoid the consequences of 2016 municipal elections, when five people convicted of war crimes and abuse of office were elected as mayors.

¹⁵ European Parliament, "European Parliament resolution of 29 November 2018 on the 2018 Commission Report on Serbia", November 2018. http://www.europarl.europa.eu/doceo/document/TA-8-2018-0478_EN.html