

**Addressing War Crime Denial in Republika Srpska, Bosnia and
Herzegovina. Support for memorialisation and commemoration projects
combatting war crime denial.**

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ABSTRACT

This paper addresses the human rights issue of war crime denial in Republika Srpska, Bosnia and Herzegovina. At the end of 2017, the International Criminal Tribunal for Former Yugoslavia officially closed. Whilst the Tribunal made a significant contribution to prosecuting perpetrators of mass human rights violations during the conflict in Bosnia and Herzegovina from 1992-1995, widespread war crime denial still exists at the political and societal level. Consequently, memorialisation and commemoration of victims outside the dominant Bosnian Serb narrative of the conflict are marginalised, creating an obstacle to the transitional justice process and victim's rights. At the local level, there are many projects working on memorialisation and victim commemoration, however, these face significant logistical and political challenges. This paper sets out the historical framework of the current issue of war crime denial in Republika Srpska followed by a literature review on dealing with the past and memorialisation practices. Then, this paper presents the scope of the field of projects working on memorialisation in Republika Srpska identifying the challenges they face, best practice examples and solutions to support local initiatives combatting war crime denial through memorialisation and commemorative activities. The practical component developed from this research is a 'Practical Guide for Memorialisation and Commemorative Practices in Republika Srpska' to be distributed to local initiatives working in this area.

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INTRODUCTION

Established in 1993, the International Criminal Tribunal for Former Yugoslavia (ICTY) worked “to bring to justice those responsible for serious violations of international humanitarian law committed in the former Yugoslavia since 1991”.¹ Its mandate was to restore and maintain peace by prosecuting perpetrators from all sides, bringing justice to victims of the 1992-1995 conflict in the Western Balkans during the dissolution of Yugoslavia.² In 2017 the ICTY was succeeded by the International Residual Mechanism for Criminal Tribunals (IRMCT), with the legacy to conduct the functions of the ICTY.³ However, the ICTY and subsequent trials were largely perceived through ethno-national lenses, whereby in a certain community they were viewed as accusatory when accusing a member of that community, and consolatory only if they recognized the pain and suffering of a community member, confirming group victimisation.⁴ This has resulted in war crime denial, creating an obstacle to victim memorialisation and commemoration efforts.

The duty of states to conduct memory processes as part of the transitional justice process following serious human rights violations is derived from primary and secondary sources of international human rights law.⁵ The Special Rapporteur on the Promotion of Truth, Justice, Reparations and Guarantees of Non-Recurrence, Fabián Salvioli, has emphasized the need to

¹ “Mandate and Crimes under ICTY Jurisdiction | International Criminal Tribunal for the Former Yugoslavia,” International Residual Mechanism for Criminal Tribunals, accessed June 1, 2023, <https://www.icty.org/en/about/tribunal/mandate-and-crimes-under-icty-jurisdiction>.

² Katarina Ristić, “Chapter 7: The Legacy of the ICTY in Croatia, Bosnia and Serbia,” in *History and International Law* (Edward Elgar Publishing Limited, 2019), 168–90, 169.

³ International Residual Mechanism for Criminal Tribunals, “About,” accessed June 1, 2023, <https://www.irmct.org/en/about>.

⁴ Katarina Ristić, “Chapter 7: The Legacy of the ICTY in Croatia, Bosnia and Serbia,” in *History and International Law* (Edward Elgar Publishing Limited, 2019), 168–90, 173.

⁵ Fabián Salvioli, “Memorialization Processes in the Context of Serious Violations of Human Rights and International Humanitarian Law: The 5th Pillar of Transitional Justice: Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence.” (Geneva: United Nations Human Rights Council, 2020), 6.

address war crime denial and ensure victim and civil society participation in transitional justice processes of truth, justice, reparations, memorialisation and guarantees of non-recurrence.⁶

War crime denial cases in Bosnia and Herzegovina (BiH) have been brought before the European Court of Human Rights (ECtHR).⁷ In *Mišković v. Bosnia and Herzegovina*, the applicant complained of non-enforcement by the government of paying wartime damage compensation, and a dissenting opinion of *Medžlis Islamske Zajednice Brčko and others v. Bosnia and Herzegovina* stated that through the Court's judgement of no violation of European Convention on Human Rights⁸ (ECHR) Article 10 on Freedom of Expression, "they deny war crimes and genocide, and they insult the survivors of the tragic war in Bosnia and Herzegovina by their lies".⁹ The 3rd Universal Periodic Review on BiH also highlighted the ongoing problem of war crime denial and stressed the need for BiH to ensure access to justice for victims.¹⁰ War crime denial permeates all levels of society, constituting an obstacle to addressing war time human rights violations, thus it is important to find a way for the rights of all victim groups who experienced suffering to have their grievances acknowledged and addressed. This paper focuses on the entity of Republika Srpska (RS) within BiH, because of the unique challenges faced in combatting war crime denial of crimes committed by the Bosnian Serb army, Vojaska Republika Srpska (VRS) against the Bosniaks (Bosnian Muslims) in the Bosnian Serb-majority entity.

⁶ United Nations General Assembly, "Visit to Bosnia and Herzegovina Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence" (Human Rights Council, July 8, 2022), 20.

⁷ Paragraph 3 in: Case of *Mišković v. Bosnia and Herzegovina*, no. 7194/12 (2014).

⁸ Council of Europe. 2021. "The European Convention on Human Rights", Article 10.

⁹ Dissenting Opinion of Judge Vehabović: Case of *Medžlis Islamske Zajednice Brčko and Others v. Bosnia and Herzegovina*, no.17224/11 (2017).

¹⁰ "OHCHR | Universal Periodic Review - Bosnia and Herzegovina," OHCHR, accessed January 23, 2023, <https://www.ohchr.org/en/hr-bodies/upr/ba-index>.

Civil society-led initiatives in RS are using memorialisation and commemoration practices to combat war crime denial at societal and political levels, however face challenges of political hostility, lack of resources, large-scale emigration away from affected areas, a shrinking public space for memorialisation and lack of collaboration amongst projects. Thus, this Capstone Project aims to address the human rights issue of war crime denial in the context of an ethnographically divided post-conflict society, by identifying ways to support civil society-led projects working to combat these issues and promoting memorialisation among more inclusive lines.

HISTORICAL FRAMEWORK AND SOCIO-POLITICAL CONTEXT

Following the dissolution of Yugoslavia and the 1992 declaration of independence of BiH, hostilities broke out between the constituent Bosniak, Croat and Serb ethnic groups. This resulted in 104,732 deaths, over 30,000 missing persons, and over two million displaced.¹¹ During the conflict war crimes were committed by all parties, with genocide, crimes against humanity and serious human rights atrocities largely carried out by the VRS against Bosniaks in RS. VRS perpetrators in RS used control over information to spread propaganda and false narratives for nationalistic aims, in the process of creating a Bosnian Serb group identity and marginalising the Bosniak community.¹² This was done through a military campaign followed by the erasure of evidence of the existence of those killed and of the perpetrators' crimes.¹³

The 1995 General Framework Agreement for Peace in Bosnia and Herzegovina (Dayton Agreement) divided BiH into two entities: Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS), and the independent administrative entity of Brčko District. The central government is responsible for defence, foreign and fiscal policy, and the constituent entities have control over most other government functions, executive, legislative and judicial powers. The judicial system is multi-layered, with a state-level Constitutional Court, a state-level Court, and entity-level constitutional courts, supreme courts and lower

¹¹ United Nations General Assembly, "Visit to Bosnia and Herzegovina Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence" (Human Rights Council, July 8, 2022), 3.

