

DIOCESE OF BANJA LUKA – EUROPEAN ACADEMY

AN UNSPOKEN CRIME

20 years under the burden of expulsion,
injustice and silence



Proceedings

Banja Luka, 2017

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AN UNSPOKEN CRIME

Proceedings

International study day

Twenty years (1995–2015) after the final phase
of expulsion of Croats, Bosniaks and others from
the territory of Republika Srpska

Banja Luka, 13 November 2015

Banja Luka, 2017

“Truth may be pressured, but never crushed.”

“Truth may grow old, but it does not die.”

(proverbs)

FOREWORD

The ethnic cleansing that took place in the territory of Banja Luka and other regions of Republika Srpska has borne bitter fruit. Today, the decimated Croat autochthonous population faces a difficult predicament: to survive or to disappear. According to the 1991 population census, there were more than 140,000 Croats living in the region; at present, less than 10,000 remain in the Serb Entity of Bosnia and Herzegovina. The alarming status of the Croat population today, and during the entire post-war period in Republika Srpska, shows all the indicators of genocide.

Twenty post-war years burdened by persecution, injustice and the suppression of truth, is a very long time. On 13 November 2015, the European Academy of the Diocese of Banja Luka organised an international study day under this very slogan, to mark the 20th anniversary of the expulsion of Croats, Bosniaks and others from the wider Banja Luka area. Throughout those years, the Catholic Church in the Diocese of Banja Luka has continuously reminded the public of these tragic events by organising prayer meetings, masses and press conferences, which have been convened annually in mid-August by Franjo Komarica, PhD, Bishop of Banja Luka. Like a solitary traveller in the desert, the bishop persists in drawing the public’s attention to the fact that Croats, Bosniaks and others underwent immense human suffering and injustice during the persecutions of the 1990s, and suffered subsequent hardship and misfortune that have rarely been resolved in a satisfactory manner, and have left many issues open.

The fact that the truth about these tragic and disturbing events, which contributed substantially to the current position of the Croat population in Republika Srpska, has been methodically suppressed and concealed from the public for the last 20 years, carries a singular weight and deserves special notice. It was only because of these responsible persons in the Diocese of Banja Luka, and all those who preserved the truth about the injustices and sufferings in their hearts, and who would not renounce their right to their identities and their hometowns, that the truth about these horrendous crimes has not remained hidden. Yet it is a strange and dispiriting fact that the topic has become undesirable and impermissible, especially among politicians – both local and international – and representatives of the judiciary, who have a legal obligation to protect the dignity

and human rights of every human being. Whenever the issue of the countless crimes against Croats and the ethnic cleansing in the Banja Luka area has been discussed publicly, efforts have been made to prevent such open discourse from receiving wide coverage.

Moreover, historical facts were fabricated to accommodate the brazen claim that “Croats and Bosniaks from the wider Banja Luka area left of their own accord, and nobody forced them out”.

There are some who would like nothing better than to forget as quickly as possible, and to prevent at any cost a public dialogue on what happened in this city and its region 20 years ago, in an area where, for the most part, there was no armed conflict. However, the truth is that many atrocious and dramatic things did occur in here, in order to achieve the criminal expulsion of the non-Serbian population, primarily Croats and Bosniaks, but also others, from their homes and hometowns. As expert on Banja Luka culture Srđan Šušnica, M.A., observes: “Almost all non-Serbian, Muslim, Catholic, Croatian, Bosnian or Bosnian and Herzegovinian cultural and memory narratives and identifications located in Banja Luka and the territory of today’s Republika Srpska are under a thick carpet of oblivion. All street names, school names, and village names that bore some Bosnian and Herzegovinian, Muslim or Catholic symbolic narrative, or were perceived as insufficiently Serbian, were erased and replaced with symbolic Serbian identifications [...]” It is considered inadvisable to raise these irrefutable facts. Instead, total amnesia is recommended.

At the time, the global media mostly ignored the events in this part of Bosnia and Herzegovina. The few journalists who ventured into the area found that local incidents were not compelling enough, or not gruesome enough, aside from the discovery of the Keraterm, Omarska and Trnopolje concentration camps. They were expected to deliver more shocking scenes to their audiences, and the Banja Luka region could provide “only” the abuse and murder of hundreds of innocent civilians. Yet ultimately, the result here was equally tragic, and was comparable to events in other places in Bosnia and Herzegovina. A large percentage of two communities disappeared from Banja Luka. The majority of the Croat population has been completely wiped out, erased from the region.

November 2015 marked the 20th anniversary of the Dayton Peace Accords. This event was commemorated on many levels. While some had cause to celebrate victory and freedom, for others the anniversary was an occasion on which to draw attention to their suffering. Few mentioned the crimes that were carried out in this part of Bosnia and Herzegovina. This is why we consider it our ob-

ligation and responsibility to the victims of persecution, to the tens of thousands of the disempowered, to history and truth, to speak out about these tragic events that happened 20 years ago, when the crime of persecution and expulsion was committed. In addition, we consider it necessary to speak out about the no less tragic post-war years, when much was done to cement the results of persecution, and to deny tens of thousands of disempowered citizens the right to return to their homes, their homeland and a life of dignity.

We are grateful to all the authors and participants of the International Study Day, who willingly submitted their contributions to establish the facts and scientifically evaluate and clarify this tragic period. As Miljenko Aničić, PhD, director of the European Academy stressed in his introductory remarks: “We are confident that by doing so, we serve the future of all those who live here, and the future of this country.”

This is why we believe that, following a number of individual contributions during the post-war period, the International Study Day was organised at an opportune moment, with the objective of systematically defending and salvaging the facts from falsification and misinterpretation, and also from denial. In order to achieve this, the relevant and verified facts regarding the expulsion or, more accurately, the planned extermination of local Croats, Bosniaks and others from this area were analysed in a systematic and studious manner, using an interdisciplinary approach to evaluate the available historic material and survivors’ testimonies. The same scientific methods were applied to ascertain who obstructed the viable return of Croats and others to Republika Srpska, and why.

The kindness and understanding of all participants at the conference allowed us to publish all the lectures in a book titled *An Unspoken Crime*, which is the first publication in a new series of books produced by the European Academy of the Diocese of Banja Luka, bearing the indicative title “Roots”. This publication, along with those that preceded it, will doubtless serve as a reliable source and starting point for further diligent, systematic, professional and scientific studies that will help to elucidate these and other tragic events from our recent past in this part of Bosnia and Herzegovina.

I would like to express my gratitude to all the authors who were willing to set aside their regular obligations in order to provide expert and peer-reviewed papers on the tragedy that occurred in the wider Banja Luka area 20 years ago: our host, Franjo Komarica, PhD, Bishop of Banja Luka; Cardinal Vinko Puljić, Archbishop of Vrhbosna; Patsy Sörensen, former Member of the European Parliament and Member of the City Council of Antwerp, Belgium; Miljenko

Aničić, PhD, Director of the Banja Luka European Academy; Šimun Penave, M.A., Croatian Institute of History, Department for the History of Slavonia, Srijem and Baranja, Slavonski Brod; Srđan Sušnica, M.A., expert on Banja Luka culture; Josip Jurčević, PhD, Institute of Social Sciences Ivo Pilar, Zagreb; Mujo Begić, PhD, Institute for Missing Persons of Bosnia and Herzegovina, Bihać; Velimir Blažević, PhD, Franciscan, retired professor from Banja Luka; Ivica Božinović, M.A., Principal of the Catholic School Centre in Banja Luka; Andrej Plenković, M.Sc., Member of the European Parliament and Vice-Chair of the Committee on Foreign Affairs of the European Parliament; Ivo Miro Jović, PhD, University “Vitez” of Vitez; Miodrag Živanović, Faculty of Philosophy, Banja Luka; Alojz Jakirčević, Mayor of Davor during the expulsion of the non-Serbian population, who fled by boat at Davor; Frano Piplović, M.A., Head of Studies at the Banja Luka European Academy; Gordana Katana, Oslobođenje journalist for Banja Luka; Davor Čordaš, M.A., Minister for Refugees and Displaced Persons of Republika Srpska; and Prof. Armina Galijaš, PhD, from the University of Graz, a native of Banja Luka, who also submitted a paper. As many authors refer to reports by Polish diplomat and humanitarian Tadeusz Mazowiecki, Special Rapporteur of the UN Commission on Human Rights, we have decided to include in this book his reports on the subject of ethnic cleansing by Bosnian Serbs in the Banja Luka region, covering the period from 1992 to 1995.

We know that only the truth can set us free and guard us from potentially fatal mistakes, and future atrocities. As Miljenko Aničić, PhD, remarked in his closing statement at the International Study Day, “This conference and other similar conferences that are planned in the future will help us elucidate this and many other tragic events that have repeatedly wreaked havoc on this region, and its inhabitants of all national affiliations.”

By publishing these proceedings we wish to provide concrete assistance to the revelation of unspoken and suppressed truths, thereby laying the foundation for a desired and attainable common future based on truth and justice, forgiveness and reconciliation.

Frano Piplović

BLATANT INJUSTICE

Mons. Franjo Komarica, PhD, Bishop of Banja Luka

Dear Excellencies,

Dear Presenters,

Dear Participants in this International Study Day,

Esteemed Representatives of the Media,

Brothers and Sisters,

Ladies and Gentlemen,

I would like to convey my sincere gratitude to all of you attending this International Study Day, organised to mark the 20th anniversary of the final phase of the expulsion of the local Croat and Bosniak population, as well as members of other ethnic minorities, from the city of Banja Luka and the wider Banja Luka area in Republika Srpska.

As your host today, I welcome you and hope that your attendance at this conference, which is an event that certainly needed to be organised, will be a fulfilling personal experience for all of you.

Regrettably, the various state and political institutions that should have regarded it as their duty and responsibility to convene such a symposium in order to examine this challenging and troubling matter, failed to do so.

For this reason, we, the official representatives of the Catholic Church in the Diocese of Banja Luka, considered it our obligation to rectify this omission. This is not the first time we have done this. We have, especially since the European Academy of the Banja Luka Diocese was established, organised many similar study days and roundtable discussions on this and other related subjects regarding refugees and displaced persons, and the fact that their return to their pre-war homes is being systematically prevented or impeded.

On 12 December 2014, another important working conference was held here – “A Round Table on the Subsistence and Perspectives of Croats in the RS”, organised by the Bosnian and Herzegovinian edition of the *Večernji List* daily newspaper. Many political representatives of the Croat community in Bosnia and Herzegovina, representing both federal and entity administrations, participated in the conference, as well as representatives of Croat refugee organisations from northern and northwest Bosnia, i.e. Republika Srpska, who articulated their justified and valid expectations. The politicians in attendance made several concrete promises that they would work more diligently to resolve “these dramatic issues,” and that they would “induce other relevant and

accountable factors, finally to meet their obligations more decisively and effectively”.

Unfortunately, hardly any of these justified expectations and promises have been fulfilled in the past 11 months. Instead, we can see that the same politicians who represented the Croatian people in Bosnia and Herzegovina throughout the past 19 years have fatally continued to disregard and neglect their duties to the disempowered members of their community.

As an official representative of the Croatian (Catholic) Church in this city, this diocese and this country, as President of the Bishops' Conference of Bosnia and Herzegovina, in cooperation with other Catholic bishops in Bosnia and Herzegovina, led by Cardinal Vinko Puljić, Metropolitan Archbishop of Sarajevo, I managed to “persuade” Pope Francis to visit Bosnia and Herzegovina, which he did on 6 June 2015. He used the occasion to raise a number of important issues, while addressing both the local Catholic population and other citizens of Bosnia and Herzegovina. Pope Francis sent a special message of support to local politicians and representatives of the international community, who have been tasked with cultivating a just peace, a constitutional democracy, and the rule of law in Bosnia and Herzegovina, a country that, 20 years after the end of the war, still cannot ensure justice, rights, and equality to all its citizens and communities.

Pope Francis encouraged us to advocate for the defence and promotion of truth, justice, reconciliation and a just peace. We still remember his unequivocal words: “You do not have the right to forget your past. Not because you should seek revenge, but to become peacemakers, so you may love one another like they do.”

The history of this city and this region “remembers” all the peace loving people who lived here with their neighbours for decades, for centuries, building a common present and future for themselves and their descendants. Unfortunately, these peacemakers no longer live here, not because they chose to leave, but because others chose for them. And these others did not then and do not now look after the people, nor do they respect the dignity of every human being, or basic human rights and freedoms, nor do they care to pursue a just peace for all our citizens who are entitled to live in this city and this part of Bosnia and Herzegovina, because they were born here. This is the bitter and dramatic truth that persistently calls on all of us and on our generation not to forget, but to defend and promote it.

Folk wisdom says: “Truth may be pressured, but never crushed”, and “Truth may grow old, but it does not die.”

It is human nature to get used to the love that we experience day by day, but we can never get used to continuous injustice. The latter is what tens of thousands of our exiled fellow citizens must endure.

Under international law, every act, regardless of whether it occurs in a time of war or peace, committed with the intention to annihilate, completely or partially, any national, ethnic, racial or religious group, constitutes the crime of genocide.

During the war in Bosnia and Herzegovina, there was no armed conflict in this part of the country, because we did our utmost – with God’s help – to preserve peace and human lives. We resolutely opposed the use of weapons, even in self defence. We abided by our motto: “Better to suffer evil and injustice, than to inflict them on others!” Despite the fact that our position remained consistent – a fact borne out by many testimonies – I personally witnessed, as did many of my associates and fellow citizens during the war, and during the last 20 post-war years, the violent, physical destruction and uprooting of large groups of innocent, peace-loving citizens, including more than 90 percent of the local Catholic population, who, for the most part, were of Croat ethnicity. This was a well-planned and unremitting operation, sanctioned and directed by the local authorities, with the blessing, knowledge, approval and even support of political representatives of neighbouring countries, and the highest representatives of the international community and international organisations present in Bosnia and Herzegovina.

I can also attest to the fact that during the last two and a half decades, Bosnia and Herzegovina has been governed by the laws of the jungle, rather than the laws of justice and truth. Local political representatives, supported both actively and passively by various influential international political or interest groups, have introduced a deeply inhumane practice into their behaviour: they allow themselves to dispense mercy to their fellow citizens, when, where and to the extent they please. Yet citizens are entitled to fundamental human and civil rights, liberties and justice, and it is these rights they expect politicians to deliver, not mercy. The United Nations Universal Declaration on Human Rights states clearly that those who do not observe and respect these rights have no consideration for the common good, but primarily look after their own interests.

Life experience teaches us that injustice leads to nothing but misery and adversity. Injustice has brought misfortune to many citizens of Bosnia and Herzegovina, as well as to neighbouring countries. In the name of what and whose good can one support this blatant injustice towards the citizens of Bosnia and Herzegovina, which so many present-day political moguls wish to legalise permanently?

The Catholic population of Republika Srpska has particularly experienced this blatant injustice. Despite numerous declarations and decisions by various politicians, both domestic and international, during the twenty post-war years since the Dayton Accord, the 20th anniversary of which will be marked in the coming days, more than 90 percent of the pre-war Catholic population has been erased from the entity of Republika Srpska – an entire community, and one of the constituent peoples of Bosnia and Herzegovina.

This is not and cannot be accidental; it is unfortunately the result of modern man's decaying moral values and the alarming dehumanisation of the influential circles that today control international politics and international relations, all of which have a detrimental impact on Bosnia and Herzegovina and, to some extent, on neighbouring countries. We have witnessed the same inhumane "handwriting" over the past years, and particularly during the last months, wielding power over hundreds of thousands of people – this time over some other "chosen" nations and countries to the East and South-east of Bosnia and Herzegovina, in Ukraine and in the Middle East.

Our planet Earth is a globe. This is why we, its inhabitants, cannot push around, banish and uproot one another indefinitely, but must learn, as members of the same human family, not only to tolerate one another but also to respect and support one another, appreciating our God-given ethnic, religious, racial and cultural diversity. This obligation applies especially to those of us who believe in one God – regardless of whether we are Christians, Muslims or Jews.

One has every right to expect from any benevolent man or woman who values truth, justice and peace in this city, this entity and this country, or in our neighbouring countries – and I refer here particularly to our nearest EU member country, Croatia, as one of the co-signatories of the Dayton Peace Accord and a guarantor of the equal status of the Croat people in Bosnia and Herzegovina – as well as in all EU member countries, that he or she will never sanction this unbearable, historic injustice – the total eradication of Croats and the Catholic Church from Bosnia and Herzegovina, or any member of any other community or national minority, wherever their physical survival might be threatened.

Such legitimate expectations deserve our greatest support, including this Study Day, which was organised with the noblest of intentions. I invoke God's blessing on our common effort today, so that we may uncover the truth.

Once again, I wish to express my sincere gratitude to all the distinguished speakers at this conference, who have arrived from various parts of the country, from neighbouring countries and from the European Parliament. Thank you for your hard work and your love of people, especially those who have been disenfranchised.

I also extend my gratitude to you, respected members of the media from Bosnia and Herzegovina and from Croatia, for acquainting the broader public with the research presented at this conference.

Furthermore, I would like to thank you, Excellencies, members of the international community and international organisations, for reporting to your capitals and headquarters about the sincere, humane efforts of the organizers and participants of this Study Day.

Finally, I would like to thank the leadership of the European Academy of the Diocese of Banja Luka for their noteworthy efforts in organising this conference – one of many such constructive events the Academy has organised in our city and our diocese.

I wish you all a pleasant and productive stay in the heart of my diocese.

Banja Luka, 13 November 2015

THE ETHNIC CLEANSING OF CROATS AND BOSNIAKS IN THE BANJA LUKA AREA, 1992–1996: CHRONOLOGY, METHODS AND STAGES

Šimun Penava, M.A., Croatian Institute of History, Department for the History of Slavonia, Srijem and Baranja, Slavonski Brod

Documents, testimonies and verified data from different sources clearly demonstrate that Croats and Bosniaks in the territory of Bosanska Krajina were subjected to genocide between 1992 and early 1995, when more than 90 % of Croat and Bosniak civilians were expelled from the area. These events occurred prior to the Croatian military's Operations Thunder and Storm, and it is therefore a misrepresentation to claim that the expulsion of Croats and Bosniaks from Banja Luka and its surrounds was caused by Operation Storm and the subsequent exodus of Serbs from Croatia. The Serbs who left Croatia following Operations Thunder and Storm found places to live in the half-empty towns and abandoned villages under Serb control in Bosanska Krajina. However, the majority of Serb fugitives refused to live in these ghost villages, and were transported to Serbia instead, where authorities tried to relocate them to Kosovo.

From 1992 to 1995, northeast Bosnia (Bosnian Krajina) was victimised as a geographical and historical area, leading to the destruction and expulsion of its Croat and Bosniak (Muslim) civilian population and their possessions, cultural, historic and religious monuments, and buildings. The crime of genocide was committed by both civilian authorities and armed forces that were under the control of the area's Serb population.

1992: Serb Military and Civilian Authorities Threaten and Persecute Croats and Bosniaks

In 1992, during the war in Croatia, many civilians fled from Bosnia and Herzegovina to Croatia and Western Europe.

In its Report on the Number of Displaced Persons and Refugees in the Republic of Croatia¹ dated December 22, 1991, the Croatian Government's Office for Displaced Persons and Refugees gathered data on the number of refugees arriving from Bosnia and Herzegovina. On 24 November 1991, there were 134 families in exile (370 persons), while less than one month later, on 20

¹ Croatian State Archives, Archives of the Croatian President's Office, File 265, Report of the Croatian Government's Office for Displaced Persons and Refugees dated 22 December 1991.

December 1991, there were 219 families (549 persons). In fact, while the official number was 549 this did not include those who were staying with relatives in unoccupied parts of Croatia, or who had moved into their holiday homes in Croatia, where they ended up staying for many years.

Banja Luka is one of a small number of Bosnian and Herzegovinian cities in which there was practically no war, i.e. there were no military operations between enemy forces. The city was not shelled: all the buildings survived the war undamaged, and there are no significant signs of the conflicts that tore apart the rest of the country.

However, the beginnings of war psychosis could be felt as early as June 1991, when the JNA (Yugoslav People's Army) started mass mobilisation. From September to December 1991, many young Croats fled from the city and surrounding villages. They travelled from Banja Luka to Sarajevo, Tuzla and Mostar using public transport. When reminiscing about these days, these fugitives who managed to avoid military service, as well as their families, hardly ever mention that the Military Police tried to find them.

The Banja Luka Red Cross carried out wide-scale, systematic deportations. The testimony of a Croat woman illustrates what people had to do to leave their homes: "People were systematically driven out. I, too, left with the Red Cross. To be allowed to leave, I had to provide half a dozen documents: certificates that I did not have a criminal record, that I did not owe anything to anybody, that I did not own anything, that I did not possess any savings in any bank; that I was leaving voluntarily; that I was to be officially unregistered from the city's list of residents; a permit from the police, and one from the doctor; hundreds of various papers and two hundred Deutsch Marks at a time when the average monthly salary was no more than ten to twenty. The trip from Banja Luka to Novska took 13 hours."²

According to a report prepared by the Belgrade-based Humanitarian Law Centre in May 1993, more than 5000 citizens fled from Banja Luka between April and May 1992. The majority were Muslims, but some were Serbs trying to avoid mobilisation. "From that time on, Muslims escaped daily, with or without immigration papers.

According to estimates, more than 20,000 Banja Luka Muslims left the city permanently. The majority moved to Western European countries, passing through Croatia. Some 3000 Croats found a way to stay in Croatia. Starting at

² Ratna zbivanja u Banja Luci (War in Banja Luka) 1992, 20.4.2012.

the beginning of the war in ex-Yugoslavia, more than 50,000 Serb refugees passed through Banja Luka. Some 20,000 remained there.”³

The Expulsion of Citizens from Bosanski Novi

According to the 1991 census, the municipality of Bosanski Brod had a population of 41,665: 25,101 Serbs, 14,040 Muslims, 403 Croats, 1557 Yugoslavs and 564 others.

The fate of the citizens of Bosanski Brod became public knowledge soon after their expulsion and subsequent arrival at the UNHCR centre in Karlovac, where the refugees talked to many foreign journalists and showed them the papers they were forced to sign before Serb authorities, giving up everything and departing to join “relatives in Western Europe and America”.⁴

The citizens of Bosanski Brod (Croats and Muslims) were expelled on one day: 23 July 1992. The Serb authorities asked the UNHCR to pick up two thousand citizens who wanted to leave the city to live with relatives in Western Europe. The UNHCR organised a convoy of buses and trucks, with the assistance of the “Bosanski Novi Club” from Zagreb, the Bosniak ad hoc Group from Bosanski Novi, the Consulate of the Federal Republic of Germany, the leader of the Transnational Radical Party Marco Panella, and other well-intentioned people.⁵ Serb authorities broadcast on local radio and TV that all non-Serbs must leave the city in the UNHCR convoy. Prior to that, Serb soldiers wandered the streets firing shots into the air, before Serb authorities demanded that all Muslims formally give up their land, houses and any other possessions they could not take with them. Muslims and Croats waited in line for two days to renounce their possessions. The official standardised statement read: “I, (name and surname), from Bosanski Novi, hereby declare that I came to this office voluntarily, after being informed by the Crisis Committee of the Bosanski Novi Municipality about the conditions for emigration from the city, and I hereby state the following: I declare that I possess no property in Bosanski Novi and

3 Humanitarian Law Centre, Pod povećalom (Under the Magnifying Glass), Report No. 03 May 1993, Belgrade, 1993.

4 For more details on the events in Bosanski Novi please refer to: Ante Milinović: *Bosanski Novi u našem srcu: zavičajni spomenar*. Bihać: Jasmin Karabegović; St. Louis: Zavičajna zajednica Bosanski Novi, 2008. Excerpts from books by American/British journalists Peter Maas and Tim Judah.

5 Ante Milinović: *Bosanski Novi u našem srcu: zavičajni spomenar*. Bihać: Jasmin Karabegović; St. Louis: Zavičajna zajednica Bosanski Novi, 2008, 134.

that I permanently leave Bosanski Novi, together with my wife and children. I give this statement taking full responsibility, without coercion, for the purpose of securing the documents necessary for my emigration from Bosanski Novi. This statement is legally binding.”⁶

Ethnic cleansing in Bosanski Novi was executed in two stages. In the first phase, the inhabitants of eleven Muslim villages were driven into one village, where they were forced to remain for eighteen days, with thirty people in each house. Then, they were forced to board a freight train; the men at the rear, and the women and children in the front wagons, with three hundred people per wagon. Serb soldiers shot erratically, and more than forty people were killed. For four days, the people were not given any food or water. The refugees knew the Serb soldiers who were abusing and killing them.

The Expulsion of Citizens from Kotor-Varoš and Surrounds

The fate of Croats and Bosniaks from Kotor-Varoš was different from the fate of those of Bosanski Novi. The campaign of intimidation began when the Serb leadership demanded that all citizens of Kotor-Varoš join the newly established Serb regions, which the Croatian and Muslim representatives refused. In May 1992, the Yugoslav People’s Army confiscated the weapons of the Territorial Defence from Kotor-Varoš (some 11,000 of them) and distributed these weapons among the Serb population in the surrounding villages. The Army of Republika Srpska launched an organized attack against the civilian population and encountered little resistance. From June to October 1992, more than 90 % of the population was driven out, and houses, churches and mosques were systematically torched or otherwise destroyed, and made uninhabitable.⁷ After the attack on 11 June 1992, the Serbs continued to kill and devastate, thus initiating the systematic expulsion of Croat and Muslim civilians.

One month after the attack, “the activities regarding the resettlement of the population did not have the anticipated result. Therefore this task must be handled in a more organised fashion, i.e. an agency must be established to deal

⁶ KNAPP, Vladimir: Engineering of “Ethnic” Conflicts in the Yugoslav Region: from Bosanski Novi, *Encyclopaedia moderna* 13 (1992), 3 (39), 438–444.

⁷ *Hrvati u Kotor-Varošu: povodom 20. obljetnice srpske agresije na Kotor-Varoš* (edited by Ivo Pranjković). Kotor-Varoš: Parish; Sarajevo: Svjetlo riječi; Jajce: Franciscan Monastery, 2013, 120.

with the issue”.⁸ The War Presidency decided that the emigration fee should not exceed 300 DM. To begin with, in June and July 1992, the fee was 100 DM per person. To facilitate the planned mass expulsion (or emigration, as it is called in the War Presidency’s minutes), many buses were needed, and the entire operation had to be completed as quickly as possible.

Besides reaching a decision regarding the exact amount of the fee, the War Presidency proclaimed the requisition of buses during the same session: “In future, all available buses on the territory of the municipality will be requisitioned for the purpose of transporting persons who wish to emigrate.”

The Serb authorities mounted a loudspeaker on a fire engine and drove through the city, broadcasting: “We notify Croats and Muslims that today, 11 July 1992, Serb authorities have organised the first convoy consisting of three buses for those who wish to leave Kotor-Varoš. The convoy will take them to Skender-Vakuf, by the river Ugar, where they will be handed over to the Muslim authorities of Travnik.” The first convoy of 115 civilians left the day after the ultimatum was issued. Thus began the organised expulsion of Croats and Muslims (Bosniaks) from Kotor-Varoš and the surrounding area.

Members of the War Presidency Crisis Committee referred to the expelled Croats and Bosniaks as “the unfortunates”, and claimed that they fully understood their situation. The Bulletin of the Crisis Committee states: “The War Presidency and other relevant bodies have the utmost understanding for these unfortunates, and have therefore, in accordance with the applicable laws and regulations of the Serb Republic of Bosnia and Herzegovina, the Region and the Municipality, commenced implementing the systematic resettlement of the population.”⁹

The agreement initiated by Bishop Franjo Komarica and negotiated in Geneva was implemented on 17 October 1992. Franciscan Ivan Franjić writes: “Around 10 a.m., Stipo Karajica, known as Đipi, and Dragoljub Bandalo brought their Croat soldiers to the Jelšingrad factory in Slatina, where they surrendered to the Serb Army, and gave up their weapons. The Croats were clean-shaven young men with short hair, who looked like members of a modern army, while the Serb soldiers and volunteers were bearded and dishevelled, with long hair. More than 30 buses were lined up, and by 1 p.m. they were full. Besides

⁸ Bulletin of the Kotor-Varoš War Presidency, Excerpt from the Minutes of the 43rd session of the War Presidency, 29 July 1992.

⁹ Bulletin of the Kotor-Varoš War Presidency, Year I, No. 6, dated 24 July 1992.

the brave defenders of Kotor-Varoš, many Croatian and Muslim civilians boarded these buses, hoping to seek refuge from the impending violence.”¹⁰ The convoy of 30 buses reached the territory controlled by the Army of Bosnia and Herzegovina without incident, and Father Ivan Franjić returned to Kotor-Varoš.

As more than 50 people had been “shoved” into each bus, according to testimonies, we can conclude that more than 1500 Croats and Muslims were expelled from Kotor-Varoš that day.

A French journalist photographed the line of Croatian defenders in the vicinity of Kotor-Varoš, marching toward the buses, and later gave the photograph to Father Stipo Karajica from Kotor-Varoš. The same photograph was also published in several foreign newspapers. It shows a line of soldiers and civilians walking behind an off-road vehicle from the International Red Cross from Geneva, with Father Ivan Franjić, the priest of Kotor-Varoš parish, walking to the left of the vehicle.

As the President of the Kotor-Varoš War Presidency recalls, the mass expulsion that occurred on 17 October 1992 was organised by Vojo Kuprešanin, by order of the Government and Presidency of Republika Srpska. “Regarding activities pertaining to the surrender of weapons and emigration of people from the municipality: [the president of the War Presidency] recalls that these activities, as well as all other activities, were executed at the behest of the Government and the Presidency of Republika Srpska, with the participation of Vojo Kuprešanin, the negotiators, and the International Red Cross.”¹¹ In the same session, the War Presidency decided to raise the emigration fee to 300 DM. In early December 1992, the Serb authorities were starting to worry about how to expel those who had been brave enough to stay and survive an additional fifty days, so the 113th session of the War Presidency adopted the decision that all those who had served, or had any family members or relatives who were serving, in the enemy army must be expelled. The army and the police were charged with the task of creating lists of such people.

¹⁰ Hrvati u Kotor-Varošu: povodom 20. obljetnice srpske agresije na Kotor-Varoš (edited by Ivo Pranjković). Kotor-Varoš: Parish; Sarajevo: Svjetlo riječi; Jajce: Franciscan Monastery, 2013, 120.

¹¹ Bulletin of the Kotor-Varoš War Presidency, Excerpt from the Minutes of the 101st session of the War Presidency, 18 October 1992.

The Crisis Committee was to draft a decision to forbid the return of “persons who had left the territory of the municipality”.¹²

After the convoy departed in October, some 5 % of pre-war Croats remained in the parishes of the Kotor-Varoš municipality, together with their priests Ivan Franjić (Franciscan) and Božo Pinjuh. They remained there until 27 August 1995, when Serb authorities deported them with the remaining Croat civilians. According to border police records in Davor, they crossed the border on 4 September 1995. The Franciscan priest Ivan Franjić went to the Franciscan monastery in Podsused, Zagreb, where the Bosna Srebrena Franciscans had a temporary residence.¹³ Along with the Kotor-Varoš parish priest Ivan Franjić, a total of 123 Croats from Kotor-Varoš crossed into Croatia at Davor, where their basic personal data were recorded. The majority of these people went to live with relatives in different locations throughout Croatia, while some found a temporary home at the Gašinci Refugee Centre.

Systematic Expulsions to Croatia in 1993 and 1994, Executed by the Serb Authorities, the Serb Police, the Red Cross and the Agency for Emigration

How many Croats and Bosniaks were living in the region in 1993, when several municipal commissions allegedly conducted a population census? There are not many written sources to evaluate the dependability of this census and how it was conducted, but we know that the authorities were eager to publish the results as soon as possible. The Serb authorities in Prijedor conducted a census less than a year after they closed the Prijedor Concentration Camp. The wartime issue of the Prijedor gazette “Kozarski Vjesnik” on 2 July 1993 published an article on its front page under the title “Who are we and how many are we?” The article, written in Cyrillic and Ijekavica, states the following: “[...] on Tuesday afternoon, the Municipal Census Commission published the first results of the Prijedor Municipality population census. It is interesting to note that at this time the municipality has 19,767 households, with a population of 65,551, of which 53,637 are Orthodox, 6124 Muslim and 3169 Catholic. Four

¹² Bulletin of the Kotor-Varoš War Presidency, Excerpt from the Minutes of the 133rd session of the War Presidency, 4 December 1992.

¹³ Šimun Penava: *Davor – humano središte svijeta; progon Hrvata i Muslimana s banjolučkog područja 1995* (Davor – the humane centre of the world; the expulsion of Croats and Muslims from the Banja Luka area) Slavonski Brod, 2003, Book 2, 809.

percent of the population are others [...]” If we compare these data to those of the 1991 census, we can conclude that 3131 Catholics and 43,330 Muslims had vanished from Prijedor by July 1993.

The activities of the Emigration Agency are documented in the records of the border police at border crossings that were controlled by the authorities of Republika Srpska Krajina. However, despite the killings, the plunder and the forced deportations, part of the population still remained in their homes.

The fact that Bishop Komarica remained in his Banja Luka Bishop’s Residence meant a lot for the safety of the remaining Croats. It appears that reactions from the international audience merely changed the methods of the forced expulsion. Simply: brutal deportations were replaced by various emigration agencies that were entitled to charge a fee for emigration, and legally confiscated people’s property and real estate. Why did the bishop remain in Banja Luka, when world leaders and the Serb authorities and army all wanted the Croatian people to leave? The answer might be in Bishop Komarica’s testimony, many years after the war. Talking to the bishop, general Momir Talić confessed: “We expected you to behave differently during the war, but it was your behaviour that saved your people, and also an equivalent number of Serb lives. We must never forget that.”¹⁴ The conduct of “one of Mladić’s logisticians” shows that the international community had in fact agreed to the expulsion of Croats, but when the matter was not resolved within a few months, it was decided that the expulsion would be implemented in stages. Twenty years after these events, Bishop Komarica recounted his experience:

“General Mladić’s chief logistician came to see me unexpectedly in Banja Luka; at the time, I was disheartened because of the continuous killings of our people, the fires and the destruction. He came to me and said: ‘I wish to see the man who has thwarted our plans!’ I asked him what plans he was referring to, and he said: ‘How did you figure out our intentions? We didn’t expect you to stay here. We didn’t successfully complete our “scorched earth” mission!’ Surprised, I asked him what he meant by scorched earth. He explained: ‘We can no longer execute the pogrom against you because of the international community, who gave us only a few months to realise our plan.’

¹⁴ Ivica Marijačić: Msgr. Franjo Komarica, biskup banjalučki: Zadnji je čas da se zaustavi nestanak Hrvata iz BiH! (Msgr. Franjo Komarica, bishop of Banja Luka: It is high time we stopped the disappearance of Croats from Banja Luka!) Hrvatski list, No. 150 dated 9 August 2014. See also the edition dated 26 June 2014

“Unfortunately, the territory of Prijedor and Posavina to the east of Banja Luka was already cleansed and razed to the ground. Only the municipality of Banja Luka, with its 40,000 Catholics remained. But Mladić’s logistician persisted: ‘Do not be deceived, bishop. You must leave! We’ll do it in capillary fashion. The pogrom is no longer an option, but we’ll do it in capillary fashion.’ So I asked him: ‘General, why must we leave, what did we do wrong? What normal nation does not wish to live with a peace-loving people?’

“ ‘Bishop, we know that you are not to blame for any of this, but you must leave. That’s the plan that we must put into practice, that’s our mission’.”¹⁵

“Mladić’s chief logistician’s” statement that they could no longer execute the pogrom against Croats and Muslims because the international community had forbidden it, but that they would “do it in capillary fashion” can be interpreted as gradual expulsion assisted by various private agencies, as well as institutions such as the newly established Refugee Commission and the Red Cross, both domestic and “international”.

Private emigration/relocation agencies were established in all Republika Srpska’s larger cities, with the task of officially expelling Croats and Muslims (Bosniaks) from villages and towns. The private agency Ilingua with its representative and owner Borislav Prpoš operated in Bosanska Gradiška.

Milutin Prgonjić owned the Božur agency in Prnjavor, and Dušan Petković represented the agency Duga in Srbac.¹⁶

In addition to these relocation agencies, the task of expelling citizens was entrusted to the Municipal Commission for Refugees in Banja Luka.

The exchange of houses between Serbs from Croatia and Croats in Banja Luka continued in 1994. An official note from the Dragalić border crossing records the relocation of “persons of Serb nationality” to Banja Luka: “The following persons of Serb nationality crossed from the Republic of Croatia into Republika Srpska: Obradović Vukica, born 1922, resident of Slavonska Požega, Trapari 12, relocates to Banja Luka, Blagoje Ćorović 89; Zdravko Čekić (born 1952), Smiljka Čekić (born 1954), Vladimir Čekić (born 1975) – the Čekić fam-

¹⁵ Ivica Marijačić: Msgr. Franjo Komarica, biskup banjalučki: Zadnji je čas da se zaustavi nestanak Hrvata iz BiH! (Msgr. Franjo Komarica, bishop of Banja Luka: It is high time we stopped the disappearance of Croats from Banja Luka!) Hrvatski list, No. 150 dated 9 August 2014. See also the edition dated 26 June 2014.

¹⁶ HMDCDR, SUP Okučani, box GMO Dragalić, official note dated 17 May 1994.

ily relocates from Slavonski Brod, Andrije Hebranga B1/2, exchanging houses with Franjo Klečina from Banja Luka, Branka Perdua 4. This note is intended for further consideration – Commander of the Border Police Davorin Četojević ”¹⁷

In early October 1994, bishop Komarica visited Croatia’s President Tuđman in his office and handed him a handwritten report on the status of the Diocese of Banja Luka. Another, typed document reveals that in 1991 there were 70,035 Croats living in Serb-controlled areas, while in October 1994 this number had decreased to 25,253. A total of 44,135 people were expelled from their homes, the majority of whom had been forced to leave without receiving any compensation for their houses or apartments. Moreover, 370 civilians had been killed, and an additional 68 Croats perished serving in the Serb army, after being forcibly drafted and sent to fight on the most dangerous frontlines. Furthermore, the bishop states that 99 % of Croats had lost their jobs. Almost all Croats had been evicted from government-owned flats in Banja Luka, and only a small number were able to get smaller flats, mostly on the outskirts of the city. “The health situation is devastating for Catholic patients. Catholics must pay for examinations, and they often have no access to doctors and hospitals. The education system is chauvinistic. Religious education is only available in a few schools. Religious objects have been destroyed, with 35–50 % of churches unusable, 17–22 % heavily damaged, and 21 –25 % damaged; 25–33% of pastoral centres and monasteries are also damaged or destroyed.”¹⁸ The Bishop gave this short report on the situation in his diocese to President Tuđman, together with a handwritten list of brief notes regarding certain issues he wanted to discuss with the President.¹⁹

The Final Mass Expulsions of Croats and Bosniaks from Banja Luka and Surrounding Areas in 1995

The year of 1995 would prove to be a difficult and ill-fated one for the remaining Croats in the Banja Luka area, who were starving and barely surviving in the city of Banja Luka and its surrounding villages. On 18 January 1995,

¹⁷ HMDCDR, SUP Okučani, box GMO Dragalić, official note dated 17 May 1994.

¹⁸ Croatian State Archive UPRH/P/F 840, Bishop Komarica’s letter including data on the Banja Luka Diocese, October 1994.

¹⁹ Croatian State Archive UPRH/P/F 840, Bishop Komarica’s list of notes handed to President Tuđman on 12 October 1994.

Bishop Komarica wrote to Jadranko Prlić, President of the Presidential Council of Herceg-Bosna, about the difficult situation facing those Croats who had been drafted and dispatched to Serb frontlines.

In 1995, Bishop Komarica demonstrated that he was the leading defender of Croats; in order to save his remaining flock, he wrote numerous letters to governments and heads of state, including the Holy Father in Rome. However, his letters, memoranda and pleas did not help. The expulsion continued until the end of 1995.

On 11 May 1995, Bishop Komarica wrote to Bosnian Serb leader Radovan Karadžić about these acts of violence, explaining that two thirds of the faithful (i.e. more than 55,000 Croat Catholics) had been forced to leave their homes and homeland, more than 400 innocent civilians had been killed and massacred in their homes, 39 churches had been completely destroyed, 25 churches were heavily damaged, 23 churches had sustained minor damage, while 17 parish or pastoral centres were destroyed or damaged. Two large Franciscan monasteries (Jajce and Petrićevac) were completely devastated, while two convents (Bosanski Aleksandrovac and Nova Topola) had been unlawfully confiscated, and more than 100 friars and nuns had been expelled. The bishop emphasised that he had steadily and indefatigably spoken out as a Christian and Catholic bishop, in defence of God's law and honour, defending the right of every man and every religious and ethnic community, including the Serbian Orthodox Church and the Serb people, clearly and unambiguously condemning all crimes against the people, their property, and their ethnic and cultural treasures, regardless of who the perpetrator was. In conclusion, the Bishop wrote: "On behalf of all the Catholics of my almost completely devastated diocese, I have every right to expect that you commence treating us as people who are entitled to all the fundamental human rights and liberties that you and your people enjoy."²⁰

In his letter on 1 June 1995 to UN Special Rapporteur for Human Rights Tadeusz Mazowiecki, Bishop Komarica wrote that Serb extremists were exerting pressure on the remaining 12,000 Catholics in the Banja Luka municipality to leave their homes and their homeland. The Bishop concludes the letter by emphasising: "I expect of you, as I expect of all other influential people, that you demonstrate your humaneness and your commitment to fundamental human rights."

²⁰ In *Defence of the Rightless*, pp. 548-551.

The Plight of the Croats of Banja Luka after July 1995

On 19 June 1995, Alojzije Jakirčević, the Mayor of Davor, wrote to Dr. Ivić Pašalić, Advisor to the Croatian President about the difficult position of Croats from Banja Luka and the surrounding area:

“The gentlemen from Srbac tell me that many Croats from the Banja Luka area (Šimići, Mičije, Banja Luka) are in a bad state and that it is difficult to get them as far as Srbac. Once there, they want to hand them over to us (their return would mean death) but we cannot receive them because the Croatian border police will not permit it”.²¹ The Croatian border police prevented people from crossing the border from Bosnia and Herzegovina, and intimidated the mayor who urged the authorities to save those people who were fleeing. “Please note that all these individuals have the necessary documents signed by Minister Rebić, but when their family members and relatives arrive to pick them up, the police remain adamant.”²² In June and July 1995, a significant number of border crossings were recorded as urgent, and were successfully realised upon the insistence of Miloš Milinčić, the Mayor of Srbac. The Mayor of Davor confirmed this:

“Due to the negotiations and persistence of the Mayor of Srbac, Prof. Miloš Milinčić, a total of 614 persons crossed the border from 1 June to 14 August 1995, and were thus saved. These were the most serious cases, and urgently needed rescuing.”²³

Until 14 August 1995, one person – Mayor of Davor, Aljzije Jakirčević – carried the burden of the reception of refugees.

On 18 August 1995, the entire Government of the Croatian Republic of Herceg-Bosna and the leadership of the Croatian Democratic Union of Herceg-Bosna visited Davor. Mayor Jakirčević was satisfied with the visit, and with their assurances. As he stated in his report: “They played an important role in finding suitable accommodation for the refugees, as well as releasing captives from both sides.”²⁴

²¹ Croatian Information Centre, Zagreb, Davor box. Davor Mayor Alojzije Jakirčević’s letter to Ivić Pašalić, Advisor to the Croatian President dated 19 June 1995.

²² Ibid.

²³ Croatian Information Centre, Zagreb, Davor box. Davor Mayor Alojzije Jakirčević’s statement.

²⁴ Ibid.

The deportations continued: on 19 August, 2182 people (1049 Croats and 1133 Muslims) were expelled. During the following four days, an additional 2298 persons were driven out: 388 people on 20 August; 705 people on 21 August; 481 people on 22 August; and 724 people on 23 August.

Mayor Alojz Jakirčević described the situation: “These were days when one could hardly catch one’s breath!”²⁵ On 24 August 1995, 1173 people were expelled. On 24 or 25 August, unknown persons took Prijedor Parish Priest Tomislav Matanović from his parish and placed him under house arrest in his family home. The large, unfinished pastoral centre was levelled, and municipal authorities ordered that Priest and Dean Adolf Višatski be evicted from his parish residence in Mrkonjić-Grad. The expulsions continued: on 28 August, 969 persons were expelled, and another 477 on 29 August. Nobody was expelled on 30 August, but 225 people were on 31 August. Nobody was expelled from 1–3 September, but on 4 September, 1030 people were deported, and 144 more on 6 September; 269 people were driven out on 7 September. Then there were no more refugees until 11 September.

On 11 September, official representatives of the Banja Luka Office for Refugees and Displaced Persons visited Davor; they had been sent there by the Embassy of Bosnia and Herzegovina in Zagreb. They never left the town hall, and departed for Zagreb in the evening. That day, 755 persons were expelled. Mayor Jakirčević never received an explanation for their conduct, nor did he obtain an official reply from the Embassy of Bosnia and Herzegovina in Zagreb.²⁶

The Government of Croatia’s Office for Refugees and Displaced Persons suspended the admission of refugees to Davor from 12 to 18 September.²⁷ On 15 September, while visiting his remaining parishioners, Šimići Parish Priest Pero Čolić was shot in the head by a sniper. He survived, but the shot was seen as a warning to the remaining Croats to leave or they would be killed. The pressure from the Bosnian side was too great, and the Mayor of Srbac insisted that the border remain open.

The mass deportations continued: 865 persons were expelled on 19 September, and some 500 Muslims were forced out of Prnjavor on the night of 20 September, in heavy rain. In total, 999 persons were expelled that day.

²⁵ Ibid.

²⁶ Ibid.

²⁷ Croatian Information Centre, Zagreb, Davor box. Letter from the Government of Croatia’s Office for Refugees and Displaced Persons to the Mayor of Davor, dated 12 September 1995.

The records of the border police on the Croatian side of the river Sava show that another 169 people were expelled on 21 September. In October, the number of people expelled dropped: On 3 October, only 8 refugees were recorded, and then 4 more on 5 October. On 6 October, 7 persons were expelled, then 10 more on 7 October, 3 on 10 October, 4 on 11 October and 66 from 16–27 October. On the last day of October 1995, 44 persons were expelled.

The expulsions continued in November: police records show that 320 persons were transported from Srbac to the Croatian border and crossed into Croatia from 12–16 November.

In December 1995, the temporary border crossing at Davor was closed, but the refugees kept arriving at other border crossings.

In early November 1995, representatives of the Republika Srpska government visited Bishop Komarica at the Bishop's Office, asking him to request that Cardinal Franjo Kuharić "intervene with the relevant authorities in Croatia" regarding the supply of electricity from the hydroelectric power plant in Bočac.²⁸ A few days after this visit, the Committee for the Reception and Accommodation of Refugees from Republika Srpska and Republika Srpska Krajina drafted a "protest", which was publicised by Serbian Radio Banja Luka. This "protest" claimed that the Committee had reached an agreement with the International Red Cross that Croats and Muslims who were at the time homeless would be accommodated in the Banja Luka monastery, but that Bishop Komarica opposed the solution.²⁹ On 11 November 1995, Bishop Komarica wrote a letter to Gojko Kličković, President of the Committee for the Reception and Accommodation of Refugees from Republika Srpska and Republika Srpska Krajina, and refuted the fabrication that he was against the idea of Muslims and Croats being accommodated together in the monastery. "I call your attention to the fact that you never discussed this issue with 'Mister Komarica'. Your allegation is a flat contradiction of the truth."³⁰ While this slander was being spread by the Serb media, the Sisters of the Precious Blood from the St. Anthony Monastery in Bosanska Gradiška were forced to leave their monastery; the Serb-controlled Civil Protection Department of the Bosanska Gradiška Municipality ordered them to take their personal effects, and to depart for Banja Luka to seek accommodation from the bishop. The Serb Army then confiscated the monastery.

²⁸ In *Defence of the Rightless*, p. 304

²⁹ In *Defence of the Rightless*, p. 541

³⁰ In *Defence of the Rightless*, p. 541

US Special Envoy for Human Rights and Assistant Secretary of State John Shattuck visited Bishop Komarica on 10 November, 1995, and expressed support for his peaceable efforts, stressing that “both the bishop and his people must remain here.”³¹ On 30 November, UN Special Rapporteur for Human Rights Elisabeth Rehn visited the Banja Luka Bishop’s Office and was updated on the situation in Banja Luka and the region. Bishop Komarica was still under house arrest, but the deportation campaign was losing momentum.

