

## “ Prohibited Memorials and Genocide Denial”

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### **Introduction**

I hope that my presentation will contribute to a better understanding that a culture of denial of genocide through the memorial culture of monuments continues to shape the past, present, and future memories of the crimes committed during the Aggression on Bosnia and Herzegovina (1992-1995); a systematic destruction of cultural memory, as an integral part of human rights, is prohibited by international law; the prohibited memorials to the Bosniak and other non-Serb victims in Prijedor, Visegrad, Foca and elsewhere reveal a policy of discrimination and apartheid in the Serb Republic ( Republika Srpska), an entity of Bosnia and Herzegovina; a denial of the fact-based truth about the crimes committed in Bosnia and Herzegovina —as established by the Hague Tribunal— particularly through the memorial culture of monuments serves to legitimize war crimes and results in further injustices for the victims, both legal and moral. Furthermore, it sets the foundations for potential future conflicts, while leaving the process of reconciliation facing certain failure; this insecure situation calls for international community interventions in order to re-establish respect for human rights, rehabilitation of values as an integral part of efforts to reconcile Bosniaks, Croats and Serbs and others in Bosnia and Herzegovina.

The peaceful demonstration that took place in Chicago this morning is an example of what an important and current issue I am talking about. Bosnian-American citizens organized a boycott and demonstration in front of the Bosnian Consulate in Chicago. We asked for the resignation of the general counsel Brane Pecanac as he has abused his position by identifying with extremist Serbian ultra-nationalist forces in his presentation celebrating January 9<sup>th</sup> - Serb Republic Day-in Chicago in January 2014. The January 9<sup>th</sup> commemoration directly discriminated against all other peoples (non-Serbs) who live in the entity of the Serb Republic [Republika Srpska], within Bosnia and Herzegovina, as well as its citizens in the United States of America. The ultranationalist gathering in Chicago on January 9<sup>th</sup> is indicative of other discriminatory actions routinely underway in Republika Srpska, including the suppression of public commemorations of the genocide in the Prijedor area, the prohibition of the use of the word “genocide,” and the denial of the right to install memorials to the victims at the sites of the concentration camps such as Trnopolje, Keraterm, and Omarska. While there are memorials to perpetrators of the genocide in Republika Srpska, for example, at Trnopolje and in the center of Visegrad, Bosniaks, have not been allowed to install a memorial at Trnopolje and Omarska. Further, on January 23<sup>rd</sup>, with the support of a force of one hundred police officers, Bosnian Serb officials forcibly entered the Muslim cemetery in Visegrad and defaced the memorial to the victims by removing the word “genocide.” This heinous act of desecration and denial took place against the express opposition of Visegrad genocide survivors and their supporters from around the world . With the ultranationalist gathering in Chicago on January 9<sup>th</sup>, it is clear that such acts of discrimination and intimidation have now spread to the United States.

This is a quote from the letter we wrote to Vice President Joe Biden asking him to withdraw consent to perform the duties of Consul General of Bosnia and Herzegovina in Chicago and general consul of Serbia ([http://www.baginist.org/uploads/1/0/4/8/10486668/letter\\_to\\_vice\\_president\\_joe\\_biden\\_2.pdf](http://www.baginist.org/uploads/1/0/4/8/10486668/letter_to_vice_president_joe_biden_2.pdf)).

Tomasica, near Prijedor, the recently found mass grave where bodies of 503 victims were discovered, mostly Bosniaks, hidden, unburied for 23 years is one of the worst examples of genocide denial that takes place in many different ways in the Serb Republic, the entity of Bosnia and Herzegovina where perpetrators of war crimes and their sympathizers still hold political power (slide 1-Tomasica)

### **Memory, Cultural Memory, and Memorials**

“Cultural Memory” explores how societies collectively respond to traumatic memories, such as war and extreme human rights violations, which often involves silencing memories of the past as well as controlling how the past is narrated. Controlling how the past is narrated is frequently about creating power. Repressive regimes deliberately rewrite history and deny atrocities to legitimize themselves.

International law clearly recognizes the right of victims and survivors to know about the truth and circumstances of serious violations of their human rights and about who was responsible. In 1998, in Stockholm, marking the 50th anniversary of the Universal Declaration of Human Rights, representatives of the International Council on Monuments and Sites (ICOMOS) signed a Declaration affirming the right to cultural heritage as an integral part of human rights. To protect this right today is to preserve the rights of future generations. Victims of human rights abuses cannot forget, and states have a duty to preserve the memory of such crimes.