¹² Vlatka Landay, "Positioning Through Hate Speech: Immediate Effects and Lasting Consequences of Serbian Wartime Media Discourse" (Washington DC, Graduate School of Arts and Sciences of Georgetown University, 2012), 43.

¹³ Hariz Halilovich, "Reclaiming Erased Lives: Archives, Records and Memories in Post-War Bosnia and the Bosnian Diaspora," *Archival Science* 14, no. 3 (October 1, 2014): 231–47, <https://doi.org/10.1007/s10502-014-9227-z>, 232.

courts.¹⁴ The Dayton Agreement stipulated the enshrinement of human rights and fundamental freedoms into the BiH constitution and mandated the establishment of a High Representative (OHR) to monitor the Dayton Agreement implementation.¹⁵ The Dayton Agreement also established international and regional human rights treaties directly applicable over domestic laws, and BiH is party to all international human rights instruments.¹⁶

Over time international attention to the transitional justice process in BiH has decreased. Whilst the OHR submits regular reports to the UN Security Council,¹⁷ the focus is mostly on the government, neglecting civil society initiatives working to address war crime denial. Dominant narratives of the conflict continue to follow ethno-nationalist agendas. The Bosniak narrative asserts VRS aggression, crimes against humanity and mass human rights violations conducted systematically against the Bosniak population.¹⁸ Conversely, the Bosnian Serb narrative follows from 1980s propaganda films recasting Bosnian Muslims as Turks, committing crimes against Serbs under the Ottoman Empire.¹⁹ The Bosnian Serb narrative also posited that Muslim extremists started the war against the Serb population with the intention of committing genocide against the Bosnian Serbs, thus viewing the VRS as protecting the Serb population.²⁰

¹⁴ United Nations General Assembly, “Report of the Working Group on Enforced or Involuntary Disappearances. Addendum. Mission to Bosnia and Herzegovina” (Human Rights Council, December 28, 2010), 4.

¹⁵ United Nations General Assembly and United Nations Security Council, “Dayton Peace Agreement, General Framework Agreement for Peace in Bosnia and Herzegovina” (Dayton, Ohio, USA, November 1995), https://peacemaker.un.org/sites/peacemaker.un.org/files/BA_951121_DaytonAgreement.pdf, 114.

¹⁶ United Nations General Assembly, “Visit to Bosnia and Herzegovina Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence” (Human Rights Council, July 8, 2022), 4.

¹⁷ “High Representative Presents Regular Report to the UN Security Council,” Office of the High Representative, October 5, 2023, <https://www.ohr.int/high-representative-presents-regular-report-to-the-un-security-council/>.

¹⁸ Nicolas Moll, “Fragmented Memories in a Fragmented Country: Memory Competition and Political Identity-Building in Today’s Bosnia and Herzegovina,” *Nationalities Papers* 41, no. 6 (November 1, 2013): 910–35, <https://doi.org/10.1080/00905992.2013.768220>, 914.

¹⁹ Kemal Pervanic, *The Killing Days: My Journey Through the Bosnian War* (Blake Publishing, 1999).

²⁰ UN Security Council, “Final Report of the Commission of Experts Established Pursuant to Security Council Resolution 780 (1992) Annex VI,” 1994, 39.

In 2021 whilst 75% of reported missing persons in RS and 76% in FBiH have been identified, political disputes have slowed down the verification process of reports, and undermined credibility.²¹ The state level Missing Persons Institute (MPI) of BiH, established under the Law on Missing Persons, requires cooperation between FBiH, RS, and Brčko District to search for and identify missing persons in BiH.²² However, the MPI's work has been hindered by the complex organisational structure with embedded ethnic discourse in the organisation. RS perceived the MPI as an obstacle to their desired autonomy and resisted joining forces with FBiH and Brčko District in a state-level institution.²³ Consequently, the search for missing persons has slowed down and as of 2021, almost 8,000 people remained missing.²⁴ Propaganda and nationalist rhetoric from all sides has led to divergent narratives on crimes committed, which is engrained in the education system too.²⁵ This has resulted in war crime denial and the glorification of war criminals.

Instances of war crime denial and war criminal glorification in RS are especially problematic and widespread. In 2016 President Dodik attended an opening ceremony for a student dormitory named after Radovan Karadžić, a Bosnian-Serb war leader now sentenced with life imprisonment for genocide and crimes against humanity, whilst Karadžić was on trial at the ICTY.²⁶ Civil courts in RS also apply a statute of limitations on wartime compensation,

²¹ United Nations General Assembly, "Visit to Bosnia and Herzegovina Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence" (Human Rights Council, July 8, 2022), 5.

²² Commission on Security and Cooperation in Europe, "Statement on the Work of the International Commission on Missing Persons: Focus on Bosnia and Herzegovina" (Washington DC: International Commission on Missing Persons, n.d.), <https://www.csce.gov/sites/helsinkicommission.house.gov/files/statement%20by%20adam%20boys.pdf>, 2.

²³ Kirsten Juhl, "The Politicisation of the Missing Persons Issue in Bosnia and Herzegovina," *The International Journal of Human Rights* 20 (September 11, 2015): 1–32, <https://doi.org/10.1080/13642987.2015.1032262>, 15.

²⁴ United Nations General Assembly, "Visit to Bosnia and Herzegovina Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence" (Human Rights Council, July 8, 2022), 6.

²⁵ Ibid., 7.

²⁶ European Commission against Racism and Intolerance, "ECRI Report on Bosnia and Herzegovina (Fifth Monitoring Cycle)" (Strasbourg: Council of Europe, 2017), <https://rm.coe.int/third-report-on-bosnia-and-herzegovina/16808b5602>, 14.

contrary to international standards.²⁷ There has been an increase in nationalist divisive rhetoric for political gain, and the weaponization of wartime narratives exacerbating inter-ethnic tensions, which is reflected at the societal level with widespread hate speech on ethnic grounds at public events and in the media from both Bosnian Serb and Bosniak communities.²⁸

The 2022 Srebrenica Genocide Denial Report, by Srebrenica Memorial Center, found that genocide denial increased between 2020 to 2022, and in BiH of 176 cases of denial between 2021-2022, 175 cases occurred in RS. The amendments to the RS Criminal Code in 2021²⁹ imposing criminal sanctions for genocide and war crime denial led to an 80% overall decrease in genocide denial, however, there are still important RS politicians engaging in rhetoric of genocide denial.³⁰ RS President Dodik was previously perceived as moderate and cooperative, recognising the Srebrenica genocide privately when meeting with international community members. However, once elected President he adopted an ethnonationalist populist stance with a public rhetoric of genocide denial.³¹

Following the second-instance verdict on the Mladić case in 2021 confirming the life-sentence for genocide and persecution of Bosniaks and Croats, former RS President Željka Cvijanović described the verdict as an “anti-Serb court that determines responsibility for war crimes not according to the evidence, but according to the nationality of the accused”.³² Despite the

²⁷ United Nations General Assembly, “Visit to Bosnia and Herzegovina Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence” (Human Rights Council, July 8, 2022), 11.