European Commissioner for Humanitarian Issues Emma Bonino arrived in Davor by helicopter at the height of the exodus. She was able to verify the magnitude of the expulsion, and Mayor Jakirčević provided the necessary background information that enabled her to grasp the situation in its entirety. The Croatian side did not treat mixed marriages as an obstacle to allowing refugees into Croatia, and Muslim and Croat spouses crossed the border without difficulty. When the question arose as to whether Croatia would admit married couples in which one partner was Serb, Mayor Jakirčević requested an official opinion from the Croatian Government. Dr. Adalbert Rebić, Head of the Government Office for Refugees and Displaced Persons of the Republic of Croatia wrote to Mayor Jakirčević: “Regarding the questions you addressed in your letters, I have also informed Dr. Jure Radić, Vice-President of the Croatian Government and Minister for Development and Reconstruction.

The position of the Croatian government is that families must not be separated when entering the Republic of Croatia, regardless of the spouses’ nationalities. The Republic of Croatia will receive all people expelled from the Serb-controlled territory of Bosnia and Herzegovina. Minister Radić will also request of the Ministry of the Interior that such issues will not present a problem in the future.”³²

Most refugees crossed the Sava with only the bare essentials in their bags. There is only one record of an individual crossing the river with household items. Apart from Croats and Muslims, the Serbs expelled other nationalities, but their numbers were negligible. The records show that several Hungarians, Germans and Italians crossed into Croatia. As a rule, Serb individuals and married couples were sent back to Srbac. There were incidents when Serbs claimed

³¹ In Defence of the Rightless, p. 307.

³² Croatian Information Centre, Zagreb, Davor box. Letter of the Office for Refugees and Displaced Persons of the Government of Croatia to the Mayor of Davor, dated 22 September 1995.

to be Croats on the Bosnian side, but once in Davor, they pleaded and argued that they could not go back to Bosnia.³³

The relocation/emigration agency that operated in Banja Luka charged DM 400 per person, while its branch office in Bosanska Gradiška charged DM 700 per person. They would send their thugs to intimidate and terrorise people, then they used violence to force families to leave their houses, after which they charged them for “voluntary emigration”. The “emigrants” were given legitimate receipts of payment in exchange for their money. These receipts had a printed letterhead: “RS / Vlada RS / Komesarijat za iseljenje” (Republika Srpska / Government / Commissariat for Emigration”), the exact amount paid written by hand, a short text that stated that the “emigration” was approved, the date, and a signature. The next instance of extortion occurred on the buses, where the drivers charged DM 100 to DM 200 for the ride.

Based on the official records of the border police, we can determine the number of refugees from Bosnia and Herzegovina who used the Davor border crossing to enter Croatia. Several copies were made of the lists, one of which Mayor Jairčević gave to Šimun Penava, Head of the Documentation Centre of the Homeland War, which was part of the Zagreb-based Croatian Information Centre. The lists of refugees were sorted by date, and subsequently listed in alphabetical order. All the factual information was published in 2003.³⁴ However, the authors of some publications that appeared after 2003 ignored the data regarding the number of refugees expelled via Davor at the height of the exodus in August and September 1995. The elaborate monograph “Pravo na dom” (Right to a Home), was published in 2011, does not even mention the expulsion of citizens from Banja Luka, despite the fact that the entire book is dedicated to refugees and issues regarding their expulsion and return.³⁵ The book’s editors did not include any photographs of the exodus, and the data regarding the number of refugees in 1995 are inaccurate.³⁶ This data was supplied by the Ministry of Regional Development, Forestry and Water Management, Department for

³³ Croatian Information Centre, Zagreb, Davor box. Statement from Alojzije Jakirčević, Mayor of Davor.

³⁴ Šimun Penava: *Davor – humano središte svijeta; progon Hrvata i Muslimana s banjolučkog područja 1995* (Davor – the humane centre of the world; the expulsion of Croats and Muslims from the Banja Luka area) Slavonski Brod, 2003, Books 1 and 2.

³⁵ *Pravo na dom* (Right to a Home), edited by Branko Pek, Slobodan Lang. Osijek, Studio. HS Internet, 2011 (further: *Pravo na dom*).

³⁶ *Pravo na dom*, 38–45.

Special National Interest Areas.³⁷ Neither the table nor the graph in the chapter “Refugees, Returnees and Displaced Persons in Croatia from 1991 to 1996” contains any data for the year 1991, which is probably an editorial oversight. The data regarding the number of refugees in August and September are identical: 187,038 refugees,³⁸ although on 18 August 1995 alone, the Davor border police registered 2255 refugees from Bosnia and Herzegovina.³⁹

The August 1995 expulsion started on 14 August and continued every day, with the exception of 25, 26, 27, and 30 August. During these fifteen days, a total of 15,740 persons were expelled from their homes. The deportations continued throughout September 1995, and the Davor border police officially registered 3723 expelled persons. At the same time, people were driven out at other border crossings, thus increasing the total number of refugees. If we add the number of refugees registered at the Davor border (15,740 people) to the official number of refugees in August 1995 (187,038 persons), then Croatia provided for 202,778 refugees in August 1995. In September 1995, the total number of refugees in Croatia was 206,501 persons, i.e. 19,463 more than the official data of the Department for Special National Interest Areas. The refugees found accommodation in refugee centres, or with family and friends, all of which was documented and published.⁴⁰

The Role of the International Committee of the Red Cross (ICRC) in Organising Mass Expulsion after 13 August 1995

Who organised the expulsion on the Serb side after 13 August 1995?

We can find the answer to this question in a letter that Deputy Head of the International Committee of the Red Cross (ICRC) in Zagreb Marco Weil sent to Croatian President Dr. Franjo Tuđman on 14 August 1995.⁴¹

The letter was written in English, and was also addressed to Mate Granić, Croatian Minister of Foreign Affairs, and Deputy Prime Minister Ivica Kostović. It states: “Mr. President, the status of the minorities in the Banja Luka

³⁷ Department for Special National Interest Areas.

³⁸ *Pravo na dom*, 38–39.

³⁹ Šimun Penava: *Davor – humani centar svijeta*, 27, List of individuals 382–427.

⁴⁰ Šimun Penava: *Davor – humani centar svijeta*, Book 1, List of individuals 264–685.

⁴¹ Croatian State Archive, UPRH/P/F 840, Deputy Head of the International Committee of the Red Cross Marco Weil's letter to President Tuđman and other Croatian officials including Guidelines signed in Geneva on 13 August 1995.

area has abruptly deteriorated during the last several days. Thousands of people, fearing for their lives, have expressed their wish to leave the region. For years, the International Committee of the Red Cross was focused on protecting these minorities on their native soil. But now, given the current threat and their willingness to leave, the International Committee of the Red Cross must confirm the rules and principles that will govern the procedures of their departure, as well as determine its own role in the process.”

The letter contained another document, with the remark that “it was approved by the highest authorities in Pale and signed by Professor Koljević himself”. The letter was signed by the Deputy Head of the International Committee of the Red Cross, and attached, written in English, were three pages of “guidelines concerning the organisation of the voluntary departure of people wishing to leave the Banja Luka area”. The guidelines were dated 13 August 1995, and were drafted in Geneva, having been agreed upon the previous day. The Head of the ICRC sent them to President Tuđman on 14 August 1995, when 971 persons (942 Croats and 29 Bosniaks) were deported from Serb-controlled Banja Luka to Davor. The guidelines consist of an Introduction, General Principles, Procedure and Plan of Action.

“As a consequence of the various armed conflicts which broke out in the territory of the former Yugoslavia, of the deterioration of the security situation and the hardship put on their living conditions, thousands of people belonging to minorities in the area of Banja Luka requested the right and expressed the wish to leave.” In addition, the document states that the Bosnian Serb authorities had recently established “collective protection centres” to ensure the safety of people belonging to such minorities who had been the victims of pressure, harassment, intimidation and abuse. However, the letter does not specify the exact nature of these “collective protection centres”.

According to Davor Mayor Alojz Jakirčević, who was asked to visit Banja Luka and see for himself how many citizens were gathered in just one open-air stadium, the highest city authorities told him that they would all be “killed if Croatia does not admit them”. They asked Mayor Jakirčević to warn President Tuđman what was going to happen. The Serb authorities had decided to expel all Croats and Bosniaks from Banja Luka and surrounding villages, and the ICRC was to organise the expulsion in a humane manner – i.e. see to it that the deportation of the population was conducted in line with humane standards. “The objective of the guidelines is to confirm and establish the rules and principles governing the procedure of a civilised and safe departure for the people

wishing to leave the Banja Luka area and to define the role of the International Committee of the Red Cross (ICRC) in this process.” The first of the ten general principles states that the ICRC will respect its obligations under international humanitarian law, and according to the various agreements on the matter that had been concluded under the auspices of the ICRC by the parties to the conflict in Bosnia and Herzegovina.

The Bosnian Serb authorities confirmed their obligation to ensure the safety, protection and respect of the members of different minorities living in the territory under their control. They pledged that they would not forcibly relocate all or a part of the population of a given area under their control, nor would they prevent people who wanted to leave voluntarily by imposing conditions (administrative, financial or other) on their departure. The authorities would not force persons who wished to leave to sign any document, including documents renouncing property rights, assets or claims, or renouncing the right to return home at a later stage if he/she wished to do so. In any event, such a document would have no legal validity and would in no way affect the rights and obligations of the person concerned. The unity of families was regarded as a fundamental right. Persons who wished to leave would be reunited with family members who were required for military service or forced labour. The free will of families or individuals who wished to leave would be expressed to ICRC delegates in private, without witnesses. Should a member of a family that wished to leave decide to stay in Banja Luka and in his/her home, the authorities would enable him/her to do so. The terms of the Guidelines would be brought to the attention of the representatives of the minorities living in the Banja Luka area and to international organisations, such as the UNHCR. The third chapter of the Guidelines “Procedure and Plan of Action” describes in detail how the planned deportation was to be carried out. Those wishing to leave would be given the option to gather in “collective protection centres” while awaiting departure. The ICRC would have free and unimpeded access to all places where members of minorities were staying, including the aforementioned centres, in order to conduct its activities. In particular, the ICRC would be able to ensure that a person wishing to leave benefited from adequate security conditions and protection, and to provide them with all necessary material and medical assistance. ICRC staff would conduct private interviews to check whether individuals wished to depart voluntarily. If not all family members were present, families would wait until the missing family member was able to join them before leaving. The ICRC would compile lists of people wishing to leave. These lists would contain the name, date of birth and last address of each member of

the same family. The lists would be submitted to the Serb authorities for confirmation (stamping). Such stamped lists would be considered as permits for immediate departure, without any additional conditions. People wishing to leave would be granted enough time and the necessary facilities to organise their departure and gather their belongings. One must wonder what the ICRC perceived as “their belongings”, when the people could take only the bare essentials with them. Furthermore, the Guidelines stated that the Serb authorities would provide the logistics, in particular transport, for the organised transfer of these people in appropriate and secure conditions and under international supervision. Assistance would be provided by international humanitarian organisations, and the ICRC and/or UNHCR personnel would be able to accompany the convoys transporting these people.

I was not given insight into the documentation of ICRC personnel that supervised the deportation.

Conclusion

There are a number of studies that analyse the consequences of the genocide in Northwest Bosnia and the city of Banja Luka. One particularly interesting analysis was prepared by Special UN Rapporteur on Human Rights, Polish politician and writer Tadeusz Mazowiecki: “According to the prewar 1991 census, the city itself (Banja Luka) had a population of 143,079, which included 49.03 % Serbs, 19.35 % Muslims, 15.82 Yugoslavs, 10.97 % Croats and 4.81 % others. After the war, the city is ethnically cleansed and Serbianised, so that today Croats and Bosniaks represent merely a miniscule minority. The marks of their life and historic legacy have been destroyed or damaged: all mosques have been torn down, while 98 % of all Roman-Catholic churches have been destroyed or damaged.”

Prilog 1.

1992., prosinac 25.

Dragalić

Na Badnjak 1994. iz Republike Srpske protjerano je „159 civila hrvatske i muslimanske nacionalnosti“ u Republiku Hrvatsku, a obratno je „prešlo 56 civilnih lica“.

SLUŽBENA ZABILJEŠKA

- SASTAVLJENA DANA 25. XII. 1992. U 11.00 U PROSTORIJAMA GRANIČNOG PRELAZA AUTO-PUT DRAGALIĆ
- NA OKOLNOSTI RAZMJENE
- DANA 24. XII. U 15.30 NA GRANIČNOM PRELAZU AUTO-PUT DRAGALIĆ KOD MOTELA I BENZINSKE PUMPE IZVRŠENA JE RAZMJENA IZMEĐU GRAĐANA „REPUBLIKE SRPSKE“ I HRVATSKE STRANE RAZMJENOM JE RUKOVODIO SA STRANE REPUBLIKE SRBSKE
 1. MIROSLAV TODIĆ BR. L. L. 1420/90 E. KARDELJA BOS. ŠAMAC
 2. SLOBODAN DESPOTOVIĆ BR. L. K. 3361/80 KOPRIVNA 39 MODRIČA
- NA HRVATSKU STRANU PREŠLO JE 159. CIVILA HRVATSKE I MUSLIMANSKE NACIONALNOSTI SA AUTOBUSIMA KOJIMA SU UPRAVLJALI:

VOZAČ: TANASIĆ VASILJE BR. L. K. 1685/90 OBUDOVAC B. ŠAMAC REG. BR. (MD 371-88)

VOZAČ: STANKOVIĆ DANILO BR. L. K. 1107/89 OBUDOVAC B. ŠAMAC REG. BR. (MD 350-52)

NA NAŠU STRANU SA STRANE HRVATSKE PREŠLO JE 56 CIVILNIH LICA SA ISTIM AUTOBUSIMA. SLUŽBENU ZABILJEŠKU DAJEM NA ZNANJE I DALJNJE KORIŠTENJE.

SLUŽBENU ZABILJEŠKU PODNIO:

Galić Dragoljub

Izvornik, strojopis, latinica

Hrvatski memorijalno-dokumentacijski centar Domovinskog rata, Sekretarijat unutrašnjih poslova Okučani, kut. Granično milicijsko odjeljenje Dragalić, Službena zabilješka od 25.12.1994. (dalje: HMDCCR, SUP Okučani, kut. GMO Dragalić)

Prilog 2.

1994., svibanj 17.

Dragalić

Predstavnici Crvenih križeva iz Okučana, Bosanske Gradiške i Prijedora zajedno s privatnim agencijama iz Srbca, Bosanske Gradiške i Prnjavora uz suglasnost Opštinske komisije za izbjeglice iz Banja Luke protjerali su u Republiku Hrvatsku 318 civila Hrvata i Muslimana, a u Republiku Srpsku prešle su 4 osobe.

SUP OKUČANI
GOM DRAGALIĆ

Datum, 17. 05. 1994. godine

SLUŽBENA ZABILJEŠKA

Sastavljena dana 17. 05. 1994. godine u prostorijama GOM Dragalić vezano za prijelaz lica i kontakt sa hrvatskom stranom.

Navedenog dana na ovom GOM održan je kontakt i prijelaz lica nesrpske nacionalnosti iz RS u RH i iz RH u RS posredstvom CK.

Na pregovorima prisustvovali su prestavnici iz RSK CK Okučani sa odobrenjem SUP-a broj 08-05/1-5-1151/1-94. Te CK-ovi RS CK Prijedor suglasnost SUP-a 08-05/1-5-1167/1-94.

- CK Gradiška koji je prevezao i lice hrvatske nacionalnosti
- Grgić Šteficu navedeno lice je imalo potrebno odobrenje Ministarstva odbrane te ga prilažem ovom zabilješci uz suglasnost ovoga SUP-a broj 08-05/1-5-1149/1-94
- Privatna agencija „ILINGUA“ iz Gradiške sa stalnim odobrenjem ovog SUP-a broj 08-05/1-5-1070/1-94 i predstavnikom Prpoš Borislavom,
- Agencija „Božur“ Prnjavor sa predstavnikom Prgonjić Milutinom koja je prevezla 53 lica, a od toga 31 lice muslimanske nacionalnosti i 22 lica hrvatske nacionalnosti uz suglasnost ovog SUP-a broj 08-05/1-5-1148/1-94.
- Agencija „Duga“ Srbac sa predstavnikom Petković Dušanom prevezla 70 lica od toga 10 muslimana i 60 hrvata uz suglasnot ovog SUP-a broj 08-05/1-5-1162/1-94.
- Opštinska komisija za izbjeglice iz Banja Luke sa predstavnicima Puzigaća Nikolom i Dodig Draženom prevezli su 195 lica, od toga 125 hrvata i 70 muslimana uz suglasnost SUP-a Okučani pod brojem 08-05/1-5-1156/1-94 te dva putnička automobila.
- Također iz Republike Hrvatske u Republiku Srpsku prešla su sljedeća lica srpske nacionalnosti:
 1. Obradović Vukica rođena 1922. godine sa stanom u Trapari 12, SO Slav. Požega ide na adresu Blagoja Ćorovića 89, Banja Luka,
 2. Čekić Zdravko 1952.
 3. Čekić Smiljka, 1954.
 4. Čekić Vladimir, 1975.

Obitelj Čekić ide iz Slavanskog Broda Andrije Hebranga B1/2, zamjena kuće sa Klečina Franjom u Banja Luka, Braka Perdua 4.

Zabilješka se daje na znanje i daljnje korištenje.-

KOMANDIR GOM DRAGALIĆ

Četojević Davorin

Izvornik, strojopis, latinica

HMDCDR, SUP Okučani, kut. GMO Dragalić, Službena zabilješka od 17.05.1994.

Prilog 3.

1994., svibanj 3.

Dragalić

Privatna agencija „Božur“ iz Prnjavora uz suglasnost SUP-a Okučani prevezla je tri autobusa civila, „ukupno ispred ove agencije prešlo je 152 lica“ iz Republike Srpske u Republiku Hrvatsku.

SLUŽBENA ZABILJEŠKA

Sastavljena dana 03.05.1994. godine u prostorijama GOM Dragalić povodom tranzita lica preko naše zone odgovornosti ispred agencije „Božur“ Prnjavor iz RS u RH.

Tranzit ovih lica dozvoljen je od SUP-a Okučani broj: 08-05/l-5-1046/l-94 prema dopisu broj 16/94 sa naznakama br. 16/94-1, 16/94-2 i 16/94 -3.

Na spisku broj 16/94-1 bilo je 55 lica, a prešlo je 53 lica, a lica pod brojem 20 i 23. nisu prešla, odnosno nisu bili prisutni.

Na spisku 16/94-2 bilo je 52 lica, a prešlo je 50 lica, lica pod brojem 09 i 52 nisu prešla, odnosno nisu bili prisutni.

Na spisku broj 16/94-2 bilo je 51 lice, a prešlo je 49 lica, lica pod brojem 33 i 34. nisu prešla, odnosno nisu bili prisutni.

Ukupno ispred ove agencije prešlo je 152 lica, a ispred agencije bio je Prgonjić Milutin.

KOMANDIR GOM DRAGALIĆ

Četojević Davorin

Izvornik, strojopis, latinica

HMDCDR, SUP Okučani, kut. GMO Dragalić, Službena zabilješka od 03.05.1994.

Prilog 4.

1995., kolovoz 31.

Prijedor

Štab za smještaj izbjeglica iz Prijedora šalje popis „nacionalnih manjina koji žele“ napustiti teritorij Republike Srpske.

REPUBLIKA SRPSKA
 ŠTAB ZA SMJEŠTAJ IZBJEGLICA
 P R I J E D O R
 Broj: 576/95
 31.08.1995.godine

- SPISAK LICA NACIONALNIH MANJINA KOJI ŽELE
 NAPUSTITI TERITORIJU REPUBLIKE SRPSKE -

1. PRANIĆ Pavle ANTE	1952.	Žune
2. LOKANC Franjo MARIJA	1929.	Ljubija
3. ANTIĆ Mato LJUBICA	1940.	Žune
4. ANTIĆ Nedeljko ADRIJANA	1983.	Žune
5. CEPIĆ Ivo ANA	1931.	Žune
6. ANTIĆ Mato MARA	1928.	Žune
7. MATIĆ Ivo KATA	1932.	Žune
8. MATIĆ Ivan LJUBA	1930.	Žune
9. JOZIĆ Juro ANTE	1931.	Šurkovac
10. JOZIĆ Ivo SARAFINA	1931.	Šurkovac
11. KOMLJENović ANTO	1920.	Šurkovac
12. MATIĆ Mato ANA	1925.	Raljaš
13. IVANOVIĆ Kazimir MARA	1940.	Žune
14. IVANOVIĆ Ante DANICA	1912.	Žune
15. IVANOVIĆ Ivo MARIJANA	1985.	Žune
16. PRANIĆ Ante FRANJO	1935.	Žune
17. PRANIĆ Stipo MILKA	1948.	Žune
18. JAKARA Ante BREKENTINA	1936.	Ravska
19. DELIĆ Nedeljko DANICA	1938.	Ravska
20. DELIĆ Ante IVEČKO	1938.	Ravska
21. IVELJIĆ Andjelko LUCIJA	1965.	Ljubija
22. JAKARA Franc ANDREA	1988.	Ljubija
23. IVELJIĆ Ante BILJANA	1972.	Ljubija
24. IVELJIĆ Ante TATJANA	1974.	Ljubija
25. IVELJIĆ Ante VESNA	1979.	Ljubija
26. JAKIĆ Nedeljko KAZIMIR	1990.	Žune

27. JAKIĆ Kazimir NEVENKA	1938.	Žune
28. PRANIĆ Tade ZDENKA	1964.	Žune
29. IVELJIĆ Pejo LUKA	1932.	G. Ravska
30. IVELJIĆ Ante JELA	1933.	G. Ravska
31. IVELJIĆ Luka IVANKA	1966.	G. Ravska
32. IVELJIĆ Luka SNJEŽANA	1971.	G. Ravska
33. IVELJIĆ Luka MARIJA	1977.	G. Ravska
34. GOTVALD Franje VLADIMIR	1936.	G. Štern 15
35. GOTVALD Jokana EMILJA	1942.	G. Štern 15
36. BIRSL Blaža LJUBICA	1913.	G. Štern 15
37. ŠIMČIĆ Ivan ZVONKO	1966.	K. Aleksandra 37
38. ŠIMČIĆ Gojko DANKA	1972.	K. Aleksandra 37
39. ŠIMČIĆ Zvonko NEVENA	1993.	K. Aleksandra 37
40. BRIŠEVAC Ivo DRAGICA	1956.	Kalajevo
41. BRIŠEVAC Ivo DRAGANA	1978.	Kalajevo
42. BRIŠEVAC Ivo DRAGAN	1980.	Kalajevo
43. KOLONIĆ Redžo HATIDŽA	1910.	D. Ljubija
44. KOLONIĆ Smajo SMAIL	1935.	D. Ljubija
45. KOLONIĆ Ibro RAJFA	1936.	D. Ljubija

Zaključno sa rednim brojem 45. (četrdeset pet).

Ovjera V R S
Pom. Kom. Šipovac Čedo

Ovjera C R D B
Mutić Grozdan

HIC, kutija Davor. Dopis Štaba za smještaj izbjeglica iz Prijedora od 31. kolovoza 1995.

Prilog 5.

1995., kolovoz 14.

Zagreb

Vršitelj dužnosti voditelja Međunarodnog komiteta Crvenog križa Marco Weil daje na znanje predsjedniku dr. Franji Tuđmanu i dr. o sadržaju Smjernica potpisanim u Ženevi 13. kolovoza 1995. u vezi s organizacijom dobrovoljnog odlaska manjinskih skupina koje žele napustiti područje Banje Luke. Najviše „vlasti bosanskih Srba“ odobrile su taj dokument, a potpisao ga je profesor Koljević.

MEĐUNARODNI KOMITET CRVENOG KRIŽA

Zagreb, 14. kolovoza 1995.

ZAG 95/2438 – MCW/BW

Gospodinu
Dr. Franji Tuđmanu
Predsjedniku Republike Hrvatske,
Gospodinu Mati Granić
ministru vanjskih poslova

Gospodinu Ivici Kostović
zamjeniku Predsjednika Vlade RH

Gospodine predsjedniče,

položaj pripadnika manjinskih skupina na području Banja Luke naglo se pogoršao tijekom posljednjih dana. Tisuće njih, strahujući za svoju sigurnost, izražavaju želju da napuste to područje.

Međunarodni komitet Crvenog križa godinama se usredotočuje da te manjine zaštiti u njihovom zavičaju. No, sada, ako se uzme u obzir trenutna prijeteća situacije za te ljude, i njihova spremnost da odu, Međunarodni komitet Crvenog križa mora potvrditi pravila i načela koja će voditi proceduru za njihov odlazak, a također Međunarodni komitet mora odrediti vlastitu ulogu u tome.

Zato ovom dopisu dodajemo, Vama na znanje, dokument koji koristi navedene smjernice. Treba spomenuti da su najviše vlasti na Palama odobrile taj dokument i da ga je potpisao profesor (Nikola Koljević). S najvećim poštovanjem Marco Weil, v. d. delegacije Međunarodnog komiteta Crvenog križa u Zagrebu

MEĐUNARODNI KOMITET CRVENOG KRIŽA

SMJERNICE U VEZI S ORGANIZACIJOM DOBROVOLJNOG ODLASKA NARODA KOJI ŽELI NAPUSTITI PODRUČJE BANJA LUKE

1. UVOD

Kao posljedica raznih oružanih sukoba koji su izbili u bivšoj Jugoslaviji i pogoršanja sigurnosnog stanja i teških uvjeta života, tisuće pripadnika manjina na području Banja Luke zatražili su pravo i izrazili želju da napuste to područje.

Vlasti bosanskih Srba nedavno su u Banjoj Luci uspostavili "kolektive zaštitne centre" kako bi osigurali sigurnost pripadnika manjina i koji su prethodno bili žrtve velikih pritisaka i zlostavljanja, prijetnji i raznih zlostavljanja.

Cilj ovih smjernica je potvrditi i uspostaviti pravila i načela koja će voditi postupak pristojnog i sigurnog odlaska ljudi koji žele napustiti područje Banja Luke i da definiraju ulogu Međunarodnog komiteta Crvenog križa (MKCK) u tom procesu.

2. OPĆA NAČELA

- 2.1. Ništa u ovim smjernicama neće biti tumačeno kao nešto što umanjuje ili oduzima obaveze koje proistječu iz međunarodnog humanitarnog prava i različitih sporazuma po tom pitanju sklopljenih pod okriljem MKCK i sukobljenih strana u BiH.
- 2.2. Vlasti bosanskih Srba potvrđuju svoju obavezu da zaštite sigurnost i prava pripadnika raznih manjina koji žive na području pod njihovim nadzorom.
- 2.3. Vlasti bosanskih Srba neće prisilno preseljavati sve ili dio stanovništva na područjima pod njihovom kontrolom, niti će ih podvrgnuti takvoj obavezi, uvjetima ili pritiscima pred kojima će im jedina mogućnost biti iseljavanje.
S druge strane vlasti bosanskih Srba neće sprečavati dobrovoljno iseljavanje postavljanjem uvjeta (upravnih, finansijskih ili drugih). Poduzet će se sve mjere da se olakša iseljavanje onima koji to žele.
- 2.4. Vlasti bosanskih Srba neće poduzeti ništa da osoba koja odlazi mora potpisati bilo koji dokument, primjerice da se odriče svoje imovine, nekretnine ili prava, ili da se mora odreći da će se kasnije vratiti kući ako to bude želio. Takvi dokumenti neće imati pravnu važnost i ni u kojem slučaju neće utjecati na pravi o obaveze osobe koja odlazi.
- 2.5. Održanje jedinstva obitelji je temeljno pravo. Osobe koje žele otići bit će ujedinjene s članovima obitelji koji su pod vojnom obavezom ili obavezom javnih radova. Ti članovi obitelji također će imati pravo izraziti svoju slobodnu odluku da otiđu, ako to žele, i napustit će područje zajedno sa svojim obiteljima.
- 2.6. Slobodna volja obitelji i pojedinaca koji žele otići bit će iznijeta predstavnicima MKCK u zatvorenom razgovoru bez svjedoka.
- 2.7. Ako neki član obitelji želi ostati u Banjoj Luci u svome domu, vlasti bosanskih Srba tu će želju poštovati i osigurati mu sigurnost osobnu i imovine.
- 2.8. Tijekom postupka kojim će se odrediti želi li netko svojom voljom otići, skupljanja onih koji odlaze i prijevoza, vlasti bosanskih Srba će na teritoriji pod svojim nadzorom imati isključivu odgovornost za osiguranje sigurnosti.
- 2.9. Uključivanje MKCK u ovaj postupak i njegova radna načela i procedure koji se temelje na međunarodnom humanitarnom zakonu i u prirodi MKCK kao neutralnog i samostalnog posrednika navedene su dolje. Posebno treba naglasiti da MKCK neće preuzeti odgovornost za ono što dolje nije izričito navedeno.
- 2.10. Uvjeti ovih smjernica bit će dani na znanje predstavnicima manjina s područja Banja Luke i zainteresiranim međunarodnim organizacijama kao što je UNHCR.

3. PROCEDURA I PLAN AKCIJE

- 3.1. Oni koji žele otići imat će mogućnost da se okupe u “zajedničkim zaštitnim centrima” dok čekaju na odlazak. MKCK imat će slobodan i neometan pristup svim mjestima gdje su pripadnici manjina, uključujući i navedene centre, kako bi MKCK mogao provoditi svoje djelatnosti. Posebno će MKCK imati pravo procijeniti da osoba koja želi otići ima pogodnosti adekvatne sigurnosti i zaštite i MKCK će tim osobama osigurati sve potrebne materijale i zdravstvenu pomoć.
- 3.2. MKCK će razgovarati privatno s tim osobama kako bi se ustanovilo da one žele otići dobrovoljno.
- 3.3. Obitelji čiji članovi nisu prisutni će čekati pod istim uvjetima dok taj član obitelji ne dobije mogućnost da im se pridruži, a zatim će napustiti područje.
- 3.4. MKCK imat će mogućnost sastaviti liste onih koji žele otići. Te liste će obuhvatiti barem imena, datume rođenja i posljednju adresu svakog člana iste obitelji. Lista će biti dana na uvid vlastima bosanskih Srba da je potvrde. Takve potvrđene liste predstavljat će dozvolu za žurni odlazak bez ikakvih daljnjih uvjetovanja.
- 3.5. Ljudi koji žele otići imat će vremena i potrebne uvjete da otiđu i skupe svoju imovinu.
- 3.6. Vlasti Bosanskih Srba osigurat će logističku potporu, posebno prijevozna sredstva, za organizirani prijevoz spomenutih osoba, koji će se provesti na pristojan i siguran način i pod međunarodnim nadzorom. Ako je potrebno i prema dogovoru, međunarodne humanitarne organizacije pružit će ovome potporu. MKCK i/ili UNHCR sa svojim osobljem i vozilima moći će pratiti konvoje koji prevoze navedene osobe.

Ženeva, 13. kolovoza 1995.

Izvornik, strojopis, engleski

HDA, UPRH/P/F 840, Pismo v. d. voditelja MKCK-a Marca Weila predsjedniku RH i drugim hrvatskim dužnosnicima sa Smjericama potpisanim u Ženevi 13. kolovoza 1995. S engleskog preveo dr. sc. Nikica Barić.

WAR CRIMES IN THE BANJA LUKA AREA, WITH A SPECIAL REVIEW OF THE REPORT OF THE COMMISSION OF THE UNITED NATIONS

Prof Josip Jurčević, PhD, Ivo Pilar Institute Zagreb

Introduction

The dramatic political and wartime events in Banja Luka area from the end of the 1980s until 1995, and afterwards, are only part of the wider political, wartime and post-war events in the territory of the former Yugoslavia. Thus, the scale, causes and consequences of the war crimes that were committed from 1992 to 1995 in the Banja Luka area can only be fully comprehended if perceived from this wider perspective.

The general internal crisis of communist Yugoslavia in the 1980s occurred at the same time as the crisis in communist systems throughout Eastern European communist countries. In Yugoslavia in the 1980s, inflation skyrocketed, as did the number of strikes, the deterioration of companies and the unemployment rate. This economic crisis was accompanied by a general financial, political, and international crisis, because nonmarket forces and the undeveloped Yugoslavian economy could no longer provide for the massive demands of its bureaucratic structure, since the inflow of foreign loans, which had significantly helped preserve Yugoslavia for decades, had ceased. This made the collapse of the totalitarian communist regime and the downfall of Yugoslavia as a country all the more inevitable. The Communist Party and its government bodies proclaimed various reforms, but in vain.

Meanwhile, in the increasingly evident disorder that overtook Yugoslavia, only the governing structures in Serbia and Serbianised federal institutions (security and the military) had been preparing – since the mid-1980s – to take advantage of the crisis in Yugoslavia, with the aim of realising their Greater Serbian goals. One project in question was that of a multi-institutional Greater Serbia, in which one of the main players was the Serbian Orthodox Church. The Serbian Academy of Sciences and Arts prepared and publicly announced a Memorandum, while the infamous Eighth Plenary Session of the Central Committee of the Serbian League of Communists and the inauguration of Slobodan Milošević as the Serbian leader practically marked the beginning of the realisation of the Greater Serbian project. The main goal of this project was for “all Serbs to live in one country”. This meant conquering parts of the territories

of neighbouring republics – countries where Serbs lived, regardless of whether they were a majority or a minority.

The rest of the republics in the former Yugoslavia were less prepared in every way for the denouement of the Yugoslav crisis, which was determined by Serbia's behaviour. Serbia's main advantage was that – through existing Serbianised cadres in the military and security system – it controlled the country's entire armed forces. This was the main reason that Serbia could realise its plans through military aggression, while the other republics had no option other than to defend themselves and to achieve their other goals through the use of political resources and delaying tactics while they gradually armed themselves.

Furthermore, for the victims of Serbia's military aggression, the international circumstances were extremely unfavourable since the entire international community – including its institutions (UN, EC, CSCE) and the most powerful European countries and other countries around the globe – for a long time regarded the Yugoslav crisis and Serbian military aggression as an internal Yugoslav problem.

The Main Characteristics of the Serbian Military Aggression

A particular difficulty to those defending themselves from this Serbian military aggression, and a significant additional tragedy for its victims, was the outdated Greater Serbian doctrine, which dictated that in conquered territories, the majority of the population must consist of ethnic Serbs, and these territories must have a Serbian identity. In accordance with this doctrine, Serbia spread psychological propaganda for its military aggression, and conducted psychological preparation of Serbian troops – both regular and voluntary – who were indoctrinated with stereotypes of the endangered Serbian identity and immense hatred for members of other ethnic groups and both the tangible and abstract attributes of their identity.

In accordance with the aforementioned Greater Serbian plans and doctrines, military aggressions were unleashed on Croatia and Bosnia and Herzegovina, and afterwards on Kosovo. Left in the wake of the Serb troops were the bloody traces of the severest crimes known to international and humanitarian law. The Serb troops and occupying forces conducted systematic ethnic cleansing, as well as culturcide and memoricide of all kinds.

In order to accomplish ethnic cleansing of a number of locations in occupied territories, the Serb forces ruthlessly and barbarically killed and massacred civilians. In this way, they wanted to scare civilians, and encourage those who were not ethnic Serbs to flee *en masse*. Furthermore, with the objective of ethnic cleansing, concentration camps were established for the systematic mass rape of women who were not ethnic Serbs, especially in the occupied territories of Bosnia and Herzegovina.

This Serb aggression and the new authorities in the occupied territories systematically destroyed the non-Serbian heritage of civilisation and identity, so that the Serbs could claim, by means of propaganda, that the territories in question were historically Serbian. A number of settlements, urban centres, and cultural and religious buildings were destroyed, and elementary facts from cultural, political and democratic history were falsified, while centuries-old toponyms, oronyms and hydronyms were altered.

The strategic goals and operational leadership of the Serb military aggression treated Croatia and Bosnia and Herzegovina as one territory and one battlefield. This was evident in the military plans and conquest operations, which completely ignored the national boundary between Croatia and Bosnia and Herzegovina. The same model of occupation was implemented in the territories of both countries, which led to their intrinsic and formal linking and identification.

The Strategic Significance of the Banja Luka Region

The Banja Luka region had key strategic significance to Serb plans for conquest, war operations and the post-war period. This arose mainly from its central position to all noted situations and time periods, and to the battlefield in the territories of the Republic of Croatia and Bosnia and Herzegovina.

In the most extreme plans of Serb conquest, the boundary extended to a line that stretched from Virovitica through Karlovac to Karlobag. In this space, the Banja Luka region occupied a central geographic position, whereby the planned territory for conquest was interconnected and compact, and took on a favourable circular shape. The Banja Luka region maintained this importance in the territory that was later occupied (which was less than planned) in the Republic of Croatia and Bosnia and Herzegovina. Furthermore, without the Banja Luka region, the planned territory of the Serb conquest and, more so, the territories that were actually occupied in the Republic of Croatia and Bosnia and Herzegovina,

would be hard to keep because of the territory's elongation and weakly mutually connected form.

The central position of the Banja Luka region was of significance to most Serb wartime conquest operations in the Republic of Croatia and Bosnia and Herzegovina. This was not only because of the military force of the Banja Luka Corps, but also, and mostly, its position, from which the forces of that corps, as well as Serb reservists and voluntary forces were an essential factor in the aggression and realisation of the occupation of a number of Croatian territories (from Slavonia to northern Dalmatia) from as early as 1991. From 1992, Banja Luka also played an important role in the Serb military aggression against Bosnia and Herzegovina. During the largest part of the liberation operations and activities in Croatia and Bosnia and Herzegovina, especially during the key operations in 1994 and 1995, the Banja Luka area was one of the largest problems.

The fact that the liberation of parts of the Banja Luka area could only take place after "Oluja" bears witness to the region's military and strategic importance. This liberation was halted under great pressure from the international community, and the unjustified succumbing to that pressure by the Republic of Croatia and Bosnia and Herzegovina. From the perspective of a series of extremely negative post-war political and security events – which have had lasting and amplified effects until the present day – the mistake of this decision is even more visible.

Due to the failure to liberate the Banja Luka region, the entity of Republika Srpska has been created and maintained, as a result of the aforementioned crimes under international and humanitarian law. This is reinforced by the fact that mass expulsions of non-Serb (Croat and Bosnian) residents continued after the end of war operations and after the signing of the Dayton Accord. The long-term survival of Republika Srpska under international patronage sends a frightening message that it is worthwhile instigating aggression and conducting mass war crimes in an organised manner.

The Report of the Commission of Experts of the United Nations

Objectively bearing witness to the most extreme crimes carried out during the Serb military aggression against Croatia and Bosnia and Herzegovina, including the region of Banja Luka, is the Final Report and its Annexes which were compiled in 1994–1995 by the Commission of Experts, established pur-

suant to UN Security Council Resolution 780 in 1992. In this document, the UN Commission of Experts specifies the geographical location of approximately 480 individual concentration camps, which were systematically established under Serb supervision. Military personnel and civilians were interned at these camps.

According to statements from the Commission, because the existence of approximately 300 concentration camps was reported by one or more neutral sources, this information is considered to be reliably corroborated. The other approximately 180 camps were reported by non-neutral sources, so the Commission labels them as uncorroborated.

Of these 480 Serb concentration camps, approximately 330 (200 corroborated and 130 uncorroborated) were located in the territory of Bosnia and Herzegovina; approximately 80 (30 corroborated and 50 uncorroborated) in the occupied territories of the Republic of Croatia; and around 70 (40 corroborated and 30 uncorroborated) in the territories of Serbia (60) and Montenegro (10). The system of Serb concentration camps – along with its other characteristics – confirms that the Serb military aggression was an integral project.

This system of camps formed a larger whole, a fact confirmed by the Commission's report, which states that the internees from Croatia and Bosnia and Herzegovina were freely distributed and transferred to and from camps located in the territory of all three countries (the occupied areas of Croatia and Bosnia and Herzegovina, and the territories of Serbia and Montenegro). It is also stated in the report that civilians and soldiers from the areas of one country visited the camps in the other two, in order to "participate in abuse" of internees.

Moreover, the Commission asserts that the "abuse of internees" was common and that the commanders of Serb camps "were aware of the abuse and often allowed Serb civilians and paramilitary forces to mistreat internees". Further, it describes how "Serbs in charge of the camps in Croatia attempted to deceive visitors interested in camp conditions on several occasions" (ICRC and others).

In understanding the complexity and premeditation of the Serb armed aggression, the Commission's statement that "There were internees who were forced, on Belgrade television, to describe their alleged attacks on Serbs," is telling. The vulnerability of Serbianism was one of the basic slogans and socio-motivational factors by which Greater Serbian structures conducted the national homogenisation of Serbs in preparation for the aggression that was conducted.

Variations on this stereotype have been used both at the time and since to depict and justify to the international community that the Serb armed aggression was the defence of threatened Serbs. Among the systematic war crimes committed during this aggression, the aforementioned camps for committing mass rape, established by Serb authorities in occupied areas of Bosnia and Herzegovina, are especially notorious.

Throughout the history of warfare, sexual crimes, including rape, have been a regular occurrence. However, during the Serb aggression on Bosnia and Herzegovina (starting in 1992), camps for committing mass rape were established for the first time. Exclusively non-Serb women (predominantly Bosniak Muslims) were held and were raped in these camps, only being freed when they reached the advanced stages of pregnancy.

These camps for committing mass rape were part of the strategy to ethnically cleanse the area of non-Serb residents, and these women generally became part of the refugee population that – due to psychological, moral, religious, customary and other reasons – was most motivated to remain in exile, permanently settling in the most distant corners of the world. The UN Commission, in a dedicated section of the report on rape and other sexual assaults in Serb camps, included a list of facilities where “all women were raped when the soldiers would return from the frontlines, every 15 days,” or that were detention centres for women where “mostly sexual assaults” were committed.

To review the methods of treatment in Serb camps, we must first face and familiarise ourselves with the testimonies of surviving detainees, who described their terrifying camp experiences. These testimonies have been published in numerous books that were marginalised and thus have not made a distinctive impression on the public.

The state of the facilities where internees were held was unfit for accommodating animals, let alone people. The internal housing conditions (hygiene, clothes, beds, bedcovers, number of people) were catastrophic. The camps were established in abandoned agricultural properties, in warehouses, in the basements of various public and private buildings, in army barracks, and in prisons. The larger camps, which held a thousand or more detainees, were most often in facilities that had been used in the past for farming livestock.

A surviving detainee described the physical appearance of one of the camps, a barn for cattle breeding, “which was abandoned some ten years ago. It was about 200 meters long and about 30 meters wide. There was no ceiling: only

roof tiles. On both sides of the building were cattle feed fronts. The feed fronts were located about a metre from the longer walls. From the feed front towards the centre was the area where the cattle were held (in the past, author's note), and along the entire length of the barn was a 3-metre (wide, author's note) passage. Between the feed fronts was dirt, and the other parts of the barn were covered with some kind of worn out concrete [...] they crammed about a thousand of us in that area. There was no living space [...] we were cramped, and trampled each other."

Treatment of the detainees – from capture or arrest to release or death – was punctuated with extremely frequent, cruel and diverse forms of physical and psychological abuse in all of the Serb camps. The detainees were exposed to torture both collectively and individually, day and night, while lining up, during mealtimes, work, rest and sleep.

The same treatment was used during systematic interrogations, which all detainees underwent on several occasions. Personal effects, cash, jewellery and other valuables that they had on them were most often taken from them by violence or threat, without a receipt. Most often, men, women and children were interned in the same space. There were frequent transfers of detainees, which were undertaken cruelly, without notice or notification of destination, and under inhumane conditions.

Throughout the process of being rounded up, sent to the camps, and in the camps themselves, meals were irregular, insufficient in terms of quantity, and of extremely low quality. Additionally, conditions were unhygienic and there was no infirmary or access to doctors. All of this was reflected in the detainees' dramatic weight loss and frequent illnesses. The profession of faith was forbidden to detainees, and much abuse was founded on and motivated by religious discrimination.

Among other things, detainees were mistreated through the communication of unfavourable and false general and personal data. In none of the camps was the text of a convention or other written notifications on their status available to detainees, and communication with the outside world was prevented or slowed in various ways. This applied equally to notifications of the existence of camps and detainee records, as well as communication of detainees with their families, their home countries, and international organisations, including the ICRC.

In numerous cases, detainees were held with local individuals convicted of various crimes. Interned members of the same family, including children, were

frequently separated. In all the camps, acts labelled as a serious violation of the conventions were committed on a massive scale. This included: intentional murder, torture and inhumane treatment, inflicting significant suffering and serious injuries to the body and health, deprivation of the right to a regular and impartial trial, illegal persecution and displacement, illegal detainment, taking hostages, and destroying and appropriating property.

The arrival procedure was similar at all the camps, and from this, it can be concluded that this was an organised model of behaviour. A detainee described it as follows: “From the bus door to deep inside the barn, military police officers, reservists and civilian militia were there on both sides [...] Each held some kind of long club or other hard object. We were not allowed to run. By making us walk, they had more time to hit us as many times as possible.

“The route was about 100 metres long for the first people off the bus, but became shorter as the barn was filled. When we left the bus, they beat us [...] many fell as a results of the blows, and some did not get up again [...] We also carried the wounded [...] They showed no mercy toward them [...] Some of our people were on crutches. They would trip them to make them fall, and then they were helpless. There were broken arms, legs, ribs and smashed heads. We weren’t allowed to approach or help these individuals, who were seriously injured [...] In addition to all of this, they threatened us that this was nothing compared to what awaited us in the camp. And they were right.”

Another detainee testified similarly about the arrival at and conditions in another camp: “According to the stories of those who arrived before my group, who didn’t fare any better, all new arrivals to the camp had to run the so-called gauntlet, through which all detainees had to pass while being struck by the clubs of official prison guards [...]

“Up to one hundred and fifty detainees were literally suffocating in the rooms. There were absolutely no conditions in place for maintaining personal hygiene; we weren’t even given toilet paper or any other kind of paper for this purpose. We all had overgrown beards and hair, we shortened our nails any way we could, and we lost weight because what we received to eat was, in terms of quality and quantity, such that it was questionable whether we would survive if the detainment lasted for a longer period of time. For breakfast and dinner we received a slice of black bread, which was several days old, dry and often mouldy, a raw hotdog, a hard-boiled egg, a piece of unsmoked bacon that we had nothing to cut with [...] a piece of salami of questionable edibility, uncooked, unsweetened and unsalted semolina in water, uncooked, and unsalted

corn ‘scraps’. It was like this day in and day out. For lunch you would be given one slice of bread and, in a bowl, a few spoonfuls of unsalted liquid with a hard-to-identify smell, and the flavour of what might have been boiled in it. For the most part, it was clear liquid that the detainee would drink in two gulps, before eating the mouldy slice of black bread, and that was it. Right up to the end of the detainment period, the food neither improved in terms of quality nor quantity”.

The detainees were completely unprotected, and exposed to the most diverse types of torture, abuse and cruel brutality: “There were days when they would take us individually to an empty dormitory, for a private ‘discussion’. An officer would be sitting in the dormitory, looking out the window. He would listen disinterestedly to our moans and cries for help, from the pain of the blows we were taking to the face and stomach. When the officer was satisfied with our cries, he would order the beating to stop. My stomach was multicoloured from the blows, and my buttocks and hips were black and blue from haematoma [...]

“The following day the guards ordered that I lick the hardwood floor in the dormitory. I had to do this so that it was clearly visible that my tongue was sticking out on the floor. A few times I had to dance in front of everybody in the dormitory. This was ordered by some snot-nosed kids. I could have been their father [...] On one occasion they took me out to the hallway and started hitting me, and I passed out from the force of the blows [...] The entire dormitory, some 10 to 12 detainees, was also abused as a group. Two or three guards would be present, and they would give us terrifying orders, from early in the morning until late at night. We had to stand opposite each other and butt heads until they were satisfied. Then we had to slap each other in the face. After that, we would have to take a run and butt our heads as hard as possible onto the steel rods of the beds. We had to stand in a column facing each other, and one by one we had to pass along the column and hit everyone in the behind. We had to sit for several hours at a time looking at the ceiling [...] One of the ‘games’ was, on the command ‘avioni’ (planes), to jump from our beds, get dressed and then lie under the bed.”

In addition to torture, nearly all the detainees underwent multiple interrogations, as well as various types of trial: “They called me into the room. There were about ten of them. First they punched me in the stomach and hit me with a club in the back. The captain who was interrogating me offered me a cigarette and told me not to worry because they weren’t going to kill me, but they were going to beat me until I died slowly. He began hitting me into the bars of the

bed, blood started to trickle from my mouth and I slowly started to pass out. When I came to, I was lying on a bed full of blood. They pulled me out of bed, and took me to the washroom to clean myself up. The water was a bit cold, then a bit hot. I drank some water, but they quickly pulled me away and began to beat me again [...] Night fell; I lost all sense of time.