Furthermore, architectural memorials, museums and commemorative activities are indispensable educational initiatives to establish the record beyond denial, and prevent repetition.

To date, there is no law on monuments for the victims of war crimes in Bosnia and Herzegovina, nor is there any law against denial of genocide and crimes against humanity. Adopting these laws at the state level has been obstructed by politicians from the Serb Republic (RS). The rights of the victims remain largely denied through the use of uncommonly profound forms of political and cultural strategies of denial.

During the 1992-1995 war in Bosnia and Herzegovina, religious and other cultural items were among the targets of warfare. For example, the destruction of the cultural memory was a means to achieve ethnic homogenization of the community and to eradicate cultural diversity, which made the fabric of which the society of Bosnia and Herzegovina was woven. It embraces universal content that pertains to the world in general and each human being in particular.

In many cities, old Bosnian-and-Herzegovinian towns, such pluriformity found its full expression all along the history of this area, in which people of various religious and ethnic origins used to live. In the war against Bosnia and Herzegovina, a systematic annihilation of the Bosniak cultural heritage was conducted. Many Bosnian and Herzegovinian cities experienced almost complete destruction of its Bosniak cultural heritage. Almost the whole population was expelled; thousands of inhabitants were detained, tortured and killed in concentration camps. During the war, more than 100,000 civilians were killed, and 2 million displaced .

The destruction of cultural memory that could serve as testimony to the pluriformity is still going on.

As a condition for the return of the expelled population to their former homes, the current policy of apartheid must be addressed particularly in the Serb Republic. The perpetrators of war crimes make use of the model of separation to continue their program of ethnic homogenization. Apartheid and the reframing of cultural memory are tools for representing the identity of the others in Prijedor, Visegrad, Srebrenica, Foca, as second-class, alien and not-belonging-to-those towns. This would ensure the extinction of individuals and of the community for whom this identity is a means for self-understanding and acceptance of the others, a means of survival.

The scope and purpose of the destructions may provide new insight into the meaning of cultural memory in relation to other appurtenant human rights, seen from the point of view of both an individual and of a community.

### **My Visit to Bosanska Krajina**

In July 2013, I visited the concentration camps in Germany (Dachau) and Bosanska Krajina ( Trnopolje and Karaterm).

On May 31, 1992, in Prijedor, a small town located in the north-western part of Bosnia and Herzegovina, local authorities led by Bosnian Serb leaders, have issued a decree regarding the non-Serb population that at that time lived in this town. The decree ordered all non-Serb citizens to wear clearly visible white armbands when appearing in public, thereby isolating them and submitting them to the worst humiliation and later extortion that Europe and its history remembers since the Second World War. The decree also called for their houses to be marked with either white sheets or flags, making them a clear target to those who, at that time, were in a position of power.

It led to the creation of concentration camps in which innocent human beings were humiliated, starved, beaten, tortured, and later executed in mass numbers. The result of this regime was the ultimate removal of more than 94% of Bosniaks and Bosnian Croats from the territory of the town of Prijedor and its municipality within only 3 months. In the geographical region of the town of Prijedor, Bosnian Serbs, with the help of its army and numerous paramilitary forces from neighboring Serbia and Montenegro, conducted

massive, deliberate and organized killings and rapes, as well as the expulsion of primarily Bosniak and Croat population.

When I visited the former concentration camp Trnopolje, near Prijedor, whose images of tortured, starved inmates behind wire toured the whole world and attracted the attention of the international public for the war in Bosnia and Herzegovina 1992-1995, there was not any sign that says what happened to the former non-Serbian detainees, and there was no proper place on which I could lay flowers. (slide2)

Instead, at the same site of the former concentration camp run by Bosnian Serbs, I was standing in front of a monument dedicated to all Serbs: "*The fighters who upraise their lives in the foundation of the Republic of Serbia,*" the quote written in Cyrillic, with a cross, a symbol of the Orthodox religion, in the middle.

To the side of the ruins of the Community Center, which used to be a part of the concentration camp Trnopolje, is a playground that belongs to an elementary school. The school is behind the former concentration camp. The students pass by the ruins of the former concentration camp and the monument dedicated to Serb soldiers almost every day. What do we expect them to know about what happened in their village during the war and what is going on now?

The monument dedicated to Serbian soldiers who fought and died for Republika Srpska, the ruins of the former concentration camp Trnopolje without any sign that says what happened to the non-Serbian detainees, and the school at the same site, situated in the small town Trnopolje, shocked me, as one of the worst examples of the denial of crimes committed.