²⁸ Ibid., 16.

²⁹ “HR’s Decision on Enacting the Law on Amendment to the Criminal Code of Bosnia and Herzegovina,” Office of the High Representative, July 23, 2021, <https://www.ohr.int/hrs-decision-on-enacting-the-law-on-amendment-to-the-criminal-code-of-bosnia-and-herzegovina/>, Article 1(3).

³⁰ Memorial Center Srebrenica, “Srebrenica Genocide Denial Report 2022” (Srebrenica, 2022), 30.

³¹ Cagla Demirel, “Exploring Inclusive Victimhood Narratives: The Case of Bosnia-Herzegovina,” *Third World Quarterly*, (May 8, 2023): 1–20, <https://doi.org/10.1080/01436597.2023.2205579>, 9.

³² Adem Mehmedović et al., “Srebrenica Genocide Denial Report 2022” (Srebrenica: Memorial Centre Srebrenica, 2022), 41.

conviction, Mladić is still represented as a martyr in RS,³³ demonstrating the persistent issue of war crime denial and the failure of the internationally imposed peacebuilding process to change attitudes. War crime glorification follows Halilovich's proposed 11th stage of genocide, 'triumphalism', whereby those convicted are honoured as war heroes.³⁴ This is exemplified by a 2018 poll that found 74% of Serbs in RS consider Karadžić as a hero.³⁵ War crime denial thus indubitably remains a prominent issue in RS that urgently needs addressing.

³³ Ben Standford and Eva Vogelvang, "Weighing up the ICTY: The Trial of Ratko Mladic and the Future for International Criminal Justice," *Coventry Law Journal* 22, no. 2 (2017): 58–62.

³⁴ Hariz Halilovich, "Lessons from Srebrenica: The United Nations after Bosnia," in *The United Nations and Genocide* (Palgrave Macmillan, 2016), 77–94, 93.

³⁵ "What Are the 10 Stages of Genocide?," genocide Watch, July 10, 2020, <https://www.genocidewatch.com/single-post/2020/07/10/what-are-the-10-stages-of-genocide>.

LITERATURE REVIEW: DEALING WITH THE PAST AND MEMORIALISATION POST-CONFLICT

Memory politics is where political and social stakeholders use public discourse and memorialisation practices to construct collective narratives supporting and legitimising their actions.³⁶ Memorialisation processes have been identified by Special Rapporteur Salvioli, and the Special Rapporteur in the field of Cultural Rights, Farida Shaheed, as an important process in addressing serious human rights violations.³⁷ Memorialisation is important to transitional justice, following the assumption that past war crimes and mass human rights violations must be addressed to restore victim's dignity and build democratic society alongside prosecuting perpetrators and awarding victim reparations,³⁸ cross-cutting the rights to truth, justice, reparation and guarantees of non-recurrence.³⁹ Memorialisation is thus important to promote all persons as rights holders, no matter their ethnic belonging.

The International Commission for Missing Persons (ICMP) proposes three kinds of memorials. One dedicated to all victims, defining 'victims' as all those killed and missing during the war, both combatants and civilians. Second, a memorial to all civilian victims, and finally, a joint memorial to all missing persons, either civilian or combatant, regardless of

³⁶ Nicolas Moll, "Fragmented Memories in a Fragmented Country: Memory Competition and Political Identity-Building in Today's Bosnia and Herzegovina," *Nationalities Papers* 41, no. 6 (November 1, 2013): 910–35, <https://doi.org/10.1080/00905992.2013.768220>, 911.

³⁷ Fabián Salvioli, "Memorialization Processes in the Context of Serious Violations of Human Rights and International Humanitarian Law: The 5th Pillar of Transitional Justice: Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence." (Geneva: United Nations Human Rights Council, 2020); Farida Shaheed, "Report of the Special Rapporteur in the Field of Cultural Rights, Farida Shaheed: Memorialization Processes" (Geneva: UN Human Rights Council, 2014).

³⁸ Fabián Salvioli, "Memorialization Processes in the Context of Serious Violations of Human Rights and International Humanitarian Law: The 5th Pillar of Transitional Justice: Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence." (Geneva: United Nations Human Rights Council, 2020), 7.

³⁹ The Four Pillars of TJ: Right to truth, justice, reparation and guarantees of non-recurrence in Ibid., 5.

ethnic belonging.⁴⁰ To support memorialisation and commemoration of victims, the ICMP has recommended for the development of a comprehensive process for developing memorials, facilitation of local and regional meetings with stakeholders to promote an understanding of the importance of memorialisation in peacebuilding, and to demonstrate to local authorities the benefits of constructive political involvement. The ICMP also suggests workshops for family associations to comprehend the positive impacts of memorialisation and alleviate concerns that memorialisation may detract from searching for missing persons.⁴¹ The British Council in BiH notes how cultural programmes, like arts-based projects, dealing with post-conflict ethnonational tensions can help to defuse tensions and equip communities with skills and networks for post conflict recovery.⁴²

Collaboration between authorities, civil society and civilians is essential to the memorialisation process. Authorities play an important role in managing public spaces and the capacity to maintain sites of memory, however, there is general temptation of authorities to create monuments with little societal impact for political gain, and frequent disagreement diverging narratives amongst victims on who to commemorate.⁴³ The Working Group on Enforced or Involuntary Disappearances observed in BiH that obstructing minority's ability to build memorials commemorating victims has created controversy and tension, with relatives being prevented from attending ceremonies or visiting graves in other parts of the country.⁴⁴ Civil society's role lies more in mobilising, granting popular legitimacy, and organising events

⁴⁰ International Commission on Missing Persons, "Memorializing Missing Persons in the Western Balkans: Challenges and Perspectives" (Sarajevo, March 5, 2012), 4.

⁴¹ Ibid., 16.

⁴² Alison Baily, "The Art of Peace: The Value of Culture in Post-Conflict Recovery" (British Council, 2019), p12.

⁴³ Farida Shaheed, "Report of the Special Rapporteur in the Field of Cultural Rights, Farida Shaheed: Memorialization Processes" (Geneva: UN Human Rights Council, 2014), 20.