“In the morning [...] they shoved me in a police van and drove me for about an hour, to Topèider, in Belgrade. Here the interrogation started once again from the beginning, but this time on camera. Again there was severe beating, then torture. They put out their cigarettes on my legs and arms, they broke my ribs, hit me in the head. They beat me until I started spitting out pieces of my teeth, and all of this was funny to them. A new interrogation began, different from what I had experienced previously. They choked me with a wire, pricked my legs and arms with needles [...] Then they took me to my cell [...] Around midnight, I received a ‘visit’ by a group of soldiers, about five or six of them, and the torture began again [...] Two of them held me, one was hitting me, and one was taking off my pants, then they tied my lower extremity up and dragged me around the room. Not long afterwards, I again lost consciousness, and they poured water on me and, wet and shivering, I fell asleep [...] After breakfast, some kind of committee paid me a visit. They read me my rights and gave me a 20-year prison sentence [...] That night they let me sleep, but while I was washing up in the morning [...] the abuse began again, the hitting, the brutality. They were telling me that they were going to cut me up and send me home in pieces. The days were unimaginable and unbearable; a man has to ask oneself just how cruel one person can be to another.”

In the Serb camps, false killings and shootings were an especially common form of psychophysical abuse. One detainee recalls: “At night, out of the blue, they crammed us into a Campagnola vehicle, seven of us. We were all tied up [...] After a while, the vehicle stopped, and they threw the first detainee out. I heard how they were beating him, how he was breathing heavily. He was choking from the blows, or they were choking him. The same happened to each person that followed, but it was dark and I couldn’t see whether these poor detainees were being killed, or beaten to death. It was my turn. I was last. I heard someone to my left shout: “Don’t slaughter that one, we’ll skin him alive”. As soon as the guards threw me out of the vehicle, they began to hit me. I felt around in the dark to see whether I was trampling the dead detainees who were beaten and choked before me. Hitting and pushing me, they smashed me into some kind of wall or partition, still beating me. They stripped me naked. Then two of them grabbed me and carried me into a room in this half dead state.”

Another camp testimony: “Then they called one of us and took him out of the house where we were being interrogated. We heard the Yugo soldier’s order:

‘Blindfold him. Squadron, prepare for execution. Fire!’ A burst of shots was heard. Then they took another detainee and did the same thing. Then it was my turn. At the moment when I was being taken to execution site, many things passed through my head. Suddenly, my legs felt as if they had been cut off, and somewhat instinctively, a desperate scream roared out of me, as a farewell to life. When I came to the execution site, I was stunned when I saw that those who had gone before me were alive, and being held in the garage.”

In some Serb camps, among those interned were Serbs who refused to participate in the aggression, or did not express solidarity with it. “The camp guards called these Serbs traitors of the Serbian nation. They also behaved brutally towards these individuals, including a Serb from Lozice near Dubrovnik. They beat and abused him as if he were a Croat.”

The testimonies confirm that detainees were forced to provide various false statements for Serbian television stations, and other purposes: “We were forced to sign all kinds of statements that we hadn’t made, for instance, that we were foreign mercenaries, that we were organisers of various uprisings in various places, and that all kinds of weapons for slaughtering Serbs and gouging their eyes out were found in our possession.”

The detainees also experienced the organisation of fraudulent prisoner exchanges, which were particularly long and psychologically damaging. The camp authorities would read “a dozen or so names, then the detainees would be loaded on to a bus, which circled the army barracks while the guards beat them, all the while face down with their hands behind their heads. Then, after about half an hour, beaten up, they would be returned to their dormitory. At the end of these false exchanges, they would say that our side didn’t want us, Tuđman didn’t want us, and that the Croatian side had backed out of the exchange.”

Numerous detainees testify that the camp authorities often hid some of the detainees from the ICRC, or would prevent them from communicating freely with members of the ICRC. This is confirmed in the following, which is a typical statement from a surviving detainee: “Only on the third visit by members of the International Committee of the Red Cross was I identified and entered onto the list of prisoners. On that occasion, the official interpreter was a woman from Yugoturs from Herzeg-Novı. Afterwards, we learned that she had ‘ratted out’ everything detainees had said to members of the ICRC about treatment in

the prison [...] For this reason, after members of the ICRC left, numerous prisoners received serious beatings.”

The savagery of cases of “sexual brutalities” is described in the stated report by the UN Commission of Experts pertaining to rape and sexual assault, as well as in published testimonies, in which detainees testify that they listened to the screams of women being raped. The second witness in the report spoke about a pregnant woman, an acquaintance, and another 15 Croats who were raped in the camp. A Serb woman who was married to a Croat was also raped. Sexual assaults were committed outside the camp, too: “The captain raped two 14-year-old girls in front of their grandmother, and then killed all three [...] young Croat women who served Serb volunteers were forced into sexual intercourse [...] An Albanian woman reported that, for 12 hours straight, she was interrogated and raped by a group of JNA soldiers.”

Concluding Remarks

During the Serb armed aggression at the end of the 20th century, numerous war crimes were committed in the territories of Croatia and Bosnia and Herzegovina. The most inhumane behaviour took place at the camps, which the Serb aggressors established systematically. Particularly troubling – especially in the camps – was the complete disrespect of the Geneva Conventions and other provisions of international war and humanitarian law. In the Banja Luka area alone, there were several dozen camps of various types, including those for the systematic mass rape of women, with the purpose of ethnic cleansing.

After completion of the armed conflicts and the signing of the peace agreement, no provisions were made to cope with the causes and consequences of the Serb aggression. Due to the mediation of the international community, the aggressor went unpunished. On the contrary, it can even be said that this aggression was rewarded, by not allowing the liberation of Republika Srpska, where, in addition to other war crimes, Croats and Bosniaks were ethnically cleansed.

In such a situation, it is logical and unsurprising that, even two decades after the end of the war, the criminal entity (Republika Srpska) is causing an ever growing security problem for the country of Bosnia and Herzegovina, as well as its immediate and wider area. Similarly, it is also logical that Republika Srpska has, for two decades, persistently obstructed the implementation of provisions of the Dayton Accord regarding the return of hundreds of thousands of displaced Croats and Bosniaks.

ETHNIC CLEANSING IN THE BANJA LUKA AREA 1992 - 1995

Periodic report submitted by Mr. Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, pursuant to paragraph 42 of Commission Resolution 1995/89 of 8 March 1995 on the Situation in the Region of Banja Luka, Northern Bosnia and Herzegovina

Introduction

The world's attention was first called to the policy of "ethnic cleansing" in northern Bosnia and Herzegovina in the spring of 1992. The Commission on Human Rights condemned those practices for the first time in its resolution 1992/S1/1, adopted on 14 August 1992.

The Special Rapporteur described those practices in his first report E/CN.4/1992/S1/9 (para. 623), as well as in following reports: E/CN.4/1992/S1/10 (paras. 1, 68); A/47/666; S/24809 (para. 827); E/CN.4/1993/50 (paras. 16–31, 8289, 95101); E/CN.4/1994/3 (para. 542); E/CN.4/1994/4 (paras. 6, 43); E/CN.4/1994/47 (paras. 18, 7576, 7982, 8485, 8991, 98); E/CN.4/1994/110 (paras. 813, 4044, 50, 73, 75, 226, 283293); E/CN.4/1995/10 (para. 22); A/49/641S/1994/1252 (paras. 1124, 79, 87); E/CN.4/1995/57 (para. 79).

The present report has been issued in response to the most recent stages of this campaign, taking place in the Banja Luka region of Bosnia and Herzegovina, which threatens to force from the territory virtually the entire remaining non-Serb population.

Background

Before the war, Banja Luka and its environs was a multicultural and multi-ethnic region. Diverse religions were tolerated; therefore a large number of cultural and religious sites like mosques, churches and cathedrals existed in harmony. According to the prewar 1991 census, the territory of what is now northern Bosnia and Herzegovina had a population that included 625,000 Serbs, 356,000 Muslims and 180,000 Croats. Estimates made by the Office of the United Nations High Commissioner for Refugees (UNHCR) place the total number of Serbs now at some 719,000, while Muslims number about 37,000 and Croats 30,000 signifying a reduction by some 90 % of the local Muslim population and by 85 % of the Croat population since the beginning of the war. Nearly 3000 refugees crossed into Croatia in the first three months of 1995, while hundreds of other persons have left for destinations elsewhere in Bosnia,

including some 300 Muslims who arrived in central Bosnia via Turbe on 9 March 1995. Since the beginning of the war a large number of mosques, including the renowned Tefterdarija and Ferhadija mosques, as well as many churches, have been destroyed or damaged.

It is important to note that the de facto Bosnian Serb authorities consistently refuse access by human rights monitors to territories under their control. The ceasefire agreements reached towards the end of 1994 included specific provision for international monitoring of the human rights situation throughout the territory of Bosnia and Herzegovina. While the authorities of that Republic have always displayed a willingness to cooperate without being obstructive in any way, the Bosnian Serb authorities have never implemented the commitments that they have undertaken.

Recent Developments

The persecution of non-Serbs in and around Banja Luka reached a critical point in February 1995, when certain towns suffered sustained campaigns of violence directed principally against the Muslim inhabitants, and also, increasingly, against Bosnian Croats as well. Personal security has been most at risk in smaller outlying towns and villages, where gangs appear to be operating with impunity. In Gradiska, near the Croatian border, reliable reports were received of armed men in civilian dress, calling themselves policemen, systematically moving from house to house over the course of some 10 days, breaking in, demanding money and valuables and beating residents. At least two persons were shot and had to be hospitalised in a serious condition.

Similarly, in villages near Kotor Vares, notably Dzube and Garici, small groups of armed men swept through on successive nights, plundering homes and beating inhabitants indiscriminately and severely, including women and elderly persons. One man was found the day after an attack, nearly unconscious and bleeding from the ears. Another family reported that the attackers broke into their home, threatened to rape one woman and held a knife to her child's throat, and left only after the family managed to scrape together DM 300 to hand over to them.

In the cities of Banja Luka, Prijedor and Sanski Most, familiar patterns of intimidation and discrimination have persisted unchecked in recent months. Interviews with recently arrived refugees in camps in Croatia reveal great consistency in the experiences suffered by non-Serbs in these localities. Armed

persons are reported to be entering homes and seizing what they want. Although such incursions can happen at any time, they are more common at night. According to numerous testimonies received by the Special Rapporteur, the night time is worse, because it is never known what can happen. Some refugees recounted spending nights with neighbours in fields near their homes, in order to avoid harm from possible intruders.

On the streets, the non-Serb population, especially Muslims, report feeling highly vulnerable. One man testified that he would only venture outside in the company of Serb acquaintances and another said he had remained hidden at home for most of the past two years, while his wife went out to buy food, since it is safer for women than for men on the streets. Testimonies that people have remained hidden in their homes for weeks and months at a time are commonplace. Outside, non-Serbs are subject to random beatings and routine humiliations. In addition, men may be summarily detained at any time and held for service in forced labour brigades.

There are encouraging reports that significant numbers of the local Serb population refuse to take part in the discriminating practices against the non Serb population. Those Serbs, however, are also living under constant pressure from nationalistic groups.

Numerous refugees recently arrived in Croatia attested that telephone lines of households belonging to non-Serbs through out the region have been disconnected. That measure greatly increases their sense of isolation. Orders have also reportedly been given, without explanation, to non-Serbs in several communities around Banja Luka to keep the front doors of their homes unlocked at all times.

Croats in the Banja Luka area have suffered an increase in violence in recent months, especially following increased military activity by Bosnian Croat HVO (Croatian Defence Council) forces in south-western Bosnia and Herzegovina at the end of 1994. As noted in the Special Rapporteur's report of 16 January 1995 (E/CN.4/1995/57, para. 9), some 30 Bosnian Croats were arrested in front of a church at Barlovci, near Banja Luka, while waiting for the start of Christmas services on 25 December 1994, and were subsequently taken by military police to army headquarters, where they were badly beaten. Reliable reports indicate that several small Croat villages south of Banja Luka were victimised early this year by roving gangs similar to those that have pillaged Muslim communities.

In the early morning hours of 28 February 1995, virtually the entire local leadership of the Muslim humanitarian organisation Merhamet was arrested in

a coordinated sweep by the de facto authorities in the cities of Banja Luka, Prijedor and Sanski Most. A total of 13 persons, several of whom are over 70 years of age, were taken into custody; 3 were released a few days later. At the time of issuing of this report, the remaining 10 were still being held in a military prison, reportedly charged by the de facto regime with the crime of espionage. Merhamet has long been active in the former Yugoslavia, and has recently provided vital humanitarian assistance to Muslims and others throughout the region. The Special Rapporteur is deeply concerned for the welfare of the detained Merhamet leaders, whose arrests appear to have been politically motivated and who reportedly have been subjected to mistreatment while in prison.

There is also cause for concern that their arrest will have an adverse impact on the distribution of humanitarian assistance in northern Bosnia and Herzegovina. The Special Rapporteur has sent a letter to Mr. Karadzic requesting the immediate release of those detainees. As of the date of the present report no answer has been received.

It has been reported that on 18 March 1995 de facto military authorities took some 200 Muslims of draft age from the Teslic municipality to an unspecified destination. Allegedly, their whereabouts are still unknown.

Some acts of violence against non-Serbs in the Banja Luka area are attributed by the victims and observers to members of local civilian or military security forces, while others are ascribed to so-called criminal elements. Some assaults appear to occur spontaneously, as a direct consequence of reverses suffered by Bosnian Serb forces on the battlefield. In any case, it is evident that as a rule, the de facto authorities condone the violence.

Complaints made to these authorities of attacks against civilians routinely go unheeded, and there is scant evidence of measures being taken to protect threatened communities. One exception recently occurred in the Gradiska municipality, where persons allegedly responsible for the

wave of attacks in late February were reportedly arrested in early March.

The persistent threat of violence only deepens the long-standing climate of hostility to which non-Serbs have been exposed in and around Banja Luka. Most Muslims and Bosnian Croats have long since been dismissed from their jobs, usually suffering cancellation of any pension benefits they may have accrued over the years. Some individuals report having their title to their homes summarily revoked. Non-Serb teenagers describe a fearful atmosphere in some

secondary schools, where Serb classmates sometimes carry weapons, and threats against Muslims and Bosnian Croats are commonplace.

Access to medical care is reported to be difficult for non-Serbs. One investigation attributed this mainly to discrimination against the poor rather than nationality-based discrimination: since non-Serbs have usually been deprived of their jobs and are not covered by health insurance, they have no means to pay and thus are excluded from basic care. Nevertheless, some refugees have reported that they were required to pay high fees in advance while Serbs frequently, on the basis of military service, enjoy a general entitlement to healthcare regardless of ability to pay.

Forced Labour

An important phenomenon continuing unabated in northern Bosnia and Herzegovina has been the use on a large scale of civilians for unpaid forced labour. Persons required to perform this activity by the de facto authorities are men from as young as 16 to those of 65 years of age and older; recent reports suggest that childless women are also subject to the work requirement. Recruits are almost invariably members of the Muslim, Croat and Roma populations.

Although the programme of forced labour appears well organised by the de facto authorities, the actual process of pressing individuals into the work brigades appears highly irregular: many reports have been received by the Special Rapporteur of men being seized by local authorities in their homes without warning, as happened to a group of some 25 men from one street in Banja Luka on a day in September 1994. Other reports have described non-Serbs being stopped on the streets and summarily dispatched to labour sites without any opportunity to notify relatives. This practice has been a major cause of peoples' fear of emerging from their homes for months at a time.

Numerous testimonies confirm that forced-labour brigades are frequently deployed by the Bosnian Serb authorities at or near active military confrontation lines. They often remain at these locations for months at a time, working 12-hour shifts and more under extremely onerous conditions. Common tasks required of workers include digging trenches, moving supplies and evacuating dead and wounded combatants. Proximity to the fighting places members of these brigades at great risk. One refugee now in Croatia recounted how a grenade fell through the roof of his workteam's shelter at a location near the Doboï front line one night, wounding a friend in the leg. After being given cur-

sory medical treatment at a field hospital, the victim was returned soon thereafter to resume work. Reliable reports indicate that numerous members of work brigades have been killed or wounded in front-line areas.

In early December 1994, a group of some 250 Croats and Muslims from the Banja Luka area were rounded up by military police and sent to the region around Glamoc and Grahovo, about 100 kilometres south of Banja Luka, where the Bosnian Croat HVO army was conducting offensive operations against Bosnian Serb positions. The men reportedly suffered verbal and occasional physical abuse at the hands of Serb soldiers, often went without regular meals and slept in roofless shelters or in the open. According to numerous reliable testimonies, members of these brigades were forced to dig trenches in front of Serb positions, in effect being made to serve as “human shields” against the advance of Croat forces. On the night of 23–24 December, an HVO offensive resulted in heavy artillery exchanges, which reportedly caused the deaths of at least six of these civilian labourers. Some 48 others were found alive in captured territory, and taken to the Bosnian Croat-held town of Livno; others were reportedly allowed by Bosnian Serb forces to return to the Banja Luka area only in late January 1995, after the fighting had decreased.

Labourers not dispatched to front lines by the de facto authorities are forced to perform arduous and often humiliating tasks elsewhere in northern Bosnia and Herzegovina. Among the most common of these activities are cutting firewood, harvesting crops and performing other agricultural chores, and even reportedly working in privately-owned factories, as always without pay. Non-Serbs of high professional status are frequently assigned manual chores such as sweeping streets and collecting rubbish. One recent refugee recounted how her husband was taunted by children who tossed litter from a school window as he cleaned the street below.

Departure Procedures

Testimonies received by the Special Rapporteur from recently-arrived refugees indicate it is the forced-labour obligation, as well as the virulence of the ongoing campaign of violence, which have resulted in practically all non-Serbs fervently wishing to leave the Banja Luka area at present. Much of the remaining Muslim and Bosnian Croat population is in the process of attempting to secure exit permits, and many hundreds of people have appealed to international agencies for help in arranging their immediate evacuation.

For persons unable to meet the high costs imposed for flight across the border into Croatia, the only alternative continues to be displacement into other areas of Bosnia and Herzegovina, for which the payment now being required is somewhat smaller. Tens of thousands of Muslims and Bosnian Croats have taken this step since the beginning of the war.

Procedures imposed by the de facto authorities for departure to Croatia are complicated and typically result in the surrender of virtually all of the intending exile's assets to the authorities and to certain local agencies. Persons wishing to leave must apply through these agencies (one of which used to be the local Red Cross) and paying amounts ranging from DM 300 to 500 per person, and sometimes more. They must also pay fees amounting to several hundred DM to various municipal offices, and must pay for bus passage to the border with Croatia. Property owners are normally required to relinquish in writing their claim to their homes, without reimbursement. The Special Rapporteur has received testimonies from persons who sold everything they owned to pay for permission to depart. Valuables that people have managed to take with them have reportedly been confiscated at the crossing into Croatia by Bosnian Serb border guards.

Information recently received by the Special Rapporteur indicates that authorities in the capital of the so-called "Serbian Republic" in Pale have recently attempted to take control over the departure process from the local authorities in Banja Luka – a shift that may result in new restrictions on freedom of movement. Reportedly, permission of the military authorities must also be obtained in order to leave the territory. These developments apparently resulted in the turning back of one group of some 350 intended refugees at Gradiska, near the Croatian border, by Bosnian Serb police on 17 March, on the grounds that the group allegedly lacked the proper departure authorisation.

Moreover, the authorities in Pale have reportedly decided to forbid the departure of all remaining draft-age males. This has placed those persons who had already received exit authorisation and surrendered their property in an especially difficult situation.

Conclusions and Recommendations

The de facto Bosnian Serb authorities are very close to attaining their apparent aim of achieving "ethnic purity" in territory under their control. Non-Serbs have been subjected to unrelenting terrorisation and discrimination, and

it appears that virtually none wish to remain in northern Bosnia and Herzegovina.

Recent evidence suggests the de facto authorities may stop somewhat short of achieving 100 per cent “ethnic purity”. While local authorities in the Banja Luka area reap considerable revenue from fees imposed on persons applying to leave, the Pale authorities seem to have moved to slow down the last stages of the exodus. Among their motives may be a wish to retain some non-Serbs for forced labour, and to have people for inclusion in negotiated population exchanges.

The increased operations of so-called criminal gangs in the Banja Luka area must be noted. These gangs operate in a paramilitary style and one of their purposes appears to be to carry out “ethnic cleansing” without directly implicating the authorities. Nevertheless, a large amount of evidence suggests that the de facto authorities are personally and directly responsible for the massive human rights abuses that have taken place in northern Bosnia and Herzegovina. Such evidence includes the authorities’ failure to take even minimal steps for the protection of victimised populations.

The de facto authorities continue relentlessly to compel non-Serbs to serve in forced labour brigades. Numerous aspects of this forced labour, most notably the frequent deployment of civilian workers to front-line areas, violate international human rights and humanitarian law.

The de facto authorities have violated from the very beginning their obligations under the cease-fire agreements of December 1994 to allow access of human rights monitors into territories under their control.

The Special Rapporteur, once again, calls upon the responsible authorities to cease immediately all practices of “ethnic cleansing”, to provide adequate protection to all groups subjected to discrimination in the Banja Luka region and to facilitate the restitution of property. Furthermore, he urges that all those responsible for crimes be brought to justice and that conditions be created for the return in safety and dignity of all displaced persons and refugees.

The Special Rapporteur calls upon the international community to exercise all possible pressure to obtain access of United Nations civilian police (UN-CIVPOL) officers and human rights monitors to territories controlled by the Bosnian Serb authorities.

EVERYDAY URBAN LIFE DURING THE BOSNIAN WAR 1992–1995: THE CASE BANJA LUKA*

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Unlike studies dealing with either the collapse of the Yugoslavian state or specific aspects of the war, this article will analyse a single city, which was not a theatre of military conflict. Banja Luka, the second largest city in Bosnia and Herzegovina, nevertheless underwent radical change between the years of 1992 and 1995. Social ethnicisation had reached such intensity in the 1990s that preceding historical experiences responsible for shaping the regional sense of belonging to Bosnia and Herzegovina, similarities in everyday life, and even language, were successfully suppressed. The ethnically diverse image of Bosnia and Herzegovina is now a thing of the past. Nationalists, as well as a populace supporting nationalist patterns of thought and action, have achieved a complete transformation of both society and everyday life.

At the beginning of the 1990s, the new political elite systematically elevated ethnic affiliation to the status of life's main criterion. As a result, the birth certificate became a document of crucial importance; first it secured employment and occupation, then it determined the degree of personal freedom of movement, and finally it decided life and death. As a consequence of the ethnicisation of their lives, people lost the right to their own identities and individuality, thereby becoming a *pluralia tantum*, or plural lacking a singular.

With the aid of case studies, it is the intention of this article to analyse the ethnicisation of a society in the midst of war. Of the total population living in the city of Banja Luka in 1991, 27,689 (19.35 %) were Bosnian Muslims, 70,155 (49.03 %) were Serbs, 15,700 (10.97 %) were Croats, 22,645 (15.82 %) were Yugoslavs, and 4.81 % were others.¹

These demographic data would change drastically during the course of the Bosnian War of 1992–1995, and in the years that followed.

“Before the war, Banja Luka and its surrounding 27 municipalities were multicultural and multi-ethnic. [...] By April 1995, the United Nations High Commission for Refugees (UNHCR) reported [for Northern Bosnia

* This Article is based on the author's PhD, which was published as a book entitled “Eine bosnische Stadt im Zeichen des Krieges. Ethnopolitik und Alltag in Banja Luka (1990–1995)”, München: Oldenburg Verlag, 2011.

¹ In 1991, Bosnian Muslims comprised 43.37 % of Bosnia and Herzegovina's population, Serbs 31.21 %, Croats 17.38 %, Yugoslavs 5.54 % and others 2.38 %. In: Popis 1991. Savezni zavod za statistiku. CD-ROM. Beograd 1997.

and its centre Banja Luka, A.G.] the total number of Serbs as 719,000, Muslims as 37,000 and Croats as 30,000. These numbers show a dramatic reduction of some 90 per cent of the local Muslim population and 85 per cent of the Croat population since the beginning of the war.”²

It is estimated that 500–1000 people were killed in the city,³ and the total number of non-Serbs decreased considerably more than that of Serbs. Tens of thousands fled or were driven from the city. Everyday life during the war, as well as several factors motivating people to flight, will form the central focus of this article. History will not be investigated here in its separate aspects, but individuals as well as the society in its entirety will be seen as a single historical unit, thereby facilitating a reconstruction of the entire social system’s mode of operation “from the perspective of the people”.⁴ Social history will be combined with “everyday” and cultural history, and connected to the concept of *Lebenswelt*, or environment, with the aim of identifying points of contact and interaction between the system on one hand, and the individual and collective on the other. According to Heiko Haumann, “the category *Lebenswelt* does not form a contrast to ‘system’, but rather a point of contact in which individual experiences, actions and perceptions as well as societal structures converge. It establishes a connection between micro- and macrohistory.”⁵

² Banja Luka – Ethnic Cleansing Paradigm, or Counterpoint to a Radical Future? Briefing of the Commission on Security and Cooperation in Europe. Washington 1996, 25; See also Mazowiecki’s Report: E/CN.4/1996/3, 21. April 1995, 2. In the area of the Diocese of Banja Luka, where 80,000 Catholics lived in 1991, only 6500 remained four years later as a result of the systematic expulsions. Cf. the homepage of the Diocese of Banja Luka: <<http://www.biskupija-banjaluka.org>>, last access: 10 April 2007; Ivan Lovrenović: “Biskupija u ostacima”, in: Dani, Sarajevo, Nr. 427, 19. August 2005.

³ Gordana Katana: “Republika Srpska courts shy away from war crimes”, in: Justice report, BIRN BiH (Balkan Investigative Reporting Network), 16 February 2007, see <<http://www.bim.ba/en/50/10/2316/>>, last access: 1 March 2007; see also Questionnaire #62, which estimates between 800 and 1,000; (Questionnaires were distributed to those persons who had left Banja Luka in the period 1992–1995 and now live abroad. Respondents had the option to complete the questionnaires anonymously. The 65 responses comprise 5–36 pages and came from Croatia, Denmark, Switzerland, the United States, Italy, Germany, Norway, Belgium, Austria, Canada, Slovenia, Serbia and Montenegro). Prof. Dr. Živanović similarly estimated 1,000 murdered in an interview with Prof. Dr. Miodrag Živanović, (23 April 2005, Banja Luka).

⁴ Cf. Heiko Haumann: “Geschichte, Lebenswelt, Sinn. Über die Interpretation von Selbstzeugnissen”, in: Brigitte Hilmer, Georg Lohmann, Tilo Wesche (eds.), *Anfang und Grenzen des Sinns. Für Emil Angehrn*. Weilerswist 2006, 42–54, 50.

⁵ Anke Stephan: *Von der Küche auf den Roten Platz. Lebenswege sowjetischer Dissidentinnen*. Zürich 2005, 35; see also Heiko Haumann: “Lebensweltlich orientierte Geschichtsschreibung in den Jüdischen Studien: Das Basler Beispiel”, in: Klaus Hödl (ed.), *Jüdische Studien. Reflexion zu Theorie und Praxis eines wissenschaftlichen Felds*. Innsbruck 2003, 105–122, 112.

The history of the city and the transformational processes within it will be researched within the concept of *Lebenswelt*. On the micro-level, transformational processes initiated by the elite and their necessary apparatus of power as well as the actions of “the many” will be investigated in greater detail. Further, the complexity of circumstances can be brought to light more efficiently by means of local history. What remains hidden on the macrohistorical level can be understood on a microhistorical level. In this way, the transitional phase from “old” to “new” can be explored, and, in the words of Clifford Geertz, “[s]mall facts can speak to large issues.”⁶

In 1991, the city of Banja Luka began to change for many of its inhabitants into a city of the fear that threatened to occupy not only their territory, but also their thoughts. Terror spread both “from above” and “from below”. New legislation was drafted legalising the terror “from above” as a so-called vigilante terror “from below” began to be observed. Although not initiated by the new state, this vigilante terror nevertheless strived to strengthen it.

Implemented through new legislation, the terror “from above” had already begun with the founding of the Autonomous Region of Krajina. Two of the most important pieces of legislation concerned occupational employment and residence:

“The crisis management staff of the Autonomous Region of Krajina, with Radoslav Brđanin as the person of chief responsibility, passed all laws legalising ethnic cleansing. The first law regulated the labour market, stipulating how many non-Serbs could remain employed and in which positions. Leadership positions in all economic, cultural, scientific and public fields were granted exclusively to Serbs. The second law planned the relocation into smaller flats of people occupying ‘too many square meters’, but was only put into practice in the case of Croats and Muslims.”⁷

By November 1991, the leading politicians of the Serbian Democratic Party in Banja Luka had already announced the replacement of executives in the economy, and it was only a few months later that Radoslav Brđanin, the chairman of the “Commission for National Levelling of Specialists in Companies in Banja Luka,”⁸ warned those unwilling to obey the law of the drastic consequences that would follow in appallingly frank words:

⁶ See Alf Lüdtke: “Alltagsgeschichte, Mikro-Historie, historische Anthropologie”, in: Hans-Jürgen Goertz (ed.), *Geschichte. Ein Grundkurs*. Hamburg 2001, 567–570.

⁷ Interview with Prof. Dr. Miodrag Živanović, (23 April 2005, Banja Luka). Cf. ICTY, Case: Radoslav Brđanin: IT-99-36-A.

⁸ b/k/s, Komisija za nacionalnu nivelaciju kadrova u banjalučkim preduzećima.

“It is our wish that the directors addressed resign from their positions in a dignified and silent manner within three days. However, should this not occur, the problem will then be resolved by the ‘Serbian Defense Forces’.”⁹

After the executives had been replaced, it was the turn of those who had not joined the armed forces, followed by their relatives. Finally almost all non-Serbs and Serbs married to non-Serbs lost their jobs.¹⁰ The significance of the reason given for the latter is illustrated in a recording of a call-in programme on Radio Banja Luka. The Mayor of Banja Luka, Predrag Radić, was a guest on the programme and described the city’s current political situation to the listeners. One listener asked the mayor whether one could remain a director if he or she lived in a mixed marriage. That the deciding factor would be the ethnic affiliation of the director or even of his or her spouse rather than professional competence can be extracted from the Mayor’s reply:

“Most importantly I would like to know which director we are talking about. A lot of manipulation has taken place here recently. Someone says something like that, then it gets inspected, and finally it gets found to be untrue. Two or three times we have checked one and the same company only to come to the conclusion that things are not as they had first been taken to be. I would prefer it if you could tell me explicitly who we are talking about here.”¹¹

According to Mayor Radić, who was married to a Serb, each executive had to be an ethnically “pure” Serb beyond the shadow of a doubt: otherwise he or

⁹ Željko Kopanja: “Smjene po volji naroda”, in: *Glas*, Banja Luka, 21 April 1992: 3; see also Goran Trkulja: “Karadžić – vladar broj jedan, in: *Glas*, Banja Luka, 13 November 1991: 3; Zoran Pejičić: Uspjeh iznad očekivanja, in: *Glas*, Banja Luka, 12 November 1991: 2.

¹⁰ Questionnaire # 60; Questionnaire #63; Questionnaire #59; Questionnaire #58; Questionnaire #53; Questionnaire #52; Questionnaire #48; Questionnaire #47; Questionnaire #46; Questionnaire #44; Questionnaire #42; Questionnaire #37; Questionnaire #35; Questionnaire #32; Questionnaire #30; Questionnaire #29; Questionnaire #28; Questionnaire #27; Questionnaire #25; Questionnaire #22; Questionnaire #6; Questionnaire #4; Questionnaire #3; “I received my notice of termination, or was sent into early retirement, in 1992 while I was in hospital. At the time I was a secretary at the university. [...] My wife was also dismissed as a judge because her father was a Croat and her mother a Serb.”; See also interview with Fuad Balić, (Banja Luka, 15 April 2005); Muharem Krzić: *Svjedočiti zločin i bosnojublje*, in: Muharem Krzić et al. (eds.), *Svjedočiti zločin i bosnojublje*. Sarajevo 2003, 82, 123, 148; Berudin Gušić: “Banjalučka Islamska zajednica u vrijeme demokratskih promjena i okupacije (1990.–1995.)”, in: Muharem Krzić et al. (eds.), *Svjedočiti zločin*, 363, 364.

¹¹ Call-in programme on Radio Banja Luka, original recordings in author’s archive.

she would not be qualified to be a director. The effectiveness of the Mayor's comment became apparent immediately following its broadcast.

A few minutes later a woman called the studio "merely" in order to report that, since the Mayor had wanted to know, this director's name was Aleksander and that he was married to a Muslim. She also indicated where he worked and stressed the fact that he had not yet dismissed his Muslim and Croat employees. "All of them are still working to this day, Muslim and Croat alike!" she said, adding, "The Mayor wanted to know. I just wanted to say that, and nothing more."¹²

One can discern how the ethnic group came to be a moral compass for the value system of social cooperation. Moral values such as justice were valid within the group, but at the same time excluded all those outside it. New "ethnic" group values became the most important.¹³ Who was married to whom was carefully followed and investigated. This put many living in mixed marriages to an ethical test, and caused additional confusion and lack of orientation.

In response to another concerned question posed in Radio Banja Luka's call-in programme regarding how the Mayor intended to fill the holes left by the departure of specialists, the listener received the following answer:

"We have a university here with almost every faculty. Those remaining are not less qualified than those who left. [...] It's better that they left, because they didn't want to accept the new situation. If they had stayed, they would have come to conflict sooner or later."¹⁴

The Mayor refused to see a problem that required a logical solution here. The radio moderator Rajko Vasić stressed that not all those who had left had been specialists, and that they could be easily done without.¹⁵ A few minutes later another listener called in, introducing herself as a previous student of the Mayor and stating the following:

"We shouldn't bemoan the loss of those specialists; Banja Luka is full of people of much greater worth than those who have left. They have more knowledge, understanding and will to help this city, and we should be

¹² Call-in programme on Radio Banja Luka, original recordings in author's archive.

¹³ See Dragoslav Dedović: "Građani na paljevinama", in: *Status* 6, 2005: 76–78, 78.

¹⁴ Call-in programme on Radio Banja Luka, original recordings in author's archive.

¹⁵ Call-in programme on Radio Banja Luka, original recordings in author's archive.

talking about them instead. We wish those who have left farewell, and hope that they should never return.”¹⁶

The Mayor replied to the comments with an approving silence, and then expressed how glad he was that his old student had called in.

Along with university professors, doctors and executives, teachers were hit hard by this displacement process. With the introduction of “levelling”, it was established that only Serbs would be allowed to teach their mother tongue, as well as geography and history.¹⁷

“Those who had taught languages up until then were moved to other positions and instead became, for example, physical education teachers, for which they of course lacked the qualifications, resulting in them being dismissed shortly afterward.”¹⁸

By the beginning of the war in December 1992, 40 teachers had already been dismissed.¹⁹ Serbian teachers, who were quite often not appropriately qualified, were hired in their stead.

It is common knowledge that the secondary socialisation of children occurs at school. This was utilised by the new political elite as an opportunity to make patriots out of students while the quality of their education was neglected.

Children whose parents lived in mixed marriages had it particularly hard, but even worse off were those who had not committed themselves quickly enough to one particular parental side, in this case the Serbian one.

Many report an unbearable emotional pressure accompanying them on a daily basis. On one occasion, Radoslav Brđanin developed what he must have considered a “witty recipe” to determine whether a child with mixed parents was a Serb or not. The recipe read as follows:

“Throw the child in the River Vrbas. If it makes it out it’s a Serb, but if it doesn’t, it can’t be.”²⁰

¹⁶ Call-in programme on Radio Banja Luka, original recordings in author’s archive.

¹⁷ Cf. Seima Višić-Kurijak: *Sječanja na oteti grad*. Sarajevo² 2003, 48; The city council sent a letter to all schools dictating that only teachers who had fled from Croatia would be re-employed. Cf. Glas, Banja Luka 31 August 1991, quoted from Krzić: “Svjedočiti zločin”, 90.

¹⁸ Interview with a Serbian journalist from Banja Luka, Interview #2, (Banja Luka, 29 August 2006).

¹⁹ Krzić: “Svjedočiti zločin”, 203. In one school alone 22 employees were dismissed. Cf. K. P.: Odliv “sive mase”, in: *Prelom*, Banja Luka, November 1992.

²⁰ Interview with a Serb journalist from Banja Luka, Interview #2, (Banja Luka, 29 August 2006); Conversation #5, (Banja Luka, 2005).

One girl related the trauma she experienced upon hearing one of Radoslav Brđanin's "humourous" statements:

"I'll never forget it. At the time, in 1992, I was 14 years old. My mother is Muslim and my father a Serb. Then I heard Brđanin say on television that children from mixed marriages should be made into soap. I can't forget that."²¹

Brđanin also encouraged those attending his rallies to "throw the disgusting unbaptised people to the ground in order to wash [their] feet with them."²² Such rhetoric led many children from mixed marriages to feel forced to switch over to "the right side".

"Ethnic 'mixing' became socially unacceptable and I had to choose a side. I became a Serb because I was living among a Serbian majority."²³

Serb women living in mixed marriages lost their jobs for living in "impure" matrimony. Their partners were similarly dismissed for not being Serbs and because they most often did not want to join in the war effort. "We had no choice other than to leave," explained a Serb woman from Banja Luka. She was not allowed to leave the city with her husband, because although he had received permission to leave through Croatia, she had to drive through Serbia. They reunited in Denmark, where the two began a new life together and live to this day, having raised their daughter as a Dane.²⁴ In Banja Luka, the "ethnic-genetic composition" of inhabitants was meticulously investigated and assessed. Slobodan Popović recalls:

"I had serious trouble during the war. I'm a child from a mixed marriage and I live in a mixed marriage myself, so my daughter was told in school that she's only 25% Serb. According to that I'm only 50% Serb and she's half of that. How horrible!"²⁵

This meant that she was only a quarter of what would have made her acceptable to the new society. It is clear from these personal accounts that enormous effort and skill was demanded of parents attempting to raise children under such conditions.

²¹ Conversation #5, (Banja Luka, 2005); see also Amir Osmančević: *Banja Luka. Vrijeme nestajanja*. Zagreb 1995, 18.

²² Cf. Višić-Kurijak: *Sjećanja*, 38.

²³ Questionnaire #11.

²⁴ Questionnaire #63.

²⁵ Interview with Slobodan Popović (Banja Luka, 19 April 2005).

“We explained to our children over and over again how beautiful they were because their mother was Muslim and their father a Serb. We compared them to the Mestizos. Oh, we tried everything! But it wasn’t enough and there were still difficulties. For example, a neighbour child told my son something awful about my wife that he didn’t even understand. When he asked me what the other child had meant it became clear to me what my neighbour thought.”²⁶

Ulfeta Kobašlić described how her grandson had difficulties in school because he was not a Serb, explaining how had been the only child not attending Serbian Orthodox religious instruction at the time, although there were still several other non-Serb children at the school. Their parents were simply too fearful to be defiant.²⁷ At the time there was only Serbian-Orthodox religious instruction, which was held exclusively by either orthodox priests or those appointed by them. Ulfeta Kobašlić feels strongly that the awful experiences at school left a mark on these children for the rest of their lives. Her grandson’s teachers exploited their positions of superiority and verbally abused him with ethnic slurs in front of the entire class, saying things such as, “Now little Mujo is going to tell us something.” Mujo was of course not the child’s name but that of a Muslim figure of fun. Scuffles between children intensified not only as a result of the propagandised ethnic criteria responsible for dictating clear hierarchies, but also because of the supportive behaviour of teachers toward such conditions.²⁸

“My son was in primary school during the war. One day he came home crying and told me what had happened. The father of one of his classmates had died on the front, and the teacher asked her students to bring some money on the next day to buy some flowers. There were also two Muslim girls in the class, and the teacher didn’t want any money from them, saying they had killed the other student’s father. The girls were 10 years old! My son cried, I was hurt, but there was nothing to be done. That’s an image of what happened here in Banja Luka.”²⁹

Eventually the children brought pistols and bombs with them to school. The youths’ desire and need for recognition was utilised for the war, and they were raised to hate.³⁰

²⁶ Interview with Milorad Kenjalović, (Banja Luka, 11 December 2005).

²⁷ Interview with Ulfeta Kobašlić, (Banja Luka, 18 April 2005).

²⁸ Interview with Ulfeta Kobašlić, (Banja Luka, 18 April 2005).

²⁹ Interview with Prof. Dr. Miodrag Živanović, (23 April 2005, Banja Luka).

³⁰ Cf. Interview with Zlatan Karabegović, (Banja Luka, 14 April 2005); Questionnaire #60.

Many non-Serb children refused to continue going to school because they had been mistreated and beaten there.³¹ Going to school had become so unbearable for them that their parents, who valued education highly, let their children remain at home instead.³²

“Our child³³ (9 years old at the time) was mistreated at school by both teachers and classmates. He was repeatedly brutally beaten and cursed at with unbelievable words. I hadn’t thought it possible that children even knew such words. [...] It became clear to us that we had to leave.”³⁴

For Serb children, on the other hand, the war had made nothing out of bounds; they not only threatened other children, but adults as well. Children on the street could be heard calling to passers-by and residents that they should leave, since the area was all Serb territory.³⁵

This was accompanied by inflammatory speeches by the highest-ranking political officials. While Brđanin continuously repeated that Muslims were the greatest enemy of the Serbian people,³⁶ Radislav Vukić, a gynaecologist and the director of the hospital in Banja Luka, declared at a rally that no more Muslim or Croat children would be born in Banja Luka.³⁷ He referred to these unborn children by the pejorative names *balinčad*³⁸ and *ustaše*,³⁹ thereby intensifying the impact of his words.

³¹ Cf. Višić-Kurijak: *Sjećanja*, 109, 111; Questionnaire #61; Questionnaire #60; Questionnaire #53; Questionnaire #30; Questionnaire #29; Krzić: “Svjedočiti zločin”, 82, 137.

³² Questionnaire #59; Questionnaire #34.

³³ A child from a mixed marriage. The father was Muslim and the mother from a Serb-Croat marriage.

³⁴ Questionnaire #34.

³⁵ Višić-Kurijak: *Sjećanja*, 110, 111, Conversation #3, (Banja Luka, 9 June 2004).

³⁶ Cf. Osmančević: *Banja Luka*, 18.

³⁷ b/k/s “Ni jedno balinče ni ustaša neće se više roditi u banjalučkoj bolnici!”. Cf. Osmančević: *Banja Luka*, 19.

³⁸ “The pejorative expression *balija* for Bosnian Muslims originates from a misunderstanding. The word comes originally from *abalija* (from the Turkish word *abaly*), which was used to describe a person dressed in rough cloth. In the past, the Muslim Beks (nobles) and Agas (landowners) used the term to refer to Muslim farmers, indicating that they saw them as crude and uneducated. Today one understands the term differently, as being connected to the verb *baliti* (to drool) and possesses an expressly pejorative meaning.” Cf. Smail Balić: “Wechselseitige bosnisch-jugoslawische, nationale Stereotype”, in: Andreas Moritsch, Alois Mosser (eds.), *Den Anderen im Blick. Stereotype im ehemaligen Jugoslawien*. Frankfurt/Main 2002, 119–128, here 120.

³⁹ *Ustaša* – an extreme-nationalist Croat movement prior to and during the Second World War. The term *Ustaša* was used following the start of the war in Croatia, in the media and in the Republic Srpska as a synonym for the Croatian army, and later for all Croats. Consequen-

Bosnian Muslims avoided lingering outside after nightfall. They shut themselves inside their houses, and locked their apartments, which had been uncommon before the war. Even a hospital visit was an adventure.⁴⁰

“When I wanted to get into the hospital because I had an open wound, the doorman asked me what I was doing there, since ‘my’ doctors Draško Balvanović [a Croat] and Halid Kulenović [a Bosnian Muslim] weren’t there anymore. I didn’t know what to say. I just turned around and left. Until recently, the doorman had stood up when he saw me, held the door open and greeted me respectfully. I didn’t know what was going on or where I was anymore.”⁴¹

It was equally difficult to acquire medication, which had drastic consequences for the chronically ill, and those who relied on a specific daily dose of medicine, such as diabetics and cardiac patients.⁴² Bosnian Muslims and Croats had to be secretly examined and treated by doctors. An uncomfortable, or even dangerous, situation would certainly have developed if other patients, in particular wounded soldiers, had discovered a non-Serb next to them.⁴³

All non-Serbs suddenly became enemies for scores of their fellow citizens. Many Serbs served those newly in power without even being asked to do so.

“I was mobilised and received a military position. People came to me to report certain incidents in the city. It’s unbelievable what kind of people we were living with. They pressed charges against their neighbours without any sort of evidence or proof. One told me, ‘My neighbour is Muslim – he has guns.’ Then I asked him where and he said, ‘I don’t know, but I’m sure he has them.’ Unbelievable. It’s not just that

tially, old fears from World War II were brought back to life, and the current threat was historically verified. As determined by Reljić, the “ethnic conflict was thereby ‘biologised’.” In: Dušan Reljić: *Pisanje smrti. Mediji u vremenima sukoba*. Beograd 1998, 60. More regarding the phenomenon of the “Exhumation of old Ghosts” and their return to the present in: Katherine Verdery: *The Political Lives of Dead Bodies. Reburial and Post-Socialist Change*. New York 1999.

⁴⁰ Višić-Kurijak: *Sjećanja*, 83, 126; Conversation #3, (Banja Luka, 9 June 2004); Questionnaire #60; Questionnaire #35; Questionnaire #30; Krzić: “Svjedočiti zločin”, 82, 137, 157, 259.

⁴¹ Conversation #3, (Banja Luka, 9. June 2004).

⁴² Questionnaire #60; Questionnaire #54.

⁴³ Conversation #3, (Banja Luka, 9 June 2004).

many people were powerless to stop what was going on, but many were actually actively contributing to it.”⁴⁴

UN reports confirm that crimes were also committed by civilians, meaning that former neighbours, friends and even relatives had become criminals.⁴⁵ In connection to this, a wave of silent, yet open, demonstrations of loyalty toward the new political elite flooded the city.

“I can’t explain how some people can live with someone 20 to 30 years and then just throw away these friendships overnight. [...] Some would cross the street upon seeing a Muslim or Croat neighbour in order to not be seen with him or her.”⁴⁶

Indeed many avoided greeting their non-Serb friends, colleagues and neighbours on the street, and especially avoided shaking hands with them. Instead, these non-Serbs were ignored or harassed,⁴⁷ which tore apart many friendships and families.

The personal disappointment victims felt toward the entire situation became greater when they discovered that offenders were old friends and acquaintances, or had come from their neighbourhood. But things didn’t even have to go that far; the silence of their fellow citizens alone was a painful expression of their unspoken support of and agreement with current events. However, it was not only psychological factors that were grievous to so many, but also those that could be sensed physically.

The long winter nights were experienced as the worst of times. People sat in the darkness listening to the gunfire outside. That, for the most part, shots were being fired “only” into the air did not make the situation more bearable, especially for non-Serbs. Shots were continuously fired into the air, either in celebration, if soldiers were returning from or going to the front, or simply as a

⁴⁴ Conversation #1, Serb university professor from Banja Luka, (Banja Luka, April 2005).

⁴⁵ Cf. Marie-Janine Calic : *Der Krieg in Bosnien-Herzegovina. Ursachen, Konfliktstrukturen, internationale Lösungsversuche*. Frankfurt/Main 1995, 141. See also Jasmina Beširević Regan: *Etničko čišćenje u Banjoj Luci, 1992–1995.*, Preporod 1, 2002: 107.

⁴⁶ Interview with Slobodan Popović, (Banja Luka, 19 April 2005).

⁴⁷ Interview with Slobodan Popović, (Banja Luka, 19 April 2005); Questionnaire #62; Conversation #3, (Banja Luka, 9 June 2004); Questionnaire #60; Questionnaire #56; Questionnaire #47; Questionnaire #44; Questionnaire #36; Questionnaire #35; Questionnaire #34; Questionnaire #29; Questionnaire #27; Questionnaire #20; Questionnaire #11; Questionnaire #7 Questionnaire #6; Questionnaire #5; Interview with Fuad Balić, (Banja Luka, 15 April 2005).

threat from one person to another.⁴⁸ Not only were many of the city's residents armed, but they displayed this fact openly, which only served to further strain the already tense atmosphere. This led to non-Serbs experiencing their armed Serb neighbours as even more of a threat.⁴⁹

Everyday life became a nightmare for many. Horse-drawn wagons could be seen on the streets of Banja Luka, many of them loaded with firewood to be sold at exorbitant prices.⁵⁰ At the same time, garbage lay spread about, accumulating into large mounds of waste. The city's inhabitants began increasingly to wonder whether they were living in the same place. Dogs began to form packs in the streets and became aggressive toward people. In the summer the stench prevailed, and in the winter it was unbearably cold. A witness recalls:

“I got ready to go to sleep each night as if I were preparing to go mountain climbing. Eventually I even started wearing a hat, but not even that helped.”⁵¹

Prices continued to rise, while most people had less money and the availability of products declined. In June 1992, bread cost 750 dinars, which meant that those still allowed to work could only afford half a loaf per day.⁵² The situation intensified from day to day until it got to the point where one could only afford a single egg with an entire month's salary.⁵³ Prices increased by 114,000 % between May 1992 and May 1993.⁵⁴

Furniture stores began selling pasta and oil, the demand for matches and candles increased rapidly, and potatoes and beans were the most sought-after

⁴⁸ The sound of gunfire became a part of everyday life for people in the city, but non-Serbs in particular could not get used to it due to the constant threat it carried. Questionnaire #64; Questionnaire #27; Questionnaire #3; Conversation #3, (Banja Luka, 9 June 2004); Questionnaire #18; Peter Maass: *Die Sache mit dem Krieg. Bosnien von 1992 bis Dayton*. München 1997, 95.