This time, 23 years after the war, the picture of this grotesque scene should tour the world and attract the attention of the international community. ( slide 2)

In front of Keraterm, another concentration camp in Prijedor area, there was a stone I could place the wreath. On the stone, it was written: „it is dedicated to citizens of Prijedor who died.“ It does not say who ran the camp and who the detainees were.

Keraterm, held by Serbs, was one of the most notorious camps in which 3,000 non-Serb inmates suffered, and of which 371 were killed. During one night, 200 former inmates from room 3 of this camp were killed with a machine gun when they were running out from the room trying not to be suffocated by the gas that was inserted.

The ruins of the former camp, rather than to be reconstructed as a Memorial Center, have been prevented from any reconstruction by the authorities of Republika Srpska.

In memory of victims of the Aggression on Bosnia and Herzegovina ('92-'95) and the genocide against Bosniaks in Prijedor, I placed flowers at the memorial plaque Keraterm Concentration Camp in Prijedor in my own name, on behalf of BAGI and Institutes for genocide in Sarajevo and Canada. Mirsad Duratović, Sudba Music, Elvedin

Pađan, representatives of the Association of Detainees „Prijedor 92“ and Dr. Hariz Halilovich, joined me. These men were direct witnesses to the suffering of the citizens of Prijedor .

Elvedin's cousin was one of those 200 Bosniaks killed that night in Keraterm,. Mirsad Duratovic was 17 years old when Serbs killed his father, brothers, and cousins (the remains of 10 members of his family were found in Tomasica at the end of last year). He was one of the youngest detainees in Omarska. Sudba Music's father was killed, and Hariz Halilovich was held in Trnopolje. He is from Srebrenica, but when he visited his girlfriend , who is from Trnopolje, he ended up in the camp. He wrote a book about his research and experience and named his book and the places I am talking about as “Places of pain.”

While I was visiting Prijedor, I stayed in the house of Mirsad Causevic in Hambarine and enjoyed the hospitality of his mother, Fata Sikiric, who lost 2 sons and many members of her family Sikiric. Every house, every family I visited, had one or more members who were killed. We cannot even call that war because there were not 2 armies fighting—rather, it was Bosnian Serbs killing non-Serb civilians.

During my stay in Prijedor, I could not visit the former concentration camp Omarska. Memorials that were scheduled to honor the victims of the crimes committed in this area have been forbidden and access to the sites of their suffering denied by the likes of ArcelorMittal, a company that now owns the site of the former concentration camp in Omarska. Visitors and victims do not have the right to visit the sites of the crimes committed whenever they wish, being only granted access on the day of commemoration

“In one concentration camp, a former iron-mining plex at Omarska in Northwest Bosnia, a thousand Muslim and Croat civilians were held in metal cages without sanitation, adequate food, exercise or access to the outside world. The official Bosnian State Commission on War Crimes, in a report to the UN High Commissioner for Refugees, estimated there were 11, 000 prisoners in Omarska, making it the largest of 94 camps known to the commission.” ( A witness to Genocide, Roy Gutman).

No memorial to the victims of the former concentration camp, Omarska, has been erected as of yet. According to the mayor, Marko Pavic, a memorial complex in Omarska would disrupt inter-ethnic relations.

At the same time, “the monument for all Serb soldiers who were killed” at the same site of the former concentration camp Trnopolje was raised in 1999, like most of other monuments for Serb soldiers in Prijedor.

The minimum number of monuments dedicated to the so-called “Serbian defensive-liberation war” in Prijedor totals 60, while the total number of monuments for non-Serb victims is around 10. Significantly, the mass production of monuments for Serb victims is disproportionate in relation to the marginalized representation of non-Serb victims in Prijedor. Victims assert that there is not a single monument dedicated to non-Serb victims in urban parts of Prijedor municipality because local authorities prohibit it.

The Research and Documentation Centre (RDC) in Sarajevo claims that the number of people killed or missing in the period from 1991-1995 in the region of Western Bosnia and Prijedor is around 14,491 – 10,688 Bosniaks (73.91%), 3,340 Serbs (23.10%), 382 Croats (2.64%), and 51 people belonging to various other minority ethnic groups (0.35%).

According to evidence from the non-Serb victim association, "Izvor," the total number of killed and missing people from Prijedor municipality totals 3,177 (3,015 Bosniaks, 138 Croats, 12 Albanians, 8 Roma, 1 Czech, 1 Pakistani, 1 Serb, 1 Ukrainian). Of this number, an estimated 2,078 people were killed and around 1,099 are still considered missing. Around 31,000 were detained in concentration camps, and 53,000 were deported from Prijedor.