⁴⁴ United Nations General Assembly, "Report of the Working Group on Enforced or Involuntary Disappearances. Addendum. Mission to Bosnia and Herzegovina" (Human Rights Council, December 28, 2010), paragraph 48.

around victim memorialisation and commemoration.⁴⁵ When addressing mass atrocities, a balance must be struck between involving personal emotions, and a removed historical narrative, as without emotional charge there is little impact, however it is important to not cultivate victimised memories.⁴⁶

Remembrance involves victims, survivors, others directly affected by the violence, perpetrators and the justice process.⁴⁷ Constant emphasis on collective group identities within a society weakens the commemoration process, since memories become divided and manipulated, leading to competition among victim groups for visibility and recognition, and dissent within victim groups, rather than a community-based approach to commemoration.⁴⁸ Demirel discusses notions of competitive and inclusive victimhood, with the former involves perceiving one's own group as the primary victim, and the latter peaceful coexistence through a narrative of shared suffering.⁴⁹ However, inclusive victimhood is difficult in BiH, where the violence was highly asymmetrical. Interviews conducted by Demirel noted how in BiH there is a narrative conditioning Bosniak recognition of Bosnian Serb victims on Bosnian Serbs acknowledgement of their own wrongdoing, creating an endless cycle of "we will do it when they do it".⁵⁰ Some studies have demonstrated recognising others' suffering and acknowledging ingroup responsibility can counter competitive victimhood without having to recognise a single narrative or identity change.⁵¹ Therefore, it is important to create an arena

⁴⁵ Farida Shaheed, "Report of the Special Rapporteur in the Field of Cultural Rights, Farida Shaheed: Memorialization Processes" (Geneva: UN Human Rights Council, 2014), 20.

⁴⁶ Ibid., 20.

⁴⁷ Csaba Szilagyi, "Representation of Mass Atrocities in Imagined 'Commemorative Arenas,'" in *Versus 119: Traces of Terror, Signs of Trauma. Practices of (Re)Presentation of Collective Memory in Space in Contemporary Europe* (Bompiani, 2014), 71–91, 84.

⁴⁸ Cagla Demirel, "Exploring Inclusive Victimhood Narratives: The Case of Bosnia-Herzegovina," *Third World Quarterly* (May 8, 2023): 1–20, <https://doi.org/10.1080/01436597.2023.2205579>.

⁴⁹ Ibid., 1.

⁵⁰ Ibid., 9.

⁵¹ Levi Adelman et al., "A Whole Other Story: Inclusive Victimhood Narratives Reduce Competitive Victimhood and Intergroup Hostility," *Personality and Social Psychology Bulletin* 42, no. 10 (October 1, 2016): 1416–30,

where individuals and the community can engage in constructive dialogue, both to acknowledge the painful past reinforcing victim's rights, and supporting a positive reconceptualization of community cohesion for the future.

Providing concrete evidence to support memorialisation and commemorative practices is important to provide legitimacy and push counter-narratives into the public space. The recovery of mass grave sites was crucial to establish the crimes committed in the Srebrenica genocide. Witness testimonies from victims and survivors are not only valuable in reconstructing the events that occurred and in the justice process, but also in memorialisation and commemorative activities to provide an emotive aspect to factual evidence.⁵² Here, human rights archives with documentation and evidence of the past are important. Memorialisation activities should be informed by accurate historical research and evidence, supported by an emotive aspect.

Physical spaces are important in memorialisation practices, described as commemorative arenas where war time narratives are addressed from political and psychological approaches.⁵³ These arenas can be organised by political actors representing the dominant narrative of communities, or by civil society organisations, which tend to represent individual experiences.⁵⁴ Commemorative arenas can emphasise certain narratives and exclude others, thus are important in determining which aspects of collective and individual war time

<https://doi.org/10.1177/0146167216662868>. And Andrew McNeill, Samuel Pehrson, and Clifford Stevenson, "The Rhetorical Complexity of Competitive and Common Victimhood in Conversational Discourse," *European Journal of Social Psychology* 47, no. 2 (2017): 167–79, <https://doi.org/10.1002/ejsp.2255>, quoted in Cagla Demirel, "Exploring Inclusive Victimhood Narratives: The Case of Bosnia-Herzegovina," *Third World Quarterly* (May 8, 2023): 1–20, <https://doi.org/10.1080/01436597.2023.2205579>, 2.

⁵² Farida Shaheed, "Report of the Special Rapporteur in the Field of Cultural Rights, Farida Shaheed: Memorialization Processes" (Geneva: UN Human Rights Council, 2014).

⁵³ Csaba Szilagyi, "Representation of Mass Atrocities in Imagined 'Commemorative Arenas,'" in *Versus 119: Traces of Terror, Signs of Trauma. Practices of (Re)Presentation of Collective Memory in Space in Contemporary Europe* (Bompiani, 2014), 71–91, 72.

⁵⁴ *Ibid.*, 73.

experiences are publicly acknowledged.⁵⁵ This is important for emphasising counter-narratives, however there is a risk if the dominant group diminishing these counter-narratives.

The use of space is also important when engaging in memorialisation and commemorative to provide an emotive aspect. Visiting the Omarska camp in RS gives the emotive feeling from being at the site where atrocities were committed and a sense of the proximity of human rights violations committed there occurred to Prijedor town, approximately 30 minutes by car.⁵⁶ Memorialisation is regarded by victims as the second most valuable form of reparation following financial compensations, with physical spaces like memorials, monuments and museums being visible signs of redress.⁵⁷ More recently, commemorative arenas have also been explored as a digital concept, and Selimovic notes how digital commemoration can elaborate on physical spaces bringing increased awareness to both the local and international public, including diaspora.⁵⁸ When considering memorialisation activities, it is important to consider why, how and by whom spaces of memory are used.⁵⁹

⁵⁵ Ibid., 73.

⁵⁶ Personal Interview conducted with a source familiar with and previously involved in local commemorative efforts, March 17, 2023.

⁵⁷ Johanna Mannergren Selimovic, "Making Peace, Making Memory: Peacebuilding and Politics of Remembrance at Memorials of Mass Atrocities," *Peacebuilding* 1, no. 3 (September 1, 2013): 334–48, <https://doi.org/10.1080/21647259.2013.813175>, 335.

⁵⁸ Ibid.

⁵⁹ John Gillis, *Commemorations: The Politics of National Identity*, 1996 in Johanna Mannergren Selimovic, "Making Peace, Making Memory: Peacebuilding and Politics of Remembrance at Memorials of Mass Atrocities," *Peacebuilding* 1, no. 3 (September 1, 2013): 334–48, <https://doi.org/10.1080/21647259.2013.813175>, 335.

MEMORIALISATION IN REPUBLIKA SRPSKA

In the memorialisation landscape of RS, dominant narratives of the Bosnian Serb and Bosniak communities are mutually exclusive and separately commemorated, and thus far memorialisation practices in RS have failed to bridge the divide between narratives.

Memorialisation practices have been of particular interest to the international community's involvement in the BiH peacebuilding process, with the underlying goal of liberal peacebuilding to support nation-building and human security. Memorialisation sites are sometimes used by international actors to promote the liberal peace vision; however, this can contravene with local peace processes. This has at times hindered post-conflict transitional justice, since the liberal peace model has tried to impose a single narrative of the conflict onto the clashing divergent ethno-political narratives of each constituent ethnic group, exacerbating tensions.⁶⁰ Interviews with war survivors from the municipality of Prijedor, including former camp detainees, asked interviewees about their perception on the possibilities for post-war reconciliation. The results varied; however, the predominant view is the need for justice, either through public criminal sentences or through genuine individual acknowledgement of crimes committed.⁶¹ This emphasises the need for all sides to repent and be held accountable for their actions through mutual apologies, with individual emotional commitment and reciprocity.