⁴⁹ Cf. Roy Gutman: *Svjedok genocida*. Zagreb 1994, 50, [*A witness to genocide. The 1993 Pulitzer Prize-winning dispatches on the "ethnic cleansing" of Bosnia*. New York u. a. 1993]; Questionnaire #35

⁵⁰ While soldiers had the right to clear anything in their way, non-Serb forest owners lost the right to fell their own trees, as they had been declared Serbian property. Cf. Višić-Kurijak: *Sjećanja*, 49.

⁵¹ Questionnaire #64.

⁵² Cf. Višić-Kurijak: *Sjećanja*, 23, 30.

⁵³ Krstan Malešević: *Ljudski trag*. Banja Luka, Vol. 1, 2002, Vol. 2, 2003, Vol. 3, 2005, here Vol. 3, 309.

⁵⁴ L. M.: “Majska inflacija 223,3 odsto”, in: *Glas srpski*, 8 Juni 1993: 8.

products in the marketplace.⁵⁵ Inflation became so high⁵⁶ that it had especially devastating consequences for those having to wait for their paychecks. In 1993, Dragoljub Mirjanić, Vice Chancellor of the University of Banja Luka at the time, stated that he and his colleagues were technically working without pay, since their paychecks were being delivered from Sokolac.⁵⁷ By the time they arrived in Banja Luka, they would be completely devoid of value.⁵⁸ Gordana Bijelić recalls that her monthly wage amounted to DM 20 at the time, but upon payment consisted only of DM 7, which she received in the form of worthless Serbian dinars. She would immediately run out to exchange the money for DM, but less than half hour after being paid she was only able to collect DM 3.50 for her salary.⁵⁹

The black market trade of foreign currencies had developed into a lucrative and profitable business. On all larger squares and in all public spaces, particularly on Gospodska ulica, men, and later women as well, could be seen dressed in gaudy colours in order to be easily recognised, selling foreign currencies. With the loud cry, “Foreign currencies, foreign currencies!” they offered their goods for sale.⁶⁰ Anyone could deal in foreign currencies directly on the street, and for all to see. For non-Serbs, however, this became increasingly dangerous as time passed, since openly displaying that one had money meant putting oneself in additional danger. Consequently, many non-Serbs had middlemen who offered their services either for a percentage of the return or out of friendship. On 14 November 1993, one Deutsche Mark was worth 2.5 million dinar, and by 20 November 1993, it was worth 4 million dinar.⁶¹ Prices rose with such speed that some prices in dinar became nearly impossible to write because they had so many digits.⁶² In October 1993, the National Bank of Republic Srpska had to go so far as removing all bank notes in the amounts of one thousand,

⁵⁵ Cf. Višić-Kurijak: *Sjećanja*, 61; A price list of the agrarian products available at Banja Luka’s marketplace in September 1993 can be found in D. Mi.: “Na gradskoj tržnici. Kajmak milijardu dinara”, in: *Glas srpski*, 6 September 1993: 9.

⁵⁶ Questionnaire #62.

⁵⁷ Near Sarajevo.

⁵⁸ Anđelko Anušić: “Kuća se gradi od temelja”, in: *Glas srpski*, Banja Luka, 14–15. August 1993: 7.

⁵⁹ Interview with Goradana Bijelić, (Banja Luka, 19 April 2005).

⁶⁰ Cf. Višić-Kurijak: *Sjećanja*, 90; Questionnaire #64. People mostly took their Deutsche Marks to Serbia, where the worthless dinars had come from.

⁶¹ Višić-Kurijak: *Sjećanja*, 78.

⁶² Questionnaire #64.

five thousand and ten thousand dinar from circulation, in order to replace them with new ones encompassing values of up to 10,000,000,000 dinars.⁶³

Foodstuffs became increasingly rare, and beans, noodles, peppers and onions were most frequently eaten.⁶⁴ People summarised the situation with bitter humour, saying that one had to make cake from nothing and everything out of rice.⁶⁵ On the other hand, whoever had money, and some had it in vast quantities, could purchase anything.⁶⁶ Gordana Bijelić describes a conversation between two women that took place in front of her house. The women discussed a “really cheap” chocolate spread that one of them had found in a store and bought for DM 12. The average monthly wage at the time, if one even had one, amounted to not more than DM 10. This would be like earning €1,000 per month and spending €1,200 on a jar of Nutella. Ms Bijelić asserted that these €1,200 would not have had even close to the same value as DM 12 at the time.⁶⁷

In time, everything in the city that could not be defined as Serb was forbidden. It was even prohibited in all public institutions, companies, cafés and restaurants to serve coffee in a *fildžan*, the traditional Bosnian oriental cup. Accordingly, all *fildžani* and corresponding *džezva* pots were removed from the Banjalučka Banka café, in which coffee had previously been brewed and served in the traditional way.⁶⁸

Two parallel universes came into existence, splitting the city. Although all the inhabitants’ lives had been drastically changed by the war and no one had it easy, it was still possible for most Serbs to go to concerts and plays, study at the university, celebrate weddings or even play tennis.⁶⁹ For the others, this way of life had ceased to exist.

⁶³ *Službeni glasnik Republike Srpske*, Nr. 21, 10 November 1993: 855–857.

⁶⁴ Questionnaire #64.

⁶⁵ Interview with Gordana Bijelić, (Banja Luka, 19 April 2005); Višić-Kurijak: *Sjećanja*, 115, 116. b/k/s “Pravili smo kolače od ničega i sve od riže.”

⁶⁶ Interview with Gordana Bijelić, (Banja Luka, 19 April 2005).

⁶⁷ *Ibid.*

⁶⁸ Cf. Višić-Kurijak: *Sjećanja*, 49, Conversation #3, (Banja Luka, 9 June 2004). A *fildžan* is a small porcelain cup without a handle in which traditional Turkish or Bosnian coffee is served. A *džezva* is a small copper pot with a long, thin handle, used to brew the coffee.

⁶⁹ Maass: *Die Sache mit dem Krieg*, 141. The theatre programme offered primarily plays glorifying Serbian suffering, concerts were dedicated to St. Sava and weddings were celebrated in the traditional Serbian manner, meaning that they had to take place in the Serbian-Orthodox church.

“We Bosnian Muslims lived in the city as in a ghetto.”⁷⁰

That Bosnian Muslims were not desired in the city was declared openly on television, where Radoslav Brđanin was asked how long Muslim women would continue to be seen polished and made-up on the streets of Banja Luka. Brđanin replied, “Not much longer!” In response, Bosnian Muslims and Croats gathered old garments from their cellars to wear, so as not to draw attention to themselves.⁷¹ They attempted to remain inconspicuous and unnoticed, making themselves more and more invisible over time. Most had their names removed from their front doors in the hope of keeping unwanted “guests” away. However, those in power knew exactly who lived where, how many square meters each person had available to him or her, and much more.⁷²

Although the removal of name plates may have offered initial protection from chance visits, it was actually no real defence or security at all.

Following the elections in 1991, Banja Luka was immediately declared a Serb city, and for that reason, the Serbs did not want to destroy it. The new Serb elite succeeded in swiftly taking control of the city, but in 1992, nearly 100,000 unwanted people still lived in Banja Luka. How could they be removed?

“The solution was simple: wring them out slowly, like water from a towel. A couple of murders here and a few rapes there, lay-offs everywhere and the confiscation of apartments. You just have to make them scared enough and they’ll leave on their own. They’ll even consider it a privilege to leave, and pay you for it.”⁷³

Sure enough, just such a model followed, releasing an ever-present state of fear throughout the city. Shots were constantly fired into the air, with the perpetrators also shouting, in order to keep people afraid.

⁷⁰ Interview with Prof. Dr. Mustafa Sefić, (Sarajevo, 28 April 2005). The term *ghetto* was used by other newspapers as well, and some even directly compared the situation of non-Serbs in Banja Luka with that of the Jews in the Second World War. Cf. Questionnaire #58, Conversation #3, (Banja Luka, 9 June 2004); Questionnaire #54; Questionnaire #14; Questionnaire #12. Peter Maas described it as follows: “In 1992, being a Muslim or Croat in Banja Luka was as frightening as being a Jew in Berlin in 1942.”, cf. Maass: *Die Sache mit dem Krieg*, 95; see also Krzić: “Svjedočiti zločin”, 93.

⁷¹ Conversation #3, (Banja Luka, 9 June 2004).

⁷² Questionnaire #64. Regarding name plates cf. also Interview with Ulfeta Kobašić, (Banja Luka, 18 April 2005).

⁷³ Maass: *Die Sache mit dem Krieg*, 110, 111. Although there are no statistics regarding the number of women raped in Banja Luka, individual cases have been observed. Cf. Mazowiecki Bericht: E/CN.4/1993/50, 10 February 1993: 64, 65, 69.

“Come out you *balijas*, we’re going to slaughter you. We’ve had enough!”⁷⁴

Verbal attacks became commonplace at night in city districts populated predominantly by Muslims, such as Mejdan, Gornji Šeher, and Hiseta, but there were also cases where this occurred in the city centre.

“They drove in circles around my house shouting things like “Come out you *balijas*, what are you still doing here? This is Serbian land!” I was the only non-Serb still living in the building. I was alone and had no electricity. I knew that the threats were directed at me. Then they shot at my window. You can still see the damage they caused. They broke down the front door, and the next day none of my neighbours would admit to having heard anything. I left the city three days later. For the last three nights I couldn’t sleep a wink; I still have nightmares about it.”⁷⁵

Another witness cited the bombing of the building she lived in with her husband as her main reason for leaving the city.⁷⁶ Many no longer dared to spend the night in their own homes.⁷⁷ Threats became increasingly common.

For fear of being recognised as non-Serbs, people no longer dared to go outside. Calling someone by his or her non-Serb name in public was avoided at all costs.⁷⁸ Many youths, but older people as well, were beaten so severely in the Autumn of 1992 that they decided to leave the city immediately thereafter.⁷⁹ Each Serb could threaten, verbally harass and beat any non-Serb without fear of consequences. This happened on the street, on the telephone, in public institutions and in private homes, leaving non-Serbs nowhere to retreat to.⁸⁰ In his 10 February 1993 report, Tadeusz Mazowiecki described the situation as follows:

⁷⁴ Osmančević: *Banja Luka*, 65.

⁷⁵ Conversation #3, (Banja Luka, 9 June 2004).

⁷⁶ Questionnaire #28; Mazowiecki Reports observed similar cases: “Within the city of Banja Luka, where recent attacks have concentrated especially on houses close to the Police College, the building housing the Mufti of Banja Luka, the Imam and a family of refugees was bombed on 15 July 1994.” Cf. A/49/641-S/1994/1252, 4 November 1994: 6; “Explosive material was thrown into the Bishop’s residence in Banja Luka on various occasions in May and June, and reports on attacks on the private homes of priests have also been received. The most serious incident of this kind took place on 12 May 1995, and resulted in the death of two people.” Cf. Mazowiecki Bericht: E/CN.4/1996/6, 5. Juli 1995: 19; cf. also the documentary film *Banja Luka*, Kruispunt TV, KRO/RKK (Holland), 1993.

⁷⁷ Cf. the documentary film *Banja Luka*, Kruispunt, KRO/RKK (Holland), 1993.

⁷⁸ They were spat at and verbally harassed on the street. Conversation #3, (Banja Luka, 9 June 2004); Questionnaire #46; Questionnaire #47.

⁷⁹ Cf. Višić-Kurijak: *Sjećanja*, 51.

⁸⁰ Cf. Višić-Kurijak: *Sjećanja*, 104, Conversation #3, (Banja Luka, 9 Juni 2004); Questionnaire #60.

“In Banja Luka, Muslims and Croats are reportedly dismissed by employers, evicted from premises that the employer owns, and receive official notices that their ‘protection’ has expired. They are harassed on the telephone and their property damaged.”⁸¹

Above all, telephone terror became an unbearable and everyday torture. By virtue of the inherent anonymity, no courage was needed to insult or threaten others on the telephone. Even the Catholic bishop Franjo Komarica was repeatedly threatened in this way.⁸² People were verbally abused, called *ustaša* or *balija* and continuously asked when they intended to leave.⁸³

“They told my father on the telephone that they would kill him if he didn’t leave,” one witness wrote.

Some such threats also became manifest. The number of murders known by name and compiled from various sources is high. In May 1993 Čelebija Kasumović was murdered in her own house. Nurudin Džin was similarly found murdered in his own home. The entire Karat family was killed in the city’s Vrbanja district. On 3 September 1992, chartered engineer Marijan Vištica, Director of the Parish Council for Spiritual Welfare, member of the Council for Spiritual welfare of the Diocese of Banja Luka and representative of the Parliament of Bosnia and Herzegovina for the Banja Luka area was abducted and murdered. In the Petrićevac residential area of Banja Luka, which was predominantly populated by Croats, several people were found dead. Imam Zahid ef. Makić was shot and robbed on Avdo Hercegovac Street, Hadži Muhamed Imamović was found stabbed and massacred in his home, the retired judge Sadeta Ibrišagić strangled with a cable in her own home, and 17-year-old Alisa Zejnulović was murdered in the city centre. These examples are only a few among countless.⁸⁴ A woman living near the Sveti Marko Catholic

81 Mazowiecki Report: E/CN.4/1993/50, 10 February 1993: 8.

82 More in the documentary film *Banja Luka*, Kruispunt, KRO/RKK (Holland), 1993.

83 Questionnaire #62; Višić-Kurijak: *Sjećanja*, 104; Questionnaire #59; Questionnaire #47; Questionnaire #15; Krzić: “Svjedočiti zločin”, 239.

84 Cf. Višić-Kurijak: *Sjećanja*, 71, 78, 82, 84, 85, 87, 88, 93, 98, 99, 102, 101, 111, 112, 116, 117, 122; Questionnaire #60; Questionnaire #58; Questionnaire #56; Questionnaire #52; Questionnaire #49; Questionnaire #48; Questionnaire #47; Questionnaire #32; Questionnaire #24. An incomplete chronicle of events in the Diocese of Banja Luka during the war years 1991 to 1995 with the names of murdered persons can be found online at <http://www.biskupija-banjaluka.org/obespravljani/deutsch/XI_pog.htm>, last access: 12 July 2007, cf. also Franjo Komarica: *U obrani obespravljenih. Izbor iz dokumenata banjalučkog biskupa i Biskupskog Ordinarijata Banjaluka tijekom ratnih godina od 1991. do 1995.* Banja Luka 1996; Fra Velimir Blažević (ed.): *Katolička crkva i rat u Bosni i Hercegovini. Dokumenti o stavovima i zauzimanju Katoličke crkve za mir i poštivanje ljudskih prava i građanskih sloboda i za očuvanje države Bosne i Hercegovine (1989–1996.)*, Sarajevo 1998; cf. also Maass: *Die Sache mit dem Krieg*, 104; Krzić: “Svjedočiti zločin”, 126,

Cemetery recalls attending 20 funerals of murdered Croats.⁸⁵ “Since the Special Rapporteur’s last report, numerous non-Serbs are known to have ‘disappeared’ from their homes. Commonly their ‘disappearance’ followed confrontations with uniformed men and within days their homes were occupied by Serbs. The corpses of relatively few have been located subsequently. One of these was a Muslim found in Banja Luka morgue on 30 March 1993, with his arms and lower lip cut, three days after he had been taken from his home by uniformed men.”⁸⁶

There may not have been mass murder in Banja Luka, as occurred in other cities in Bosnia and Herzegovina, but regrettably there were still many individual cases.⁸⁷ Canadian diplomat Louis Gentile, who was working for

148, 149, 153, 154, 161, 164, 180, 181, 199, 200, 202, 203, 206, 216, 223, 230–234, 254, 256, 265, 269; Gušić: “Banjalučka Islamska zajednica”, 364, 374, 375, 378. “A military exercise on 19 April 1993 by BSA [The Bosnian Serb Army A. G.] forces with heavy calibre weapons was the culmination of 13 days of attacks against non-Serbs in the Banja Luka suburb of Vrbanja. These attacks included: the fatal knifing of a Muslim man (6 April 1993); the burning of seven Muslim homes and looting of others (11 April 1993); the shooting dead of two Muslim women bystanders by BSA soldiers returning from the front-line (12 April 1993); the shooting dead of a Muslim civilian by a man in military uniform (12 April 1993); an axe-attack on a Muslim man (14 April 1993); and sniping at several Muslim homes by military personnel (19 April 1993).” Cf. Mazowiecki Report: E/CN.4/1994/47, 17 November 1993: 12; Mazowiecki Report: E/CN.4/1996/6, 5 July 1995: 19.

⁸⁵ Svetlana Broz: *Dobri ljudi u vremenu zla*, Banja Luka 2000, 182.

⁸⁶ Mazowiecki Report: E/CN.4/1994/47, 17 November 1993: 12; In another report the following was written: “The pattern of terrorization in Banja Luka has not changed since the last report of the Special Rapporteur and many well-attested accounts have been received of acts of grave violations of all categories of human rights. At the present time, non-Serbs in particular are subject to random violence without the benefit of police protection or investigation of incidents. Indicative of the situation are the following attacks, which occurred in just one month in March 1994. Early in the month a 72-year-old Muslim woman lost her eyes and ears in an assault. At about the same time, a Muslim man who tried to deter looters in his home was shot dead.” Cf. A/49/641-S/1994/1252, 4 November 1994: 6; “It is reported that on 25 December, some 30 Bosnian Croat men waiting for services to begin at the church at Barlovci, near Banja Luka, were arrested by Serb military police and taken to army headquarters, where they were badly beaten. Twenty-three of these individuals are said to have required medical treatment, which was provided only upon receipt of payment.” Cf. Mazowiecki Report: E/CN.4/1995/57, 16 January 1995: 5.

⁸⁷ Cf. Višić-Kurijak: *Sjećanja*, 71, 78, 82, 84, 85, 87, 88, 93, 98, 99, 102, 103, 111, 112, 116, 117, 122; Questionnaire #60; Questionnaire #58; Questionnaire #56; Questionnaire #52; Questionnaire #49; Questionnaire #48; Questionnaire #47; Questionnaire #32; Questionnaire #24. An incomplete chronicle of events in the area of the Banja Luka Diocese during the war years 1991 to 1995 with the names of murdered persons can be found online at <http://www.biskupija-banjaluka.org/obespravljani/deutsch/XI_pog.htm>, last access: 12 July 2007, cf. also Komarica: *U obrani obespravljenih.*; Blažević (ed.): *Katolička crkva*; see also Maass: *Die Sache mit dem Krieg*, 104; Krzić: “Svjedočiti zločin”, 126, 148, 149, 153,

the UNHCR⁸⁸ in Banja Luka, wrote a letter to the New York Times about the incidents. It was published on 14 January 1994 under the title “In Banja Luka, Terror Seems Uncannily Normal”. It read as follows:

“The terror continues, terror of attacks by armed men at night, rape and murder, children unable to sleep, huddling in fear behind boarded-up doors and windows. The latest victims were three Muslim residents of the Banja Luka suburb of Vrbanja on Dec. 29. In broad daylight, four armed men (two in uniform) entered the home of a couple 58 and 54 years old. The man was shot in the head and killed, his wife was shot in the hand and then beaten to death with a blunt instrument. A Muslim neighbor, who had the courage and misfortune to inquire what was happening when the murderers left carrying a television set, was shot in the heart at point-blank range. [...] To those who said to themselves after seeing *Schindler’s List*, “never again”: It is happening again. The so-called leaders of the Western world have known what is happening here for the last year and a half. They receive play-by-play reports. They talk of prosecuting war criminals, but do nothing to stop the crimes. May God forgive them. May God forgive us all.”⁸⁹

In the cases of these and similar murders, no police investigations were undertaken.⁹⁰ In Tadeusz Mazowiecki’s report regarding the crimes of 29 December, the following was noted:

“The police were informed of the incident at 9.30 a.m. but did not arrive until 5 p.m. where they spent just 10 minutes at the scene. During the funeral, on 30 December, mourners were detained and assaulted by men in military uniform.”⁹¹

154, 161, 164, 180, 181, 199, 100, 202, 203, 206, 216, 223, 230–234, 254, 256, 265, 269; Gušić: “Banjalučka Islamska zajednica”, 364, 374, 375, 378. “A military exercise on 19 April 1993 by BSA [The Bosnian Serb Army A. G.] forces with heavy calibre weapons was the culmination of 13 days of attacks against non-Serbs in the Banja Luka suburb of Vrbanja. These attacks included: the fatal knifing of a Muslim man (6 April 1993); the burning of seven Muslim homes and looting of others (11 April 1993); the shooting dead of two Muslim women bystanders by BSA soldiers returning from the front-line (12 April 1993); the shooting dead of a Muslim civilian by a man in military uniform (12 April 1993); an axe-attack on a Muslim man (14 April 1993); and sniping at several Muslim homes by military personnel (19 April 1993).” Cf. Mazowiecki Report: E/CN.4/1994/47, 17 November 1993: 12; Mazowiecki Report: E/CN.4/1996/6, 5 July 1995: 19.

⁸⁸ *United Nations High Commission for Refugees.*

⁸⁹ *New York Times*, 14 January 1994.

⁹⁰ Cf. Krzić: “Svjedočiti zločin”, 201; see also Mazowiecki Report: E/CN.4/1994/110, 21.

⁹¹ Mazowiecki Report: E/CN.4/1994/110, 21 February 1994: 5.

The terror experienced by so many, that was allegedly spontaneous and originating “from below”, was actually supported and in some cases even personally coordinated by the police, led by their most senior policeman, Stojan Župljanin, who was arraigned by the war crimes tribunal in The Hague.⁹² Župljanin publicly declared the police to be serving the interests of all Serbs.⁹³ “No one calls the police because everyone knows they won’t come,” explained the previous Vice Chancellor of the University of Banja Luka, Ibro Tanaković.⁹⁴ At the time, violence was occurring even in broad daylight. A married couple was beaten in their own flat in the centre of Banja Luka. When the perpetrators left the flat, the police stood outside the victims’ house and did nothing despite the couple’s cries for help from the balcony and efforts to indicate the escaping criminals. Eyewitnesses reported later the police had sent the perpetrators to the scene of the crime themselves.⁹⁵ The injured man was later examined by a doctor, but in the back-dated report it was stated that the injuries had resulted from a fight, turning the victim into an offender.⁹⁶ Male non-Serbs who had only been victims of violence on the street a few times considered themselves “lucky”.⁹⁷ Those who had experienced for themselves the infamous rides on the “Crveni kombi”, or Red Bus, harbour the worst memories. This bus almost never failed to be mentioned by any of the Croats, Bosnian Muslims or even Serbs questioned in conversations, interviews or written wartime memoirs. The Red Bus was well-known for regularly driving through the city, and for the men who rode in it, looking for victims whom they then beat “to death.”⁹⁸

⁹² Osmančević: *Banja Luka*, 46; Questionnaire #62.

⁹³ Momo Joksimović: “Milicija u službi srpstva”, in: *Glas srpski*, Banja Luka, 22 November 1993: 6.

⁹⁴ Gutman: *Svjedok genocida*, 50.

⁹⁵ Cf. also Mazowiecki Report: E/CN.4/1994/110, 21 Februar 1994: 5. “The Special Rapporteur is aware of many specific recent incidences of attack on and terrorization of non-Serbs in the Banja Luka region in recent times. A typical case is that of an 82-year old Muslim man who, between 5 and 7 November, suffered repeated physical and verbal abuse and theft by assailants, one of whom was in military uniform. On each occasion the police failed to respond promptly to requests for assistance or to conduct proper investigations.” See also Gutman: *Svjedok genocida*, 50.

⁹⁶ Questionnaire #62.

⁹⁷ Interview with Zlatan Karabegović (Banja Luka, 14 April 2005).

⁹⁸ Interview with Zlatan Karabegović (Banja Luka, 14 April 2005); Amir Osmanović reveals in his book the names of several of the Red Bus’ violent perpetrators. According to him, the offenders were Miro Kurbalija, whose name was also confirmed by Zlatan Karabegović, then Vlado Segić, Boško Vuksan, Željko Udovičić, Predrag Peđa Bodiroža and Boro Janković. Cf. Osmančević: *Banja Luka*, 47, for more regarding the Red Bus, see also Višić-Kurijak: *Sjećanja*, 39, 51, 63; Questionnaire #62; Conversation #3, (Banja Luka, 9. Juni

“This ‘famous’ Red Bus drove through the city to the bars where non-Serbs and ‘bad’ Serbs met. Upon arrival, the men in the red bus got out and hunted down those in the bar, beating many to death. Some they drove high onto Mount Šehitluci in the bus, then left them to lie tortured and beaten, or tied them to a tree. They used horrible methods. They couldn’t beat all non-Serbs, but they could certainly strike fear into their hearts. People just wanted to leave. They either sold everything they had for next to nothing or simply left it behind. They just wanted out of the city.”⁹⁹

In this bus alone hundreds of people were beaten. The victims were also taken in the bus to the police headquarters, the police station in Mejdan or to the newly established police station on Boris Kidrič Street¹⁰⁰ (today King Alfonso XIII Street) in the city centre.¹⁰¹

One man summarised his life in the year 1992 in Banja Luka with the following words:

“We lost everything – friends, state, city, status, property and future.”¹⁰²

2004); Conversation #4, (Vienna, October 2006); Questionnaire #60; Questionnaire #58; Questionnaire #35; Questionnaire #3; Gušić: “Banjalučka Islamska zajednica”, 378. According to Muharem Krzić, the bus had the licence plate BL 52–294, see Krzić: “Svjedočiti zločin”, 240.

⁹⁹ Interview with Slobodan Popović, (Banja Luka, 19 April 2005).

¹⁰⁰ This building belongs to the Catholic Diocese of Banja Luka. Prior to the 1992–1995 war, the Communist Youth Committee made use of the premises.

¹⁰¹ Osmančević: *Banja Luka*, 47; Conversation #3, (Banja Luka, 9 June 2004).

¹⁰² Questionnaire #22. Prof. Dr. Živanović expressed similar sentiments: “We lost our lives, our families, our homes, our souls, and of course our hope.”, cf. Miodrag Živanović: *Iza kulisa i dekora, Prelom*, Banja Luka, April 1993: 2., see also Miodrag Živanović: *Stakleno oko*. Sarajevo 1997, 22.

GENOCIDE IN PRIJEDOR AS A PARADIGM OF WAR CRIMES IN THE BOSANSKA KRAJINA REGION

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The genocide in Prijedor, in terms of ideological foundation, intention, planning, organisation, ordering, scope and consequences, has common elements with that in other areas of the Bosanska Krajina region. Genocide began against Bosniaks and Croats in the Municipality of Prijedor in the summer of 1992, and ended with the genocide in the territory of UN safe zone Srebrenica in July 1995, as the final act of aggression towards the Republic of Bosnia and Herzegovina. Our intention here is to provide a brief outline of the most significant characteristics and determinants of events in the territory of the Municipality of Prijedor. Our objective is to conduct an analysis and comparison of the plans, preparations and implementation of genocide in the area of the Municipality of Prijedor. Considering the genocidal intentions and the plan that resulted in mass killings and mass graves, we will draw attention to the scope of this most serious crime. By analysing the mass and forced persecution of the entire civilian population, mass arrests and illegal detention of women, children and men in camps where they were killed, tortured, physically and mentally mistreated, raped and subjected to other forms of sexual abuse, the mass destruction of private property, religious buildings and other crimes against humanity and international law, we would like to warn of the common elements of a joint criminal enterprise, whose objective was the extermination of Bosniaks and Croats from these areas.

Introduction

The genocide in Prijedor provided the template from which Serbian military and police forces acted in the area of Bosanska Krajina. This area is synonymous for mass and continued crimes against humanity and international law. The bearers of the ideology and those who committed these crimes clearly and unambiguously attempted to prove that the idea of a Greater Serbia could only be achieved through war and genocide. Mass killings, violent persecution, illegal detention, and the destruction, looting and devastation of private property and Bosniak religious buildings were the main features of genocide in Prijedor. What characterises, and illustrates the significance of, Bosanska Krajina in the Greater Serbian plans are the set strategic objectives that had to be achieved as part of the realisation of this idea. At the meeting of the Assembly of the Serb People of Bosnia and Herzegovina, held on 12 May 1992, six strategic goals

were adopted to *establish a corridor between Semberija and Krajina*.¹ It is these stated goals that highlight the importance of this area in achieving the expansionist Greater Serbian policy. The area of the Municipality of Prijedor and its majority Bosniak and Croat population² was a hindrance to the realisation of the stated goals. For this reason, Serb military and police forces had to eliminate Bosniaks and Croats from the area. Due to its geostrategic position, the Municipality of Prijedor became part of the realisation of the creation of a Greater Serbia because, as is stated in the ICTY decision in the “Duško Tadić” case:

“Opština Prijedor was significant to the Serbs because of its location as part of the land corridor that linked the Serb-dominated area in Croatian Krajina to the west, with Serbia and Montenegro to the east and south.³” In her book, Carol Hodge wrote: “ ‘Bosanska Krajina’ was to be joined with the ‘Krajina’ in Croatia, western Slavonia, Lika, Banovina and Kordun, and eastern Slavonia and Baranja with Vojvodina, while Doboj would be included in ‘Bosanska Krajina’ and connected to Bijeljina, a city to the northeast of Bosnia and Herzegovina, as well as with Belgrade. Together, ‘Kninska and Bosanska Krajina’ would cover an area of 30,354 square kilometres, and this area, which would have access to the sea south of Zadar, would have a population of 1.6 million people.”⁴

The area of Bosanska Krajina was intended to, with the so-called Serbian Autonomous Region of Krajina (henceforth: SAO Krajina), form an integral part of Greater Serbia. One of the great-state projects entitled “*Bosanska Krajina: A Constituent Factor of the New Yugoslav Federation*”⁵ advocates the unification of SAO Krajina, which would later be called the *Republic of Serbian Krajina* (henceforth: RSK) in Croatia, and the Autonomous Region of Krajina (henceforth: ARK) in Bosnia and Herzegovina.⁶

¹ Official Journal of Republika Srpska no. 22 from 22 November 1993, page 866.

² Population Census, Results for the Republic by Municipality and Inhabited Places in 1991, Statistical Bulletin No. 234, State Agency for Statistics of the Republic of Bosnia and Herzegovina, Sarajevo, 1993.

³ *International Criminal Tribunal for the former Yugoslavia* (henceforth:ICTY), *Case No. IT-94-1-T, Prosecutor vs Duško Tadić, Trial Chamber judgement in the Duško Tadić case* (henceforth: ICTY, *Judgement in the Duško Tadić case*), paragraph 127.

⁴ Carol Hodge, *Velika Britanija i Balkan od 1991 do danas*, Detecta, Zagreb, 2001, page 66.

⁵ Archive of the Una-Sana Canton Museum (henceforth: AMUSK), Collection of documents, *Bosanska krajina konstitutivni činilac nove jugoslovenske federacije*, Economics Institute, Faculty of Economics, Banja Luka, December 1991.

⁶ *Declaration on the Unification of the Community of Municipalities of Bosanska Krajina and the Autonomous Region of Serbian Krajina no. 139/91-2 from 27 June 1991, published in Mujo Begić, U opsadi 1.201 dan – Bihać sigurna zona UN-a*, Institute for Research of Crimes Against Humanity and International Law of the University of Sarajevo, Sarajevo, 2013, pages 71–72.

Bosanska Krajina: A Constituent Factor of the New Yugoslav Federation is a study that precisely defines the objectives of the Greater Serbian policy in the area of Bosanska Krajina and in the RSK in the Republic of Croatia. In this study, the key positions of the author are evident: that Bosanska Krajina, along with RSK, should geographically constitute the western part of the new Yugoslavia. Referring to the logic of demographic, historical and geopolitical criteria, they consider that:

“Bosanska Krajina should unite with parts of the Republic of Serbian Krajina, Lika, Kordun, Banija and western parts of Slavonia, and the western parts of Slavonia will unite with Vojvodina.”⁷ These strategic goals were supposed to result in the “forming of a Greater Serbian state, whereby there was the intention to commit genocide. For the practical realisation of these genocidal activities, in the second half of 1991, the operational deployment of forces was conducted.”⁸

The Beginning of the Genocide in Prijedor: Basic Features

The Municipality of Prijedor is located in north-western Bosnia and Herzegovina, and occupies a central position in the area of Bosanska Krajina. According to the 1991 census, the Municipality of Prijedor had a total of 112,543 inhabitants, of which 49,351 (43.9%) declared themselves Bosniaks; 47,581 (42.3%) declared themselves Serbs; 6316 (5.6%) Croats; 6459 (5.7%) Yugoslavs; and 2836 (2.5%) declared themselves members of other nationalities.⁹

In the Municipality of Prijedor, events began after the elections in 1990. The Serb Democratic Party (Srpska demokratska stranka, henceforth: SDS) began by establishing parallel government structures throughout Bosnia and Herzegovina. Following instructions from the central office, the SDS in the

⁷ AMUSK, Collection of documents, *Bosanska krajina konstitutivni činilac nove jugoslovenske federacije*, Economics Institute, Faculty of Economics, Banja Luka, December 1991

⁸ Smail Čekić, *Genocid i istina o genocidu u Bosni i Hercegovini*, Institute for Research of Crimes Against Humanity and International Law of the University of Sarajevo, Sarajevo, 2012, page 59

⁹ *Etnička obilježja stanovništva*, State Agency for Statistics of the Republic of Bosnia and Herzegovina, Sarajevo, 1993, p. 18.

Municipality of Prijedor established the separate Serb Assembly of the Municipality of Prijedor.¹⁰ At the same time, the Assembly of the Serb People of the Municipality of Prijedor adopted the Decision on Annexation to the ARK.¹¹ The aforementioned decisions were adopted before the SDS' forcible takeover of power of the Municipality of Prijedor. The arrangements for the this takeover intensified on 29 April 1992, when Serb political, police and military officials adopted a final Decision whereby, on 30 April 1992, they would assume absolute power in Prijedor. The police and military units necessary for the implementation of this arrangement were already in place. Simo Drljača, head of the Public Security Station (Stanica javne bezbjednosti, henceforth: SJB), notified the Centre for Security Services in Banja Luka (Centar službi bezbjednosti, henceforth: CSB), saying: "Ten military units with 1587 members have been mobilised."¹² The forcible takeover of power was conducted in the early hours of 30 April 1992, without the use of firearms. SJB Prijedor, *in Dispatch No. 11–12 from 30 April 1992*, informed the CSB that, "in accordance with the conclusions of the executive board of the Serb Assembly of the Municipality of Prijedor, the takeover of power in the area of the Municipality was executed in 4 hours, through taking control of the SJB and all other vital buildings".¹³ The objective of the new Serb authority was to establish complete control of the entire territory of the Municipality of Prijedor, to disarm the Bosniak and Croat populations, to establish SDS personnel in management positions in the city and to arrest Bosniaks and Croats from Prijedor and its surrounds. With this act [...] the takeover of power by the SDS was an illegal coup, which had been planned and coordinated much earlier, and had the objective of forming a purely Serb municipality. These plans were never hidden, and they were conducted with a coordinated drive by the police, army and politicians."¹⁴

¹⁰ Archive of the Institute for Research of Crimes Against Humanity and International Law of the University of Sarajevo (henceforth: AIIZ), Inv. No. 2-4680, *Odluka o proglašenju Skupštine srpskog naroda opštine Prijedor, no. 001/92, from 8 January 1992*.

¹¹ AIIZ, Inv. No. 2-4679, *Odluka o pripajanju Autonomnoj regiji Bosanska krajina, no. 003/92, from 17 January 1992*.

¹² AIIZ, Inv. No. 2-4916, *Depeša SJB Prijedor, no. 11–12 from 30 April 1992*.

¹³ Ibid.

¹⁴ ICTY, *Case No. IT-97-24-T, Prosecutor v. Milomir Stakić, Judgement in the Milomir Stakić case* (henceforth: ICTY, *Judgement in the Milomir Stakić case*), paragraph 84.

Attacks by Serb Forces in the Territory of the Municipality of Prijedor

In this part of the paper, we will present a chronology of events in specific parts of the Municipality of Prijedor, which resulted in genocide against Bosniaks and Croats. Preparations for the attack on Bosniak and Croat settlements and spaces began much earlier than the start of the attack. As the main executor of the Greater Serbian project, the Yugoslav National Army (JNA) had already begun preparations to encircle the borders of Greater Serbia in 1991, when the Staff General of the JNA adopted the *Directive on the Use of Armed Forces for the Preparation and Performance of Combat Operations in the Forthcoming Period*, No. 2256-1 from 10 December 1991, in which the protection of the Serb population is emphasised as the final objective of the war.¹⁵ This objective unmasked the role of the JNA in the aggression on the Republic of Croatia, and later in the Republic of Bosnia and Herzegovina. Military preparations in the area of the Municipality of Prijedor began in 1991, when significant forces were mobilised and dispatched to battlefields in Croatia. The JNA's 343rd Motorised Brigade, 5th Kozara Brigade, Serb territorial defence units and police units were stationed in Prijedor. The main Serb forces consisted of the 343rd Motorised Brigade from Prijedor. The Regular Combat Report from the 1st Krajina Corps, No. 44-1/146 from 23 May 1992, states that the 343rd Motorised Brigade had 5806 officers, non-commissioned officers and soldiers, or 114% of the planned capacity. The units of the 5th Kozara Brigade numbered 1423 soldiers and officers.¹⁶ Furthermore, 1000 to 2000 soldiers from the Serb territorial defence formed part of the Regional Command.¹⁷ According to the report by SJB head Simo Drljača, the statistics for the number of engaged police officers in 1992 was as follows:

“In April, 145 active, 308 reserve, a total of 453; in May, 145 active, 1447 reserve, a total of 1633; in June, 148 active, 1,607 reserve, a total of 1755; in July, 153 active, 1,459 reserve, a total of 1612; in August, 171 active, 1383 reserve, a total of 1554; in September, 177 active, 1396 reserve, a total of 1396; in October, 180 active, 995 reserve, a total of 1175; in November, 185 active,

¹⁵ Mujo Begić, *Genocid u Prijedoru-svjedočenja*, Croatian Homeland War Memorial and Documentation Centre, Institute for Research of Crimes Against Humanity and International Law of the University of Sarajevo, Zagreb, Sarajevo, 2015, page 153.

¹⁶ AIIZ, inv. no. 2-4700, *Redovni borbeni izvještaj Komande 1. KK, op. str. pov. br. 44-I/146, from 23 May 1992.*

¹⁷ M. Begić, *op.cit.*, page 53.

1004 reserve, a total of 1199; in December, 184 active, 950 reserve, a total of 1134.”¹⁸ From this overview, it is clear that the number of engaged soldiers and police officers involved in the attacks on Prijedor exceeded 10,000.

The attack by Serb military and police units in the area of the Municipality of Prijedor began on 23 May 1992, with an attack on the settlement of Hambarine. Besides military units from Prijedor (the 343rd Motorised Brigade and the 5th Kozara Brigade), parts of the 6th Sana Brigade were also present. On page 10 of the document that describes the the 6th Sana Brigade’s path to war, on, it states: “On 23 May 1992–25 May 1992, parts of the brigade units, i.e. the *Crni Dorđe* intervention squadron, reconnaissance squadron and police squadron, along with brigades from Prijedor, will participate in the clearing of Hambarine, Kozaruša and Kozarac.”¹⁹ The attack began with shelling in three directions, from the area of Karan, Urije, and Topić Hill. The incessant shelling lasted several hours, ceasing around 3 PM, after which began an attack by combined infantry and armoured units. That tanks participated in the attack was confirmed in the ICTY judgement in the Momčilo Krajišnik case, which states: “Around 1000 Serb soldiers then entered the area, supported by tanks and other weaponry.”²⁰ Limited forces consisting of members of the police reserve units and the BH Territorial Defence tried to stop the penetration of Serb forces, and to protect the civilian population. Due to their small number and insufficient weapons, the resistance of the Hambarine defenders was broken. At the same time, the killing of those who had not managed to flee commenced.²¹ The aggression continued with an attack on Kozarac. Serb forces had prepared for the attack on Kozarac ahead of time, as stated in the ICTY judgement in the Milomir Stakić case: “The Serb army was already positioned around the Kozarac area beforehand, and [...] an overwhelming force of around 6700 Serb soldiers was already prepared to encounter only 1500–2000 Muslims without heavy artillery.”²² On 22 May 1992, the phones were disconnected in Kozarac and a total blockade began. Entering and leaving Kozarac was almost impossible.²³

The Crisis Staff of the so-called Serb Municipality of Prijedor issued an ultimatum to the BH Kozarac Territorial Defence, in which they demanded the

¹⁸ AIIZ, inv. no. 2-4689, SJB Prijedor, *Report on activities of SJB Prijedor for the first 9 months of 1992*.

¹⁹ AIIZ, inv. no. 2-4702, *Ratni put 6. Sanske brigade*.

²⁰ ICTY, *Judgement in the Momčilo Krajišnik case*, paragraph 475.

²¹ ICTY, *Judgement in the Radoslav Brđanin case*, paragraph 401.

²² ICTY, *Judgement in the Milomir Stakić case*, paragraph 157.

²³ Nusret Sivac, *Kolika je u Prijedoru čaršija*, Bonik, Sarajevo, 1995, page 100.

handing over of all arms and the showing of loyalty and recognition to the forcibly established authorities. The ultimatum was announced on Radio Prijedor by Radmilo Željaja, Chief of Staff of the 343rd Motorised Brigade, who threatened to raze Kozarac to the ground if residents failed to comply.²⁴ The attack on Kozarac was “a planned and coordinated military operation of extreme intensity with infantry and armoured vehicles supported by artillery grouped on surrounding hills opening fire not only on the houses in the villages but also on the unarmed civilians fleeing into the nearby forests. It is noteworthy that the very units redeployed to the municipality on 3 May 1992 by the 5th Corps Command were used in this military operation, which indicates that preparations had been made in advance for such attacks.”²⁵

In order to provoke an attack on Kozarac, on 24 May 1992 the Crisis Staff of the Serb Municipality of Prijedor sought the removal of checkpoints to enable the passage of a military convoy on the Prijedor–Banja Luka route. When the military convoy reached Kozarac, the Serb soldiers began to provoke Bosniaks, and shoot at their houses. The ICTY judgement in the Milomir Stakić case states: “[...] when the columns approached Kozarac, they opened fire on the houses and checkpoints and, at the same time, shells were fired from the hills. The shooting was aimed at people fleeing from the area. The shelling was intense and unrelenting; indeed, according to one eyewitness, a shell landed every second. Over 5000 soldiers and combatants participated in the attack, including units allegedly led by Šešelj, Arkan and Jović.”²⁶ The report from the command of the 1st Krajina Corps about the liquidation of the “green berets” in the wider district of north Kozarac (No. 44-1/150-1 RG b/d from 27 May 1992), delivered to the headquarters of the Army of Republika Srpska, lists the forces that attacked Kozarac. The following is stated in the report: “Participating in the armed conflict from our side were components of the 343rd Motorised Brigade – an enlarged motorised brigade – supported by two 105mm howitzer batteries and one M-84 tank squadron. Total results: The wider area of the village of Kozarac has been completely liberated from the ‘green berets’, that is, the area of the villages of Kozaruša, Trnopolje, Donji Jakupovci, Gornji Jakupovci, Benkova, Ratkovac [...]”²⁷ The BH Territorial Defence Units and the police reserves defending Kozarac could not provide significant resistance in terms of

²⁴ ICTY, *Judgement in the Milomir Stakić case*, paragraph 141.

²⁵ Ibid, paragraph 613.

²⁶ Ibid, paragraph 142.

²⁷ AIIZ, inv. no. 2-4649, Command of the 1st KC, *Izveštaj o likvidaciji “zelenih beretki” u širem rejonu s. Kozarac, op. str. pov. br. from 27 May 1992.*

numbers and arms.²⁸ The resistance of the Kozarac defenders was broken with a combined infantry and tank attack.

After the shelling, the infantry entered Kozarac and began burning one house after another.²⁹

According to reports by Serb forces, a number of “Green Berets” were killed, and others were captured. The following is stated in the report: “[...] 80–100 ‘Green Berets’ killed and about 1500 captured; some Green Berets (100–200) still at large on Mt Kozara.”³⁰ The report of the 1st Krajina Corps on the number of civilians killed is inaccurate and the figure is falsely presented in order to reduce the severity of the crime. Colonel Osman Selak, the commander of the logistics base of the 1st Krajina Corps of the VRS, testified to this at the ICTY in the case against Ratko Mladić. In his testimony, Colonel Selak states that, in the report on the number of those killed in Kozarac, the figure reported was ten times lower than the actual figure. Colonel Selak testified: “At that meeting, Colonel Dragan Marčetić said to Talić: ‘General, today at Kozarac, 800 people were killed and 1200 were taken captive.’ Talić spontaneously looked at me knowing I was Muslim, like those killed, he saw that he was mistaken, so he turned towards Marčetić and said: ‘Dragan, you probably wanted to say that 80 people were killed and in this manner inform Headquarters.’ That information was sent to Headquarters.”³¹ That this figure given by the command of the 1st Krajina Corps was false and that its purpose was to conceal a mass crime against non-Serb inhabitants, is evident from the “Sunday News” (Nedjeljne informacije”) from CSB Banja Luka, where, among other things, the following is stated: “Among the residents of these villages, there were several hundred dead and injured persons.”³² The number of Bosniak citizens killed in Kozarac in the first two days of the attack and during ethnic cleansing amounts to about 50% of the total number of residents of Kozarac killed.³³

During the surrender of Kozarac residents, Serb military forces abused the symbol of the Red Cross. One witness stated: “They caught us by wearing the

²⁸ N. Sivan, *op. cit.*, page 100.

²⁹ ICTY, *Judgment in the Duško Tadić case*, paragraph 143.

³⁰ AIIZ, inv. no. 2-4649, Command of 1st KC, Izvještaj o likvidaciji „zelenih beretki“ u širem rejonu s. Kozarac, *op. str. pov. br. 44-1/150-1* from 27 May 1992.

³¹ <http://www.nezavisne.com/novosti/bih/Selak-VRS-kod-Prijedora-ubila-najmanje-800-mješ-tana-160135.html>

³² AIIZ, inv. no. 2-4686, CSB Banja Luka, *Nedjeljne informacije za period od 18. – 25.5.1992. godine*, 26 May 1992

³³ Archive of the Missing Persons Institute of Bosnia and Herzegovina – Regional Office in Bihać (henceforth: AINOBiHPUB), *Database*

symbol of the Red Cross and yelling into the megaphone: Surrender, the Red Cross is waiting for you and you will be protected.”³⁴ The illegal capture began immediately: “Over 37 hours they took all the people to two concentration camps, Trnopolje and Omarska.”³⁵ A large number of civilians, including women, children and the elderly, surrendered. The Serb soldiers separated the men from the women and children, and sent the men to Keraterm camp, and later to Omarska.³⁶ A large number of women and children were taken to Prijedor, and later returned by bus to the Trnopolje camp. A group of Bosniaks from Kozarac headed over Mt Kozara for extraction from the free territory of the Republic of Croatia. Bosnian Serb authorities learned of this and warned the Regional Unit of the Territorial Defence of Western Slavonia that, after the VRS had broken the defence of Kozarac, some “*Green Berets... (about 700) escaped from the area towards Mt Kozara. There is a danger that they might attempt to join the Croatian ZNG forces in Croatia. They are possibly heading in the direction n. Mlaka – n. Jablanac – n. Mokro polje – n. Bračice...*”³⁷ Later, some Bosniaks did appear near Mlaka, but this was a small group of non-armed civilians, who were trying to save themselves by fleeing to Novska. The Serb police arrested them and held them in custody.³⁸ In a few days, the war criminals killed about 800 civilians in Kozarac.³⁹ To the present time, 119 locations have been found in Kozarac, containing their remains.⁴⁰

On 30 May 1992, members of the Territorial Defence of the Republic of Bosnia and Herzegovina, who were in the forests of Kurevo, initiated a campaign to liberate the city. They decided on this desperate act because the Serb authorities had taken complete control of life in Prijedor.

Significant forces from the 343rd Motorised Brigade, with the support of tanks and with minimum losses, forced the members of the Territorial Defence

³⁴ M. Begić, op. cit., page 300.³⁵

Sabina Sivac, *Svijet prosmatrač genocida*, published in: *Genocid u Bosni i Hercegovini 1991–1995*, Proceedings, Sarajevo, 1997, page 488.

³⁶ “A large number of Muslim citizens of these areas, who did not succeed in fleeing in the face of the assaults, were rounded up, taken into custody and detained in one of the three camps.” *ICTY, Case no. IT-98-30/1, Prosecutor v. Miroslav Kvočka, Judgement against Miroslav Kvočka*, (henceforth: *ICTY Judgement in the Miroslav Kvočka case*), paragraph 13.