The indisputable historical record of the Hague Tribunal affirmed that ethnic cleansing against non-Serb civilians – mainly Bosniaks and Croats – occurred in and around Prijedor. Of the 28 individuals prosecuted by the Hague, 13 were found guilty of mass killings, detention in concentration camps (Omarska, Trnopolje and Keraterm), rape, deportation, torture, destruction of cultural and religious heritage, and robbery of non-Serbs that occurred in Prijedor, primarily in 1992. Amongst those convicted of crimes against humanity in Prijedor area were Milomir Stakic, Darko Mrdja, Biljana Plavsic and Zoran Zigic, to name but a few. Karadzic is facing charges for genocide committed in Prijedor now in Hague courts.

Bosnia and Herzegovina today is a country that functions on the basis of a peace agreement signed in 1995, which as an additional insult to the bleeding injury, having left the town of Prijedor in the hands of Bosnian Serbs. Although having numerous opportunities, municipal authorities of this town to this date have not acknowledged any sufferings or crimes committed against Bosnian Croats or Muslims. By their refusal and/or silence on this important subject, they have denied that these crimes were ever committed. The mayor of Prijedor, Marko Pavic, and the local government refuse to publicly acknowledge any of the crimes committed in Prijedor, despite numerous judgments and evidence presented by international and local courts.

### **Destruction of Memorials in Visegrad**

At the same time I laid a wreath at Kereterm concentration camp last summer, Dr, David Petegrew laid a wreath at the memorial in Stratiste Cemetery, co-sponsored by BAGI, IRCG and Institute of Sarajevo.

The 1991 census showed that the population of the town was 25,000 – 63% were Bosniaks (Bosnian Muslims). According to the ICTY, Visegrad was subjected to "one of the most comprehensive and ruthless campaigns of ethnic cleansing in the Bosnian conflict"; some 3,000 Bosniaks were murdered during the 1992-1995 violence, including 600 women and 119 children.

The Bosnian town is the site of one of the most horrendous war atrocities committed by Serb paramilitaries, led by Milan and Sredoje Lukic in 1992. Fifty-nine Bosniak elderly and

women were detained in a house, along with 17 children, and burnt alive. Milan and Sredoje Lukic were indicted by the ICTY in The Hague in 1996 for crimes against humanity and the "extermination of a significant number of civilians, including women, children and the elderly".

Many of the victims had been murdered on the Mehmed Pasa Sokolovic Bridge and thrown into the river in 1992. When repairs on the nearby dam caused the river level to drop, the Bosnian Missing Persons Institute was able to locate the victims' remains in the riverbed and Lake Perućac.

When victims of the genocide in Višegrad were buried in the Stražište cemetery in May 2012, a memorial/monument was erected in their memory and dedicated "to the victims of the Višegrad genocide." Soon after the installation of the memorial in 2012, the municipality of Višegrad (which is now under Serb control as a result of the genocide) began proceedings to destroy the memorial and/or to remove the word "genocide." In spite of the best efforts of activists, humanists, the Serbs went in early with a heavy police presence on January 23rd 2014 and removed the word "genocide" from the memorial. Activists soon arrived and re-inscribed the word "genocide" on the memorial. The removal of the term "genocide" from the memorial is consistent with Republika Srpska's policy of genocide denial as well as with the dehumanizing culture of exclusion in Republika Srpska that seeks to intimidate Bosniaks who would return to their former homes. In fact, such genocide denial is widespread in Republika Srpska from the office of the Presidency to the Municipalities.

The memorial is on land owned by and under the care of the Islamic community. Yet, while the Stražište memorial is to be removed and a house in Pionirska Street to be destroyed, a prominent memorial to the perpetrators of the genocide has been permanently erected in the middle of Višegrad, and has been the site of ultranationalist rallies celebrating the perpetrators of the genocide. So it seems Bosnian Serbs are permitted to erect statues to the perpetrators, but according to the recent decision, Bosniaks would not be permitted to retain a simple memorial in their own cemetery in a rural location.

([http://www.helsinki.org.rs/index\\_archiva\\_t51.html](http://www.helsinki.org.rs/index_archiva_t51.html))

BAGI, the Institute for genocide in Sarajevo and Canada, the Association of concentration camp detainees "Prijedor 92" and other humanitarian organizations wrote many letters of protest to the President of Arcelor Mittal factory, the president of the city of Prijedor Marko Pavic, to the president of the Assembly of Prijedor and demanded the enabling of free entry to the former concentration camps and the permission to build Memorial centers.