Victim-perpetrator characterisations in RS have been used by politicians to secure their positions. Memory securitisation is the need of the political elite to secure an identity by

⁶⁰ Johanna Mannergren Selimovic, "Making Peace, Making Memory: Peacebuilding and Politics of Remembrance at Memorials of Mass Atrocities," *Peacebuilding* 1, no. 3 (September 1, 2013): 334–48, <https://doi.org/10.1080/21647259.2013.813175>, 347.

⁶¹ Goran Basic, "Reconciliation Narratives of Survivors from War in Bosnia and Herzegovina," *Department of Sociology, Lund University Sweden*, 2015, https://www.researchgate.net/publication/341569004_Reconciliation_Narratives_of_Survivors_from_War_in_Bosnia_and_Herzegovina.

maintaining a certain discourse with other polities, creating a structural division between ethnic groups and is contrary to addressing human rights atrocities and war crimes.⁶² A 13-month field study in RS by Bianchi revealed how war crime denial is used to present the RS government as the exclusive legitimate actor protecting Bosnian Serb interests, and silencing the Bosniak narrative removes challenges to the framework upon which this nationalist narrative rests. The report also observed high levels of genocide denial in RS institutions.⁶³ Genocide denial attitudes at the political level are also evident from the ‘Concluding Report of the Independent International Commission of Inquiry on Suffering of All People in the Srebrenica Region Between 1992 and 1995’, commissioned by President Dodik. The report, headed by Gideon Greif, an Israeli historian and once notable Holocaust scholar, whitewashed wartime crimes committed by the VRS, and relieved RS leadership from political responsibility. The report also accuses the ICTY as being strongly influenced by Western media, portraying the Bosniak side as the defender and all their subsequent military actions as defence against Bosnian Serb forces, whereas the Bosnian Serb side is portrayed negatively with the main goal of ethnic cleansing and genocide, painting a very black and white picture of the conflict.⁶⁴ Furthermore, the report claims that thousands of Bosniaks killed in the Srebrenica genocide were soldiers, not civilians, and lowered death toll figures.⁶⁵ This demonstrates the damaging impacts of war crime denial at the political level on victim recognition, dignity and access to reparations.

⁶² Lea David, “Policing Memory in Bosnia: Ontological Security and International Administration of Memorialization Policies,” *International Journal of Politics, Culture, and Society* 32, no. 2 (June 1, 2019): 211–25, <https://doi.org/10.1007/s10767-018-9305-y>, 212.

⁶³ Michele Bianchi, “‘Nothing Much Has Happened Here’: Memory, Denial, and Identity Among Postwar Youth in Republika Srpska,” *Cultural Analysis* 19, no. 1 (2021): 49–71.

⁶⁴ Gideon Greif et al., “Concluding Report of the Independent International Commission of Inquiry on Suffering of All People in the Srebrenica Region between 1992 and 1995” (Independent International Commission on Suffering of All People in the Srebrenica Region between 1992 and 1995, 2020).

⁶⁵ Nermina Kuloglija, “Bosnian Serb Report Claims Many Srebrenica Victims Weren’t Civilians,” *Balkan Insight* (blog), July 21, 2021, <https://balkaninsight.com/2021/07/21/bosnian-serb-report-claims-many-srebrenica-victims-werent-civilians/>.

Youth raised in the aftermath of war who grew up in the polarised society have unclear memories resulting in misremembering wartime events, exacerbating denial.⁶⁶ It has also been observed that constant emphasis on ethnic communities in RS weakens commemorative activities, since mutually exclusive narratives become associated with ethnic groups and are difficult to integrate into the community as a whole. It was noted in an interview conducted in a personal online interview with a source familiar with and previously involved in local commemorative efforts that prior to the war the town of Prijedor in RS saw peaceful coexistence between communities, thus memorialisation practices involving the community as a whole are necessary to bring justice to victims and acknowledgement of what happened to return this peaceful coexistence.⁶⁷

There are some positive efforts supporting memorialisation processes in RS. The OHR has contributed to truth-seeking initiatives, in 2003 supporting the establishment of a commission investigating the Srebrenica genocide, and in 2006 a commission of inquiry investigating the commander of the Bosniak forces which led to arrest warrants against the perpetrator.⁶⁸ Furthermore, in 2021 the OHR introduced amendments to the BiH State Criminal Code making instances of incitement of violence or hatred on identity grounds, war crime denial and memorialisation of war criminals punishable by prison,⁶⁹ and ordered the creation of the state-run Srebrenica-Potocari Genocide Memorial and Cemetery.⁷⁰ Special Rapporteur Salvioli acknowledged the positive impact these efforts have had, however still observed a lack

⁶⁶ Michele Bianchi, “‘Nothing Much Has Happened Here’: Memory, Denial, and Identity Among Postwar Youth in Republika Srpska,” *Cultural Analysis* 19, no. 1 (2021): 49–71, 53.

⁶⁷ Personal Interview conducted with a source familiar with and previously involved in local commemorative efforts, March 17, 2023.

⁶⁸ United Nations General Assembly, “Visit to Bosnia and Herzegovina Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence” (Human Rights Council, July 8, 2022), 7.

⁶⁹ *Ibid.*, 16

⁷⁰ *Ibid.*, 13

of a comprehensive legal or policy memorialisation framework at state-level, thus this is handled at local levels with discrepancies.⁷¹

Despite some political level efforts, memorialisation and commemoration work has been mostly implemented by civil society, demonstrated in the following examples. In Prijedor, ‘White armband day’, organised by the group ‘Stop Genocide Denial’ commemorates the genocidal campaign in Prijedor against non-Serbs between 1992-1995. Launched in 2012, this initiative has been observed as one of the most successful dealing with the past civil society initiatives in the region. During the war in Prijedor, Bosnian Serb forces seized power and carried out mass killings and human rights atrocities against the non-Serb population, including sending 31,000 to concentration camps like those of Omarska, Trnopolje and Keraterm.⁷² The White Armband Day commemoration in 2012 initially planned to place body bags and roses in the Prijedor main square, however Bosnian Serb dominated authorities banned this alleging it risked inciting violence and disturbing public order. This demonstrates the challenge faced by activists of discriminatory policies against minority alternative narratives. After the ban, the movement was moved online to a Facebook page and successfully became widespread within the region and internationally.⁷³ However in 2021, following interfering activities of opposition right-wing Bosnian Serb nationalist groups, local authorities declined to give a permit allowing the White Armband Day march, for reasons of danger to public order.⁷⁴

⁷¹ United Nations General Assembly, “Visit to Bosnia and Herzegovina Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence” (Human Rights Council, July 8, 2022), 12.

⁷² Johanna Paul, “White Armband Day: From Global Social Media Campaign to Transnational Commemoration Day,” *Memory Studies* 16, no. 2 (April 1, 2023): 352–68, <https://doi.org/10.1177/1750698021995991>.

⁷³ Ibid.

⁷⁴ Enes Hodžić, “How Right-Wingers Thwarted a War Crime Commemoration in Bosnia,” *Balkan Insight* (blog), July 4, 2022, <https://balkaninsight.com/2022/07/04/how-right-wingers-thwarted-a-war-crime-commemoration-in-bosnia/>.