³⁷ Croatian Homeland War Memorial and Documentation Centre (henceforth: HMDCDR), Fund 26. ZnŠTO Z. Sl. Kut. 2. *Redovni operativni izvještaj Zn ŠTO Zap. Slavonije. Pov. br.: 51–15, from 29 May 1992.*

³⁸ HMDCDR. Fund 26. ZnŠTO Z. Sl. Kut. 2. *Redovni operativni izvještaj ZnŠTO Zap. Slavonije. Pov. br.: 51–56, from 15 July 1992.*

³⁹ Jasmin Medić, *Genocid u Prijedoru*, Grafis, Sarajevo, 2013, page 38.

⁴⁰ AINOBiHPUB, *Database*.

of the Republic of Bosnia and Herzegovina to retreat. The attack was stopped the following morning, and a number of BH troops managed to retreat towards the forests of Kurevo. In a counter-attack, as an act of retaliation, Serb forces began attacks on parts of the city in which Bosniaks formed the absolute majority. Parts of Prijedor and Stari Grad (Old Town) were targeted, and the latter especially was shelled from all sides. In the attack by Serb forces on Stari Grad, several hundred Bosniak houses were burned to the ground,⁴¹ and a number of Bosniak civilians were killed by the shelling. Around noon, the Serb army began to burn and pillage Bosnian property. At this time the Čaršija Mosque was burned and destroyed,⁴² along with the concurrent killing, forced displacement and illegal detainment of non-Serb residents. Most were forcibly displaced and taken by bus to the Trnopolje, Keraterm and Omarska camps. The relationship between the Serb authorities, police, and army can be seen from the ICTY's judgement in the Duško Tadić case, which states that Bosniaks and Croats had to be marked: "Those who remained were required to wear white armbands to distinguish themselves and were continuously subject to harassment, beatings and worse, with terror tactics being common. Non-Serbs in Opština Prijedor were subjected to gross abuses."⁴³ Individual crimes continued in 1993, 1994 and 1995. The greatest number of Bosniaks and Croats were killed upon the return of Serb soldiers from the battlefields throughout Bosnia and Herzegovina, or upon the death of Serb soldiers at various battlefields. Usually, after returning from the battlefields, drunken Serb soldiers would come during the night to take Bosniaks and Croats out of their homes and kill them.

The all-out attack on the area of Brdo (Bišćani, Rizvanovići, Rakovčani, Hambarine, Zecovi, Čarakovo) began on 20 July 1992. From the morning of 20 July 1992, members of the Serb army began killing residents of Bišćani.

Members of the VRS, who attacked the civilian inhabitants of Bišćani, Rizvanovići, and Rakovčani, killed several hundred men and women. After they had killed a number of people, those who had the good fortune to survive were taken to the Keraterm and Trnopolje camps. Immediately after entering a village, Serb soldiers began looting, taking money, gold and other things of value.

Men were exposed to physical abuse while being captured, at the execution site, and when being taken to the camps. After members of the Serb army arrived at the aforementioned settlements in the Brdo area, a number of women

41 R. Musić, op. cit., page 39.

42 Ibid, page 122.

43 ICTY, *Judgement in the Duško Tadić case*, paragraph 466.

and girls were raped. According to numerous accounts by victims, most rapes occurred after the men were killed or taken to camps.

On 23 July 1992, after the attacks on Bišćani, Rizvanovići and Rakovčani, Serb military troops attacked the undefended settlements of Čarakovo and Zecovi. Some men, aware of what awaited them, managed to hide and escape certain death. Following a well-established plan and with the same troops, Serb forces launched an attack in the early morning. Shooting from automatic firearms and with armoured vehicle support, they began separating the men from the women and children, and taking them towards the Prijedor–Sanski Most road. Some men were killed immediately near their homes, and some were taken to Poljski Put. Particularly worthy of mention is the killing of Čarakovo residents at the mosque. A group of Serb soldiers brought out twelve men along with Imam Sulejman ef. Dizdarević, and took them in front of the mosque, where they were shot. After they were killed, they were covered with rugs from the mosques and the remains of the murdered were set on fire. Among those killed were Sulejman ef. Dizdarević, Husein Sušić, Rasim Sušić, Kemal Kahteran, Zekir Musić, Avdo Mujdžić, Hasib Musić, Husein Kljajić, Emir Čaušević and Redžep Mujdžić.⁴⁴ It is necessary here to highlight the crimes committed against members of the Bačić family. A few Bačićs lived in the Gradina neighbourhood of Zecovi. On 25 July 1992, members of the VRS killed 32 civilians: 15 women and 17 children. Three children survived the shooting. One of them recalls: “A Serb soldier yelled ‘If there’s anyone here, come out!’ Aunt Šehrija went out and said: ‘There are only women and children here’, and then the Serb soldier said that everyone had to come out of the house. He ordered us to line up in the yard. We all started coming out. I was last, I couldn’t find my shoes. When I found them, the others were already outside, in the yard. They were all lined up.

The shooting started while I was tying my shoes. They were shooting at all of them. The bursts of fire echoed. Right next to the house there was a crate used for a horse-drawn carriage. Between the crate and the house there was a small

⁴⁴ On 3 December 2014, the Appeals Chamber of the Court of Bosnia and Herzegovina confirmed a first instance judgement for Dragomir Soldat and Velemir Đurić, whereby they were each sentenced to 21 years in prison. The accused Zoran Babić was sentenced to 21 years, which was added to the 22 years given to him by the final judgement of the Court of Bosnia and Herzegovina on 15 February 2013, meaning a total sentence of 35 years. *Sud BiH, Prvostepena presuda u predmetu br. S1 1 K 011967 KrI Dragomir Soldat i drugi.*

space. I hid next to the crate. The shooting lasted a minute or two. Everything happened very quickly. I lay 3–4 meters from those who had been killed. I saw two Serb soldiers shooting. From under the crate I saw the hand of a soldier holding a pistol, and shooting at women and children. He shot at those who moved and showed signs of life. I saw my brother Zikret, he was leaning against a plum tree. His head was slumped. He was wearing a yellow shirt. I clearly saw the bullet hitting his body, his shirt moving slightly. I saw my Aunt Šehrija lying dead, on her stomach, her head turned to the side. She was wearing a long, black and blue dress. She was closest to me. Somewhere in the middle, where the bodies lay, I saw my mother and sister next to each other. They wore the same dresses that they had sewn together. It was a terrible sight that I'll remember for the rest of my life. Even now it's as if I'm looking at those scenes."⁴⁵ The criminals later hid the remains of the victims, and to this day they have not been found. The youngest victim was three-year-old boy Ernest Bačić. In the Zecovi settlement, few people survived. The criminals killed children, women, and the elderly. In just a few days in July 1992, more than 1000 Bosniaks were killed in the Brdo area.

After the attack on the undefended Bosniak villages in Brdo, Serb soldiers and police forces began their attack on several settlements inhabited by Croats, most notably Briševo, Stara Rijeka, and Rajlaš. According to the 1991 census, the settlement of Briševo comprised 406 inhabitants: 370 Croats, 16 Yugoslavs, 7 Serbs, 1 Bosniak and 11 others.⁴⁶ These inhabitants lived in about 120 houses.⁴⁷ The residents of Briševo witnessed the horrors of war for the first time when, ahead of the attack by Serb forces, the Bosniaks of Hambarine left their homes to seek safety in the Kurevo forest. Most of those forcibly expelled from Harambine passed through Briševo, and some Croat families gave them refuge, some staying for several days. After Harambine and Kozarac, the settlement of Briševo found itself the target of Serb shells. As in the other parts of the Municipality of Prijedor, the attack began at the end of May, when the settlement was shelled. On that occasion, there were no casualties. The event was confirmed in the ICTY judgement in the Radoslav Brđanin case: "On 27 May 1992, the village was shelled with mortars coming from the direction of Rasavci and Oštra Luka, two predominantly Bosnian Serb villages east of Briševo. Before

⁴⁵ AINOBIHPUB, *Statement by survivor B.Z. from 28 November 2014*.

⁴⁶ *Census*, Results for the Republic by municipalities and inhabited places in 1991, Statistical Bulletin no. 234, State Agency for Statistics of the Republic of Bosnia and Herzegovina, Sarajevo, 1993.

⁴⁷ ICTY, *Judgement in the Milomir Stakić case*, paragraph 284.

the shelling, Bosnian Serb authorities in the area had requested that all weapons in the village be surrendered. Weapons were handed over to the Bosnian Serbs in Rasavci, despite there only being legally owned hunting rifles and pistols.”⁴⁸ With this attack, Serb forces demonstrated that no settlement inhabited by non-Serbs would be spared. What followed in July 1992 was the largest persecution of Croats in the Republic of Bosnia and Herzegovina. In June 1992, the illegal arrests and detention of residents of Briševo and Stara Rijeka began. Those detained were held in concentration camps in Krings, Keraterm, Omarska, Manjača and Batković. Among those killed in Omarska concentration camp were Jozo Buzuk, Joso Barišić, Miroslav Šolaja-Miro and Slavko Mlinar. Slavko Mlinar was exhumed in 2004 from the mass grave at Stari

Kevljani, and Jozo Buzuk, Joso Barišić, Vladimir Barišić and Miroslav Šolaja were exhumed from the Kevljani mass grave in 1999. Vinko Matanović was taken to the Krings camp in Sanski Most and was killed on the way to Manjača. He was exhumed from the Ušće-Dabar mass grave in 2001.⁴⁹ After the all-out attack on the Brdo area, which began on 20 July 1992, next in line was the settlement of Briševo. With the attack on Briševo, Serb military forces finally took the undefended villages on the left bank of the Sana River. This attack began on 24 July 1992 in the early hours of the morning, when “[...] Serb forces attacked the majority Croatian village of Briševo, after its residents had obeyed the order to hand in their weapons. Although there was no resistance, 67 villagers were killed in the attack, including 14 women, 2 boys and 4 disabled persons.”⁵⁰ The mortar attack lasted all day, and was a prelude to the subsequent attack by the Serb infantry. As a consequence of the shelling, Lucija Ivandić and Mara Mlinar were killed.⁵¹ The attack on Briševo was part of the coordinated plan of the 6th Sana and 5th Kozara Brigades of the VRS. The units from this brigade encircled the entire area, before mounting an attack from numerous directions. The 6th Sana Brigade participated in the attack, with mostly its own forces. Confirmation of this can be found in the document that describes the brigade’s path to war: “In the period from 23 to 25 July 1992, the campaign to cleanse the Briševo-Kurevo-Stara Rijeka-Stari Majdan began, between Sanski Most-Prijedor and Sanski Most-Ljubija. Participating in this campaign were all units of the brigade that were not at the battlefield in the Corridor. The cam-

⁴⁸ ICTY, *Judgement in the Radoslav Brđanin case*, paragraph 411.

⁴⁹ AINOBiHPUB Database.

⁵⁰ ICTY, *Judgement in the Momčilo Krajišnik case*, paragraph 482.

⁵¹ *Knjiga nestalih opštine Prijedor – Ni krivi ni dužni*, Udruženje Prijedorčanki “Ivor”, Prijedor, 2012.

paign was carried out successfully, with no losses on our side ...”⁵² The forces of three battalions from the 6th Sana Brigade took part in this attack on the undefended settlements of Briševo and Stara Rijeka. Additionally, members of the 6th Krajina Brigade (V.P. 6797/6) participated in battles in the territory of the municipalities of Prijedor and Sanski Most during May, June and July 1992. The perpetrators were Serbs from the occupied areas of Banovina: i.e. from the Municipality of Hrvatska Kostajnica.⁵³

The inhabitants of Briševo did not provide any armed resistance. Most hid in the cellars of their homes, waiting to see what was going to happen to them. Some tried to flee Briševo, but returned as the village was completely under siege. Throughout 24 July, shells fell throughout Briševo, ceasing that evening. According to survivor accounts, 120 mm shells were fired onto the village. The shelling took place from VRS positions in the direction of Stanari from Batkovci, the position of Redak from the direction of Rasavci and the hill known as Dragišića Glavica. After an entire day of shelling, the infantry attack began.

Units of the 6th Sana and 5th Kozara Brigades of the VRS, entered the village between 5 and 6 PM, and began killing its inhabitants. Units from the 6th Sana Brigade attacked from the direction of Sanski Most (Stara Rijeka), and those of the 5th Kozara Brigade from the direction of Ljubija. When entering the village, Serb soldiers from the 6th Sana Brigade killed all those they encountered. In this area, they killed Stipe Dimač, Mara Marijan, Franjo Marijan, Luka Mlinar, Ivica Mlinar, Jerko Ivandić, Milan Ivandić, Stipe Ivandić, Pejo Ivandić, Joso Lovrić, Ivica Buzuk, Mate Buzuk, Milan Buzuk, Ivo Lovrić, Srećo Buzuk, Mirosla Buzuk, Vlado Buzuk and Ilija Atlija.⁵⁴ In the other direction, the 5th Kozara Brigade behaved in the same way towards the civilian residents of Briševo, killing Marko Buzuk, Srećo Ivandić, Danica Ivandić, Miro Ivandić, Stipo Ivandić, Mara Ivandić, Milka Marijan, Zvonko Marijan, Luka Komljen, Kaja Komljen, Ivo Komljen, Ante Komljen,

⁵² On page 12 of the document describing the 6th Sana Brigade’s path to war, engagement of the brigade to “cleanse the terrain” in the period from 23 to 25 July 1992 is outlined. AIIZ, inv. no. 2-4702, *Ratni put 6. sanske brigade*.

⁵³ Archive of the Sisačko-Moslavačka Police Department. Validation document against Poznanović Đorđe – *Sl. zabilješka SJB Kostajnica o inf. Razgovoru s osumnjičenim Poznanović Đorđem od 22. VII. 1992. and Sl. bilješka SM Dubica o inf. razgovoru s Vlaisavljević Lazarom iz Uštice na okolnosti nestanka Kovačević Mile, od 7 VI. 1992.*

⁵⁴ *Knjiga nestalih opštine Prijedor – Ni krivi ni dužni*, Udruženje Prijedorčanki “Izvor”, Prijedor, 2012.

Kaja Komljen (nee Barišić), Mara Matanović, Ervin Matanović, Luka Mlinar and Mirsad Švraka.⁵⁵

In the evening of 25 July 1992, the infantry of the Bosnian Serb Army entered Briševo. The soldiers were wearing JNA uniforms with red bands around their arms or helmets. Some wore Četnik insignia or clothing, such as Šubare hats.⁵⁶

In two days in Briševo and Stara Rijeka, the entire Matanović, Atlija, Dimač, and Barišić families were killed. The youngest victim was Ervin Matanović (14), and the eldest Stipo Dimač (81). Immediately after entering the city, the soldiers began burning houses and barns (when night fell, the entire village was visibly engulfed in flames). These facts have been listed in many ICTY judgements. In the Milomir Stakić case, the number of houses set on fire was stated: “68 houses were partially or completely destroyed by fire during the attack. In addition, the soldiers looted various items from the houses, such as television sets, video recorders, radios and certain items of furniture.”⁵⁷ On 29 July 1992, the Catholic church in Briševo was destroyed by fire, which caused its roof to cave in; then its bell tower was damaged by an anti-tank missile.⁵⁸ According to the book *Raspeta crkva u Bosni i Hercegovini*, along with the filial church in Briševo (the parish is in the village of Stara Rijeka), members of the 6th Krajina Brigade from the area of the Municipality of Sanski Most burned down the home for priests and the hall for religious classes.⁵⁹

The number of Croats killed in Briševo is stated in the ICTY judgement in the cases against Milomir Stakić, Radoslav Brđanin and Momčilo Krajišnik, as well as in indictments against Radovan Karadžić and Ratko Mladić: “77 Croats were killed in the village between 24 and 26 July 1992, including three Croats in a maize field and four others at the edge of the woods near Briševo.”⁶⁰ The killing of civilians was especially brutal. Women, children and the elderly were killed in various ways, and a large number of women and children were raped by the criminals. Describing the methods used in the killings, witnesses at the ICTY in the Radoslav Brđanin case state that: “Pero Dimač, an elderly Bosnian

⁵⁵ Ibid.

⁵⁶ ICTY, *Judgement in the Radoslav Brđanin case*, paragraphs 411, 412.

⁵⁷ ICTY, *Judgement in the Milomir Stakić case*, paragraph 284.

⁵⁸ Franjo Marić, Anto Orlovac, *Banjalučka biskupija u slici i riječi od 1881*.

⁵⁹ *Raspeta crkva u Bosni i Hercegovini – uništavanje katoličkih sakralnih objekata u Bosni i Hercegovini (1991.–1996.)*, (ed. Ilija Živković) Banja Luka, Mostar, Sarajevo, Zagreb, 1997, page 126, Bishop’s Ordinary, Banja Luka, 2006, page 126.

⁶⁰ ICTY, *Judgement in the Milomir Stakić case*, paragraph 269.

Croat, was forced to take off his clothes, was hit with a bible, and was eventually shot in the head by Bosnian Serb soldiers.”⁶¹ The killing of Croatian residents of Briševo and Stara Rijeka occurred at multiple locations.⁶²

After entering the village, Serb soldiers took several hundred residents of Briševo and Stara Rijeka and detained them in the Krings concentration camp in Sanski Most. Among those captured was the priest of the Stara Rijeka Parish, Father Iljo Arlović, who needed years of treatment as a consequence of the torture he suffered. This is confirmed in the ICTY judgement of the *Momčilo Krajišnik* case: “Thirty-six men from the village were brought to the detention centre Krings Hall in Sanski Most.”⁶³

The surviving residents of Briševo gave numerous upsetting accounts of crimes committed by members of the Serb military units. The killings took place exclusively during the day; victims were killed on the spot, and there are numerous mass graves that they dug themselves. It was not unusual for humans to be buried with animals. Surviving witnesses testify that the Croats killed were beaten to death by Serbs, who cut the tendons in their hands and feet with knives, cut the flesh off their bodies, slaughtered them, pierced their bodies with knives, cut off their noses, ears, genitalia, ripped their bellies open, broke their ribs, and bludgeoned them with wooden clubs and pickaxes.⁶⁴ How the killings and other crimes were carried out is described in numerous testimonies:

“In many cases, the Serbs forced mothers, wives and children to watch the brutalities against the men. Nearly all young women and girls were raped. One almost had the feeling that they were competing to see who could perform the most monstrous crime.”⁶⁵

Concentration Camps and Other Locations of Illegal Detainment of Bosniaks and Croats in the Territory of the Municipality of Prijedor Concentration camps and other locations of illegal detainment of Bosniaks and Croats in the territory of the Municipality of Prijedor were established by the Crisis Staff of the Serbian Municipality of Prijedor. From numerous documents and testimonies that were gathered for the requirements of the trial at the ICTY and courts in Bosnia and Herzegovina, it was proven without reasonable doubt that

⁶¹ ICTY, *Judgement in the Radoslav Brđanin case*, paragraph 412.

⁶² AINOBIHPUB Database.

⁶³ ICTY, *Judgement in the Momčilo Krajišnik case*, paragraph 482.

⁶⁴ <http://brisevo-prijedor.webs.com>

⁶⁵ <http://www.klix.ba/vijesti/bih/obiljezana-20-godisnjica-zlocina-nad-hrvatima-u-bri-sevu/120726021>

the Crisis Staff ordered, organised and administered the concentration camps and other locations of illegal detainment. The Crisis Staff, by means of military and police structures, established complete control of the death camps of Omarska, Keraterm, Trnopolje and other locations of illegal detainment. These locations in the area of the Municipality of Prijedor were established for Bosniaks and Croats, as well as residents of other nationalities who did not support the Greater Serbian policy.

In the Milomir Stakić case, the ICTY determined “that the creation and running of these camps, which required the co-operation of the civilian police and military authorities, were acts endangering the lives of thousands of persons, almost exclusively of non-Serb ethnicity, who were detained there.”⁶⁶ In the area of the Municipality of Prijedor, there were 58 camps and other areas of illegal detainment, a fact determined before the ICTY.⁶⁷ Of these 58 locations, Serb authorities established three camps for long-term detainment (Omarska, Keraterm and Trnopolje), where the largest number of illegal detainees was kept.

According to facts confirmed before the ICTY, 31,000 non-Serbs passed through the Prijedor camps. In the area of the Municipality of Prijedor, members of the Serb military and police conducted the illegal detainment of Bosniaks and Croats with the objective of mass graves and forced displacement. In the judgement of the Duško Tadić case, it was emphasised that the illegal detainments were part of the plans for a Greater Serbia: “The establishment of these camps was part of the Greater Serbia plan to expel non-Serbs from Opština Prijedor. Generally the camps were established and run either at the direction of, or in cooperation with, the Crisis Staff, the armed forces and the police. During confinement, both male and female prisoners were subjected to severe mistreatment, which included beatings, sexual assaults, torture and executions. Prisoners were guarded by soldiers, police forces, local Serb military or TO units, or a combination thereof, who were dressed in uniforms and generally had automatic rifles and other weapons on their person.”⁶⁸

One of the methods used to accelerate and force the expulsion of Bosniaks and Croats from the Municipality of Prijedor was illegal confinement, by which Serb authorities imposed such unacceptable living conditions to non-Serb residents that they had to abandon their homes.

⁶⁶ ICTY, *Judgement in the Milomir Stakić case*, paragraph 596.

⁶⁷ ICTY, *Judgement in the Momčilo Krajišnik case*, paragraph 483.

⁶⁸ ICTY, *Judgement in the Duško Tadić case*, paragraph 154.

Confirmation of this can be found in the ICTY judgement of the Duško Tadić case, in which the highest official of the ARK Crisis Staff emphasises that the final objective is the almost complete forcible expulsion of Bosniaks and Croats from the Bosanska Krajina region: “In 1992, Radoslav Brđanin, President of the Crisis Staff of the Serb Autonomous Region of the Banja Luka area, **declared that 2 percent was the upper tolerable limit on the presence of all non-Serbs in this region.** Radoslav Brđanin advocated three stages of ridding the area of non-Serbs: (1) creating impossible conditions that would have the effect of encouraging them to leave of their own accord, involving pressure and terror tactics; (2) deportation and banishment; and (3) liquidating those remaining who would not fit into his concept for the region.”⁶⁹ In Prijedor’s death camps, the illegally detained were women, children, men, disabled persons, the elderly, and those with chronic illnesses, the latter not providing exemption from being taken to the camps. In many cases in the Prijedor camps, families were detained together. The conditions in the camps “were calculated to bring about physical destruction; it is alleged that the brutal and inhumane conditions in the camps and detention facilities included inadequate food (often amounting to starvation rations), contaminated water, insufficient or non-existent medical care, inadequate hygiene and lack of space”.⁷⁰ A particular example is the killing of detainees in the Omarska, Keraterm, and Trnopolje camps, and in the area of Korićanska stijena (Municipality of Skender-Vakuf), where over 500 detainees were killed on 21 August 1992, along with about 200 who were supposed to be transported to Travnik. The killing of the illegally detained continued in the Ljubija area. Those detained in the centre in Miska Glava, who were taken to the station in Ljubija, were killed near the iron ore mine in Ljubija (in the location of Redak).⁷¹

The killing of illegally held non-Serb civilians in the Omarska camp was conducted continuously, from its establishment until its closure. The remains of those murdered were found in several mass and individual graves. Most were found in the Stari Kevljani mass grave (456 bodies), and to date, the identities of 340 victims have been determined.

Remains have also been found in the mass graves of Kevljani, Hrastova glavica, Jama Lisac, Tomašica (i.e. Jakarina kosa), Kamičani, Kevljani-Hadžići, at

⁶⁹ Ibid, paragraph 89.

⁷⁰ ICTY, *Judgement in the Radoslav Brđanin case*, paragraph 904.

⁷¹ At the stated location, two mass graves were exhumed: Redak (the remains of 74 victims) and Redak-depo (the remains of 15 victims). AINOBIHPUB Database.

Pašinac, at Pećani cemetery, and at the new cemetery in Banja Luka.⁷² The crimes in the Keraterm camp were characterised by a mass killing on 24 July 1992, when the camp guards started firing from automatic weapons at Room No. 3 and the detainees being held there. According to one of the detainees, whom the camp guards forced to load the bodies of the dead and injured onto a trailer, there were 147 dead bodies and 67 injured persons.⁷³ In this section of the paper, we will briefly describe the three Prijedor death camps: Omarska, Keraterm and Trnopolje.

a) Omarska camp

The Omarska camp was located at the Omarska mine, 2 km from the village of Omarska, and some twenty kilometres from Prijedor. After the forcible takeover of power in Prijedor, the Serbs also took control of Omarska mine, thereby gaining unhindered access to create the concentration camp. This location was selected because the surrounding residents were of Serb nationality, so control of access was easier and there was no possibility of escape. The first detainees in Omarska camp were illegally confined on the nights of 27 and 28 May 1992, and the last detainees were taken away around 21 August 1992.⁷⁴ Camp supervision and security were under the competence of members of the Serb police SJB Prijedor, and members of the VRS. The latter were responsible for securing the camp's surrounds, while the former were in charge of internal security.⁷⁵

The Crisis Staff of the Serb Municipality of Prijedor played a key role in the creation of the Omarska death camp. How the camp was established is most evident from the report by the police chief of SJB Prijedor, which states: "The Crisis Staff of the Municipality of Prijedor decided that all detainees from the Keraterm facility in Prijedor would be transferred to the facilities of the administrative building and workshop of RŽR in Omarska, where mixed teams of operative workers would continue the interrogation. That is why this building was given the working title of Omarska Interrogation Centre for Prisoners of

⁷² AINOBiHPUB Database.

⁷³ M. Begić. op. cit., page 150.

⁷⁴ See more in ICTY, *Judgements in the Brđanin, Stakić, Tadić cases and Court of BH, Judgement in the Mejakić et al. case.*

⁷⁵ ICTY, *Appeals Chamber Judgement against Milomir Stakić, Case: IT-97-24*, Den Haag, 31 July 2003, (henceforth: ICTY, *Judgement in the Milomir Stakić case*), paragraph 160.

War.”⁷⁶ With the same decision, the building was put under the supervision of the police and army. The police received the task of direct physical security, and the army assumed the role of providing extensive security in the form of two rings, and setting mines in possible directions detainees may use to try to escape. On this topic, the Banja Luka Security Services Centre (CSB) states in its report:

“However, armed conflicts in the territory of the municipality quickly spread to most of the settlements so the number of people detained quickly grew, therefore, the capacity of this building could not satisfy the growing needs and conditions for work for the detainees. At the time, the Crisis Staff of the Municipality of Prijedor assessed that, due to security reasons, it would be advisable to transfer the detainees to another location, and it was decided that the RŽR administrative buildings and workshop would be used. With the same decision, it was ordered that the Keraterm building in Prijedor would be used exclusively as a transit location, and that it would only be used for accepting detainees before transporting them to Omarska, i.e. Trnopolje, given that this is not possible in SJB Prijedor due to the lack of space.”⁷⁷

The first larger group of detainees who were illegally detained in the Omarska camp were transferred from the Keraterm camp. About 1000 illegally detained Bosniaks and Croats, accompanied by the Serb army, were taken to Omarska camp in over 20 buses. The ICTY judgement in the Momčilo Krajišnik case states: “The Crisis Staff in Prijedor, had already, on 27 May 1992, ordered for detainees from Keraterm to be transferred to Omarska. According to the SJB Prijedor report from August 1992, sent to CSB Banja Luka, most of the transferred men were from 18 to 60 years of age. In the coming years, Muslims captured in Kozarac were transferred to Omarska. In spite of this, the Chief of Public Security Service (SJB) Prijedor Simo Drljača, only issued the official order to establish the Omarska camp on 31 May, in accordance with the Crisis Staff’s decision. [...] This order was executed by Drljača in cooperation with CSB Banja Luka.”⁷⁸

The commander of Omarska camp was Željko Mejakić, Chief of Police of Omarska. Miroslav Kvočka was deputy commander of the camp, and was

⁷⁶ AIIZ, inv. no. 2-4676, SJB Prijedor, *Naredbe str. pov. broj: 11-12-20*, from 31 May 1992.

⁷⁷ AIIZ, inv. no. 2-4674, CSB Banja Luka, *Report on the Existing Situation and Questions Relating to Detainees, Collection Centres, and Transit, and the Role of the SJB in These Activities*.

⁷⁸ “With the objective of resolving the problem that appeared by capturing a large number of enemy troops and other persons who were found in armed conflict zones, as well as persons

replaced by Drago Prcać, and Mlade Radić aka Krkan was a guard there.⁷⁹

With the arrival of the first group of illegally held civilians, the camp was nearly full; therefore, some of the detainees did not have lodgings inside the hangar, so they were held in the open concrete area (pista), between two buildings.

The camp consisted of two large buildings, a hangar, an administrative building and two smaller buildings known as the white house and the red house.⁸⁰ The hangar was a large rectangular building, whose ground floor was intended for servicing heavy trucks and machinery, which were used in the iron ore mine. On the west side of the hangar were two floors of rooms, which took up less than half of its total width. Most of the detainees were held in the hangar.⁸¹ On the western side of a meadow not far from the hangar was the white house, a small rectangular single-storey building, with a corridor in the middle, two rooms on each side and one small room at the end, which was no wider than the corridor itself.⁸² Especially cruel treatment of detainees took place in the white house. The red house was located on the same side of the site as the white house. New prisoners from other camps and locations of illegal detainment were brought to Omarska camp every day. The administrative building was where detainees ate and where illegally detained women were held. On the upper floor were interrogation rooms. The female detainees were kept separately, and were forced to work in the restaurant. They slept in the area where men were interrogated. Thirty-seven women were illegally detained in Omarska, and they were witnesses to killings, torture and rape, and to the transportation of the remains of those killed.⁸³ One of the women was held with the men. Of the women illegally detained, Edna Dautović, Sadeta Medunjanin, Mugbila Beširević, Velida Mahmuljin and Hajra Hadržić were killed. The remains of Edna Dautović and

seeking help and protection, *the Crisis Staff of the Municipality of Prijedor* decided to organise in the Trnopolje settlement acceptance and lodging for persons seeking protection. As for prisoners of war, interrogations were held in the RO “Keraterm” building in Prijedor, i.e. in the RŽR iron ore administrative building and workshop in Omarska.” AIIZ, inv. no. 2-4674, CSB Banja Luka. *The Report on the Existing Situation and Questions Relating to Detainees, Collection centres, and Transit and the Role of the SJB in These Activities.*

⁷⁹ ICTY, *Judgement in the Radoslav Brđanin case*, paragraph 837.

⁸⁰ The Auschwitz camp also had a red and a white house, which were used as gas chambers. This has symbolic significance to the Omarska camp, given the suffering endured by its detainees.

⁸¹ For more see: ICTY, *Judgements in the cases against Stakić, Tadić and Kvočka.*

⁸² ICTY, *Judgement in the Tadić case*, paragraph 156.

⁸³ Tesma Elezović, *Ponos ranjene duše*, published in: *Genocid u Bosni i Hercegovini 1991.–1995.*, Proceedings, Sarajevo, 1997, page 480.

Sadeta Medunjanin were found in and exhumed from the Jama Lisac mass grave (Municipality of Bosanska Krupa). Mugbila Beširević, Velida Mahmuljin and Hajra Hadžić were found in and exhumed from the Kevljani-Hadžići mass grave.⁸⁴

Immediately after the arrival of the first detainees, the SJB Prijedor police established complete control and security of the camp, and land mines were set to prevent prisoners from escaping.⁸⁵

The number of illegally detained non-Serb civilians in Omarska camp varied, but according to some data it was as high as 3000–5000. Regarding the number of illegally detained in Omarska camp, SJB Prijedor Commander Simo Drljača provides the following figures: “According to available documents and records that were kept in Omarska, from 27 May 1992 to 16 August 1992, a total of 3334 persons were brought to this interrogation centre: 3,197 Muslims, 125 Croats, 11 Serbs, 1 other, 28 persons under 18 years of age, 68 persons over 60 years of age, 2920 persons from 18 to 60 years of age, 3,297 men, 37 women. [...] From 27 May to 16 August 1992, criminal interrogations were conducted in the Centre on 3334 persons, while 1773 were transferred to Trnopolje, and 1331 to the Manjača military camp. Currently, 179 persons are being interrogated in SC Omarska.”⁸⁶

The number of prisoners changed every day due to the constant illegal capture and detention of non-Serb civilians and the daily killing of detainees. In the ICTY judgement of the Miroslav Kvočka et al. case, there is a discussion about minors in Omarska camp: “Boys as young as 15 were seen in the early days of the camp, as well as some elderly people. Minors and mentally impaired individuals were also detained at the camp.”⁸⁷

Camp guards did not keep records of a number of detainees, and along with the administration, they tried to hide the truth about the number and state of them. The cover-up was conducted by limiting or forbidding access to televi-

⁸⁴ AINOBIHPUB *Database*

⁸⁵ In Item 9 of the Command to create the camp, the mining of the area surrounding the camp was ordered. “The competent representatives of the army of the Srpska Republika Bosnia and Herzegovina shall urgently set up mine fields, in accordance with the provisions on setting mines, which implies preparing a mine field scheme, proper marking etc.” AIIZ, inv. no. 22-4676, SJB Prijedor, *Naredba str. pov. broj: 11-12-20*, from 31 May 1992.

⁸⁶ AIIZ, inv. no. 2-4688, SJB Prijedor, *Izveštaj i prihvatni centri na području opštine Prijedor*.

⁸⁷ ICTY, *Judgement in the Kvočka et al. case*, paragraph 21 and *Judgement in the Radoslav Brđanin case*, paragraph 842.

sion and newspaper reporters. Only a small number of the camps were visited by reporters, and most remained closed, far from journalists and TV cameras.

The conditions in the camps were terrible. Reporters and surviving witnesses who visited this death camp bore witness to this. The rooms in which the illegally detained were held did not meet even minimum living standards. When detainees arrived at Omarska, they were searched, stripped of their belongings, and often beaten. Some were kept in the white house, in very crowded conditions. Hygiene at the camp was poor, and detainees suffered from skin diseases and other illnesses. Food and water were scarce, and some detainees, especially those heavily beaten, could not reach the place where food was distributed. Some detainees were beaten to death. One of the groups abusing prisoners at Omarska was a special MUP detachment placed under the command of the Banja Luka CSB.

The most serious beatings took place in the white house and the red house, where detainees were taken and mistreated. Beatings also took place during night visits by civilians and soldiers who were allowed into the camp.⁸⁸ The open concrete area (*pista*), where some of the illegally detained were held, was a place where specific psychological and physical torture took place. The detainees were in the open, with no shelter, in all weather conditions. In the summer the heated concrete would reach temperatures in excess of 40 degrees Celsius. The prisoners would have to lie on their stomachs or sit on the concrete. Those who tried to get up would be physically abused. Without water, and exposed to these high temperatures, some prisoners had hallucinations, and severe burns, and most became dehydrated, which further deteriorated their psychological and physical states.⁸⁹

According to the testimonies of surviving detainees, conditions in the white house were the worst in the entire camp. In some rooms, it was like hell. In one room of approximately 2.5 m², over 50 prisoners were held. The prisoners were sitting one on top of the other, and were losing consciousness due to the heat and the lack of air. In the white house, the guards would beat the prisoners to death, and the walls and ceilings were red with blood. The prisoners would empty their bowels in the rooms. An awful stench of sweat, blood and faeces spread. In one corner there was a canister that served as a latrine. This made time

⁸⁸ ICTY, *Judgement in the Momčilo Krajišnik case*, paragraph 490.

⁸⁹ *Ibid*, paragraph 490.

spent in the white house even more difficult.⁹⁰ The prisoners were beaten with fists, feet, gun butts, and wooden and metal clubs. When they wanted to beat someone to death, guards would aim at the kidneys and heart.

The unbearable camp conditions were further aggravated by systematic starvation, water deprivation, inability to maintain personal hygiene, and lack of access to medical care. Illegally detained Bosniaks and Croats in the Omarska camp received one meal per day.⁹¹ This meal consisted of a bowl of soup or beans, and 20 detainees shared one kilogramme of bread. This could not satisfy the minimum human requirements for food.

Murders were committed in the presence of the other prisoners. By doing this, Serb police wanted to send a message of intimidation, with the ultimate goal of forcing non-Serb residents to leave the Municipality of Prijedor. The ICTY determined how the murders were committed in multiple judgements. One judgement states: “A lot of the killings at Omarska camp were committed at the building known as the ‘white house’. Incoming detainees recount that dead bodies were lying around there on various occasions, and the inside of the ‘white house’ was covered with blood. Killings also occurred at the ‘red house’. Detainees were deprived of their lives in various ways. Many of them were so severely beaten that they died from their injuries. Others were riddled with bullets, jumped on by camp guards, or strangled. A large number of detainees were called out from the rooms in which they were detained, and never returned. If detainees were told that they should take their belongings with them, it meant that they would not return and were, in all likelihood, going to be killed.”⁹²

Sexual abuse of illegally detained individuals also took place in Omarska camp. Detained women were raped, while men were exposed to various forms of sexual violence.⁹³

⁹⁰ ICTY, *Judgement in the Duško Tadić case*, paragraph 249.

⁹¹ “The detainees at Omarska had one meal a day.” ICTY, *Judgement in the Milomir Stakić case*, paragraph 168, see also *Judgement in the Miroslav Kvočka et al. case*, paragraph 51, and *Judgement in the Duško Tadić case*, paragraph 160.

⁹² ICTY, *Judgement in the Radoslav Brđanin case*, paragraph 442.

⁹³ Sexual torture and sexual violence imply illegal acts such as sexual extortion, forced stripping, rape, indecent acts, forced prostitution, as well as various forms of sexual coercion. Sexual torture can be a direct sexual act toward the victim and physical injuries to genitalia (amputation, piercing, burning of genitalia, infliction of bodily harm with various blunt and sharp objects, etc.) Zvonimir Tomić, *Krivično pravo II*, Faculty of Law in Sarajevo, Sarajevo, 2007, page 111–127.

Sexual violence most often took the form of rape, although there were also other forms of sexual abuse. There were often mass rapes, which lasted until departure from the camp or the death of the detainee. Although it was mainly young women who were exposed to this type of torture, it was not unusual for older individuals and minors to suffer it too. Especially traumatic was the extortion of women with threats that their children would be killed or taken away from them, or that their daughters would be raped. In several processes before the ICTY, it was determined that Serb soldiers and police raped illegally detained Bosniaks and Croats in the camps: “The Trial Chamber concludes that rapes and sexual assaults were commonplace throughout the camps in the Prijedor area. It is satisfied that in all these incidents, the male perpetrators aimed at discriminating against the women because they were Muslim.”⁹⁴ Different Serb soldiers and police guards in the camp raped the detained women on several occasions.⁹⁵ One of the detainees testified that: “Upon being brought to Omarska camp, she was often taken by the guards, who would rape her every time. She specified that this occurred about seven times a night and twice during the day”.⁹⁶ In the rapes that occurred during the night, an individual guard would come after midnight, and take the detainees, mainly to a room at the end of the hallway. The illegally detained women were raped for several hours and by several camp guards, as well as other Serb soldiers and police officers who came to the camp.

Omarska camp was established and controlled with the full coordination of civilian, military and police structures of the Serb Municipality of Prijedor. The crimes against humanity and international law that were committed by the Serb military and police units were a template for the illegal treatment of Bosniak and Croat civilians in the territory of the Municipality of Prijedor. Guards in this camp committed executions and serious abuse of detainees, which included psychological abuse, beatings, sexual violence and torture. The largest number of those killed was found in the Stari Kevljani mass grave (456 persons), of which 340 have been identified so far. Remains have also been found in the mass graves of Kevljani, Hrastova glavica, Jama Lisac, Tomašica (i.e. Jakarina kosa), Kamičani, Kevljani-Hadžići, at Pašinač, Pećani cemetery, and at the new cemetery in Banja Luka.

⁹⁴ ICTY, *Judgement in the Radoslav Brđanin case*, paragraph 518.

⁹⁵ More in: Jadranka Cigelj, *Apartman 102*, Agencija za komercijalne djelatnosti, Zagreb, 2002.

⁹⁶ Court of Bosnia and Herzegovina, *First Instance Judgement in the Mejakić et al. case*, page 120.

b) Keraterm camp

Keraterm camp was located in the ceramic tile factory on the outskirts of Prijedor, in the immediate vicinity of the Prijedor – Banja Luka road. As stated in the ICTY judgement in the “Predrag Banović” case, “The Keraterm camp began operating on 23 May 1992 and held as many as 1500 detainees. Between 20 June and 6 August 1992, Predrag Banović regularly performed his duties as a guard at the Keraterm camp. Duško Sikirica was Commander of the camp. Guards at the Keraterm camp included reserve police personnel and were organised into shifts of between 10–15 guards, supervised by Dragan Kolundžija, Damir Došen and Dušan Fuštar, all shift commanders of the guards.”⁹⁷

This camp was set up by the civilian authorities of the Municipality of Prijedor. Who formed this camp and on what grounds can be seen in the CSB Banja Luka report, which states: “On the basis of the decision by the Crisis Staff of the Municipality of Prijedor, the Army took prisoners of war to this facility, and the Public Security Station (SJB) had the task to secure the facility for police employees of the active and reserve units. CSB Banja Luka and the Banja Luka Corps Command were notified of the imprisonment of persons.”⁹⁸ In Keraterm camp, security and interrogations were performed by SJB Prijedor police, members of the military police from Prijedor and, as in Omarska, questioning was performed by members of the local CSB and army Corps (in this case CSB Banja Luka and the Banja Luka Corps). That the administration of the Keraterm camp and security were provided by Serb police can be seen from the ICTY judgement in the Radoslav Brđanin case, where the names of the commanders and guards were listed: “Sikirica was the camp commander. Nenad Banović, aka “Čupo”, and Zoran Žigić, were amongst the guards. Damir Došen aka “Kajin” was amongst the shift commanders. Simo Drljača, head of the Prijedor SUP, visited the camp a few days after the ‘Room 3’ massacre.”⁹⁹

Members of SJB Prijedor held the illegally detained in four rooms on the ground floor of the factory. Room 2 was the largest, and Room 3 the smallest. “The four rooms in the Keraterm camp came to be referred to as Rooms 1, 2, 3 and 4. The rooms were located on the same side of the building. Rooms 1 and

⁹⁷ ICTY, *Case no. IT-02-65/1-S, Prosecutor v Predrag Banović, Sentencing judgement in the Predrag Banović case, (henceforth: Judgement in the Predrag Banović case), paragraph 23.*

⁹⁸ AIIZ, inv. no. 22-4674, CSB Banja Luka, *Report on the Existing Situation and Questions Relating to Detainees, Collection Centres, and Transit, and the Role of the SJB in These Activities.*

⁹⁹ ICTY, *Judgement in the Radoslav Brđanin case, paragraph 849.*

2 were contiguous, as were Rooms 3 and 4. The section of the building containing Rooms 3 and 4 was set out a few meters along from the section containing Rooms 1 and 2. The distance between Room 2 and Room 3 was somewhere between 15 and 20 metres. The distance between Room 1 and the front of Room 3 was approximately 60 metres, maybe less. There were machine-gun emplacements in front of the rooms. Searchlights were placed in the camp some 20 days before its closure, before the Room 3 massacre. There were lamp posts in the camp, which would work when there was electricity.”¹⁰⁰ The first illegally detained prisoners were brought to the camp on 24 May 1992, when the first 7 prisoners from the area of the Municipality of Prijedor were housed in Room 1, and this is considered the day the Keraterm camp opened.

Among the first illegally detained Bosniaks in the Keraterm camp was President of the Assembly of the Municipality of Prijedor, Prof. Muhamed Čehajić.¹⁰¹ Opposite Keraterm camp was the company Kozaraputevi, where, upon the establishment of the camp, the command of the 343rd Motorised Brigade and the Military Police were placed. At the end of 1992, about 1500 people were held illegally in the camp. People were taken to and from the camp on a daily basis, and their number increased significantly by the end of July. This camp, like all the locations of illegal detainment in Prijedor, was established on the basis of a Decision of the Crisis Staff of the Serb Municipality of Prijedor. Simo Drljača, in his report of 16 August 1992, says about the camps: “In such a situation, the Crisis Staff of the Municipality of Prijedor decided to make use of the facilities of RO Keraterm in Prijedor for the housing of detained persons under the security of employees of the SJB and military police”.¹⁰² A clear and unambiguous consequence of this report is that the Crisis Staff of the Serb Municipality of Prijedor played a key role in the establishment, control and supervision of the camps and other locations of illegal detainment of the Bosniaks and Croats of the Municipality of Prijedor. The Crisis Staff had direct control and supervision over camps through SJB Prijedor, whose members conducted illegal detainments, camp security, interrogation, psychological and physical torture, killings, rapes and other degrading and demeaning procedures towards the illegally detained. Besides police officers from SJB Prijedor, members of CSB Banja Luka and of the military police and mil-

¹⁰⁰ ICTY, *Case no. IT-95-8-S, Prosecutor vs Duško Sikirica et al., Sentencing Judgement in the Duško Sikirica case, (henceforth: Judgement in the Duško Sikirica case), paragraph 53.*

¹⁰¹ J. Medić, *op. cit.*, page 65.

¹⁰² AIIZ, *inv. no. 2-4688, SJB Prijedor, Report and reception centres in the area of the Municipality of Prijedor.*

itary security of the 1st Krajina Corps participated in the stated activities. The SJB Prijedor states: “CSB Banja Luka and the Command of the Banja Luka Corps have become actively involved in resolving the situation, and referred a large number of experienced workers to Prijedor, after which mixed teams were formed consisting of national, public and military security, with the task of conducting the operative interrogation of detained persons, and for each to determine the level of individual responsibility in the armed uprising. The operative interrogation began in the Keraterm facility in Prijedor, where the army housed about 600 persons at the beginning of the conflict.”¹⁰³

It is estimated that about 4000 Bosniaks, Croats and residents of other communities who did not support the Greater Serbian policy were detained in the Keraterm camp. According to confirmed data, 371 detainees were recorded as killed or missing.¹⁰⁴ The Keraterm camp was disbanded on 5 August 1992 after the arrival of Western reporters from the area of the Municipality of Prijedor. The existence of this camp and the number of those illegally detained within it are mentioned in a report from the Government of the Serb Republic of Bosnia and Herzegovina, which states: “[...] about 4000 persons passed through this facility, and during the investigative procedure a selection was made with the purpose of determining individual responsibility. Detainees determined responsible were placed in the collection centre in Trnopolje, i.e. in the military camp in Manjača. The procedure was completed on 5 August 1992.”¹⁰⁵

Mass detainments began on 26 May 1992, when members of the Serb military and police forces of the Municipality of Prijedor illegally detained over 200 men from Kozarac and surrounding areas. According to testimonies, there were on average approximately 1200 detainees in the camp. The transfer of prisoners to the Omarska camp and the arrival of new prisoners were common practice.

Immediately upon arrival in the camp, police conducted searches of the illegally detained persons, and confiscated their money and personal documents.

Most of the detained were exposed to physical torture immediately upon arrival.

¹⁰³ Ibid.

¹⁰⁴ AINOBiHPUB *Database*.

¹⁰⁵ AIIZ, inv. no. 2-4687, Serbian Republic of BH, Commission for Visiting Collection Centres and Other Facilities for Detainees in the Serbian Republic of BH, *Report of the Commission for Visiting Collection Centres and Other Facilities for Detainees in the Krajina Autonomous Region*, 17 July 1992.

Serb police beat the detainees with their feet and hands, and with gun butts and wooden and metal clubs.¹⁰⁶ As justification for the serious abuse of detainees, the investigators accused them or members of their families of killing Serbs during the Second World War. Evidence of this is available in the ICTY Judgement in the Radoslav Brđanin case: “At Keraterm camp, detainees were beaten on arrival. An elderly man was beaten by Bosnian Serb soldiers at the entrance to the camp and accused of killing Serbs in 1942: his nose was broken as a result of this beating. Beatings occurred both day and night. Beatings were carried out with wooden clubs, baseball bats, electric cables and police batons. Nenad Banović, aka ‘Čupo’, shot at the legs of resting detainees, injuring them. Detainees were humiliated and tortured. Certain detainees were singled out for particularly harsh treatment, although it is not clear on what basis they were singled out. Two Bosnian Muslim former policemen were beaten with chains and metal rods. One Albanian man died after a few days as a consequence of a beating, as were a Bosnian Serb detainee and a half Bosnian Croat-half Bosnian Serb detainee.”¹⁰⁷

The conditions in the camp were terrible. The detainees slept on wooden pallets used to transport goods, or on bare concrete in the large warehouse.¹⁰⁸

The rooms were crowded and people often had to sleep one on top of the other. The conditions in Keraterm camp were well below civilised standards. The detainees were cramped, with up to 570 detainees in one room, who barely had enough space to lie on the concrete floor. The food that they received did not satisfy even the minimum requirements in terms of quality and quantity.¹⁰⁹ Meals were brought from outside, and served in the afternoon, between 3 and 6 p.m., in front of Rooms 1 and 2. They consisted of hot water, sometimes with a cabbage leaf, some potatoes or beans, or some bones, and two very thin slices of bread. As the number of detainees increased, the amount of food they re-

¹⁰⁶ For more see ICTY, *Judgement in the Duško Sikirica et al. case*, paragraph 57.