([http://www.baginst.org/uploads/1/0/4/8/10486668/grad\\_prijedor.pdf](http://www.baginst.org/uploads/1/0/4/8/10486668/grad_prijedor.pdf))

As a result of the Seminars and discussion on the prevention of genocide that took place in Chicago on April 5th, called „Can we prevent Genocide“ at Northwestern University and Islamic Center in Northbrook, Professor Pettigrew, BAGI, BACA, Bosnian Library Chicago and Bosnian Islamic center, expressed urgent concern in the form of a Resolution on the Responsibility of the International Community to Protect Bosniaks and other non-Serbs in Republika Srpska Who Are Particularly Vulnerable to Persecution as a Crime Against

Humanity Under International Law

([http://www.baginist.org/uploads/1/0/4/8/10486668/resolution\\_on\\_responsibility\\_to\\_protect.pdf](http://www.baginist.org/uploads/1/0/4/8/10486668/resolution_on_responsibility_to_protect.pdf)).

We called the doctrine of "Responsibility to Protect Returnees" and violation of Annex 7 of the Dayton Peace Agreement, which confirms that „refugees and displaced persons are permitted to return in safety , without risk of harassment , intimidation, persecution, or discrimination, particularly on account of their ethnic origin," and that calls to prevent any activities that „interfere with the safe and voluntary return of refugees and displaced persons."

The Rome Statute of the International Criminal Court identifies “apartheid” as inhumane acts “...committed in the context of an institutionalized regime of systematic oppression and domination by one racial (or ethnic) group over any other racial group or groups and committed with the intention of maintaining that regime.” The Rome Statute identifies persecution and other inhumane acts causing psychological suffering as Crimes Against Humanity insofar as they are intended to bring about the “severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity.” Such acts of psychological intimidation include the prohibition of memorials for the victims of genocide and other war crimes, such as at the site of the former concentration camp at Omarska; such acts of psychological intimidation include the removal of the term “genocide” from the memorial to the victims of genocide in the Bosnian Muslim Stražište Cemetery in Višegrad; acts of psychological intimidation include the authorization, by those same authorities, for a memorial statue to the perpetrators of the atrocities to be erected in the middle of the town of Višegrad; acts of psychological intimidation include the discouragement, by the Mayor of Prijedor, of public gatherings in remembrance of the genocide, as well his express prohibition of the use of the term. Persons in leadership positions in Republika Srpska should be held responsible for the above named acts of persecution, psychological intimidation and discrimination.

The international community must recognize and undertake its responsibility to protect, through all appropriate diplomatic, political and legal avenues, the Bosniak and non-Serb populations who are subject to persecution, psychological intimidation and discrimination in Republika Srpska.

When Dr. Pettigrew and I returned to the US, we discussed the need to find a way to protect the places of pain (such as concentration camps Trnopolje, Keraterm, Omarska Pionirska Kuca, Stratiste Cemetery in Visegrad), where atrocities occurred, and we resolved to develop a Resolution for recognizing these sites as national lands.

Last December, we wrote letters to ambassador Samantha Power and the OSCE regarding the Demolition of the House in Pionirska Street in Visegrad and the removal of the term “genocide” from a memorial

([http://www.baginist.org/uploads/1/0/4/8/10486668/letter\\_for\\_visegrad\\_dec\\_13.pdf](http://www.baginist.org/uploads/1/0/4/8/10486668/letter_for_visegrad_dec_13.pdf)) and proposed to establish a nationalization, or "federalization," of these places , as it is



done with Potocari and stop the discrimination and violation of human rights of minorities in the Republika Srpska entity:

„We encourage you to organize an effort to federalize the places of pain, the sites where Bosniaks and nonSerbs were incarcerated, raped, tortured and killed. Let us affirm fundamental human rights and confront ultranationalist efforts to continue the dehumanizing exclusion of Bosniaks and nonSerbs from Republika Srpska, exclusions that are nothing less than the continuation of the genocide that occurred between 1992 and 1995.“

I am taking this opportunity, this Conference, to address these solutions and continue with the effort to encourage the involvement of the international community. This insecure situation calls for reassessment, re-presentation and rehabilitation of values as an integral part of efforts to reconcile Bosniaks, Croats and Serbs.

This may be of universal value in current times of conflicts and destructions. It may also underline the common responsibility for the legacy of all the values of humanity.