Jer me se tiče (Because it concerns me) is an initiative located in Prijedor raising awareness on war crimes, working to establish a monument to child victims of the war. The initiative aims to find ways to overcome the ethnonational politicisation of memory and focus on victim commemoration from all sides. However, this initiative has faced challenges negotiating with local stakeholders and barriers from the local government in Prijedor, dominated by Bosnian Serbs. In the local government, a Bosniak member of the Social Democratic Party (SD BiH), supposed to represent citizens rather than an ethnonational perspective, has been accused of obstructing the efforts of the initiative. The SDP has a Bosniak majority,⁷⁵ however it has been theorised that this opposition could be because this goes against the Serb majorities' interests that elected them. Under Bosnian Municipal Electoral law, all citizens with the right to vote may vote in the person in the municipality of their permanent residence thus in a Bosnian Serb dominated population, Bosnian Serbs have the majority vote.⁷⁶

The Informal Group for Social Justice in Prijedor works in coordination with other activist groups in BiH on community and volunteering activities supporting social and workers' rights, and disrupting those in power's pronationalist rhetoric and attempts to rewrite history.⁷⁷ One of the working groups monitors local authority work, sending information requests and complaints, and publishes the material collected through social networks to hold the local authorities accountable. The group has expressed hope for free legal aid in the future to facilitate their work and help start more direct initiatives.⁷⁸

⁷⁵ "Bosnia and Herzegovina," European Forum for Democracy and Solidarity, accessed June 1, 2023, <https://europeanforum.net/countries-list/bosnia-and-herzegovina/>.

⁷⁶ Mirko Sarovic, "Election Law of Republika Srpska" (Office of the High Representative, May 4, 2002), <https://www.ohr.int/ohr-dept/legal/laws-of-bih/pdf/004%20-%20Election%20Law%20of%20Bosnia%20and%20Herzegovina/RS%20Election%20Law.pdf>.

⁷⁷ Nina Radović, "Supporting Informal Citizens' Groups and Grass-Root Initiatives in Bosnia and Herzegovina" (Vienna: Ludwig Boltzmann Institute of Human Rights- Research Association, 2016), 11.

⁷⁸ Ibid., 12.

Beyond Prijedor, the Banja Luka Social Centre (BASOC) provides a space for building post-communist sociability through academics, theory and activism focusing on politics of equality between ethnic and gender minorities.⁷⁹ The Centre advocates for political equality and public and common goods in BiH, through activities like communal lunches and a premier screening and discussion of Kemal Pervanić's 'Pretty Village'⁸⁰, a film documenting the a concentration camp survivors' post-war experience with reconciliation.⁸¹ BASOC focuses on memories of culture and the politics of remembering, to preserve the memories of the past in face of policies of denial.

I. Challenges

The following section outlines the main challenges identified from research on academic literature, reports, and a personal online interview with a source familiar with and previously involved in local commemorative efforts in RS.

The most evident challenge is political resistance to narratives that go against the dominant Bosnian Serb narrative of the wartime events in RS. The Bosnian Serb-dominated political administration pushes the Bosnian Serb wartime narrative and marginalises alternative narratives on war crimes committed against the Bosniak and Croat populations. Bosniak representatives in the political administration remain largely silent for reasons unknown, thus there is no voice at the political level pushing alternative narratives.⁸² In post-conflict situations, authorities play a key role in managing public space and developing strategies to

⁷⁹ Ibid., 13.

⁸⁰ "Pretty Village," 2014, <https://www.imdb.com/title/tt5284196/plotsummary/>.

⁸¹ Nina Radović, "Supporting Informal Citizens' Groups and Grass-Root Initiatives in Bosnia and Herzegovina" (Vienna: Ludwig Boltzmann Institute of Human Rights- Research Association, 2016), 23.

⁸² Personal Interview conducted with a source familiar with and previously involved in local commemorative efforts., March 17, 2023.

include alternative narratives outside the dominant narrative. However, oftentimes political authorities work for short-term political gains from monuments that do not go against the dominant narrative, thus have little impact on the memorialisation and commemoration activities for society as a whole.⁸³ Due to political marginalisation, organisations, victims and survivors are restricted in accessing spaces important to memorialisation.

In Prijedor, former Omarska prison camp site was bought by ArcelorMittal, a transnational steel and mining company. The company refused to allow the construction of a memorial centre at the site for political and economic reasons, not wanting to risk jeopardising their favourable relationship with the Bosnian-Serb dominated local administrative governance, and losing their largely Bosnian-Serb dominated workforce.⁸⁴ The buildings and equipment that was used as part of the genocide campaign has now been repurposed as an economic mining operation, and there are presumed to be more bodies remaining in the mines.⁸⁵ Not only does this restrict access for memorialisation and commemorative practices, but also violates the victims dignity.

Local associations engaging in work going against the dominant Bosnian Serb narrative in RS are also sometimes put on blacklists by local authorities, obstructing access to spaces and funding. Conversely, some Bosniak victims' associations will not compromise on the Bosniak narrative on wartime events and thus do not view any Bosnian Serbs as victims, therefore are hostile to commemorating those outside the Bosniak victim narrative and are unwilling to compromise or recognise other victims.⁸⁶ Overall, one of the biggest challenges identified from

⁸³ Farida Shaheed, "Report of the Special Rapporteur in the Field of Cultural Rights, Farida Shaheed: Memorialization Processes" (Geneva: UN Human Rights Council, 2014), 20.

⁸⁴ Milica Tomić, "Monument - Four Faces of Omarska: Open Video Sequence," accessed June 1, 2023, <https://www.e-flux.com/architecture/monument/360744/four-faces-of-omarska-open-video-sequence/>.

⁸⁵ Susan Schuppli, "Memorial in Exile," Susan Schuppli, accessed June 1, 2023, <https://susanschuppli.com/MEMORIAL-IN-EXILE>.

⁸⁶ Ana Gvozdic, "Memorialization of Children in War in Serbia, Bosnia and Herzegovina, and Kosovo" (Macalester College, 2021), https://digitalcommons.macalester.edu/intlstudies_honors/36, 66.

an interview with a local NGO is getting the local community and local government to realise that victim commemoration and memorialisation is necessary for communal cohesion, to confront the past and pay tribute to victims, and ensure non-recurrence⁸⁷.

Lack of resources constitutes another challenge. Whilst there are grants provided by local governments, these are hardly sufficient, rarely exceeding 5,000 euros annually.⁸⁸ This funding is difficult to obtain if the project goes against the Bosnian Serb narrative. Recently foreign donors have changed the funding structure to simplify bureaucratic procedures, giving grants to larger organisations to be distributed among other organisations in the area. However, often this is done unfairly, with the receiving organisation keeping large parts of the funding to themselves rather than distributing the grant fairly.

Another funding challenge is regarding grant proposals. One issue is the language barrier, since most international grants require the proposals to be in English, and some local organisations lack translation capacities. Donors often wish to see fanciful key words in project proposals, which sometimes result in project proposals being denied if incorrect terminology is used. The lack of funding available to employ more people also brings down motivation, forcing organisations to focus on day-to-day survival unable to work with a long-term vision, despite this being what donors often desire.⁸⁹

Many young people are leaving the areas where initiatives are working due to lack of opportunity and feelings of hopelessness, diminishing the reach of projects.⁹⁰ Consequently,

⁸⁷ Personal Interview conducted with a source familiar with and previously involved in local commemorative efforts., March 17, 2023.