¹⁰⁷ ICTY: *Judgement in the Radoslav Brđanin case*, paragraph 851.

¹⁰⁸ Muhidin Šarić, *Keraterm, Savez logoraša BiH*, Sarajevo, 2004, page 6.

¹⁰⁹ The daily energy requirements for adults at rest amounts to about 6400 kJ. Detainees received a small piece of bread and a little soup, which did not satisfy even half of their energy requirements. In such conditions, drastic weight loss occurred. Weight loss of up to 25% causes serious disorders, and weight loss of up to 50% causes fatal consequences. In the camps, there were cases of death and serious health complications due to starvation. One of the detainees weighed 105 kg when he was brought to Omarska, and only 59 kg when he left the Batković camp on 4 March 1993, meaning that he lost 46 kg during his stay in the Omarska, Manjača and Batković camps.

ceived decreased. There was never enough food for everyone, and detainees from the last room to be served would often not get anything.¹¹⁰

Numerous families came to the camp every day to bring food, cigarettes, and clothes, but they were seldom able to deliver it to those for whom it was intended. Serb police took the clothes and food at the entrance, and rarely gave them to the illegally detained. They even sold the food and cigarettes. A large number of detainees saw members of their families coming to the front of the camp and leaving packages that they never received.

The detainees had limited access to water. There was no potable water in the camp; instead it was brought by truck. In the first days of its existence, the camp was supplied by a hose with water for industrial use, which was not for drinking, and many became ill as a result. Detainees from the area of Brdo did not have access to water in the first few days of their confinement in Room 3. From time to time, however, detainees had access to potable water that was brought by truck.¹¹¹

In the camp, there were not enough functioning toilets, so detainees had to relieve themselves in a metal barrel or in bags. In many cases, there was no access to the toilets, which were in a terrible state anyway.

Furthermore, detainees were not able to wash or bathe, or to otherwise maintain personal hygiene. After a certain amount of time, the detainees were filthy and malodorous, and most got lice. Disinfection was only carried out on one occasion, when detainees were treated with lice powder.¹¹²

Interrogation of the illegally detained was conducted during the day. The interrogations were conducted by military and police interrogators, and lasted from 15 minutes to an hour. After interrogation came categorisation, on the basis of which detainees were either transferred to Omarska camp or stayed in Keraterm camp. Categorisation also served to physically torture detainees, and interrogations were accompanied by beatings. Some detainees were asked about money, after which they were taken home and forced to search for cash that they would have to give the guards when they found it.¹¹³ The ICTY judgement in the *Duško Sikirica et al.* case explains how the illegally detained were

¹¹⁰ ICTY, *Judgement in the Duško Sikirica case*, paragraph 70.

¹¹¹ *Ibid*, paragraph 73.

¹¹² *Ibid*, paragraphs 67, 68, 69.

¹¹³ “After not receiving any money, the Četniks broke Šaban’s ribs, arms and legs, and left him to bleed in the room, in front of a larger group, which they led out that night and beat.” Haselčić, *Moj put kroz logore smrti*. BKZ Preporok, Doboj Istok, 2009, page 29.

selected for beatings: “It may be inferred from the evidence that, based on the category in which they were placed, detainees would be selected for mistreatment or for transfer to the Omarska camp.”¹¹⁴

Beatings occurred frequently. Detainees were called out, beaten with pickaxes and clubs, and forced to beat each other. They were often taken at night, and those who returned would be bleeding and bruised.¹¹⁵ Some of the camp guards on trial at the ICTY admitted that they seriously physically beat the illegally detained. In the ICTY Judgement in the Predrag Banović case, the accused admitted to the crimes for which he was charged: “In addition, Predrag Banović acknowledges being responsible for the beating of twenty-five detainees and the shooting of two others, namely the beating of Ramadan Bahunjić, Meho Kapetanović, Faruk Hrnčić, Enver Modronja, Adib Bajrić, Uzeir Čaušević aka ‘Zejro’, Šaban Elezović, Edin Ganić; the beating of three Ališić brothers, Armin, Edo and a third brother whose first name is unknown; the beating of Ismet Garibović, Vasif Mujkanović, Mujo Sivac, Sulejman Sivac, Mirsad Karagić, Esad Islamović, a prisoner with the family name Mešić, Jasmin Ramadanović aka ‘Sengin’, Suad Halvadžić, Besim Fazlić, Mehmed Avdić, Muharem Sivac, Mirsad Crljenković, Ismet Bajić; the shooting of a detainee called ‘Smail’ and another unidentified detainee.”¹¹⁶ Many succumbed to the consequences of serious physical abuse. As is stated in the ICTY judgement in the Duško Sikirica et al. case, Fikret Avdić was called out at night, around 18 to 20 July 1992, and beaten. His body was taken back to the room and he died the next morning. “Salko Saldumović was on his way to the toilet when he saw Sikirica talking to a young man. Ten minutes later, on his way back, he saw Sikirica fire a shot at the man’s head. [...] The guards would also make detainees sing ‘Chetnik’ songs. At times the guards would put a dead body into a wheelbarrow and then force a prisoner to push the wheelbarrow while marching.”¹¹⁷

Surviving witnesses have described the ways in which the detainees were psychologically and physically tortured: “My God, the kind of things that they came up with! They would take prisoners to the tarmac area (pista), torture them in a hundred ways, put out their cigarettes on their earlobes, cut crosses into their faces, foreheads or chests, force them to sing ‘Chetnik’ songs, smash

¹¹⁴ ICTY, *Judgement in the Duško Sikirica et al. case*, paragraph 83.

¹¹⁵ M. Šarić, *op. cit.*, page 9.

¹¹⁶ ICTY, *Judgement in the Predrag Banović case*, paragraph 30.

¹¹⁷ ICTY, *Judgement in the Duško Sikirica et al. case*, paragraph 120 and 88.

our arms with bayonets, force us to fight each other. When, from time to time, we received a meal, they would command us to run to our rooms, shooting at our feet. And the wounded didn't even think about seeking medical treatment. Many died in a huge amount of pain. Two of them killed a young lad right in front of us on 2 August. He was 23 years old. [...] A tremendous gunshot cut the silence. The entire sleeping quarters was shaken. Those near the door went back to bed and silence reigned once more. He wiped his pistol and put it back in his holster".¹¹⁸ Predrag Banović, a guard from the Keraterm camp, admitted before the ICTY to murdering five detainees: "Predrag Banović acknowledges being responsible for participating in five murders. [...] The names of the victims were read out in a public session at the Sentencing Hearing: Jovo Radočaj, Drago Tokmadžić, Jasmin aka 'Zvjezdač', Dževad Karabegović, and Džemal Mešić."¹¹⁹ In the Keraterm camp, Emsud Bahonjić and Sead Jusufagić died as a result of serious physical beatings conducted by Serb police. The only Serb, Jovo Radočaj, was illegally detained in the Keraterm camp, and passed away there as a consequence of serious physical beatings. During these serious physical beatings, the guards shouted: "'That is how we punish Serb traitors.' [...] When he was returned to the room, Jovo Radočaj was covered in blood, cuts and bruises, and died in the early morning."¹²⁰

Some of the illegally detained Bosniaks and Croats were taken outside the camp and forced to gather the bodies of Bosniaks and Croats killed in various locations. After collecting the remains, detainees were taken with the bodies to the Tomašica mine, and after unloading the bodies, they were killed there. After the exhumation of remains from the Tomašica mass grave, some Keraterm camp detainees were identified.¹²¹ In addition to those conducted by the camp guards, serious physical beatings of detainees were often delivered by civilians from outside the camp. Whoever wanted to beat the detainees could do so of their own volition. The beatings were mostly administered at night, both in and outside the rooms, near the refuse area, or in a room that was specially used for this purpose. Detainees were usually called by a guard. Some would be beaten and then returned to the room. Others would be killed and their bodies returned to the room where they stayed, or left at the refuse area and taken away the next day.

¹¹⁸ M. Šarić, op. cit., page 102.

¹¹⁹ ICTY, *Judgement in the Predrag Banović case*, paragraph 29.

¹²⁰ ICTY, *Judgement in the Duško Sikirica et al. case*, paragraph 92.

¹²¹ AINOBIHPUB Database.

One of the surviving witnesses from the Keraterm camp testified at the ICTY about the serious physical torture that took place: “While I was sitting there, Zoran Žigić and Nedjeljko Banović aka ‘Čupo’, went to the hangar. It was already dark. They took two prisoners and beat them to such an extent that I could no longer recognise them, and then they grabbed knives and started stabbing them. Zoran Žigić cut off the ear and nose of one of them, and then started piercing muscle. Nedjeljko Banović also did this. I began to vomit out of anguish.”¹²²

Along with the men, women were illegally detained in the Keraterm camp. These women were raped by the Serb police camp guards. This is described in the ICTY Judgement in the Milomir Stakić case: “Rape was also committed in the Keraterm camp. A woman, Witness H, was taken to a first floor room by a guard whose name she mentioned. Then this guard raped her in a ‘sort of ceremony’. He left her lying on a desk and other men came into the room. The victim could not tell the number or the names of the rapists, and she lost consciousness several times. When she awoke the next morning, she was covered in blood and thought she was dying. Later on, she was brought to the Omarska camp. Her fate there was discussed in that context”.¹²³ In another testimony, a woman who had been raped said: “One woman told Witness K that she had been raped in an office at Keraterm by Nedeljko Timarac, and then by other men in turn, all night long. She was then taken outside and told to sit on a rock.”¹²⁴

Of the numerous rapes in the area of the Municipality of Prijedor, those in the camps were especially shocking. Testifying about this, surviving detainees stated: “In June or July 1992, at the Keraterm camp, a number of other guards raped a female inmate on a table in a dark room until she lost consciousness. The next morning, she found herself lying in a pool of blood. Other women in the camp were also raped.”¹²⁵ There is evidence that men were also exposed to sexual abuse in Keraterm camp. In the ICTY Judgement in the Milomir Stazić case, the Chamber : “[...] heard convincing evidence of one incident in late July, when Witness B saw the men from Brdo, who were being kept in Room 3, outside. Half the group was naked from the waist down and standing, and half

¹²² *Torture u Bosni i Hercegovini za vrijeme rata 1992.–1995.*, Savez logoraša Bosne i Hercegovine, Sarajevo, 2003, page 176.

¹²³ ICTY, *Judgement in the Milomir Stakić case*, paragraph 240.

¹²⁴ ICTY, *Judgement in the Duško Sikirica et al. case*, paragraph 99.

¹²⁵ ICTY, *Judgement in the Radoslav Brđanin case*, paragraph 512.

the group was kneeling. According to Witness B: ‘They were positioned in such a way as if engaged in intercourse.’”¹²⁶

The crimes in the Keraterm camp were marked by a mass killing on 24 July 1992, when camp guards began firing from automatic weapons at Room 3 and the detainees within. The detainees who had been held in Room 3 were transferred to another room before the massacre, and the room was filled with illegally detained prisoners from Hambarine, Rakovčane, Biščane, and Ljubija. There was a clear intention to kill the people from the Brdo area. A machine gun was set up on a table facing Room 3. From the behaviour of the guards and the preparations that preceded the massacre, it can be clearly concluded that there was a plan and intention for this crime to be committed. How it occurred was described in the ICTY Judgement in the Milomir Stakić case: “That night, bursts of shooting and moans could be heard coming from Room 3. A man in Room 1 was wounded by a stray bullet. A machine gun started firing. The next morning there was blood on the walls in Room 3. There were piles of bodies and wounded people. The guards opened the door and said: ‘Look at these foolish balijas – they have killed each other’. Some of the detainees saw bodies laid out on the grass outside Room 3, and the area outside Room 3 was covered with blood. A truck arrived and one man from Room 1 volunteered to assist with loading the bodies onto the truck. Soon after, the truck with all the bodies left the compound. The volunteer from Room 1 reported that there were 128 dead bodies on the truck. As the truck left, blood could be seen dripping from it. Later that day, a fire engine arrived to clean Room 3 and the surrounding area.”¹²⁷ In several cases at the ICTY trials, it was determined with what methods many illegally detained persons were killed.

The ICTY Judgement in the Milomir Stakić case states: “The next morning there were piles of bodies in front of Room 3, and the entire area was full of blood. A truck arrived to take away the bodies. When the truck left, there was blood dripping from it. In the end, traces of the massacre in Room 3 and the neighbouring area were cleaned with the hose from the fire engine. The precise number of those killed in Room 3 was not established, nor will it, by all accounts, ever be. Having this in mind, the Trial Chamber concludes, on the basis of the number of people in Room 3, that at least 190 people were killed.”¹²⁸

¹²⁶ ICTY, *Judgement in the Milomir Stakić case*, paragraph 241.

¹²⁷ ICTY, *Judgement in the Milomir Stakić case*, paragraph 207.

¹²⁸ *Ibid*, paragraph 206.

In the ICTY judgement in the Duško Sikirica et al. case, other witnesses state: “Several people ahead of Witness N, who was near the door in Room 3, were hit with bullets and three or four of them fell on top of him. As Witness N put it: ‘Their misfortune was my luck, because the bullets – they absorbed the bullets that were fired from outside. They bounced from the bullets that were hitting them. It was horrible. It was like being in hell, a night in hell’. This was stated by a survivor before the ICTY.”¹²⁹ In the morning hours, a truck arrived (transport truck FAP 1620, owned by the company Autotransport from Prijedor) and the bodies of the dead and wounded prisoners from Room 3 were loaded onto it.¹³⁰ A witness who was forced to load these bodies stated: “There were people with arms missing, and with only half their backs; a small hole in front and no back behind. I think there were about 120 men. There were people who had no visible wounds but who had choked to death as they fell, one on top of the other.”¹³¹ Testimonies as to the number of those killed were published in Muhidin Šarić’s book: “I counted to ninety-eight! It’s hard to say exactly! Some were only pieces of meat! There were many wounded! We loaded all of them together! There was no salvation for them either!”¹³² On the horrors of the massacre in Room 3, survivors testified: “With the strong fire, the sheet metal door, 2 mm thick, fell apart. Bosniaks trying to find salvation by fleeing were met with bursts of gunfire. Crossfire reached every part of the cell. One bullet would kill a few detainees. After bursts of gunfire, single shots could be heard.”¹³³

One detainee, whom the camp guards forced to load the bodies of the dead and wounded onto the truck, estimated that there were about 147 dead and 67 wounded.

On 5 August 1992, 124 detainees were transferred from the Keraterm camp in two buses (among whom were Asim Elkez, son of Ramiz, Ante Gavranović, Fikret Mahić, Juro Matanović, Nedžad Mujkanović, and Senad Rešić). They were first taken to Omarska camp, then to the village of Podvidača (Municipality of Sanski Most), where they were killed. Their remains were exhumed from the Hrastova Glavica mass grave. Among the exhumed were Ante Gavranović, Jure Matanović, Ermin Mujdžić and others.¹³⁴

¹²⁹ ICTY, *Judgement in the Duško Sikirica case*, paragraph 102.

¹³⁰ M. Šarić, op. cit., page 172.

¹³¹ ICTY, *Judgement in the Miroslav Kvočka et al. case*, paragraph 635.

¹³² M. Šarić, op. cit., page 173.

¹³³ S. Čehić, op. cit., page 225.

¹³⁴ AINOBiHPUB Database.

The Keraterm camp was disbanded due to pressure from the international community after it learned of the atrocities committed there. Along with Omarska, it is a paradigm for torture and inhumane behaviour towards detainees. In this camp, all of the Geneva Conventions for the rules and customs of war were breached. In the Predrag Banović case, the ICTY characterised this crime as a joint criminal enterprise: “The establishment of the Keraterm and Omarska camps, amongst others, was an essential feature of a joint criminal enterprise, the purpose of which was the permanent removal of non-Serb inhabitants from the territory of the planned Serb State within Bosnia and Herzegovina. The Keraterm and Omarska camps were operated in a manner designed to ill-treat and persecute non-Serbs from Prijedor and other areas, with the aim of ridding the territory of non-Serbs or subjugating those who remained. The detention of non-Serbs in the camps was a prelude to killing them or transferring them to non-Serb areas.”¹³⁵

c) Trnopolje camp

Trnopolje camp was established by the authorities of the Serb Municipality of Prijedor, and located in the Trnopolje neighbourhood. At the end of May, the majority Muslim village of Trnopolje in the Municipality of Trnopolje was transformed into a camp, primarily for non-Serb women, children and the elderly.¹³⁶ The illegally detained were housed in the primary school building, the cultural centre, and a few private houses in the immediate vicinity of the camp and in open space under improvised shelters. The camp was formed immediately after the attack on Kozarac (24 May 1992), and its commander was Slobodan Kuruzović. A Government Commission of the Republika Srpska report states: “In the settlement of Trnopolje near Prijedor, in the facilities of the primary school, cultural centre and a number of private houses, as well as in tents in the open space surrounding these buildings, about 3000 persons are held, aged between 18 and 60. The inhabitants are mostly men, but there are a few women. A few of the men are over 60 years old.”¹³⁷

¹³⁵ ICTY, *Judgement in the Predrag Banović case*, paragraph 22.

¹³⁶ <http://unconqueredbosnia.tripod.com/TrnopoljeHelsinki.html>, *Trnopolje detention camp: Helsinki Watch report*, October 1992–February 1993, accessed on 3 September 2014.

¹³⁷ AIIZ, inv. no. 2-2687, Republika Srpska BH, Commission for Visiting Detention Camps and Other Facilities for Prisoners in Republika Srpska BH, *Report of the Commission for Visiting Detention Camps and Other Facilities for Prisoners in the Autonomous Region of Krajina*, 17 July 1992.

The existence of this camp is also stated in a report from CSB Banja Luka: “The Trnopolje detention centre is located in the settlement of Trnopolje, and individuals are housed in the primary school, the cultural centre, a warehouse, private houses in the vicinity of these facilities, and the open yard area between them. Since 24 May 1992, a significant number of Muslim residents of both sexes and of all ages have sought refuge in the Centre.”¹³⁸ In his report on the Trnopolje camp, the commander of SJB Prijedor Simo Drljača stated: “As part of the campaign itself, the army has left a free corridor for all residents who wish to move away from the zones of armed conflict, i.e. for all who do not want to take part in armed battles against the army of Republika Srpska. In Trnopolje, in the primary school, cultural centre, warehouses and neighbouring houses, the army has organised acceptance of all of those civilians and their safety from extremists. This is how the Trnopolje open detention centre came to be established and is now in operation.”¹³⁹ Thanks to an ITN journalist, on 5 August 1992, the world learned of the existence of this camp, and saw images of horror, like that of detainee Fikret Alić standing behind barbed wire. The ICTY determined a large number of facts related to the existence, function, and conditions of the camp, and to the killing, rape, and infliction of serious psychological and physical injuries on the illegally detained, as well as other crimes. In the stated reports, military and police structures attempted to cover up and negate the existence of the camp and the violation of international humanitarian law.

The Trnopolje camp was encircled with wire and a partial wall,¹⁴⁰ and was secured by armed soldiers in military uniforms. Members of the VRS were distributed throughout the camp. In the immediate vicinity of Trnopolje camp, checkpoints were set up where armed soldiers controlled access to the camp itself. Machine gun nests were set up around the camp.¹⁴¹ The authorities of the Serbian Municipality of Prijedor and members of the VRS presented the camp as a place of safety for Bosniaks and Croats from the Municipality of Prijedor.

¹³⁸ AIIZ, inv. no. 2-4674, CSB Banja Luka, *Report on the Existing Situation and Questions Relating to Detainees, Collection Centres, Transit and the Role of the SJB in These Activities*.

¹³⁹ AIIZ, inv. no. 2-2688, SJB Prijedor, *Report on Detention Centres in the Area of the Municipality of Prijedor*.

¹⁴⁰ Suvad Čehić, *Trnopolje*, Bosanska gradina, Gradačac, 1996, page 15.

¹⁴¹ “However, even if there had only been a line on the ground, nobody would have dared to cross it, on account of the fact that the camp was guarded on all sides by the army. There were machine gun nests and well-armed posts, pointing their guns towards the camp.” ICTY, *Judgement in the Stakić case*, paragraph 187.

“At first Serb soldiers informed the detainees in Trnopolje that they were being held for their own safety, as protection from Muslim extremists. The camp later became a point where Serb soldiers would gather civilians, including men, women, and children, for deportation to other parts of Bosnia and Herzegovina and elsewhere.”¹⁴²

The conditions in Trnopolje camp were atrocious. A large number of women, children and the elderly were housed in a small area. Most of those illegally detained were held in the open, in improvised shelters. These shelters were made from plastic sheet or blankets that served as protection from the rain. Detainees starved, due to a lack of food. The food in the camp was prepared by the detainees themselves from groceries that families would bring, or that they picked themselves from the gardens. Going in search of food outside of the camp was dangerous, because Serb soldiers and armed civilians plundering Bosniak property would often be encountered, and a number of detainees were killed in this manner. There was insufficient potable water. According to ICTY judgements, this camp played a specific role: “Trnopolje was essentially a transit camp, the main purpose of which was the forcible transfer of the Bosnian Muslim population, particularly women, children and the elderly.”¹⁴³

Serb soldiers beat the illegally detained with baseball bats, iron rods, gun butts, police clubs, hands, feet and other objects. There were no systematic interrogations in the camp, but there were cases when certain people were taken for questioning. Usually, those taken would return beaten, bloody and injured. Sometimes detainees would be taken outside the camp and physically abused. One witness describes some of the methods of serious abuse: “The first day we were beaten in Kozarac, opposite the sawmill at the tinsmith’s. They beat us with guns and other sharp materials, and then, while we were all bloody, they would force us to take off our clothes and to rub salt into our wounds, so that it would sting us. Then we would have to crawl around the house and grunt. They poured dish soap on me and when I didn’t swallow they shoved a hose down my throat. [...] That’s when I sustained an even more serious injury after being hit with a shovel in my back. One soldier shouted: ‘Hit him, the Turkish mother, he wants to escape!’, and then another one jumped me, then bit me on the neck and said: ‘Yuck, I didn’t know Turkish meat tasted this bad!’”¹⁴⁴

¹⁴² ICTY, *Judgement in the Momčilo Krajišnik case*, paragraph 492.

¹⁴³ ICTY, *Judgement in the Radoslav Brđanin case*, paragraph 855.

¹⁴⁴ *Torture u Bosni i Hercegovini za vrijeme rata 1992.–1995.*, Savez logoraša Bosne i Hercegovine, Sarajevo, 2003, page 95.

The terrible conditions in the camp, along with the heat and inadequate medical care, caused stomach illnesses. Most detainees contracted dysentery or scabies, due to poor hygiene. Because of the lack of food and the insanitary conditions at the camp, the majority of inmates (one estimate is as high as 95 %), suffered from dysentery. There was no running water at all, and limited lavatory facilities. There was almost no water to drink, as only one pump existed for the whole camp. Lice and scabies were rampant.¹⁴⁵

A provisional infirmary was set up in the camp, where medical aid was administered, but it had insufficient medicines. Medical assistance was provided by detained Bosniak doctors and other medical personnel. One Serb doctor would come to the camp from time to time. The doctors were witnesses to the serious beatings of detainees and the injuries that were inflicted on girls and women who were victims of rape.

After news reports on the Trnopolje camp in the middle of August 1992, the International Committee of the Red Cross (henceforth: ICRC) arrived at the camp. After that, detainees were recorded and registered with the ICRC. From that point, conditions in the camp in terms of food, medicine and sanitary equipment improved slightly. According to available data, killings occurred in the camp and its immediate vicinity. The killings were carried out by Serb soldiers, who took certain detainees from the camp and killed them in the immediate vicinity. Detainees were also killed while being transported from the camp. While loading the train for deportation, Serb soldiers killed Emina and Hasan Cerić. Their remains were found at the Bešlagić Mlin location.¹⁴⁶ Confirmation of this can be found in the ICTY decision in the Momčilo Krajišnik case, which states: “[...] Serb soldiers beat and killed Muslim and Croat detainees. In one such incident they took eleven detainees to a maize field and shot them dead.”¹⁴⁷ This group of detainees was found and exhumed from the Trnopolje-Redžići mass grave. From this grave, the remains of Fadil Duračko, Esad Gutić, Amir Elezović, Mustafa Pjanić, Edhem Elezović, Muharem Žerić, Halil Elezović, Esad Mujagić, Ilijaz Poljak, Đemal Duračko and Samir Elezović were exhumed.¹⁴⁸

Witnesses of the killings often buried those killed: “I personally buried Ante Murgić and his son Zoran from Kozarac. Believe it or not, even today when I

¹⁴⁵ ICTY, *Judgement in the Duško Tadić case*, paragraph 177.

¹⁴⁶ AINOBiHPUB Database.

¹⁴⁷ ICTY, *Judgement in the Momčilo Krajišnik case*, paragraph 493.

¹⁴⁸ AINOBiHPUB Database.

talk about it I get the creeps. A wire in the form of the number six was pulled through their tongues. [...] That same evening, six Korićs (Forićs, note by M.B.), two brothers and two nephews were killed.”¹⁴⁹ The remains of six men with the last name Forić (Jasmin, Asim, Zilhad, Zijad, Sakib and Besim) were found and exhumed at the Trnopolje-Bešlagić Mlin location. The exhumation was conducted on 12 October 2010, and on 13 July 2011 the remains of those killed were identified.¹⁵⁰ The murders in the Trnopolje camp, and the taking away of illegal detainees and their subsequent killing can be linked to multiple mass and individual graves that have so far been found and exhumed. The youngest victim killed in the Trnopolje camp was five-year-old girl Emira Mulalić.¹⁵¹

In Trnopolje camp, rapes were committed on a daily basis. According to data from the ICTY trial of the Stakić case, it was determined that about 23,000 detainees passed through the camp.¹⁵² Most of them were women, children and the elderly. On 8 October 1992, a report by the Red Cross from the Municipality of Prijedor, stated that: “Of the 3500 in the Trnopolje Centre, about 50% are children from the age of one to twelve.”¹⁵³ The large number of women and girls in the camp were exposed to rape on a daily basis. The rapes were committed by camp guards, soldiers who came to the camp for the express purpose of rape, and the camp commander. In the ICTY Judgement in the Milomir Stakić case, witnesses confirm these allegations: “Both Witness F and Witness I heard that women were raped in the Trnopolje camp. Several other witnesses testified that women who were detained at the Trnopolje camp were taken out of the camp at night by Serb soldiers and raped or otherwise sexually assaulted. Dr Idriz Merdžanić testified that several women sought help at the clinic. Dr Merdžanić was able to arrange for several of them to visit the gynaecological ward in Prijedor in order to establish that the rapes had occurred. Dr Duško Ivić, a Serb physician, reported that all these women had been raped, although Dr Merdžanić never saw the results of the medical examinations himself. The Trial Chamber heard evidence from an individual who was herself a victim of rape

¹⁴⁹ Sulejman Kahrmanović, *Preživio strijeljanje*, published in: *Genocid u Bosni i Hercegovini 1991–1995*, Proceedings, Sarajevo, 1997, page 487.

¹⁵⁰ AINOBIHPUB Database.

¹⁵¹ *Knjiga nestalih opštine Prijedor-Ni krivi ni dužni*, Udruženje Prijedorčanki “Izvor”, Prijedor, 2012.

¹⁵² ICTY, *Judgement in the Milomir Stakić case*, paragraph 326.

¹⁵³ AAIZ, inv. no. 2-4683, *Report on Operations in the Trnopolje Reception Centre no 406/92*, from 8 October 1992.

in the camp, and confirmed that several women and young girls, including a 13 year-old, were raped in the camp or taken out at night for this purpose.”¹⁵⁴ From the numerous testimonies before the ICTY, it was determined that systematic rape took place in Trnopolje camp, most often of minors and young women. Rapes also took place outside the camp. Medical treatment was provided to rape victims by the doctor in the Trnopolje camp. One of the rape victims told the doctor that “[...] the soldiers captured her in the village while she was carrying her baby, and took her to the Orlovci checkpoint, where they raped her for a few days until she escaped through a window with her baby.”¹⁵⁵ Rapes were committed by camp guards and the commander. The following is stated in the ICTY judgment in the Radoslav Brđanin case: “In August 1992, Slobodan Kuruzović, the commander of Trnopolje camp, personally arranged for a Bosnian Muslim woman to be detained in the same house in which he had his office. During the first night, Kuruzović entered her room with a pistol and a knife. He took his clothes off and told the woman that he wanted to see ‘how Muslim women fuck’. She replied ‘You better kill me.’ When the woman started screaming, Kuruzović said ‘You are screaming in vain. There’s nobody here who can help you.’ He started raping her, and when she started screaming, Kuruzović warned her: ‘You better keep quiet. Did you see all these soldiers standing outside? They will all take their turns on you.’ He left saying ‘See you tomorrow’. The woman was bleeding and spent the whole night crying, wanting to kill herself. Kuruzović raped that woman nearly every night for about a month. On two occasions, he stabbed her shoulder and her leg with his knife because she resisted being raped.”¹⁵⁶

The authorities of the Serb Municipality of Prijedor tried in every way possible to negate the existence of Trnopolje camp and contest its true role. In public appearances, the leaders of the Municipality denied that Trnopolje was a camp, saying that it was a place where protection was provided to civilians from Muslim extremists. At the same time, in official reports, they stated that it was an open centre for the protection of Muslims. The following is stated in one report: “The number of persons in this centre is variable, and no special records are kept given that civilians can leave the camp at will, wherever they decide to. An advantage in this regard is the proximity of the Trnopolje train station, and the fact that the lines to Banja Luka and Bosanski Novi ran unhindered

¹⁵⁴ ICTY, *Judgement in the Milomir Stakić case*, paragraph 244.

¹⁵⁵ 2014.

¹⁵⁶ ICTY, *Judgement in the Radoslav Brđanin case*, paragraph 513.

even during the heaviest fighting in the area.”¹⁵⁷ From this section of the report, the denial and concealment of facts on the existence of Trnopolje camp is evident. The assertion that Bosniaks and Croats could freely travel by train towards Banja Luka and Bosanski Novi is an absurdity; the truth was the complete opposite. From the very first attacks on Bosniak and Croatian settlements, Bosniaks and Croats were forced to wear white bands, and their houses were marked with white flags and sheets.

Limitations to freedom of movement were in place from day one. The Serb authorities of the Municipality of Prijedor issued permits for movement within the Municipality, and thereby limited unhindered and free movement. Throughout the camp’s existence, Serb authorities organised convoys that transported thousands of detainees, who were taken to various locations under the control of the AR BiH or HVO, or towards the Republic of Croatia. The last convoy to transport detainees from the Trnopolje camp was in October 1992. A condition for departure was that the illegally detained signed a statement waiving the right to all of their material possessions. That Trnopolje camp had a unique role in the forcible persecution of Bosniaks and Croats was confirmed in the ICTY judgement in the Duško Tadić case: “Thus the Trnopolje camp was the culmination of the campaign of ethnic cleansing since those Muslims and Croats who were not killed at the Omarska or Keraterm camps were, from Trnopolje, deported from Bosnia and Herzegovina.”¹⁵⁸

Locations of Mass Killings – Mass Graves in the Territory of the Municipality of Prijedor

Members of military and police units killed Bosniaks and Croats throughout the entire area of the Municipality of Prijedor. From exhumations conducted to date in the area of the Municipality of Prijedor, the entire process of Serb military and police forces killing Bosniaks and Croats can be followed. After the crimes committed in the area of Kozarac, Serb authorities organised the collection and concealment of the remains of the victims. Serb authorities in the Municipality of Prijedor selected Tomašica mine as one of the central locations for hiding the remains of victims. The Tomašica location was chosen in advance for disposal of the remains of Prijedor residents. The remains of Bosni-

¹⁵⁷ AIIZ, inv. no. 2-4674, CSB Banja Luka. *Report on the Existing Situation and Questions Relating to Detainees, Detention Centres, Transit and the Role of the SJB in These Activities.*

¹⁵⁸ ICTY, *Judgement in the Duško Tadić case*, paragraph 178.

aks and Croats from Kozarac, from the city of Prijedor and from other settlements in the area, were collected systematically after they were killed.

Often those who were forced to load the remains of those killed and deliver them to the locations of the mass graves became victims themselves. In Prijedor's death camps – Omarska, Keraterm and Trnopolje – the killing of the illegally detained was an everyday occurrence. Remains of those killed were taken to the locations of mass graves. The illegally detained inmates from the Omarska camp who were killed within the camp or who were taken outside and killed at different locations were found in the mass graves of Tomašica, Jakarina Kosa, Kevljani, Stari Kevljani, Lisac cave, and Hrastova glavica cave. The remains of killed detainees from the Keraterm camp were found in the mass graves of Tomašica, Dizdarev Potok, and Stari Kevljani.¹⁵⁹ The mass graves that can be linked to Trnopolje are Korićanske Stijene, Trnopolje-Hrnići, Trnopolje-Matrići, Trnopolje-Redžići, and Trnopolje-Bešlagića Mlin. The remains of killed Bosniaks and Croats who were illegally detained in the camp at Ljubija Stadium were found in the mass graves Redak and Redak I. The remains of Bosniaks and Croats from Prijedor were found in over 450 locations. The youngest victim was a three-month-old baby and the eldest a 95-year-old woman. With certainty we can ascertain that Prijedor has more graves than anywhere else in Bosnia and Herzegovina.¹⁶⁰ To date, the remains of non-Serb Prijedor residents have been exhumed from 69 mass graves (graves containing 5 or more victims).

No.	No. of victims in grave	No. of graves	No. of exhumed victims
1.	5 – 10 victims	54 ^[AB2]	364
2.	10 – 20 victims	5	49
3.	20 – 100 victims	5	266
4.	More than 100 victims	5	1533
Total		69	2207

*No. of exhumed from mass graves by grave size*¹⁶¹

¹⁵⁹ AINOBiHPUB Database.

¹⁶⁰ Ibid.

¹⁶¹ Ibid.

From the overview provided, it is evident that most victims were exhumed from graves with more than 100 victims, and the least from graves with up to 20 victims. The remains of 1533 victims were exhumed from 5 graves alone. In 55[AB2] mass graves in each of which the remains of up to 10 victims were found, 364 victims were exhumed, most of whom have been identified. Of the total number exhumed, about 70% have been identified. The Tomašica mass grave is the largest primary grave found to date in Bosnia and Herzegovina and elsewhere. This grave was established from May to August 1992, as a result of the implementation of the genocidal politics of the Serb army and police against Bosniaks and Croats in the Municipality of Prijedor. In July 1993, some of the remains were transferred to Ljubija mine at the Jakarina Kosa location. Thus far, 600 non-Serb victims from Tomašica and Jakarina Kosa have been identified. The Stari Kevljani mass grave was exhumed in 2004, and the remains of 456 individuals were found. To date, 363 victims have been completed, and 350 victims have been identified (331 Bosniaks and 19 Croats). The victims from this mass grave were illegally detained individuals from the Omarska and Keraterm camps.¹⁶² Jakarina Kosa is the largest secondary grave exhumed in the territory of the Municipality of Prijedor. It was exhumed in 2001, and the remains of 373 of those killed were found. Thus far, the identity of 303 individuals has been determined.¹⁶³

The majority of remains found are incomplete. The remains in this secondary grave were transferred from the Tomašica primary mass grave. Korićanske stijene mass grave on Mount Vlašić was found at the location where Serb police, members of the Intervention Squad of SJB Prijedor, shot some 200 detainees from the Trnopolje camp on 21 August 1992. Exhumations were conducted at this location on multiple occasions. To date, the identities of 119 Bosniaks and Croats killed have been determined. Most of the victims' remains are incomplete.¹⁶⁴ The mass grave of Jama Hrastova glavica was found in the Municipality of Sanski Most, and therein were found the remains of 126 individuals.¹⁶⁵ The remains of killed detainees from the Moraska camp were found in this mass grave. On 5 August 1992, illegally detained Bosniaks and Croats were taken in two buses from the Omarska camp, and at the stated location they were killed and thrown into the natural pit there, which was 20 metres deep. The only person to escape from this crime scene was Ibrahim Ferhatović from Ham-

¹⁶² Ibid.

¹⁶³ Ibid.

¹⁶⁴ Ibid.

¹⁶⁵ Ibid.

barine. He was wounded, but managed to reach Kurevo forest, where he told others what he had experienced. Unfortunately, he was killed later. At the Ljubija mine location, at the place of Redak, two mass graves were found (Redak and Redak 1), from which the remains of 89 victims were exhumed. The remains of killed detainees from the Miska Glava camp who were transferred to the camp at the stadium in Ljubija were found in these mass graves. The illegally detained were killed at this location, but the graves also contained victims who were killed at the stadium, and then by brought bus, with the living detainees, to this location. Thus far, 37 victims from this location have been identified.¹⁶⁶ The Jama Lisac mass grave was found in the Municipality of Bosanska Krupa. The remains of killed detainees from Omarska camp were discovered in this grave.

A natural pit, about 50 meters deep, Jama Lisac concealed the remains of 54 killed Bosniaks and Croats. The remains of 50 persons have been identified to date. Found among them were the remains of two women, Sadeta Medunjanin and Edna Dautović.¹⁶⁷

Forcible Deportation of Bosniaks and Croats from the Territory of the Municipality of Prijedor

Bosniaks and Croats left the Municipality of Prijedor because the living conditions were unbearable. They were exposed to persecution, illegal detainment, torture, pillaging, rape, incertitude and other inhumane activities and procedures on a daily basis. In this way, they were not given a choice. They were forced to leave because it was part of the Greater Serbian project to cleanse Prijedor of its non-Serb residents. In the ICTY judgement in the Milomir Stakić case, it was concluded “[...] that various crimes such as murder, torture, physical violence, rapes and sexual assaults were committed by the direct perpetrators with a discriminatory intent. What is crucial is that these crimes formed part of a persecutorial campaign headed inter alia by Dr Stakić as (co-)perpetrator behind the direct perpetrators.”¹⁶⁸ The Serb authorities in Prijedor enabled and approved of the establishment of impossible living conditions as part of the plan to force Bosniaks and Croats to abandon Prijedor. The ICTY, in proceedings for crimes committed against the non-Serb residents of Prijedor, con-

¹⁶⁶ Ibid.

¹⁶⁷ Ibid.

¹⁶⁸ ICTY, *Judgement in the Milomir Stakić case*, paragraph 818.

cluded “[...] that there was a persecutorial campaign based on the intent to discriminate against all those who were non-Serb or who did not share the above-mentioned plan to consolidate Serbian control and dominance in the Municipality of Prijedor. The evidence before this Trial Chamber compellingly shows that the victims of these crimes discussed above were non-Serbs, or those affiliated to or sympathising with them.”¹⁶⁹ The forcible persecution of Bosniaks and Croats was part of a planned campaign of enforcing such terrible living conditions that some reluctantly agreed to all the criteria set by the Serb authorities of the Municipality of Prijedor just to be able to leave the area. In this manner, the strategic objectives of the RS were executed. As stated in the ICTY Judgement in the Radoslav Brđanin case: “[...] there was a coherent, consistent strategy of ethnic cleansing against Bosnian Muslims and Bosnian Croats by the Bosnian Serb police and other Bosnian Serb authorities. This policy to forcibly displace Bosnian Muslims and Bosnian Croats from the area was carried out throughout the ARK and was implemented by several means.”¹⁷⁰ In trials in front of the ICTY, especially in the ICTY’s case against Radoslav Brđanin, it was determined beyond reasonable doubt “[...] that in forcibly displacing the Bosnian Muslims and Bosnian Croats within and from the ARK, the Bosnian Serb authorities had no other intention but to ensure that the departure of these populations would be on a permanent basis. The fact that their homes, their business premises and their religious buildings were destroyed is indicative of this, as is the confiscation of their property or the relinquishment of it to the SerBiH without compensation. There is no doubt that in the mind of the Bosnian Serb authorities, the ethnic cleansing campaign could only be successful if the Bosnian Muslims and Bosnian Croats were to be permanently removed.”¹⁷¹ The deportations were implemented in convoys in various directions. Most frequently, they took the route: Prijedor, Skender Vakuf, Travnik; Prijedor, Bosanska Gradiška, Hrvatska; or Prijedor, Doboj.¹⁷² The forcibly displaced persons were most often transported by trucks and buses, but trains were also used. Bosniaks and Croats were transported from Trnopolje station towards Doboj by train. The lists and approvals for deportation were compiled by SJB Prijedor, including those for escorting the convoy.

¹⁶⁹ Ibid, paragraph 819.

¹⁷⁰ ICTY, *Judgement in the Radoslav Brđanin case*, paragraph 548.

¹⁷¹ Ibid, paragraph 555.

¹⁷² ICTY, *Judgement in the Milomir Stakić case*, paragraph 815.

Final Considerations

The genocide in Prijedor, committed in the summer of 1992, was confirmed in the Interim Judgement in the Slobodan Milošević case.¹⁷³ In this case's Interim Decision, the ICTY Trial Chamber held that there was sufficient evidence that "there existed a joint criminal enterprise, which included members of the Bosnian Serb leadership, the aim and intention of which was to destroy a part of the Bosnian Muslims as a group, and that its participants committed genocide in Brčko, Prijedor, Sanski Most, Srebrenica, Bijeljina, Ključ and Bosanski Novi."¹⁷⁴ According to the results of the 1991 census, Bosniaks and Croats formed a majority and were a threat to the achievement of the idea of Greater Serbia. These areas were of strategic importance to the Greater Serbian ideology, politics and practice for achieving the strategic objectives of a Serb nation in Bosnia and Herzegovina, and they were obstacles to their realisation. In preparing the implementation of Greater Serbian objectives, there were concrete plans and projects for the realisation of genocidal intentions. As a consequence of the execution of genocidal policies against Bosniaks and Croats, a large number were killed, forcibly displaced and illegally detained. Practically all Bosniak cultural and historic assets were destroyed, along with their commercial and private buildings. The private property of Bosniaks was pillaged and devastated, and other crimes against humanity and international law were committed against them.

¹⁷³ ICTY, Judgement no. IT-02-54-T, Prosecutor v. Slobodan Milošević, Decision on Motion for Judgement of Acquittal from 16 June 2004, (henceforth: ICTY, *Interim Judgement in the Slobodan Milošević case*), paragraph 309.

¹⁷⁴ ICTY, *Interim Judgement in the Slobodan Milošević case*), paragraph 323, item 1.

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TWENTY YEARS AFTER DAYTON – THE STENCH OF DEATH AND THE FROZEN CONFLICT

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Twenty years after the Dayton Peace Accords, the monstrosities of war and Belgrade's aggression and genocide in Bosnia and Herzegovina are slowly fading. A sombre commemoration here and there, the work of the Hague Tribunal and every so often a newly discovered mass grave are the lonely reminders of the tragedy that befell the society of Bosnia and Herzegovina, and its civilians of all religions and ethnicities. Rather than creating an archived and objective memory of the war, and instead of clearly identifying liability for war and genocide, Bosnia and Herzegovina's elite are abusing the victims of the war for their own petty personal and political needs. Or, worse, for the continuation of the ethno-homogenising and genocidal policies that occupied half of the territory of Bosnia and Herzegovina and the establishment of Republika Srpska as a legitimate political objective of the previous, and perhaps some future, war.

Twenty years after the war, we are still living a conflict of ethno-national and civic identity. To the citizens of RS, who perceive themselves as Serbs, and on whose behalf Belgrade's elite waged war in the 1990s, exterminating neighbours and compatriots of different religions and identities, the war is still presented as a matter of "liberation and defence". Their participation in the war is perceived as a heroic act in the battle against "ancient enemies of the Serbs," as merely another episode in the identity emancipation of the so-called Serbian nation. An episode that, together with the topics of "Jasenovac", "wars against the Turks" or "national unification under St Sava", is embedded in the false pop-mythology construct that automatically transforms all Orthodox Bosnians and Herzegovinians into members of the "ancient Serbian nation" or "pan-Serbism". Similar pop-mythology identities are sold in almost the same manner to the Catholics of Bosnia and Herzegovina, automatically creating them as members of the "ancient Croatian nation", and designating Bosnia "ancient Croatian land". Common themes to this end are "Bleiburg", "war crimes committed by communists against members of Domobran and Ustaša units", the "Croatising" of Bosnia's Middle Ages and so on. At the same time, the political structures in Sarajevo are conducting an intense victimisation of the citizens of FBiH, attempting through the political mythologising of Srebrenica to create another element in the "Bosniak nation" construct, which would encompass only members of the Islamic faith, and not all citizens of Bosnia and Herzegovina, as was anticipated by Kallay's civil-colonial model of "Bosnian Muslim nationhood"

at the beginning of the 20th century or as Serbia's elite perceived all Bosnian citizens in the mid-19th century.

Twenty years after the war, Bosnia and Herzegovina is living this knotted identity, which was strengthened by Dayton, and legitimised and guaranteed through national divisions and parties, entity voting, nationalistic abuse of religion and religious identity, ethno-religious isolation of certain regions (entity, canton, and municipality), ethnocentrism of the majority over minorities and through nationally segregated schooling, history and culture. Dayton brought a stop to the shooting, bombing and killing, but, it has not brought a just and civil peace, solidarity, or reconstruction of the society of Bosnia and Herzegovina. Nor has it subdued hatred and the war of memories. Instead of capitulating to the ethno-fascist ideas of blood and territory, ethnonational homogenisation, monoethnic political parties and creations, and instead of denazification and catharsis, Dayton has enabled RS, a political creation founded on genocide, to continue its legal and political life to the present day. Considering all sides as losing sides, Dayton relativised the role of Belgrade and Milošević's official regime during the war, concealed the war's aggressive and genocidal character, and automatically embedded "forgetting aggression and genocide against non-Serbs" in the political life of Bosnia and Herzegovina. This has allowed malicious forgetfulness and cynical relativisation to be the foundations of life in Bosnia and Herzegovina. How can we build on this a joint future for all of the citizens of Bosnia and Herzegovina as a state and a political society?

For this reason, even twenty years after the genocide in Srebrenica and the rest of Bosnia and Herzegovina, its citizens live in a state of amnesia and in the shadow of a frozen conflict waiting to thaw. Dayton and the years that followed, have unfortunately not brought catharsis to Bosnian Serbs or Belgrade's recognition of political responsibility for aggression and genocide. Nor have they brought political justice to citizens who were dehumanised and victimised because they were perceived as Muslims, Catholics, Croats, atheists or simply citizens from religiously and ethnically mixed marriages and families. They have not brought conciliation, but rather new pop-nationalist ideologies, divisions and conflicts. If by nothing else, my claims are supported by the tense political occurrences that, this year, followed or will follow the round anniversaries of the tragedies that befell the people of Bosnia and Herzegovina and Croatia. We are witness to the diplomatic offensive of Serbia and RS in stopping the UN resolution on genocide in Srebrenica. This amnesic denial of genocide is linked to the fact that the Serbian elite in Bosnia and Herzegovina led a war with the objective of creating RS and totally exterminating non-Serbian

residents in Banja Luka, Bosanska Krajina, Posavina, Semberija, Podrinje, Romanija and Herzegovina. While the victims are once again being humiliated and hurt, Serbian politicians in Serbia and RS are celebrating Russian vetoes and the support of so-called Serbian interests as a victory. I ask myself: whose victory, and over whom?

I live in Banja Luka, in that part of Bosnia and Herzegovina in which practically the entire elite and the majority of citizens and media deny genocide and ignore the facts, especially those from the Hague Tribunal. They dismiss evidence that shows that extermination and genocide were an objective and not the consequence of war, and that, as such, it was organised and implemented with the objective of the national homogenisation of Serbs and creating an ethnically cleansed territory in Bosnia and Herzegovina, where only the elite and citizens who perceived themselves as Serbs would live and hold positions of authority. They ignore the fact that, in only a few weeks, about 8000 civilians and prisoners of war in and around Srebrenica were killed, in order for the Podrinje area to be ethnically cleansed and made “Serbian”. They ignore that, between 1992 and 1995, the mass extermination of over 33,000 civilians and the persecution of over half a million was conducted in the wartime territory of RS (which comprised 72% of Bosnia and Herzegovina), and its territory today (49% of Bosnia and Herzegovina), simply because they were perceived as Muslims or Catholics, and therefore dehumanised as enemies. Campaigns of terror, persecution and extermination were systematically stirred up, propagated, planned, organised and conducted by members of the political, intelligence and military establishments of Serbs in Bosnia and Belgrade. Many of these are the same politicians who were (and still are) part of the establishment, and support the existence of RS and other consequences of genocide.