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ Ibid.

there are less people to work on projects and create a sustainable functioning organisation, which would create work and salaries increasing opportunities for young people while contributing to memorialisation work.⁹¹ Foreign donors often put conditional terms on funding, desiring projects to align with a liberal peace perspective, overlooking how local approaches may be more effective. Funding also tends to be shorter term and conditional on project outcomes, however longer-term funding is necessary to make a more significant lasting impact, and outcomes are difficult to measure in memorialisation and commemoration as it is a continuous non-linear process.⁹²

Finally, there is the challenge of the lack of inter-organisational collaboration. Limited funding creates competition over scarce resources, and there is insufficient communication about best practices between organisations. This sometimes results in project overlaps that could be collaborative with better communication. Regarding best practices, in general there is a lack of effective monitoring and evaluation mechanisms used by organisations to assess the impact of projects.⁹³ With little evidence on what works, it is difficult to apply best practices to future projects.⁹⁴

II. Best Practice examples and proposed solutions

The following best practice examples in BiH have been analysed to derive potential solutions to be applied in RS. The Bosanski Petrovac Monument to Peace has been praised by the OSCE⁹⁵ and Special Rapporteur Salvioli for bringing together inter-ethnic

⁹¹ Ibid.

⁹² PAX, “Mapping Inclusive Memory Initiatives in the Western Balkans” (Utrecht: PAX, 2020), 75.

⁹³ Ibid., 8.

⁹⁴ Alison Baily, “The Art of Peace: The Value of Culture in Post-Conflict Recovery” (British Council, 2019), p12.

⁹⁵ “Peace Monument Unveiled in Bosanski Petrovac,” OSCE, September 22, 2021, <https://www.osce.org/mission-to-bosnia-and-herzegovina/498648>.

memorialisation.⁹⁶ However it should be noted that here Bosniaks constitute the majority, and Bosnian Serbs the largest minority, and there was a lower scale of symmetrical violence which points to a higher probability of achieving inclusive victimhood.⁹⁷ When local politicians promoted narratives of inclusive victimhood, they received support from the international community which potentially contributed to their success.⁹⁸ Therefore, it seems the contributing factors to success are international community resource support, and local politician-led promotion of inclusive victimhood.

The War Childhood Museum in Sarajevo is another positive example of inclusive memorialisation and is the world's largest archive documenting the experience of childhood during the war. The museum aims to preserve memories of war childhood and documents the experience of those who played no role in the war itself yet suffered the consequences, using children's stories to advance mutual understanding amongst victim groups.⁹⁹ The museum won the Council of Europe Museum Prize in 2018 as an inspiring grassroots initiative advocating peace and reconciliation and emphasising the value of cultural diversity helping in the post-war healing process.¹⁰⁰ The museum is an independent, non-profit organisation funded by private, non-governmental and international institutions including foreign embassies in BiH, the European Union and the Council of Europe.¹⁰¹ Independence from national funding or

⁹⁶ United Nations General Assembly, "Visit to Bosnia and Herzegovina Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence" (Human Rights Council, July 8, 2022), 13.

⁹⁷ Cagla Demirel, "Exploring Inclusive Victimhood Narratives: The Case of Bosnia-Herzegovina," *Third World Quarterly*, May 8, 2023, 1–20, <https://doi.org/10.1080/01436597.2023.2205579>, p14.

⁹⁸ *Ibid.*, 14.

⁹⁹ "The Idea, Mission and Vision," War Childhood Museum, accessed June 1, 2023, <https://warchildhood.org/the-idea-mission-and-vision/>.

¹⁰⁰ "Council of Europe Museum Prize," War Childhood Museum, accessed June 1, 2023, <https://warchildhood.org/european-museum-prize-2018/>.

¹⁰¹ "Partners and Supporters," War Childhood Museum, accessed June 1, 2023, <https://warchildhood.org/partners/>.

reliance on larger NGOs is a potentially reason for the museum's success in commemorating child victims from all sides.

Whilst physical spaces are valuable in memorialisation as the most visible form of expression, other arts-based alternatives including performances, film screenings and other cultural productions play an important role in diluting ethnonational discourses and presenting viable alternatives to place-based memorials. Following the banning of the 2012 White Armband Day commemoration in Prijedor, Emir Hodžić, a returnee, stood in the town centre on May 24th wearing a white armband with a body bag lying in front of him in silent protest of how victims in Prijedor are not seen or heard.¹⁰² A photograph of this went viral on social media spurring the 'Stop Genocide Denial' campaign. Hodžić's actions created a collective action frame, or a shared understanding of the world legitimating and driving collective action.¹⁰³ This demonstrates the power an individual act of civil obedience through arts-based methods can have if mobilised sufficiently, and the use of digital commemorative arenas to promote commemorative and memorialisation practices beyond the local level.

The following solutions have been formulated from the research above to be applied to memorialisation and commemoration practices in RS. Regarding the issue of political resistance, in the long term the need to demonstrate to local authorities the beneficial aspect of commemoration and memorialisation practices has been identified. Generally, authorities implement projects in the best interests of the majority to maintain popularity; if it is seen that memorialisation and commemorative practices have a positive impact and bring popularity by

¹⁰² Johanna Paul, "White Armband Day: From Global Social Media Campaign to Transnational Commemoration Day," *Memory Studies* 16, no. 2 (April 1, 2023): 352–68, <https://doi.org/10.1177/1750698021995991>; Orli Fridman and Katarina Ristić, "Online Transnational Memory Activism and Commemoration: The Case of the White Armband Day," in *Agency in Transnational Memory Politics* (Berghahn Books, 2020), 68–91.

¹⁰³ Ibid.

the majority of the population, there could potentially be less political resistance. Whilst some recommend NGOs should take a non-political approach,¹⁰⁴ arguably memory work defined by power relations cannot be apolitical, thus rather it could be recommended that NGOs follow a political yet diplomatic framework of engagement. At the higher level, there is a responsibility for key political players to create a politically and economically favourable climate supporting local initiatives. The Srebrenica Genocide Report identified the need on an institutional level for the ongoing prosecution of war crimes, educational reform, including the history of the genocide in the education system, and state structures working to better protect individual rights and encouraging more constructive dialogue on awareness of the past, such as through youth exchanges, and institutional support of peace activism and truth promotion.

It is recommended that those supporting local initiatives not only provide funding resources, but also free legal aid, which has been observed as a missing requirement by organisations and initiatives working in the area. Having access to free legal aid gives a better support mechanism in the face of politicised opposition and unfairly imposed limitations by authorities and can give more legitimacy to initiatives.

Another important resource is having access to information on mass atrocities, notably through human rights archives. Documenting mass atrocities through archives is a crucial piece to the transitional justice framework, as archival records document evidence of what occurred. Collecting precise facts rather than approximate assumptions helps educate people on what happened to overcome politically manipulated narratives of war time events.¹⁰⁵ In circumstances involving genocide and politically motivated human rights violations, the use of

¹⁰⁴ Alison Baily, “The Art of Peace: The Value of Culture in Post-Conflict Recovery” (British Council, 2019), 13.

¹⁰⁵ Personal Interview conducted with a source familiar with and previously involved in local commemorative efforts, March 17, 2023.

records documenting these are crucial for preserving memories of suffering and acknowledging the resilience of survivors and those affected by the violence.¹⁰⁶ Human rights archives thus play an important role enabling societies to learn the truth and gain ownership over the events that occurred.¹⁰⁷ The report by Special Rapporteur Salvioli on his visit to Croatia in 2021 highlighted the importance of access to archival material to resolve missing information on war time events in mass grave identification.¹⁰⁸ Therefore, it is important to utilise archival resources, and support should be provided by civil society, local authorities and the international community to the preservation of human rights archives. The Srebrenica genocide report also recommended for civil society organisations to improve cooperation with education systems, to create a public space for constructive dialogue, to speak out against genocide denial and to encourage networking and to collaborate amongst organisations and initiatives working in this area.¹⁰⁹

Regarding the lack of structure and direction, integrating a human rights-based approach (HRBA) into project ideas could be useful. A HRBA entails using a conceptual framework for development based on international human rights, where project design is based on international human rights law obligations. The five human rights principles under this approach are universality, indivisibility, equality and non-discrimination, participation and accountability, focusing on both developing duty-bearer capacity to meet obligations in

¹⁰⁶ Hariz Halilovich, “Reclaiming Erased Lives: Archives, Records and Memories in Post-War Bosnia and the Bosnian Diaspora,” *Archival Science* 14, no. 3 (October 1, 2014): 231–47, <https://doi.org/10.1007/s10502-014-9227-z>, 245.

¹⁰⁷ Fabián Salvioli, “Visit to Croatia: Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence, Fabián Salvioli” (United Nations Human Rights Council, July 19, 2022), 7.

¹⁰⁸ *Ibid.*, 7.

¹⁰⁹ Adem Mehmedović et al., “Srebrenica Genocide Denial Report 2022” (Srebrenica: Memorial Centre Srebrenica, 2022), 66.

protecting rights, and rights-holders capacity to claim their rights.¹¹⁰ Having a more grounded basis in the legal aspect of human rights in memorialisation practices can give both direction and attract funding, and support against authority resistance due to the legal basis. If projects can function and employ staff with a working salary, this encourages people to stay or move back to the area, giving projects a better chance of success. Furthermore, when establishing a civil society organisation or association, it is important to have a strategic plan and concrete proposal, to organise the logistical function of the organisation, any necessary software, to secure funding, and when looking for funding from international donors to acquire translation capabilities.

Following this the challenge is to bring the idea to the public and establish a network with other organisations and victims groups.¹¹¹ Collaboration with non-formal movements like a parent's movement to build a memorial for children killed during the war in Prijedor has been identified as valuable, as this integrates both the local community and those involved on a wider scale from the outset.¹¹² A study on the Prijedor White Armband Day commemoration noted that whilst social media facilitated transnational mobilisation around the movement, the lack of coordination between local organisers and those operating outside of Prijedor possibly missed an opportunity to exert greater political pressure on authorities through collective action.¹¹³

¹¹⁰ "UNSDG | Human Rights-Based Approach," United Nations Sustainable Development Group, accessed June 1, 2023, <https://unsdg.un.org/2030-agenda/universal-values/human-rights-based-approach>, <https://unsdg.un.org/2030-agenda/universal-values/human-rights-based-approach>.

¹¹¹ Personal Interview conducted with a source familiar with and previously involved in local commemorative efforts, March 17, 2023.

¹¹² Ibid.

¹¹³ Johanna Paul, "White Armband Day: From Global Social Media Campaign to Transnational Commemoration Day," *Memory Studies* 16, no. 2 (April 1, 2023): 352–68, <https://doi.org/10.1177/1750698021995991>.

Therefore, better cooperation amongst organisations is important, especially regarding resource distribution. This could require more intervention from donors ensuring that resources are fairly distributed. Sharing best practices and collaboration on similar project areas and pooling resources is recommended, and it is important for organisations to share their knowledge on best practices, and collaborate to transfer projects into new contexts, or up-scale smaller projects. It is also important for organisations to address smaller steps in communities, involving confidence building, skills training and intergroup understanding and tolerance, through programmes like arts-based projects and creative partnerships, promoting intergroup understanding based on shared culture and common values.¹¹⁴ Projects tend to be more successful and sustainable when focusing on memorialisation whilst also providing skill development to locals.¹¹⁵

Furthermore, collaborative projects like filmmaking, performances or workshops can be used to go beyond memorialisation and to foster inter-ethnic cooperation. A project beyond BiH that demonstrates this is ‘Serbia and Kosovo: Intercultural Icebreakers’. This project used workshops and creative projects involving contact-work between young people from Serbia and Kosovo to improve relations between the two communities and saw a significant level of success in fostering inter-ethnic cooperation.¹¹⁶ It would be useful if external projects partner with local ones and victim survivor groups rather than implementing their own visions.¹¹⁷ In the interview, it was noted that oftentimes foreign researchers come to the area, conduct research and leave without contributing anything in return. It would be more valuable if

¹¹⁴ Alison Baily, “The Art of Peace: The Value of Culture in Post-Conflict Recovery” (British Council, 2019), 14.

¹¹⁵ Ibid., 14.

¹¹⁶ “Poziv Za Učešće Na Seminaru: ‘Srbija I Kosovo: Kultura Bez Granica,’” Helsinki Committee for Human Rights in Serbia, 2017, http://www.helsinki.org.rs/srbija%20i%20kosovo/serbian/aktivnosti_seminari_t11.html.

¹¹⁷ PAX, “Mapping Inclusive Memory Initiatives in the Western Balkans” (Utrecht: PAX, 2020), 9.

researchers learnt from and then contributed to local approaches to memorialisation and commemoration.¹¹⁸

¹¹⁸ Personal Interview conducted with a source familiar with and previously involved in local commemorative efforts, March 17, 2023.

CONCLUSION

Indubitably war crime denial remains a persistent problem in RS, and a challenge to the protection of human rights, notably rights to human dignity, justice and reparations, and to those working to commemorate wartime victims and engage in memorialisation practices. In RS, there is a notable lack of memorials, and financial, legal and logistical support needed to establish of unconventional and fluid memorials, art-based projects and cultural productions. Local initiatives working to address this face political resistance to alternative narratives, especially at government administrative levels, and resource challenges. Emigration away from RS due to hopelessness for substantive change reduces the impact of memorialisation initiatives and is related to the lack of long-term vision and motivation for projects. There is also a lack of collaboration between local initiatives and a shrinking public space for memorialisation. Therefore, strategic engagement with government stakeholders is recommended, to gain local politician support of initiatives, influencing the community towards inclusive victimhood. Human rights archives are also valuable for providing factual documentation to combat disinformation. Obtaining support from external donors for material resources and legal aid can also contribute to the success of initiatives, and integrating a HRBA into project designs supports this. Better cooperation between initiatives could also have a positive impact on their success, as well as going beyond memorialisation through physical spaces using arts-based approaches. These proposed solutions have been used to create a best practice guide to be distributed to initiatives working in RS to support commemoration and memorialisation activities.

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