What ended in Srebrenica actually began in Bosanska Krajina, the key strategic region of Belgrade’s RAM plan. In autumn 1991, the SFRY Prime Minister at the time, Ante Marković, showed the media a tape of recorded conversations between leading Serbian officials. The RAM plan anticipated the arming of residents who considered themselves Serbs, and the disarming of non-Serb civilians. It also outlines and the subsequent military and political absorption of so-called Serbian territories in Bosnia and Herzegovina through the establishment of illegal and unconstitutional “Serbian autonomous regions” and a series of military and political coups or takeovers of municipalities, in which Serbs were the simple or relative majority. This monstrous plan anticipated a system of concentration-detention camps and detention locations in nearly all municipalities in Bosnia and Herzegovina occupied by the military. In focus at

first were the municipalities of Prijedor, Sanski Most, Ključ, Kotor-Varoš and Banja Luka, as large territories with homogeneously settled Muslim and Croatian residents, who had to be “cleansed” and controlled, thereby enabling the connection of RSK, Banja Luka, Bijeljina and Belgrade. The objective was the military, strategic and political ethno-territorial homogenisation of so-called Serbian lands. For this reason, we must be aware of the significance of the fact that the campaign of ethnic extermination and genocide against non-Serbs in today’s RS was initiated in Bosanska Krajina in the spring and summer of 1992. The first testimonies and diplomatic reports on ethnic extermination related to this region, while the forming of the Hague Tribunal in 1993 was initiated by the crimes and concentration camps in Prijedor.

The war elite in Belgrade and the SDS who were consciously committing genocide in Bosanska Krajina, managed to displace and exterminate large enclaves of non-Serb inhabitants from Prijedor, Kotor-Varoš and the Sana Valley, through a campaign of cascading terror, job dismissals, attacks on villages, individual and group murders in villages and homes, marking, grouping, detainment in camps and prisons, mass deportation, transferring from one camp to another or transferring detainees to battlefields where their liquidation was organised. Following Krajina was the mass extermination and persecution of non-Serbs in Višegrad, Foča, Bijeljina, Podrinje and Herzegovina. The result of this was an ethnically cleansed RS, as well as crimes committed against Serbs and tens of thousands Serbian refugees, who, due to Belgrade’s monstrous project and revanchism, were no longer safe in municipalities where they were the minority.

Srebrenica did not occur as a consequence of war, but as a highly desirable outcome of the war: a final and deciding event in the mass annihilation of people based on their religion and identity. Four months after the genocide in Srebrenica and a month after Dayton, the final phase of extermination and persecution of non-Serbs from RS occurred in Banja Luka and Bosanska Krajina, mostly of people who were perceived as Catholic or Croat. This was the final exodus in the genocidal campaign in the territory of today’s RS, and it did not pass without murders, mining of religious buildings and the mass deportation of people from their villages and settlements. And so the circle of death finally closed.

For this reason, here and now, I can freely say that the war crimes committed in the name of the RS were the objective and not the consequence of war, which is a significant difference between them and the other crimes committed in the war in Bosnia and Herzegovina. All the RS war crimes are well-docu-

mented and have been presented before the Hague Tribunal. However, they do not have any repercussions in Dayton's cage of madness, which has overtaken the minds of citizens, taken away their civil liberty, and destroyed their belief in the future and in God.

The concept of RS originated in the RAM plan, and its realisation occurred through ethnic and religious exterminations. Here, a policy of silence rules: genocide and other crimes are forgotten and denied.

Perhaps the international community believes that Dayton has solved everything, that the Hague Tribunal will provide indisputable facts, liability, and justice, and that peace in Bosnia will be guaranteed. Perhaps international factors could not have faced the factual, legal, political and cultural consequences of genocide in the part of Bosnia and Herzegovina known as RS.

Dayton stopped and relativised the bloodshed committed in the creation of RS, but it did not punish the ideology and politics of Serb nationalists: rather, it rewarded it. In the years after the war, Dayton ensured the existence of RS, and allowed Serb nationalists to conduct two of the final phases of genocide: culturcide, and denial that genocide and culturcide occurred.

Culturcide is a direct product of the ideology of ethno-national homogenisation and ethno-exclusivity. According to this, the citizens of RS are presented with the culture of forgetting on one hand, and falsified, edited and romanticised nationalistic political memories on the other. In Banja Luka and the territory of today's RS, nearly all non-Serbs, Muslims, Catholics, Croatian, Bosnian and Bosnian and Herzegovinian cultural and memory narratives have been swept under a carpet of amnesia. All the names of streets, schools, local communities and villages that contained Bosnian and Herzegovinian, Muslim, or Catholic symbolism, or were perceived as insufficiently Serbian, were omitted and replaced with symbolic Serbian, and even ethno-fascist, identifications. For instance, the village of Ivanjska near Banja Luka was renamed Potkozarje; the Banja Luka settlements Gornji Šeher and Budžak to Srpske Toplice and Lazarevo respectively; Skender-Vakuf to Kneževo; Banja Luka schools "Drago Lang" and "Kasim Hadžić" to "Sveti Sava" and "Dositej Obradović" respectively; the street Rade Vranješević in Banja Luka to Vojvoda Živojin Mišić, and that of Avda Hercegovca to Stevan Moljević (a Četnik ideologist). In public and private spaces, Orthodox religious celebrations dominate, and have become official political holidays. So, for instance, Spasovdan (Ascension Day) is celebrated not as a cultural event, but as an official political celebration of the patron saint of the city of Banja Luka; Archangel Michael's day as the official

celebration of the RS Ministry of the Interior; St Sava's day as the official celebration of the school board in RS; Vidovdan (St Vidus' Day) as the official celebration of the RS Army, and St Stephen's day as the official political celebration of RS itself. Our primary schools resemble Orthodox temples, full of sacral symbols, pictures of churches and crucifixes, Orthodox icons, and depictions of only Serbian scholars and writers. Orthodox religion in schools does not have a secular alternative. Our streets and walls are filled with graffiti and murals that glorify the "Serbian nation", "pan-Serbism", and the war and extermination on which RS was founded. Major Serbian nationalists and ethno-fascists are glorified, as are their bloody ideologies. In our cities, monuments are built to reflect only those periods, events and personalities that are ideologically appropriate for Serbian nationalists, such as the monument to the Ban of Vrbas Banate Milosavljević, King Peter I, Russian Tsar Nikola and so on. Monuments are erected that glorify this and previous wars, which are celebrated as "liberating" and "patriotic". Fallen soldiers are sacralised as saints and heroes, although they were nothing more than victims of a criminal policy. New Orthodox churches are erected in places where they never existed before, such as the new church by the Kastel fortress. The new churches are erected in the pseudo-Byzantine style, imitating exclusively Gračanica and Dečani, although in the past Orthodox churches here were also built in Mediterranean Romanesque and Central European Baroque styles. Orthodox monasteries that were here before the war are proclaimed older than they really are by hijacking history. This is the case with the Krupa Monastery on the Vrbas River, which is proclaimed as having been a Serbian Orthodox monastery since the 14th or even 13th century, although it has only been in the possession of the Serbian Orthodox Church since the middle of the 19th century, and records clearly show that there was a Franciscan monastery here from the 12th century onwards. The architectural spaces in the cities of RS have been "Serbianised".

A blatant example of this Serbian nationalistic Disneyland is Kusturica's "Andrićgrad" project in Višegrad, which actually represents "Serbia's Germany", the crown of culturcide in Bosnia. At the same time, Bosnian urban and oriental architecture is exposed to deterioration, privatisation and devastation. In Banja Luka, Bosnian "čaršija" houses, "hans" (inns), "bezistans" (markets), and "česmas" (fountains) are disappearing. Old and protected mosques that were destroyed during the war have mostly been renovated, but a lack of funding often fettered these cultural monuments from being completely reconstructed, as was the case with the Ferhadija mosque. All the narratives on the objective recent socialist history, or that of Bosnia, Krajina, or Banja Luka, or our joint intertwined inter-ethnic and inter-confessional life before the war have

been erased, and are practically invisible in today's RS. The narratives and symbols of Bosnia and Herzegovina, except for those on the buildings of a handful of state institutions in Banja Luka, do not exist in public spaces in the RS. Citizens of RS, under the strong influence of the regime and nationalistic propaganda, do not recognise or accept the existence of Bosnia and Herzegovina as a single state with its own political and cultural memory. In RS, there are simply no institutions, symbols or narratives that bear witness to the development of a modern society, the statehood and constitutionality of Bosnia and Herzegovina, or the history of these regions and their inhabitants during the Middle Ages and the Ottoman period. The history in our museums and in the textbooks from which our children learn are not an objective, archived and substantiated history of Orthodox Bosnians and Herzegovinians, or, if you like, today's Bosnian Serbs. Here, the objective economic and class experiences of the Orthodox population are depicted subjectively, along with their political, religious and economic position in the Ottoman or Austro-Hungarian empires.

In the name of the unifying construct of "Serbianism", the truthful and autochthonous ethnography and memory of the Krajišniks, Herzegovinians, Posavians, Semberians and other local identities has been forgotten or destroyed. Denied especially vehemently is the objective and academically determined fluid historical identity of the Slavic-Vlach nomadic peoples and tribes of the Orthodox rite, who are in large part the ancestors of the current Bosnian Serbs. Our children today learn some syncretic, pan-Serbian national history, often incorrect, falsified, or interpreted in a mythological manner, with the objective of forming an impression of Bosnian Orthodoxy as belonging to the "Serbian" nation, and instilling a feeling of national continuity from the 7th century to the present. The history that our children learn is conflicting, and aims to divide people by interpreting the present and past strictly from the aspect of a constructed ethno-national sense of belonging. If a person were to wake up in Banja Luka today after a 25-year slumber, he would be shocked, unable to comprehend the political and cultural changes the city has undergone. Unfortunately, the majority of these changes have been destructive. When a person witnesses amnesia on this level and remembers everything that would like to be forgotten, including the general human and inter-confessional values, that cultural code by which Banja Luka lived, and sees how they want to simply erase it from the memory of this city, and its people, it awakens a kind of spite and resistance. What should people remember from this city? Stefan Nemanja? Uroš Drenović? Ratko Mladić? Do we have to remember historical events and figures, holy figures who never belonged to the area of Banja Luka, Krajina and Bosnia and Herzegovina, but who do belong to a national construct, which was,

as they all are, a total fabrication, and in the 21st century can even be described as a travesty? We should ask ourselves, what are the actual universal cultural, human, and workers' values of the city of Banja Luka, and other municipalities and regions? And what are the new political and cultural elite deceiving us with? What are the falsifications, the lies that they want us to teach our children? These are, unfortunately, extraordinary political myths, to which people are attracted.

The situation is even worse when it comes to memories of the recent war, and its causes, objectives, consequences and character, especially those concerning genocide. Most citizens in RS deny that genocide in Bosnia and Herzegovina occurred, and that the greatest responsibility for war, aggression and genocide should be borne by the political elite in Belgrade and by the Bosnian Serbs. They do not want to remind themselves, or to recognize that they had anything to do with the persecution and extermination of their non-Serb neighbours. Twenty years after Dayton, the citizens of Banja Luka and other municipalities within RS still live in the matrix, as if their persecuted, missing, and killed neighbours, friends, and colleagues never existed. Or they believe that these people left of their own will because it was better somewhere else. One need only examine the example of Prijedor, whose people were convinced in the 1990s by the regime in Belgrade, and are still being convinced today, that the others betrayed the Serbs by leaving Yugoslavia which was, at the time ruled by Milošević and his UDBA and national-communist apparatchiks. Unfortunately, Serbs are still sold the story that the war was started by those who separated from Belgrade, and not by Belgrade responding to this separation with armed violence, the national homogenisation of Serbs, and genocide.

Today, 20 years later, I can say that the Serbs in Bosnia, as well as in Croatia, betrayed their neighbours, and renounced their friends, family and neighbours who had a different identity or another religion, on both political and symbolic levels.

I believe that they quickly stopped thinking about the true value of their existence in this or any other city in Bosnia and Herzegovina. At once, certain ideological, national and nationalistic performances became more important than a relationship with a fellow man, a neighbour. This happened to citizens in Banja Luka and the rest of the RS through the transposition from Yugoslavianism and one sentiment towards the JNA and Yugoslavia, to negative reactions to, and dehumanisation of, political forces, and citizens who no longer wished to live in such a Yugoslavia. These citizens and forces had a full right

to their orientation, the right to bring their decision on secession by means of a peaceful and non-violent path, which is what they did.

This is what most Serbs fail to grasp. People were not running away from their Serbian neighbours, but from Belgrade. However, Belgrade managed to manipulate the peoples' national and pro-Yugoslav feelings in order to mobilise them against their neighbours. It was in this ideological knot that the substitution occurred that turned the Krajišniks, Semberians, Herzegovinians and others into the artificial construct of pan-Serb nationalism, which became our current reference, an unworthy substitute for that real inter-confessional, interethnic life that we lived in our Banja Luka and the Bosnian melting pot. They are not even aware that in learning to live without their neighbours, they are becoming accustomed to the absence of their own lives. They have imprisoned their feelings and allowed their emotional and political lives to be ruled by fabrications, eternal conflicts and clerical and national constructs that are promoted by both the Serbian Orthodox Church and the political and cultural elite, who continue to persuade their people that the war was “necessary,” “defensive” and “patriotic”, and not an aggressive, criminal and genocidal act imposed by Belgrade. They want them to believe that the most important legacy of the war is the cleansed political creation of RS, designed, as its name suggests, only for Serbs. The people are persuaded that the war was waged for secession and to join RS to the Serbian motherland, as anticipated by the Prijedor Declaration in 1993. They are deceived into thinking that, today, RS, has the right to secede from Bosnia, that Bosnia and Herzegovina is a failed country, and that, through the secession of RS, the “Serbian question” will be resolved. Not once in the 20 years since Dayton have the RS elite raised a single monument to killed and missing non-Serbs, not even for the 102 children killed from Prijedor. Can anyone even imagine politicians from RS erecting a monument to those civilians killed by their political predecessors and RS institutions? They will never do this because, in doing so, they would erect a monument to the victims of the creation of RS. For this reason, as long as RS exists, politicians in Serbia and RS will never admit to genocide and never recognise Bosnia and Herzegovina as a country. This is why citizens do not want to, and cannot, return in larger numbers to RS municipalities.

The rare returnees are those who can find jobs, and, mostly, elderly people who want to die at peace with themselves in their own homes. Attacks on returnees and religious buildings in the municipalities of the RS were quite frequent in the first 4–5 years after the war, and have once again intensified in the past 5–6 years. Today, Bosnia and Herzegovina is divided by a much greater

wall than the one that stood in Berlin, and its foundations can, unfortunately, be found in the Dayton political structure of Bosnia and Herzegovina.

Is this the post-Dayton peace that was supposed to ensure truth, catharsis, justice and reconciliation for all? No! Post-Dayton Bosnia and Herzegovina is further from those postulates than it was in 1995.

Unfortunately, the political elite in Serbia and RS have not taken advantage of the Dayton Peace Accords to build a new, more just Bosnian-Herzegovinian society, or to strengthen Bosnia and Herzegovina as a country. Nor will it ever do so as long as this kind of Dayton constitutional structure exists. Such a structure originating within the context of war and genocide will always be a source of weakness, negation and disassembly of the secular country of Bosnia and Herzegovina. RS is, actually, a constant negation of both socialist and secular Bosnia, as well as of international humanitarian law. As long as RS and the Dayton political structure exist, the Serbian nationalists and political elite will succeed in preserving a legacy of aggression and genocide, and all the symbols of the suffering of others. As long as the RS exists, along with the memory of its monstrous origin, its political leaders will manage to impose Serbian nationalism on its citizens, instilling the ideas of the victimisation of Serbs, ethnocentrism and ethno-fascism, as well as denying both genocide and Bosnia. This is the simple formula for the survival of RS. A formula that, for Europe, the world, and various ultra-right-wing and extremist groups, clearly demonstrates that it is indeed possible to commit genocide, cleanse a territory of Muslims and Catholics or whoever else, and to proclaim that territory an ethno-exclusive quasi-country that, as such, never existed in history. They can claim that it is possible to do this and to get away with it, and even to be rewarded and recognised in the eyes of international policy. As long as RS exists, it will be an example of successful genocide, culturcide and social amnesia, and an antipode and denial of the victory over fascism because how is it possible that a Nazi Reich or quisling Independent State of Croatia can be beaten, but their post-modern reincarnation in Bosnia and Herzegovina cannot? As long as RS exists, Bosnia and Herzegovina will remain its hostage, and it will not stand on its own feet as a secular country and normal society. It will survive as a combination of three ethno-nationalistic constructs, and as the stepchild of the ethno-national elite, behind whom ethno-fascism, rabid pillaging, and corruption hide.

Banja Luka, November 2015

RESISTANCE OF BISHOPS AND PRIESTS FORM THE DIOCESE OF BANJA LUKA TO ETHNIC CLEANSING IN THE LOCAL CHURCH AND PLEADING FOR THE RETURN OF DISPLACED PERSONS

Ivica Božinović, MA

Introduction

Twenty years have passed since the final phase of the ethnic cleansing of Catholics, Croats and others from Banja Luka and surrounding areas. The planners and executors have, unfortunately, succeeded. This can be seen in the number of Catholics remaining in this area, and the empty parishes, schools, and settlements. Still they refute that they planned¹, and, especially executed anything.

Banja Luka Croats Ethnically “Cleansed Themselves”

Recently appearing on certain websites was the reaction of Dr Srboľjub Źivanović to Bishop Komarica’s book/interview *Ljubav. Sila. Domišljatost. Skidanje maski*², in which he openly accuses the bishop of spreading hatred towards Orthodox Serbs, adding: “It wasn’t Serbs who persecuted Croats from Bosnia and Herzegovina; it was the Croatian state, which was handing out Croatian passports at the time and proclaiming all Catholic Croats as its citizens. All the Croat inhabitants moved to Croatia, where they were settled in the houses and flats of the over 200,000 persecuted Serbs who had to leave their

¹ Mirko Kovač writes of Dobrica Ćosić: “The international community, which was superficially involved with a peripheral country, was not aware that only a month before he was elected President, this gentleman, a Serbian academic, stated at the closed SANU (Serbian Academy of Sciences and Arts) assembly that he was ‘satisfied with the development of opportunities’, that the unification of Serbian lands to a ‘large and united fatherland’, was on the horizon, and that ‘ethnic cleansing in Bosnia [was] unfolding according to plan and with a small number of Serbian casualties’.” Mirko Kovač, *Dobrica Ćosić, kobni Otac nacije*, in: <http://pescanik.net/dobrica-cosic-kobni-otac-nacije/> (10 Nov 2015); cf. Serbian Helsinki Committee, *Plavšić – citati (1990–1993)*, in: https://sh.wikipedia.org/wiki/Biljana_Vlav%C5%Ali%C4%87#cite_note-1 (10 Nov 2015); cf. Serbian Helsinki Committee, *Plavšić-citati (1990–1993)*, in: (10 Nov 2015).

² Winfried Gburek, Franjo Komarica, *Ljubav. Sila. Domišljatost. Skidanje maski*. Zagreb, 2015.

homes urgently and flee to Serbia to save their lives. That is why Bishop Komarica in Banja Luka was left without his flock of Roman Catholic Croats.”³

On an almost daily basis, they strain our ears and offend our common sense with claims like the following:

- No one forced Croats from Banja Luka to leave; they left of their own volition (as opposed to Serbs, who were persecuted). They were seduced by “the call of their ‘beautiful homeland,’ Croatia!”;
- their resettlement was agreed with the political leaders of Croatia and the Church participated in this agreement, specifically the Diocese of Banja Luka and its bishop, who accepted this. It was they who displaced the Croats⁴;
- if the “Bljesak” and “Oluja” military campaigns had not occurred in 1995, no one would have touched the Banja Luka Croats. They fled in fear of refugees from Croatia;⁵
- we could not prevent them from leaving⁶;
- it was a “natural occurrence” (B. Plavšić)⁷;
- it was a normal consequence of “war operations”.

For years, on an almost daily basis, all forms of media here (war and post-war, public and private) repeated the mantra that this indisputable “truth” was established and proven. Anyone who thought or claimed otherwise was acting in a hostile manner towards the Serbs, Republika Srpska and its democratic achievements.

³ Dr Srboljub Živanović: “Rimokatoličko banjalučki biskup i katolički veroučitelj Vinfred Gburek šire mržnju prema pravoslavnim Srbima”, in: <http://anti-censura.com/dr-srboljub-zivanovic-rimokatolicko-banjalučki-biskup-franjo-kokmoarica-i-katolicki-veroučitelj-vinfred-gburek-sire-mrznju-prema-pravoslavnim-srbima/> (11 Nov 2015).

⁴ Cf. Franjo Komarica, *U obrani obespravljenih. Izbor iz dokumenata banjalučkog biskupa i Biskupskog ordinarijata Banjaluka tijekom ratnih godina od 1991. do 1995.* Bishop’s Ordinary of Banja Luka, Zoro-Zagreb-Sarajevo, 1996, pages 674–677.

⁵ Cf. Agencija “Majke Tereze” za etničko čišćenje Banja Luke, http://www.sense-agency.com/tributna_%28mksj%29/agencija-quotmajke-terezequot-za-etnicko-ciscenje-banjaluke.25.html?cat_id=1&news_id=902 (10 Nov 2015)

⁶ Cf. Petar Maass, *Ljubi bližnjega svoga, Priča o ratu*, International theatre festival MESS, Sarajevo, 1998, page 97.

⁷ Cf. Nenad Lj. Stefanović, Carica, kraljica, pokajnica, in: <http://www.vreme.com/cms/view.php?id=329572> (11 Nov 2015).

No one is responsible for the disappearance of Croats from the Banja Luka area and the Diocese of Banja Luka, especially not those who were in power at the time.”⁸

Ethnic Cleansing – A Consequence or Objective of the War?

“Ethnic cleansing is the euphemistic term for the forcible modification of the ethnic composition of a certain area, through executions, persecution of inhabitants, or resettlement of inhabitants with the objective of changing the ethnic structure of an area. The act is, usually, **psychologically** and **physically** violent towards a targeted ‘unsuitable’ ethnic group (which is not always a minority). Persecution and forced expulsion are executed, and by using various measures to exert pressure, inhabitants are put in such a position that they abandon the area of their own accord. Sometimes it is a matter of leaving in order to avoid what might happen to them, or as a result of direct threats, which make persecuted groups abandon their homes. The third possibility is when members of the targeted ethnic (or cultural or civilizational) group, despite all these pressures, do not want to leave their homes, so the perpetrators of ethnic cleansing physically and forcibly remove them from the targeted area.”⁹

Consequently, during the war years, we listened to claims and assertions from officials that the destruction of churches, parish vicarages and houses, and the murders, beatings, intimidations, and persecutions were the acts of “irresponsible individuals”, who “escaped the control of their superiors” and who would be penalised. These acts were labelled as “incidents” that outraged officials, but this was clearly not the case and everyone knew it.

We realised from the beginning that it was a carefully planned brutal, completely inhumane and uncivilised scenario of psychological and physical horror, which had a clear goal: the disappearance of the “undesirables” from the area, along with every mention of them, be it national, religious, toponymical, historical...!”¹⁰

⁸ Cf. Srđan Šušnica, *Marš iz vašeg grada spontanoooooooo*, in: <http://helsinki.org.rs/serbian/doc/Mars%20iz%20vaseg%20grada,%20ali%20spontano.pdf> (11 Nov 2015).

⁹ *Etničko čišenje (Ethnic cleansing)*, in: https://hr.wikipedia.org/wiki/Etni%C4%8Dko_%C4%8Di%C5%A1%C4%87enje (11 Nov 2015).

¹⁰ Cf. Peter Maass, op. cit., page 96; Srđan Sušnica, *Kultura zaborava ili sjećanja: konverzija identiteta Banja Luke*, in: <http://www.scribd.com/doc/224293194/Master-Fdv-Izpitna-Naloga-Kgm-Srdjan-Susnica-Novi-Final-221112> (11 Nov 2015; *Spisak 1033 porodice kojih danas više nema u Banjaluci...*, in: <http://depo.ba/clanak/107204/spisak-1033-porodice->

Some of the elements from this scenario are:

- Dismissal from employment
- Everyday harassment
- Beating and killing of prominent members of the community
- Stealing (pillaging) property (cars, felling wood etc.)
- Armed attacks on private homes, churches and monasteries, and the complete destruction of these buildings
- Transfers to camps and horrific psychological and physical torture
- Prohibition of free movement
- Forced recruitment
- Extremely degrading work obligations
- Expulsion from homes
- Taking individuals and groups in unknown directions, and liquidating them
- Attacks on, and killing of, priests

Peter Maass provides this description: “When the war broke out, Banja Luka had a population of 195,000; nearly half were Muslim, Croat or from mixed families. The rest were Serbs. What to do with so many undesired minority representatives? One thing is to shell and cleanse individual, distant cities and villages, and cram the survivors into camps, but it is another thing when you have about 100,000 people in a large city that you already control and you do not want to destroy. The Serbs who lived here went wild, but not completely. The solution was simple: ***squeeze them out slowly, like dirty water from a dish-cloth. A murder here and there, two or three rapes, fire them all from their jobs, take their flats. You frighten them to the point that they want to leave on their own, and are even prepared to pay for the privilege of leaving.*** This was the Balkan method of torture, and it worked wonders.”¹¹

kojih-danas-vise-nema-u-banjaluci (11 Nov 2015); Srđan Sušnica, *Banjalučki grafiti*, in: <http://pescanik.net/banjalucki-grafiti/> (11 Nov 2015).

¹¹ Peter Maass, op. cit., page 91; cf. Zdravka Soldić Arar, *Biskup Komarica razotkriva igre oko Balkana: Gospodine biskupe, zapamtite, ja sam vaš bog*, in: <http://otvoreno.ba/biskup-komarica-razotkriva-igre-oko-balkana-gospodine-biskupe-zapamtite-ja-sam-vas-bog/> (11 Nov 2015).

Bearing witness to our awareness of what was happening was Bishop Komarica's August 1992 letter to Radovan Karadžić, President of RS at the time: "The feeling of complete defencelessness, disempowerment and trampling of fundamental human rights has forced a large number of my believers from the parish mentioned, as well as other parishes, to feel like hunted animals, forced from their ancient homes, which not even the Ottoman authorities and forces managed to extinguish or destroy. [...] I am obliged to familiarise you with a painful fact that necessarily causes far-reaching consequences: namely, that the majority of my Diocese of Banja Luka (after surviving the catastrophe of the Second World War, when more than a third of the parishes were destroyed) will disappear if the lawlessness and arbitrariness of individuals and individual groups in the territory continues. [...] **We cannot and must not accept this form of ethnic cleansing** and the permanent trampling of fundamental human rights, not only for our Catholic believers, but also for the nations beside us, specifically the Serbian, i.e. Orthodox nation, which could, in that case, easily be ascribed fault for the execution of this form of fascism, racism, and genocide."¹²

All of this, according to the claims of the officials at the time, was a consequence of "war activities", and in no case was it planned in advance. Many still claim this today, especially those who found themselves before international or domestic courts after the war.¹³ But is this really the case?

On 26 March 1993, Bishop Komarica wrote again to RS President Karadžić: "Here, once again, I would like to emphasise that – as opposed to other regions in Bosnia and Herzegovina – **there were and are no armed conflicts** between Catholics and others, except in extremely rare cases, of which I am sure you are aware!"¹⁴

The situation did not even have to come to war, although war was the justification for the execution of this monstrous scenario: a territory in which there are no "unsuitable persons" or least, only a "tolerable percentage of them – 2%" (R. Brđanin).¹⁵

¹² Franjo Komarica, *U obrani obespravljenih*, page 459.

¹³ See the portal of the International Criminal Tribunal for the former Yugoslavia: <http://www.icty.org/bcs> (11 Nov 2015).

¹⁴ Franjo Komarica, *U obrani obespravljenih*, page 474.

¹⁵ Cr. *Radoslav Brđanin*, in: http://sh.wikipedia.org/wiki/Radoslav_Br%C4%91anin (11 Nov 2015); <http://www.icty.org/x/cases/talic/ind/bcs/brd-ai991217b.htm>.

Writing about the London Conference on Bosnia and Herzegovina, held on 26 August 1992, Noel Malcolm correctly concluded: “The international community once again failed to consider the basic causes of the conflict. Now the brunt has been transferred to two different things: military solutions (i.e. truce) for military problems, and humanitarian solutions for humanitarian problems. Although the expression “ethnic cleansing” was already in general use, the idea still prevailed that the major problem was military, and that the fleeing of the persecuted and terrorised inhabitants was only a side effect of the conflict. Therefore, the mass fleeing was proclaimed a humanitarian problem that will be ‘resolved’ by the refugees being placed in refugee camps outside of Bosnia and Herzegovina. It still was not completely clear that **ethnic cleansing was not only an accompanying occurrence of war. It was actually the main part of the entire political plan that was to be achieved by means of war**, namely, the creation of homogenous Serbian areas that would, in the end, be joined to other Serbian areas, even Serbia itself, to form a Greater Serbia.”¹⁶

Margaret Thatcher claimed: “In reality, the Serbs at the end of 1992 grabbed nearly all of the territory that they could hold, in their own opinion. Although they make up only 31% of the population, in this manner, they took over 70% of Bosnia’s territory. From that moment, their main objective was the expulsion of non-Serbian inhabitants from that area in order to completely remove them, their culture and their religion. The Serbs needed time to accomplish this, especially in areas from where they had to cleanse a large number of indigenous Muslims and Croats. **The international community provided them with sufficient time for this**”¹⁷.

In his report from 27 October 1993, Tadeusz Mazowiecki, wrote: “The Special Rapporteur shares the view of other observers that the principal objective of the military conflict in Bosnia and Herzegovina is the establishment of ethnically homogeneous regions. **Ethnic cleansing does not appear to be a consequence of the war but rather its goal.** This goal has, to a large extent, already been achieved by killings, beatings, rapes, destruction of homes, and threats. Such practice has intensified in recent weeks and there is less resistance from the non-Serb population, of whom the majority is ready to leave everything and flee from their homeland.”¹⁸

¹⁶ Noel Malcolm, *Bosna, Kratka povijest*, Sarajevo, 2011, page 417.

¹⁷ Margaret Thatcher, *Državničko umijeće, Strategije za svijet koji se mijenja*, Školska knjiga, Zagreb, 2004, page 262.

¹⁸ Tadeusz Mazowiecki, *Izvištaji 1992-1995*, Tuzla, 2007, page 42.

The position of the Bishop's Ordinary, i.e. the Bishop of Banja Luka, was consistent for the entire duration of the war, and remains so to the present day. Bishop Komarica summarised it recently in an interview, stating: "Unfortunately, even prior to the start of the war, foreign and domestic leaders of the war **decided that nearly all of my diocese must disappear**. This was even told to me officially. Not even in a nightmare could I accept this terrible crime. Without any experience, and without the ability to receive advice from anyone who had experienced the previous war, I was confronted with the terrible, unscrupulous reality of the destruction of anything in God's service, from believers to their sacred objects, particularly churches and homes. I preached persistently, and persuaded those closest to me: We do not want arms, they kill, and we are believers in Christ!

"We would rather bear evil and injustice than do harm to others. I also persistently implored local politicians not to be war criminals, not to command or commit war crimes. I felt imbued by a strange inner strength to resist evil and injustice. I thank God that I was aided at that time by my priests, and that my flock listened and did not do harm to their neighbours, even when they were terribly hurt by them."¹⁹

Despite the fact that "the disappearance of nearly the entire diocese" hung over his head, Bishop Komarica and his priests did not give up the fight.

How did they do this?

Priests remained in their parishes and suffered with their flocks.

They stayed until they were forcibly taken away, or even killed. They remained until their homes and churches were destroyed, and then they withdrew to private houses until they had somewhere to stay. They remained until all of their congregation were driven out.²⁰

The bishop visited his frightened flock tirelessly, spoke to the officials of all levels whom he could reach at the time, wrote to all corners of the world (travelling when possible), and prayed that the inhumane behaviour towards Catholics would stop. He did these things tirelessly and persistently. Some of these efforts by the Bishop and the Bishop's Ordinary can be read in Dr Franjo Komarica's book, *In Defence of the Rightless: A collection of Documents of the*

¹⁹ Ivo Tomašević, *Banjalučki biskup dr. Franjo Komarica*, in: <http://glashrvatabosne.ba/index.php/intervjui/99-banjalučki-biskup-dr-franjo-komarica> (26 June 2014).

²⁰ Cf. Franjo Marić, Anto Orlovac, *Banjalučka biskupija u riječi i slici od 1881. do 2006.*, Banja Luka, 2006, pages 62–71.

Bishop of Banja Luka and the Bishop's Ordinary Written During the Years of 1991 to 1995, which was published in two editions and was translated into English, German and Italian. This is only part of the Bishop's efforts, because it is not possible to list on paper everything he did during those war years to save lives.

Despite rejection from all sides, the Bishop persisted in his pacifism. After meeting with SUP Head Župljanin, he wrote to the apostolic nuncio in Belgrade on 12 September 1992: "I promised him that **I would not stop insisting** that he and all other representatives of authority behave as befits their positions, and that they protect all people in this area, including Catholics, equally!"²¹

Final Phase

This study day has in its title the words "final phase", and really, 1995 was the year of completing what was started in 1991 and reiterated in 1992.

This is evident in the documents that follow.

In their statement from 7 October 1992, the bishops of Croatia and Bosnia and Herzegovina, wrote: "In the Diocese of **Banja Luka, thousands of believers have been forcibly displaced**, 30 % of church buildings have been destroyed, and a further 40 percent have been seriously or slightly damaged."²² This was the situation in summer 1992.

On 2 August 1993, the Bishops of the Vrhbosna Metropolitan wrote in their Statement: "The Diocese of Banja Luka, which consists of nearly 120,000 Catholics in 47 parishes, is experiencing a similar fate. Almost 40 parishes are under Serb control while two are under Muslim authority; unfortunately some of them do not contain a single remaining Catholic. **Even though there have been no official armed conflicts in the region, more than half the Catholics have been forced to leave their parishes.** More than 40 % of the churches and church complexes have been totally destroyed, while another 50% have been damaged. The Croat Catholic population is continuing to be forced from its ancient homeland despite the local authorities stating that this is not the official stance."²³

²¹ Franjo Komarica, *U obrani obespravljenih*, page 201.

²² Franjo Komarica, *U obrani obespravljenih*, page 53.

²³ Franjo Komarica, *U obrani obespravljenih*, page 62.

On 27 November 1994, Bishop Komarica wrote to Pope John Paul II: “Despite all this, in those regions of my diocese that are controlled by the Serbs – virtually 80% of its territory and population – ethnic cleansing is being deliberately conducted. To date, **more than two-thirds of my faithful have had to leave our diocese**; 50 % of churches have been destroyed even though there were no classic battles as such conducted in the area; a further 23 % are extensively damaged, and the other 20 % slightly damaged; two of my priests have been killed – one died as a result of the beatings and torture he suffered in a concentration camp even though he was, as the local authorities themselves admitted, not guilty of any crime! Thanks to the heroic behaviour of our priests and clergy, almost 26,000 faithful have remained in the area. They, however, have been stripped of their rights, they are seriously oppressed, their bare existence is in question and there are no political prospects ahead of them. As their bishop I am compelled to care for them – not only spiritually, but now I am also the only one left to protect them, defend them, feed them, heal their wounds, clothe them, educate them [...] Despite the huge efforts of Caritas, whose resources are diminishing, I cannot ensure my people a humane future and cannot compel them to stay in their ancient homeland. To date, not one politician – neither in Sarajevo nor in Zagreb – has been able to find an effective solution for us. It appears we do not belong to anyone!”²⁴

This was the state of affairs in 1994. The following year, the final act of the planned scenario was initiated – cleansing the remaining third of Croats from this area.

Tadeusz Mazowiecki’s report from 21 April 1995 states: “The de facto authorities of the Bosnian Serbs are very close to achieving their goal of ‘ethnic purity’ in the territory under their control. The non-Serbian population was subjected to unrelenting terrorising and discrimination and practically no one wishes to remain in northern Bosnia. [...] ... local authorities in the Banja Luka region collect significant revenue from taxes imposed on people wishing to leave [...]”²⁵

²⁴ Franjo Komarica, *U obrani obespravljenih*, page 249.

²⁵ Tadeusz Mazowiecki, *op. cit.*, page 470.

Fight for the Right to Return

The war ended with the Dayton Agreement ²⁶. New circumstances emerged, and new hopes were kindled. Just as he had been a tireless fighter during the war for his flock to have the right to remain in their homes, after the war Bishop Komarica and his priests continued the battle for the displaced and refugee Catholic Croats and others, to have the right to return to their pre-war dwellings.

The bishop spoke tirelessly with domestic, international and diplomatic representatives, and wrote to all sides to seek help for returnees. He organised meetings, roundtables, and conferences to prepare priests who were sent to the devastated parishes.

These returns, unfortunately, did not occur, especially in the entity of Republika Srpska. The bishop is convinced that this was the plan from the outset: “Efforts were targeted at halting those actions that were started during the time of war – to physically remove Catholicism and Croatian residents from these areas. When the international peace agreement arrived for all nations here, unfortunately it did not arrive for the displaced Croats (i.e. Catholics), because what was anticipated in Annex 7 – that all persons have the right and must have the opportunity to return to their homeland – did not seem to apply to them. Their return was, unfortunately, persistently obstructed, thus not permitted.

I know of specific conversations between Serbian and Croatian politicians in which it was said: ‘Just as you, in Croatia, do not need Serbs, nor do we need Croats here. What happened, happened, we’ll leave it at that.’ That is unacceptable and shameful, and it goes against all remotely humane principles and international conventions.”²⁷

About the specific methods used to obstruct returnees, the Bishop says: “On the basis of everything I know from my numerous encounters with Catholics expelled from the Diocese, as well as with political, state and international representatives, the basic causes are: a lack of political will from those responsible for the return process and people remaining in their homeland; a lack of necessary economic assistance for the reconstruction of destroyed homes; a lack of

²⁶ Cf. http://hr.wikipedia.org/wiki/Daytonski_sporazum (22 June 2014).

²⁷ Erduan Katana, Komarica: *Političari hrvatskoga naroda ne brinu hoće li biti Hrvata u BiH*, Radio Slobodna Evropa, 25 Dec 2012, in: <http://www.slobodnaevropa.org/content/komarica-politicari-hrvatskog-naroda-ne-brinu-hoce-li-biti-hrvata-u-bih/24808336.html> (22 June 2014)

funding for necessary infrastructure, like electricity and roads; and a lack of job opportunities in agriculture, livestock breeding or the trades. Those poor people really do not belong to any politicians, nor does anyone really want to listen to them, let alone provide them with concrete assistance. Exceptions are rare.”²⁸

The Bishop stresses persistently that: “Croats and Catholics experienced a terrible cataclysm in the war, but also in the post-war period. The huge injustice that was done to the Croatian Catholics with the fundamental eradication of their presence from their centuries-old roots was cemented in the post-war period, because the desired, necessary and – on the basis of the Dayton Agreement – anticipated return has not occurred like it has for the other two nations.”²⁹

He condemns the behaviour of representatives of the international community towards Croats: “I received international budgets from 2000 onwards, in which it is anticipated how many million euros it will cost to return Bosnian Serbs to the Federation entity and specific municipalities, and that it is necessary to ensure however many million euros for the return of Bosniaks to Republika Srpska, but an assessment of the cost to return Bosnian Croats to their homes does not exist! How is this possible? How does a domicile, constituent nation, the oldest nation in the country, not belong to any politician? Neither to its own, nor to the politicians of its neighbours, nor to international politicians. This is unacceptable and profoundly inhumane.”³⁰

He asserts tirelessly that this state was planned: “At the beginning of the war, during the war, and after the war, I have been forced to claim, supported with facts, that this was a well-prepared and thoroughly executed eradication of people from their homeland, from their roots. Today, what I was then forced to accept as fact continues. They tried to persuade me that this was normal, but for me, and I believe for any normal person, this is not normal.”³¹

²⁸ Bedrugin Gušić, “*Kuda plovi BH brod, znade samo dragi Bog!*” 10 Aug 2006, in: http://gusic.tripod.com/intervje_biskup_komarica.htm (22 Jun 2014).

²⁹ Mladen Obrenović, Komarica: *Ljudi u BiH trebaju kruha i miljeka!* 1 Mar 2012, in: <http://hr.a2-news.com/Vijesti/id/96961.0> (22 Jun 2014).

³⁰ Tporal, *Biskup Franjo Komarica: Hrvate u BiH već smatraju nacionalnom manjinom*, 21 October 2013, in: http://www.livnovine.com/?action=show_article&id=11106 (22 June 2014).

³¹ T.C. Komarica: *Priča o “održivom povratku” samo puka fraza*, 21 April 2014, in: <http://www.vijesti.ba/vijesti/bih/210274-Komarica-Prica-odrzivom-povratku-samo-puka-fraza.html> (22 Jun 2014).

Furthermore, during Easter celebrations in 2014, the Bishop declared: “From one year to the next, I repeat the same story, and I ask Catholic politicians and Orthodox and atheists and others, who swear that they are humanists, why the situation is such, and why people who were forced out of their houses and homes against their wishes are belittled. This is not relevant only to Banja Luka, but to Sarajevo, Mostar, Tuzla, Zenica and all other places from which people were expelled.”³²

Despite all this, the Bishop has not surrendered: “All these years, I’ve been trying to encourage the authorities to implement Annex VII of the Dayton Peace Agreement, to which they have all sworn; however, instead of implementation, we have been faced the entire time with direct and indirect obstructions. This bears witness to the lack of equality for Croats here, and shows that one nation is oppressed, which is disastrous for Bosnia and Herzegovina.”³³

The Bishop is exasperated by the claims of some that Croats do not want to return to their pre-war homes: “The claims that Croats who were expelled from the territory of today’s Republika Srpska do not want to return to their pre-war homeland are untrue; however, the problem is that neither the authorities of that entity nor the central authorities in Bosnia and Herzegovina, including those parties who should be representing the interests of the Croatian nation, truly want to help them.”³⁴

The Bishop highlights that it is not his job to insist on the return of all displaced persons. What he is fighting for is the right to return for those who wish to do so. “It wasn’t me who expelled them and I can’t appoint myself as the leader of the returnees. I remained at home; I was prepared, as were other priests, to be killed. We wanted to stay, to fight for the right of every man to his birthplace. I certainly want to help, both Catholics and non-Catholics, in their right to return. What kind of person, and what kind of Catholic would I be if I divided people? God became a man, not a Catholic. And every person, Catholic or otherwise has the same rights. Unfortunately, Catholic returnees are not wanted here. This is fatal for the Catholic Church and its future in BiH, and in

³² FENA, *Komarica: Zašto se omalovažaju prognani?*, Dnevni Avaz, online edition, 18 April 2014, in: <http://www.avaz.ba/vijesti/iz-minute-u-minutu/komarica-zasto-se-omalovazavaju-prognani> (24 Jun 2014).

³³ ANADOLIJA, *Apel biskupa Franje Komarice: Omogućiti povratak Hrvatima u RS*, in: <http://www.trtbosanski.com/bs/news/detail/bosna-i-hercegovina/101/apel-biskupa-franje-komarice-omoguciti-povratak-hrvatima-u-rs/12788> (24 Jun 2014).

³⁴ Bitno.ba, *Biskup Komarica: “Drugi put ubijaju ljude”*, in: <http://posavina.wordpress.com/2012/01/02/biskup-komarica-%E2%80%99Edrugiputubijajuljude/> (26 Jun 2014).

this part of Europe, and it's also fatal for the Church in Croatia. This is fatal near-sightedness, both from politicians and people within the church who advocated this. In the entity of Republika Srpska, few Catholics have returned to the territory of the Diocese of Banja Luka.”³⁵

Conclusion

The Bishop of Banja Luka Franjo Komarica, together with his priests, “tirelessly, permanently and consistently:

- was against the war in Bosnia and Herzegovina as a means of achieving political or other goals;
- condemned and deterred wrongdoings on all sides;
- advocated with all authorities and with many influential individuals who could effect change to stop the violence, especially in the region of the Diocese of Banja Luka, to protect lives, property, and fundamental human rights;
- sought in various ways from all sides humanitarian aid for war victims, and distributed that aid to all those in need, without distinction;
- advocated for the establishment of peace and encouraged forgiveness and reconciliation.

After the end of the war, he advocated the return of refugees and displaced persons to their homes and their homeland, and saw that they received help to reconstruct their destroyed homes, and to ensure conditions for a decent life.”³⁶

In the aforementioned report from 21 April 1995, Tadeusz Mazowiecki wrote: “It is important to note that the de facto Bosnian Serb authorities **consistently refuse access by human rights monitors to territories under their control.**”³⁷

³⁵ Vlado Čutura, *Rađa se novi život na mučeničkoj krvi*, Glas Koncila 30 (2040), 28 July 2013, in: http://www.glas-koncila.hr/index.php?option=com_php&Itemid=41&news_ID=22942 (26 June 2014).

³⁶ Velimir Blažević, *Mirotvorstvo i čovjekoljublje biskupa dr. Franje Komoarice*, in: <http://scribd.com/doc/39524891/Dr-sc-Velimiir-Bla%C5%BEcvi%C4%87-Mirotvorstvo-i-%C4%87Covjekoljublje-biskupa-dr-Franje-Komarice> (22 Jun 2014).

³⁷ Tadeusz Mazowiecki, *op. cit.*, page 465.

On the basis of what they have experienced and survived, Bishop Komarica and his priests remain direct witnesses of the ethnic cleansing of Croats from today's entity of Republika Srpska.

Before I finish, I will return once more to Margaret Thatcher, whose thoughts are in harmony with what Banja Luka's Bishop has been repeating for years.³⁸

“The Dayton Agreement, which was signed in autumn 1995, still represents the framework within which Bosnia functions – or better said, does not function. As with all other plans of division, in them, too much room is dedicated to the (now defeated) Bosnian Serbs, who have also caused this problem. The Serbs have obtained a separate autonomous entity, Republika Srpska. It was supposed to be a part of Bosnia and Herzegovina. However, already from the names of the institutions themselves the true intentions are visible: while the Serbian entity has received the ‘republic’ attribute, Bosnia and Herzegovina has lost it.

The Dayton Agreement has been worked out in detail, which is also indicative. [...] However, the crucial point of that agreement is enabling the return of refugees to their homes. If this does not occur, Dayton will allow the division of Bosnia and victory to those who committed ethnic cleansing, as well as their sponsors in Belgrade. And this is exactly what happened. While concerning the return of refugees in the territory of the Federation of BiH certain progress has been made, the authorities of Republika Srpska have remained resolute in their intention to prevent members of minority communities to return to the homes from which they were persecuted. Therefore, from the 715,000 refugees who have returned, 80% have returned to the Federation and only 20% in the territory under Serbian control. Sometimes it is said that these figures are unimportant: ‘You can't force people to live together if they don't want to’, as the saying goes. And this is, certainly, true. However, it is unacceptable that people who want to return are prevented from doing so. Actually, the situation is even graver than this. Although it is irrefutable that years of war will leave deep and permanent scars on life in Bosnia, a Bosnia that will not be religiously and ethnically mixed will sooner or later explode once again. I don't belong to those who have the goal of creating from Bosnia some kind of ideal multicultural country. However, I truly believe that political solutions based on violence, threats and pillaging are, ultimately, destined to failure – and this deservedly.”³⁹ What is outlined here after the signing of the Dayton Agreement was already the case in 1992.

³⁸ Windried Gburek, Franjo Komarica, *op. cit.*, pages 115–121.

³⁹ Margaret Thatcher, *op. cit.*, page 265–266.

FROM THE BISHOP OF BANJA LUKA'S BOOK OF PLEAS TO ALL THE GOOD MEN, DEAF

Mr. Frano Piplović, European Academy

Before us are excerpts from the book of documents *In Defence of the Rightless* by Dr. Franjo Komarica, the Bishop of Banja Luka. I call them "From the Bishop of Banja Luka's Book of Pleas to All the Good Men, Deaf Ears and Selfish Hearts." Reading these documents now, 20 years after those events, a man has to wonder how such ruthlessness and such deafness to the calls for help of those who were helpless, rightless and seeking peace were possible. Each of those documents speaks strongly of how politics and politicians were and still are a source of disaster and plague. Under the watchful eye of politicians, and with their wholehearted support, people were beaten, killed, and expelled from their homes, and their fundamental human rights were violated. A social environment intolerable and unacceptable to the human mind was created, with a strong wall of silence at all levels, as if nothing had happened.

To ask questions on this subject is to be ignored or to hear: "Let it go now, don't rock the boat!" or "Let's move on!"

Consequently, we are falling deeper into ignorance, lack of information and clarity, and amnesia. Will we ever realise why this is happening to us and why we are in this position? When an individual or a group of individuals disappears, an official search begins as soon as they are reported missing. This search follows legally prescribed procedures, and continues until they are found or it is determined what happened to them, including the cause of their disappearance. When a community, or a significant part thereof, "disappears" nobody reports it missing, nobody searches for it or asks questions about what is wrong or what has happened to it. It is as if people are more suited to the havoc we have today, than with life in those areas. The lives of the expelled were not replaced with the lives of others, those who were expected.

For politicians then and now in Banja Luka, Belgrade, Zagreb, Sarajevo and Mostar, this question does not exist as one in need of public debate or a just solution. There is not one word about the tragic instances of persecution in the 1990s in any of the official local historiographies, or in the media. For more than 20 years, only the appeals of the bishop of Banja Luka, Dr. Franjo Komarica, are heard on the anniversaries of tragic events, seeking answers to questions about the disappearance of priests and the lay faithful of the Diocese of Banja

Luka. Alongside him are the silent voices of the many victims and their associations. If it weren't for these voices, there would be utter silence. If the expelled Croats and Catholics of the Diocese of Banja Luka, could not remain in this area, whether they went voluntarily, "voluntarily, but forcibly", or were brutally expelled, why can we today, twenty years after this human and social tragedy, not remember this and say, at least once a year in a public, human and civic manner, that we miss those people, that it was nice to live with them in this area, and that we ask for forgiveness? I would like to believe (and I know) that there are people in this area who are ready for such a step.

For this occasion, we have chosen excerpts from letters in the book of documents *In Defence of the Rightless*, which the Bishop of Banja Luka Dr. Franjo Komarica addressed to many people – to some, in order to inform them about the difficult position of the Catholic and Croat people in the Banja Luka area, and to others who had such power, to seek help to end the torture, killing, looting, destruction and other various injustices that were unleashed on the innocent, peaceful Catholic population. From the abundant correspondence we have selected the abstracts of letters addressed to Cardinal Vinko Puljić, the Apostolic Nuncio to BiH; Msgr. Francesco Monterisi, Prefect of the Congregation for the Evangelization of Peoples; Cardinal Jozef Tomko; Pope John Paul II; Cardinal Angelo Sodano, State Secretary of the Holy See; Fr. Petar Anđelović, Provincial of Bosna Srebrena; the Apostolic Nuncio in Belgrade Msgr. Gabriel Montalvo; the Patriarch of the Serbian Orthodox Church, Mr. Pavle; Predrag Radić, wartime Mayor of Banja Luka; Radovan Karadžić, wartime leader of the Bosnian Serbs; Draga Davidović, the Minister of Religion in the Republic of Serbia; Mate Granić, Vice President of the Croatian Government and the Croatian Minister of Foreign Affairs; Jadranko Prlić, the President of the Croatian Government of Herceg-Bosna; Dr. Franjo Tuđman, the President of Croatia; Krešimir Zubak, the Croatian President of the Presidential Committee of Herceg-Bosna; Ivan Milas, MP in the Croatian Parliament and the Keeper of the State Signet; Helmut Kohl, Federal Chancellor of the Federal Republic of Germany; Tadeusz Mazowiecki, Special Rapporteur on the Situation of Human Rights; and others.

I shall end this introduction with a sentence, recently spoken in Sarajevo by Chief Prosecutor for the International Criminal Tribunal for the former Yugoslavia, Serge Brammertz: "If we intend to have a future, we have to speak about the things everybody is silent about!"

“We have no right to let others expel us from here”

“Regarding the current events, I do not know what to say to you. It is neither boring nor drowsy here, the Devil has many faces and types of ‘smell’. You cannot tell which smell is more unbearable and which face is uglier. *They intimidate us with expulsion, which is – so it seems – a done deal in the heads of those who decide about us without involving us. Different lies and mischiefs are frequent, about me and about all of us. The ‘comrades’ have informed me that, after Sunday, there will be official talks with individuals from the state leadership of Serbs and Croats from Bosnia.* I am not even going to consider relocation if they suggest it, even if they are unanimous. We have been here since ancient times, long before others, and we have no right to let others expel us, for the sake of inhumane and short-sighted whims!” (Excerpt from Bishop Dr. Franjo Komarica’s letter to Archbishop and Metropolitan of Vrhbosna, Msgr. Vinko Puljic.)¹

“A desirable meeting of high representatives of the Catholic and Serbian Orthodox Churches”

“Yesterday, on New Year’s Day, I had a fruitful, friendly conversation at the residence of the Orthodox Bishop of Banja Luka Mr. Jefrem, with him and with the Metropolitan of Zagreb-Ljubljana and Italy, Mr. Jovan, who came to Banja Luka with two monks from Italy (one Italian and one Serb). Among other things, they talked about Mr. Jefrem’s intention to visit the Orthodox people in Rome, and how they would also like to meet with a representative of the Catholic Church, that is, the episcopate. [...]

“Another thing we talked about was the desire and the need for a meeting, as soon as possible, between the representatives of both churches from the Republic of Croatia and Bosnia and Herzegovina. They accepted my suggestion to re-start meetings of the established commission of these churches, so I wrote to Cardinal Kuharić to request that he, as the Metropolitan suggested, make a written proposal to the Serbian Patriarch Pavle, regarding the place, time, topics of conversation, etc., and the Metropolitan will deliver it to the Patriarch.

“I think that the Holy See could, having acknowledged this, revive such a meeting which, I believe, could be useful for us here, too. Surely, we should lis-

¹ Dr. Franjo Komarica, “U obrani obespravljenih”, 2nd Edition, Nakladni zavod Matice hrvatske, 2003, p. 240.

ten to the promptings of the Holy Spirit, which come to us through the tireless suggestions of the Holy Father, to whose heart the bonding of the sadly separated brothers is close. *Personally, I shall not grow tired of reaching out to our Orthodox brothers, although, given past experiences, I am not sure I will experience the same from them.* But God knows all, and may He see through and be glorified in our modest work, which we perform with His powers.

“When it comes to the situation amongst my faithful, especially in the area of Banja Luka, where in recent weeks there have been several dramatic events, acts of violence and lawlessness, the conditions have not improved. Many people are very frightened because of the total insecurity that awaits them every day and every night. Robbery, violence and abuse happen daily, so this psychosis becomes hard to bear. I still believe that Croatian politicians from Bosnia and Herzegovina (and also from Croatia) will stand up for us in this area, that they will protect our lives and this small amount of property that has not yet been taken from us.

“I still expect a positive outcome for us from the current dramatic situation in this area, and I, with my faithful priests, am doing everything possible to calm and console the poor believers. We have not yet lost hope that there are more normal and humane times to come for us, when we will breathe more easily.” (Excerpt from Bishop Dr. Franjo Komarica’s letter to the Apostolic Nuncio in BiH, Msgr. Francesco Monteriso.)²

“We have endured this tragedy that struck our homeland for three years, for which we are not to blame”

“The faithful in my diocese have been enduring the tragedies of a war that has struck our homeland for the past three years. We never wanted a war, nor have we fought, but in spite of this, we have been subjected to brutalities, injustice, murder, destruction of property, and the loss of human lives. Our property is taken away from us daily, we have to endure physical and psychological abuse, and we are forced to leave our homes and the area in which we have lived for centuries.

Thanks to God’s protection and the power of faith, we have managed to avoid falling into the evils of hatred, murder, revenge and destruction. Instead

² Dr. Franjo Komarica, *Ibid.*, p. 272

we suffer this injustice. We are trying to preach and persistently live the law of Christ, the law of love and forgiveness of those who do us harm.

A large number of our church buildings (churches, pastoral centres, parish houses) have been completely destroyed or badly damaged, although there have been no armed conflicts in this area. Three quarters of the faithful from our diocese have been displaced or expelled, and the exodus and abuse of our brothers continues daily. *We have the impression that we are being punished severely, that the powerful of this world, both domestic and foreign, have given us a death sentence. None of the politicians want to protect us.*

“Even the most persistent and persevering among us cannot take it any more. But where can we go if nobody wants us? The priests, monks, and nuns who stand with me have remained with the faithful at great personal sacrifice, and they do everything in their power to help them.

“We are aware that we are unable to organise an exodus of the faithful, an exodus to an unknown country, but we cannot keep the faithful here by force, because so many of them want to leave. We have already repeated countless times how sorry we are for the people who suffer so badly.

“It is very helpful when, occasionally, someone comes to visit us, especially if they are a member of the Church. Unfortunately, these visits are infrequent. We hope that at least the people of the Church want to lend their Christian solidarity to these great and important trials of ours. [...] Our blood is spilt every day. If the situation does not change soon, it could be too late for those of us who do not have any protection.

“Our diocese will disappear, although we did no harm to anyone, we did not expel anyone, nor did we put anyone in danger. We cannot believe that it must be so, that this is God's will. On the contrary, we believe that this is a crime, a sin of omission by those who did not help when they could.

“Our duty is to pray and to draw the attention of all of our brothers, especially our brothers in faith, to our dramatic position. God has not forgotten us! But our brothers?” (Excerpt from Dr. F. Komarica's letter to Cardinal Jozef Tomko, Prefect of the Congregation for the Evangelisation of Peoples.)³

³ Dr. Franjo Komarica, *Ibid.*, p. 280

“Holy Father, our agony has reached its peak!”

“[...] Holy Father, if it is God’s will that even with all our previous sacrifices and temptations, more of the blood of our truly peaceful faithful is to be spilled, from priests, monks and nuns – and even the bishop himself – I assure you, we will remain faithful to Christ’s law of forgiveness, reconciliation and love. All of us, who have always been here, in our ancient homeland not doing harm to others but doing good in return, believe that Christ needs us right here as His witnesses, as labourers in His vineyard. *We cannot accept as truth that our Orthodox brothers, the local Serb (or other) politicians really want to exterminate us from this area where we have been, as Catholics (Croats and others), for more than a century, and where we persistently try to live in peace, harmony and love with all those around us.*

“[...] Holy Father, these are truly fateful days for us, the Catholics of the Diocese of Banja Luka, and for our future in this area! Our agony has lasted for three years now, and it seems as though it is reaching its peak. We are truly wondering whether there are any influential people from the human, civilised world who want to help us [...]” (Excerpt from Bishop Dr. Franjo Komarica’s letter to the Holy Father John Paul II).⁴

“It is about the final, violent completion of the campaign of ethnic cleansing that started long ago”

“[...] This current report contains the drama of the local Catholic people who persistently state their desire for peaceful coexistence with their neighbours, here, in their ancient homeland. It is –it seems – the final, violent completion of a campaign started long ago, of ethnic cleansing of the non-Serb population, which includes all of us Catholics, Croats and others. This morning the deportation of a great number of people began, our faithful, who have been forcibly expelled from their homes during the past days, and some during the past weeks, often unable to take anything with them, even their personal documents [...].

“The dramatic days of last week, when columns of refugees of Serb ethnicity passed through this area from Croat-occupied territory, preceded today’s events. On Saturday the 5th of this month, the President of the Association of

⁴ Dr. Franjo Komarica, *Ibid.*, p. 288

Municipalities Banja Luka told me over the phone that ‘all Croats, every single one, has to leave Banja Luka and this entire region as soon as possible, as this is an order from the very top.’ [...]

“Our people were expelled brutally from their homes, during the day and at night; some were physically injured, and four of them were murdered. [...] *Our grieving believers come to us, asking us to save them, to protect them, so that they may at least stay alive. They can only come to us, priests, as nobody else wants to listen to them, not even the authorities, and the humanitarian organisations send them to us. Representatives of the authorities avoid even talking to us over the phone, let alone giving us answers about their intentions for explaining why they are letting this happen to us, their peaceful citizens and natives. The police do not want to intervene when they are informed about the violence towards our people, and claim that it is not their business.*

“I have tried to contact the representatives of the international humanitarian organisations that have branches here (The Red Cross and the UN High Commissioner for Refugees), to ask them to intervene on our behalf with the Serb authorities, to protect our completely unprotected people who, expelled from their own homes, took refuge with their relatives and friends, until those people were expelled, too. Thus the number of people who are homeless in their own homeland is increasing rapidly, hour by hour, day by day. [...] It is truly heartbreaking to see this happening to our people, who have so far faithfully listened to our advice when we encourage them to be peaceful and forgiving, and to love even those who do us evil. They expect us to save them and protect them, but we are not capable of doing so. [...]

“Apart from the immediate region of Banja Luka, the violent expulsion of Catholic Croats has been ordered in the city’s wider region, too. Thus, in the municipality of Prnjavor, in the parish of Prnjavor, Kulaši and Dragalovci, an official command has been issued and repeated over the local radio many times, that all Croats (and Muslims) must move out of their homes as soon as possible. These official bodies ask that the ‘parish priests and the bishop organise their removal’. Not only in this case, but also in many other cases and locations, they want to give this dirty work of moving their own people, parishioners and faithful of the Diocese, to the official representatives of the Catholic Church. As we did previously, with their slander that we wanted to expel ourselves, we resolutely reject these claims.

“We will continue to help our faithful (and all other people of good will) in any way possible, respecting their dignity and protecting their fundamental human rights and liberties as much as we can, at least by warning humanitarians and politicians that many of these people – although they are not guilty – have long been deprived of their fundamental human rights! *Once again we repeat our question to all those who continue to abuse us so recklessly, as well as to all of those who know about this and do nothing– not even declaratively – to appeal for our protection.* What are we supposed to do and how are we to behave in order to be accepted as humans, who have a right to our human dignity and fundamental human rights? We really do not understand our neighbours, who force us away although they know well that we are peaceful, and that we have not caused a tear to fall, let alone spilled a drop of blood. We helped them as much as we could, despite various harrassments and a lack of gratitude. Still we forgave them and we will forgive them again. We feel sorry for them! [...]” (Excerpt from Bishop Dr. Franjo Komarica’s letter to Cardinal Vinko Puljić.)⁵

**“Even if everyone should leave,
I am ready to remain in place!”**

“[...] I wrote to the Apostolic Nuncio in BiH, Francesco Monterisi, two days ago about the current and critical position of the remaining Catholics in the greater Banja Luka area, which is under the control of the Bosnian Serbs. A thorough, almost one hundred per cent removal of Catholics from all local parishes is still underway. In the nine parishes of the Deanery of Banja Luka only a small number of Catholics remain [...] In the Deanery of Prnjavor [...] there are still a few hundred Catholics, not just Croats but Italians and Czechs, too, but they will most probably have to leave in the following days. The Catholics in the Deanery of Bosanska Gradiška have received an order to prepare to leave in the following days. The forced removal of Catholics from the municipality of Prijedor started yesterday. [...]

“In such critical times, besides my wish to inform the Holy See about the real position in which the remnants of the Catholic Church in the north-west of Bosnia and the Diocese of Banja Luka are in, I have to ask the question: What are we to do in the future?”

⁵ Dr. Franjo Komarica, *Ibid.*, p. 293

Even if all the faithful should go, followed by the priests and other religious leaders, I am ready to remain in place! But I have no guarantees whatsoever – not regarding my personal safety, nor for the safety of the remaining church inventory, which is located in the buildings of the Chancery Office and inside the Cathedral. [...]” (Excerpt from Bishop Dr. Komarica’s letter to Cardinal Angelo Sodano, the State Secretary to the Holy See.)⁶

“A Complete discharge of our parishes organised by current government representatives.”

“[...] It is already mostly known to you what happened during the previous two weeks to the remaining thousands of Catholics in the greater Banja Luka area. Most of them had to leave their homes, and are currently in the Republic of Croatia’s territory. I tried to do what I could from here – via competent Church and state institutions – to keep these faithful together, in large groups, so that pastoral work with them could be carried out more easily. [...]

“This complete devastation of our parishes is unprecedented in the centuries-long history of this area, and it is being carried out by the current representatives of local communities, and the civil protection forces of each municipality, clearly according to orders from a ‘higher authority’. *In the entire deplorable process, what bothers me most is the fact that from not one of the current Croat politicians is there a word of disapproval or protest, or a request to stop the deportations.* There is no doubt that what is being done to our evidently peaceful faithful is the crime of ethnic cleansing, and that the Church cannot accept this, as it would amount to tacit approval. [...]

” (Excerpt from Bishop Dr. Komarica’s letter to Fr. Petar Anđelović, Provincial of Bosna Srebrena.)⁷

“I consider it my duty to remain here, in the centre of my diocese.”

“[...] I am at liberty to inform you of the current situation in my diocese. For the past three months a complete ethnic cleansing of the remaining Catholics (and the rest of the non-Serb population) on the majority of my diocese’s terri-

⁶ Dr. Franjo Komarica, *Ibid.*, p. 299

⁷ Dr. Franjo Komarica, *Ibid.*, p. 302

tory, which is under the control of the Bosnian Serbs, has been taking place. Even the most peaceful of our faithful, who were most persistent in their readiness to bear various injustices and abuse, are now forced to leave their homes, their villages, towns and parishes. People of very advanced age and the seriously ill are among those who have to leave. Their homes are looted immediately, before anyone else moves in. *Only a small number of refugees of Serbian ethnicity who have come from Croatia (Krajina) or municipalities in western Bosnia remain here, and they serve primarily as an excuse for the authorities to forcibly expel the remaining part of our community. Our faithful have to leave, because the current political powers have decided it, or, as Mr. Gojko Kličković, the President of the Committee for Reception of Refugees in Republika Srpska, explained to me during a phone call on 5 August, 'as our governments agreed'. International humanitarian organisations are assisting in this extremely inhuman crime over innocent people, so it can be carried out in a humane manner.*

“None of the competent political factors or institutions, as far as I know, are protesting this newest violation of a fundamental human right – the right to home and homeland – of the innocent, peaceful Catholics in this area, of Croatian and other nationalities. As official representatives of the Catholic Church, we have, unfortunately, remained completely alone in this, left to the destructive avalanche of inhumanity. *Our pleas for help and the protection of the foundations of European civilisation, as well as the cries we tirelessly make to all people of good will who could or were obliged to help, encountered mostly deaf ears and selfish hearts, except the Holy Father John Paul II, the Holy See and certain Bishop Conferences, and brother bishops.* To those mentioned above, particularly His Holiness, we are immensely grateful for the persistent and most precious help, particularly in prayers, but also in every other form! This help remains key to the superhuman efforts of our priests, monks, nuns and the faithful to persevere in witnessing the Gospel, in love, forgiveness and reconciliation with those who do us evil, and to what we were called to do by the Holy Father exactly a year ago, during his planned visit to Sarajevo, which was realised in Zagreb [...].

“We strongly hope that the future political solutions in BiH will necessarily include the obligation for local and high-ranking political representatives to allow and facilitate the return of all refugees and displaced persons, and for our faithful who wish to do so, to return to their homes, the places where they were born and where they have lived until now, and that the international community will be able to control this process [...].

“I consider it my duty to remain here, in the centre of my diocese, because of the remaining faithful, the necessary and desirable return of many of our expelled to their parishes as soon as possible, and for moral support to all my other fellow citizens, who, in need of spiritual and material assistance, knock on the door of my home every day. [...]” (Excerpt from Bishop Dr. Komarica's letter to Cardinal Angelo Sodano, the State Secretary to the Holy See.)⁸

*“My diocese is reduced to *reliquiae reliquiarum*”*

*“[...] I report to you again with the latest news from the headquarters of my diocese, which is, unfortunately, reduced to *reliquiae reliquiarum* [...]*

1. Our remaining faithful are still systematically and daily, with severe physical and mental torture, being expelled from their flats and houses in Banja Luka and Kotor-Varoš. This week one of our older faithful died in the centre of Banja Luka, and a few ended up in hospital with serious injuries. *The right of the stronger still rules here, and we have no right to complain about it! If we do, things, unfortunately, get even worse! What is constantly being done to the completely innocent and peaceful people of our town – and this area – goes beyond sadistic torment! I feel sorry for the poor people, and I cannot do much to help! What should be done?!*
2. In the last two weeks I was visited twice by official representatives of Republika Srpska. The visits regarded the possibility of housing expelled and displaced people from Banja Luka and other municipalities in the remaining rooms of our only three houses – my house and the two remaining monasteries in Banja Luka [...]
3. In the aforementioned discussions with the official representatives of Republika Srpska they asked me, amongst other things, to intervene, through Cardinal Kuharić in Zagreb, with the Croatian authorities to provide electricity for the Banja Luka area as a form of humanitarian aid. I gladly did so, asking my interlocutors to secure a dignified life for us here, too. I particularly asked them – for the umpteenth time – to release without trial or judgement our parish priest Rev. Tomislav Matanović, who is imprisoned in Prijedor. I also asked them to finally inform us about the whereabouts of our parish priest from Nova Topola, Rev. Ratko Grgić, who was taken long ago, and about his condition. They promised to do what they could, but there are still no results!

⁸ Dr. Franjo Komarica, *Ibid.*, p. 309

4. I was visited yesterday, in my home, by the Special Envoy for Human Rights of the Government of the United States, Assistant Secretary of State, John Shattuck. In our twenty-minute-long meeting, he informed me that they know about us and that they definitely want to support us in our peaceful efforts and commitment to respect fundamental human rights and liberties. *He explicitly pointed out that both the Bishop and all of his faithful must remain here, and that all of those forcibly expelled must be given the opportunity to return and to live here again – not as slaves, but as human beings. May God make it so!*” (Excerpt from Bishop Dr. F. Komarica’s letter to the Apostolic Nuncio to BiH, Msgr. Francesco Monterisi.)⁹

“Everyone has left us at the mercy of the wicked and the lawless”

“[...] I use this opportunity to inform you briefly of our current situation. It is, unfortunately, not getting any better. They are still forcibly removing the small number of our remaining people, with physical – and particularly psychological – torture. One such bestial abuse caused the death of a man known to you – our respected believer and councilor, Mr. Skočibušić. A lot of our people are seriously injured and receiving medical treatment. May God have mercy on them.

“All three of our houses are full of our expelled and displaced people, some from here, and some from the areas of Sanski Most and Sasina. There is not enough space for everyone who was left homeless! *And yet there is nobody to take proper care of all those poor people, not the local authorities, not even the politicians of the Croatian people! We are indeed sadistically tortured! We have been left at the mercy of the wicked and the lawless! May God have mercy on us!*” (Excerpt from Bishop Dr. Franjo Komarica’s letter to Cardinal Vinko Puljić.)¹⁰

⁹ Dr. Franjo Komarica, *Ibid.*, p. 340

¹⁰ Dr. Franjo Komarica, *Ibid.*, p. 347

**“Will we be able to live as humans from now on,
an not as slaves?”**

“[...] I want to express great gratitude for the care that you continue to show us, here in our current deprivation of rights, living in mortal peril [...]. The latest political decisions about the future of Bosnia and Herzegovina are important for the future of my diocese, too. It is known to you that – in those parishes currently under the control of the Bosnian Serbs – there were around 80,000 Catholics before the war. There are now around 7000 of them. I emphasise that there haven't been any armed conflicts in this area. If they feel they can treat us this way now, how can we expect the situation to improve for us when peace is officially proclaimed?!

“The key questions are these: shall we – as Catholics and Croats or others – have our fundamental human rights guaranteed, including freedom of religion and ethnic rights? *Will they make it possible for all of our expelled believers, who want to return to the places where they were born and where they lived, to come back?*

“Will it be possible for us to regain the undisturbed possession of our church institutions, buildings – churches, monasteries etc? Will the forcibly seized church property be returned to us? The fundamental question that arises is the following: shall we truly be able to live as humans from now on, and not as slaves? [...]”

(Excerpt from Bishop Dr. Franjo Komarica's letter to the Apostolic Nuncio in Belgrade Msgr. Gabriel Montalvo.)¹¹

**“We cannot just keep quiet and watch
others decide our future.”**

“[...] During the past few days, there have been repeated allegations in the local public media, based on claims by foreign agencies, that property belonging to the Serb population in the areas of Mrkonjić-Grad and Šipovo municipalities – which they say are now under the control of the Federation of BiH, and should be returned to Republika Srpska – is being destroyed. I have received confirmation that these property seizures are true. I consider it my duty to protest the wrongdoings inflicted by irresponsible individuals or groups,

¹¹ Dr. Franjo Komarica, *Ibid.*, p. 349

which does great damage to our remaining, peaceful people – our believers who have suffered so much throughout this time, but still want to remain in their centuries-old home, in their parish. Now some people, from outside – arbitrarily or with the permission of those who are responsible for law and order – threaten the possibility of the further survival of our faithful in this area with their misdeeds. *I have the impression that some political representatives of the Croat people in Bosnia and Herzegovina and Croatia decide recklessly indeed, upon the future of the Catholic Church in this area, where it has been for centuries. We cannot just keep quiet and watch others decide on our future, uninvited.* If we have so far shown through our actions that we are willing and able to live in peace with our neighbours, that we can and want to forgive and rebuild a better future, why would anyone want to prevent this intentionally with such utterly unacceptable methods and ‘actions’?! Perhaps a higher Church authority, ie. the Holy See, should ask the responsible political representatives why it is done this way!” (Excerpt from Bishop Dr. Franjo Komarica’s letter to the Apostolic Nuncio in Belgrade Msgr. Gabriel Montalvo.)¹²

“In our town, unscrupulous destroyers and vandals appeared!”

“[...] The saddest news that I heard today, besides the news about the destruction of the Catholic church in the village of Novakovići in Banja Luka, was the mindless criminal wrongdoing last night, of the destruction of your centuries-old place of worship, the grand mosque of Ferhadija and Arnaudije, the precious treasure of our town and the entire country.

“I am sincerely and deeply shaken, not just because of the horrible fact that the oldest places of worship in our town, and this entire area, and even further afield, have been destroyed, but also because, unfortunately, unscrupulous destroyers and vandals have appeared, who are capable of such deliberate, planned and despicable wrongdoings without cause or reason.

“With this violent act – which had, according to your statements, unfortunately been planned over a longer period of time, and was performed in coordination, despite the curfew – a large and insoluble stain now marks those who have the task to prevent such acts of vandalism, which still occur in our town and area under the cover of darkness.

¹² Dr. Franjo Komarica, *Ibid.*, p. 353

“In the name of the Catholic Church in the Diocese of Banja Luka, in the name of the Diocesan Chancery Office, as well as in my personal name, I resolutely condemn this latest violence against religious objects and the religious communities in our town and municipality.

“In the name of law and order, in the name of the culture and the civilisation to which I belong, in the name of common sense and in the name of all our noble fellow citizens who truly respect and appreciate each other regardless of religion or nation, I demand and expect from all the competent institutions and personnel of our town and municipality that the perpetrators of these latest atrocities be found and prevented from further, similar acts of inhuman intent. [...]” (Excerpt from Bishop Dr. Franjo Komarica’s letter of condolence to the Muslim people on the occasion of the demolition of the mosques of Banja Luka.)¹³

“Raise your voice again and protect us!”

“[...] Hatred and revenge have, unfortunately, erupted again lately like a volcano on the horizon of our everyday life.

“Many innocent civilians, Orthodox Serbs and their closest friends and families have been affected by the whirlwind of war in the area of western Slavonia. We are deeply struck by this evil, whose victims they have become! We sincerely sympathise with these innocent victims, and we pray for them and genuinely want to help them. A wave of destruction has unfortunately, been flooding these areas for a few years now. While we, the Catholics of the Diocese of Banja Luka, did our best to be persistently and consistently at peace, to forgive and love – even those who did us harm in their spiritual blindness – we have been hit, especially in the last few days, by repetitive heavy blows of hatred and destruction. We have not provoked them, except perhaps through our passive resistance, our peaceful presence, kindness and forgiveness! [...]

“All this leaves the impression that some, obviously demonic, forces have decided to continue with the destruction of the Catholic Church in my diocese, finally, at its centre, in my hometown of Banja Luka. Your Holiness is probably aware of the severe suffering of not only the Orthodox Christians, but also the Catholics in this area during World War II, when one-third of parishes in the

¹³ Dr. Franjo Komarica, *Ibid.*, p. 366

Diocese of Banja Luka was permanently destroyed. During this horrible war in Bosnia and Herzegovina, despite the exceptionally peaceful work of priests and the religious, as well as the peaceful behaviour of most of the faithful in my diocese, we have experienced, and still experience, terrible, unbearable abuse. Almost all of our fundamental human and civil rights and liberties have been taken away from us. More than 400 Catholic civilians have been murdered in their homes, more than two-thirds (over 55,000) Catholics have been expelled, 39 churches have been destroyed, along with four major monasteries (with more than a hundred members), more than 40 churches have been heavily or slightly damaged, and many cemeteries have been desecrated.

“Despite the Golgotha we have been experiencing for the past three years, we have not grown tired of calling our faithful to forgive, be at peace and perform acts of charity. We have tirelessly raised our voices to protect the fundamental human rights and liberties of each human being, each religious and national community. With our priests, monks, nuns and faithful, we prayed to God, who knows every human heart, and He knows that we wanted and did only good, not only for ourselves, but for others as well. [...]

“During the recent dramatic events involving the Serbian Orthodox population in western Slavonia, I have sent, as I have many times before during this war, a number of appeals and pleas to politicians, Church representatives, and humanitarian organizations, to protect all people, and unprotected and innocent civilians in particular. [...]

“In this region of Banja Luka, where a widely known, particularly ecumenical, friendly relationship between Catholic and Orthodox Christians has been nurtured for decades, amongst official representatives of our sister Churches and ordinary faithful alike, all the power has been in the hands of the politicians of Serb and Orthodox people for the past three years. This is what makes this, terrible, unprovoked, and continued persecution and eradication of Catholics and the complete erasure of the Catholic Church even less conceivable and more tragic. *Is it really possible that the very politicians of the Serb people who consider themselves ‘determined fighters for the salvation of the Orthodox Church’ and who ‘consult regularly with the archpriests of the Serbian Orthodox Church when making decisions’ will not respect their appeals and decisive interventions with regard to the protection of fundamental human (and therefore religious) rights and freedoms of local Catholic believers, who are expressed peacemakers?! Could it be true that they, in the name of the Orthodox Church, want to do with the Catholic Church on the territory of my diocese what so many non-Christian unbelievers failed to do during the many*

centuries of its continuous presence – to completely destroy it?! Wouldn't that be a horrible slur on Orthodoxy and the Serb people, and an even worse sin before God, the Father of all people and the Judge of us all?!

“I can still remember your words about the Father and the Shepherd, based on the Gospel of Jesus Christ, which I heard during our brotherly meeting in this town last Autumn. I was joyful and thankful to God that we shared the same thoughts then. I am convinced that Christ's Spirit of piety and brotherly love is present in Your Holiness as it was then, and that Your Holiness has not grown tired of protecting God's honours, God's (and human) rights, which are universal for all people: for every human being.

“I am therefore at liberty to ask Your Holiness that, in the Spirit of Jesus Christ, the Good Shepherd, you raise your voice again, in prayer to God and in clear appeals to the local politicians responsible for the protection of the powerless and decimated Catholic population in the area of the Diocese of Banja Luka, for the protection of all other people who are powerless in this area, and for religious officials and institutions of the Catholic Church – just as the representatives of the Catholic Church are decisively and consistently committed to complete protection of the rights of the Serbian Orthodox Church and all other endangered people, wherever they might be. I am convinced that Your Holiness, who is paternally sympathetic to the suffering of the Serbian Orthodox people, is not insensitive to the suffering of your innocent Catholic brothers in my Diocese of Banja Luka, because we are all children of the same God in Heaven. [...]” (Excerpt from Bishop Dr. Franjo Komarica's letter of condolence to the Patriarch of the Serbian Orthodox Church, Mr. Pavle.)¹⁴

“The frequency of physical attacks and pressure on Catholics to leave the municipality of Banja Luka”

“[...] We cannot and must not remain silent and blind before the multiple crimes against our innocent and unprotected civilians and believers, because this amounts to a passive tolerance of these crimes, which are subject to punishment by the laws of every civilised state.

“A large number of specific cases of serious physical and psychological threats to human lives is known to us, as are the much larger number of violent robberies, hijackings, and appropriations of property that have occurred daily

¹⁴ Dr. Franjo Komarica, *Ibid.*, p. 372

in the past ten days. All those cases, as well as others – of which we have only heard, and about which the official authorities (the police stations in Budžak and Ivanjska [Potkozarje] in particular) should have specific data – should also be known to you personally *ex officio* [...]

“During the last few days I have personally witnessed the presence of several armed gangs, who – in our parishes Ivanjska, Šimići and Barlovci – circle like vultures day and night, brazenly breaking into Catholic households, doing what they please, robbing them, and arrogantly threatening the members of these households to get them to leave their houses and homes as soon as possible to go to total uncertainty, mostly empty-handed, leaving all their possessions to the wicked. Feelings of fear and panic have affected a large number of our people. A normal human being cannot avoid asking: has enough harm not been done to our peaceful people? If this kind of lawlessness can happen again, before the eyes of the officials, the police, and the authorities of our municipality who, without disturbance, carry on with their work and have full control of events in the area of the municipality, then one cannot avoid the conclusion that those evildoers have at least the silent support of the current authorities. This means that the current authorities, too, are taking part in serious crimes against humanity, as they do not oppose those evildoers and do not protect their innocent civilians and citizens, although they are obliged to do so.

“[...] The resulting current critical state of affairs is a consequence of the complete lack of effectiveness of the current authorities, and the inability of the political representatives of the Croat people to offer us any effective protection – and it is devastating not only for us, the Catholic Croats in our municipality, who seem to be doomed to mass exodus from our local ancient parishes but also for the official representatives of the Serb people who do not want to obey the Constitution for which they themselves voted, and the international laws that any civilised government should follow. [...]” (Excerpt from Bishop Dr. Franjo Komarica’s letter of condolence to the Mayor of Banja Luka, Mr. P. Radić.)¹⁵

“We cannot and must not accept any form of ethnic cleansing or permanent violation of fundamental human rights”

“[...] Without cause or reason – i.e. no armed attacks or fights have been started by Catholics in any self-organised or territorial army unit – more than 150 civilians have been murdered to date, including children, women and the

¹⁵ Dr. Franjo Komarica, *Ibid.*, p. 461

elderly. Churches in Glamoč, Kotor-Varoš, Bosanska Dubica, Bosanska Kostanjica, Bosanska Krupa, Donja Ravska, Prnjavor (Greek Catholic), and in Kulaši, Briševo, Čatrnja, Kozarac and Liskovica have been burned down or completely demolished (although there have been no armed conflicts nearby), and 25 more churches have suffered some degree of damage. [...]

“After several difficult and unfortunate incidents (which I experienced with armed and uniformed personnel and their accompanying civilians, when they wanted to kill me!), Commander of the 1st Krajina Corps, Momir Talić offered me a military police escort so I could contact most of my parishes, from which I did not have current information. I managed to visit some ten parishes this way, in the areas of Prijedor, Kotor-Varoš, Bosanska Gradiška and Prnjavor, and can now say the following:

1. Catholics everywhere are very frightened because of frequent abuse [...]
2. Many of them have already been in refugee camps for a few months [...]
3. Because of this torture, violence and lawlessness, they are leaving in panic, or want to leave to save their lives [...]
4. The feeling of extreme vulnerability and disenfranchisement, in addition to the violation of fundamental human rights, forces the majority of my believers to feel like hunted animals, driven from their ancient homeland, which not even the foreign, Ottoman powers could clear or destroy.

“Mr President, it is my duty to warn you of a painful fact, which will have far reaching consequences: the majority of my Diocese of Banja Luka (which survived the cataclysm of World War II, when more than one-third of its parishes were completely destroyed) will disappear if the lawlessness and high-handedness of individuals and certain groups continue in this area. [...]

“We cannot and must not accept any form of ethnic cleansing and permanent violation of fundamental human rights, not only because of our Catholic flock, but also because of the neighbouring people, Serbian Orthodox in particular, who could be accused of imposing acts of fascism, racism, and genocide [...]

“The future of the faithful in my diocese depends largely on you, and your humanity and foresight. This was confirmed to me by many of my interlocutors, who are representatives of the local civil and military authorities.

“I take the liberty of asking you, in the name of several tens of thousands of the faithful, who expect an answer from me (the work of political institutions on

behalf of these people has been forcibly and completely disabled) to answer a few questions for us: 1. What does the institution, which you represent, plan to do with us Catholics in the area under your authority? 2. Which rights are guaranteed to us (Croats, Ukrainians, Poles, Italians, Czechs) in the area under your authority? 3. What do you expect me, as bishop, and my priests, monks, nuns and other remaining faithful to do, in order to end this horrible war turmoil in which we neither participate, nor want to, and to create balance and peace in these shaken human relations? [...] (Excerpt from Bishop Dr. Franjo Komarica's letter to the leader of the Bosnian Serbs, Dr. Radovan Karadžić.)¹⁶

“Do not be – at least in the future – to blame for our troubles”

“[...] I cannot believe that you, as an Orthodox Christian, want to forcibly destroy the biggest part of a Catholic diocese, specifically mine – the Diocese of Banja Luka – but this is exactly what is happening on the ground. Personally – as a human and Christian – I could never approve of endangering a life or the property of any human, people or religious community, including our sister Serbian Orthodox Church. I raise my voice decisively at every opportunity against any form of vandalism and crime, and I expect the responsible and the influential amongst the Serb people and Serbian Orthodox Church to behave in the same way: to raise their voices against crimes inflicted upon others, in this case upon us – the Catholics in the territory of Republika Srpska. [...]”

“Don't let this serious slur and guilt fall upon you, as the most responsible man amongst the Serb people in Bosnia and Herzegovina at this time, to have expelled and destroyed several tens of thousands of peaceful Christian believers, Catholics, just because you don't personally belong to their community, in the narrowest sense of this word. [...]

“You once assured me that you would personally undertake to positively resolve all the issues concerning us Catholics under your authority! I was grateful to you for that. Unfortunately, except for a few notable successful actions, we have generally experienced the opposite to your promises, in the worst possible form! I beg you: do not be – at least in the future – to blame for our new, unforeseen and unfathomable troubles! It is up to you to stop the various types of crime that are committed daily against us. [...]

 (Excerpt from Bishop Dr.

¹⁶ Dr. Franjo Komarica, *Ibid.*, p. 491

Franjo Komarica's letter to the leader of the Bosnian Serbs, Dr. Radovan Karadžić.)¹⁷

**“Following your letter, I can express only my
astonishment and regret.”**

“[...] I cannot believe that you want to cast me, a Catholic bishop, as an official political or military representative of the Croat people, and even less as a representative of the Republic of Croatia. Still, you write to me as if I were responsible for all the current and past acts of Croatian politicians, both in the Croatian Republic of Herceg-Bosna and the Republic of Croatia! Why do you do this, when you know well my position during these insane times, both as a human being and a Roman Catholic bishop in this area, where God's Providence brought me into the world and set me to live?! If you think I did not try, in these dramatic times for all people in these areas, to prevent even more evil, or that I did not try to contribute with all my efforts, despite numerous difficulties and threats to my life, to the peaceful coexistence of the Roman Catholic and other communities, especially Serb (Orthodox and other), and if you still haven't recognised this, I do not have anything more to do, or say to you. [...]

“I expected and I still expect from you, as the person responsible for the smooth operation of various religious communities currently under the governance of Republika Srpska, to be able to distinguish the competence of a bishop from the competence of your colleagues in the department, or other responsible personnel in administrative or public units, such as the aforementioned Croatian Republic of Herceg-Bosna or the Republic of Croatia. [...]

“Evil is not diminished or prevented by committing new wrongdoings, especially not to people who are unrelated to those who do evil in another place! The evil that has been systematically inflicted on us Catholics in this area, in various forms for two and a half years now, despite our evident peacefulness, cannot be justified in any way by the current local politicians. [...]

I hereby declare my regret (not objection) that you treat me as the wolf treats the sheep in the fable [...]. I also declare my regret regarding the last part of your letter where you – in an unusually threatening way – accuse me of the alleged “sins” of others, and convict me on this basis! In the name of God, where

¹⁷ Dr. Franjo Komarica, *Ibid.*, p. 497

is this freedom of religious life and facilitation of free pastoral work for us, Roman Catholics in the territory of Republika Srpska?! I cannot believe that this is the official position of the government of RS! If this would truly be, God forbid, the official position, this would be much worse for us Roman Catholics in our ancient hearths than in the times of the worst persecutions of Christians in these areas, from the Ottoman tyrants or the anti-Church authorities from recent history! [...]" (Excerpt from Bishop Dr. Franjo Komarica's letter addressed to the Minister of Religion in Republika Srpska, Dragan Davidović.)¹⁸

“Do you know why the Diocese of Banja Luka is being systematically destroyed in the territory of Republika Srpska?”

[...] 1. It is already known to you that on 4 May 1995, the remaining nuns, those well-known and great benefactors to the local Serb population, were heartlessly expelled from the ancient convents in Bosanski Aleksandrovac and Nova Topola. It was not explained to me nor to any of my associates until today (11 May 1995) who permitted or did this, and why. We were not permitted to get close to the occupied convents, where the economic centre of the Diocese of Banja Luka is located. None of the official authorities, not the Minister of Religion, his Assistant in Banja Luka, nor any other local politicians contacted us over the phone or in writing, let alone personally, regarding the future of the substantial church property in the aforementioned convents! I feel justified in asking: who can explain such (to say the least) strange behaviour by the current authorities?

2. You have also heard about – and on your recent visit to the Banja Luka area, personally witnessed – the completely unjustified and serious crimes against the Catholic Church, and the crime of ethnocide and culturcide against the Croat people in the area of Banja Luka. I write of the destruction of the ancient Franciscan Monastery of the Holy Trinity, and the monumental, pilgrimage church and shrine of St. Anthony in the Banja Luka district of Petrićevac on the morning of 7 May 1995, along with the severe abuse and injuring of members of the monastic community, during which one member, the infirm and elderly Fr. Alojzije Atlija, lost his life. The lack of interest from the intelligence organs of the local police and fire department in preventing or lessening

¹⁸ Dr. Franjo Komarica, *Ibid.*, p. 533

these losses, gives the impression of a conscious, planned continuation of the total destruction of the Diocese of Banja Luka by the current Republika Srpska government. [...]

“You know that I have personally, at every opportunity, as a Christian and a Catholic bishop, raised my voice consistently and tirelessly to defend God’s law and honour, and to protect the rights of every human, every religious and national community, including the Serbian Orthodox Church and Serb people, that I have clearly and unequivocally condemned all atrocities no matter who the perpetrator, directed at people, their property or their ethnic and cultural heritage.

I ask you as the most authoritative politician in Republika Srpska:

- *Is this really happening without your knowledge and approval?*
- *Why have these serious crimes and acts of revenge been inflicted upon us for three years, as retribution for the wrongdoings of others, when you know that we have been consistently peaceful?*
- *Are our Orthodox brothers planning to eradicate us Catholics from these areas, led by you, a declared member of the Orthodox faith, thus achieving that which even non-Christians and unbelievers failed to do throughout the centuries?*
- Do you truly hope, as a declared Orthodox Christian, for God’s blessing and goodwill upon yourself, your people and the Serbian Orthodox Church if you allow, or at least do not effectively prevent, these atrocities to be inflicted upon your neighbours?” (Excerpt from Bishop Dr. Franjo Komarica’s letter to the leader of the Bosnian Serbs, Dr. Radovan Karadžić.)¹⁹

“Why do the authorities in the region radically suppress the Catholic Church?”

“From 1992 until last month, I was forced to contact you and a large number of your political associates on many occasions, because of the intense and diverse suffering of the Catholic faithful, members of my Diocese of Banja Luka. [...]

¹⁹ Dr. Franjo Komarica, *Ibid.*, p. 548

“The destruction and looting of church property still has not stopped. In many cases, this is done with the knowledge, and under the orders, of current government representatives in certain municipalities and local communities. I ask you, as the most responsible politician and an Orthodox Christian, is this really the position of the SDS (Srpska Demokratska Stranka/Serbian Democratic Party) and you personally? I know that this has already happened in churches in other places, to which we have not had access to date, but it cannot be an honour to those who do it in the name of the Serb people to order it in this town, too, where a Catholic parish priest (as in many other places) saved the lives and property of many Orthodox Serbs during World War II (including, among others, Pero Arežina, the father of writer Duško Arežina)! [...] In the name of which God is this done? Surely not in the name of our Christian God, in whom you believe, too! Will you authorise such and similar actions of local authorities, which aim for the total destruction of the Catholic Church, in this municipality and elsewhere, where these lives were saved?”

Mr President, it is up to you whether the arbitrariness and lawlessness of certain people and groups who represent the authorities in Republika Srpska will continue unpunished! Will the wishes of powerful extremists within the Serbian Orthodox community really be fulfilled with your knowledge and approval, to eradicate this small number of Catholic people, and to destroy their few remaining religious buildings? Will it be with your knowledge that our diocesan Caritas is impeded in its delivery of much-needed aid to the affected population (not only the Catholic one!) in the wider area of Banja Luka? Will there be a life for us, worthy of any normal, civilised person?” (Excerpt from Bishop Dr. Franjo Komarica’s letter to the leader of the Bosnian Serbs, Dr. Radovan Karadžić.)²⁰

“Systematic ethnic cleansing is being carried out on the ground.”

“Are we on our own? Could Croatia, who has many sons from this area, help the Croats in Bosanska Krajina to remain on this land? The efforts of the Church to keep people in their homes will be for nothing, unless we have greater support from the Croatian authorities. And our work would be particularly in vain if our existence in this area were no longer intended. Such thoughts and fears are present every day in the hearts of our Croat people in Bosanska Kra-

²⁰ Dr. Franjo Komarica, *Ibid.*, p. 562

jina, as the current course of events indicates that they should consider them to be true.

“Apart from the everyday violence inflicted on our people, which is the main driver of emigration (if things continue this way, Croatia can expect tens of thousands of Croat immigrants), we are very worried about the complete economic impoverishment of our people. How are they supposed to survive the winter, and even if they do, what can they expect from the future?” (Excerpt from Bishop Dr. Franjo Komarica’s letter to the Vice President of the Croatian Government, Dr. Mate Granić.)²¹

“Our people do not want to be cannon fodder in a foreign army”

“A large group of 60 of our people came to me today from the village of Dragočaj, from Barlovci parish. They were all invited to MOBILISE, as they said, to the Doboj battlefield, with troops 8552/4 and 8552/2. Until now they had been in labour units in Banja Luka or its surrounds, or in the fruit plantations near Bosanska Gradiška. Now they were being ordered, as mentioned, to join the army. They informed me that they could not accept this, even if that meant they must leave everything and, destitute, travel to a distant part of the world. They sought protection, saying that 60 families had been hit with this regulation. They were, as they claim, ready to give part of their property to others, but they do not want to take up arms, nor do they want to be cannon fodder in a foreign army. I could only repeat to them what you demanded when you were here, ie. not to mobilise or send our people to the battlefield, and that this was promised to you [...] *I consider this last action a turning point with regard to the destiny of our people in this area, as it is obvious that in this way they want to pressure our people to leave their homes forever [...] If they are allowed to expel our peaceful and innocent people in such a perfidious way, it would be the beginning of a mass exodus of our people, with far-reaching consequences. I therefore ask you to prevent this. [...]*” (Excerpt from Bishop Dr. Franjo Komarica’s letter to the Vice President of the Croatian Government, Dr. Mate Granić.)²²

²¹ Dr. Franjo Komarica, *Ibid.*, p. 579

²² Dr. Franjo Komarica, *Ibid.*, p. 582

„Re-mobilization of Croats in the Banja Luka region“

“[...] The Bishop of Banja Luka wrote to you the other day about the mobilisation conducted by the Serbs around two weeks ago, with the excuse that the Bishop had approved this. Some of those people were sent to Žepče, others, God knows where. We had reasons to suspect that the Serbs did this in agreement with some of the leaders of Herceg-Bosna, and of Žepče in particular. Now this suspicion seems to be correct. Some of our mobilised people were returned from Žepče in the last few days, having been declared unfit for the army. They reported to us that local officials I. Lozančić, A. Marinčić and others claim they conducted the mobilisation in coordination with the Serbs, and with the knowledge of the Bishop. After his constant and unfailing commitment to our people, does the Bishop really deserve such defaming lies from members of his own community?”

“Lozančić even told our people about his insane plans to move our families from the area of Banja Luka. Where to? He did not say. Did he perhaps contact you? It is odd, Mr President, that people like this are in such a position, where they recklessly decide upon the fates of so many lives.”

The Bishop is concerned about the families of those people who were mobilised and sent to Žepče in such a criminal manner. *This concern was justified two days ago, when a question was asked on TV Banja Luka: what are the Croats from the area of Banja Luka doing in Žepče, and in whose army are they fighting?* This constitutes a new uncertainty for our people – the elderly, the women, and the children, who remained at home. [...]” (Excerpt from Diocesan Vicar Dr. Marin Aničić’s letter to the President of the Croatian Government of Herceg-Bosnia, Dr. J. Prlić.)²³

“We want to remain here! I know that you share this attitude”

“[...] Our decisiveness to remain in our ancient homes, despite all previous trouble, is known to you. We nurture an indestructible hope that we shall be efficiently aided in our legitimate wish, and one of our fundamental human rights, by the current representatives of our Croat people!”

“In the last few weeks I have addressed the leading representatives of the Croats in Bosnia and Herzegovina, ie. Herceg-Bosna, on multiple occasions,

²³ Dr. Franjo Komarica, Ibid., p. 587

asking them to advocate more energetically for us here with all the national and international institutions. We demanded that some of our politicians find a way to come here and discuss our destiny, with the Serb representatives and our disenfranchised, confused and very upset people. [...]

“It has not even crossed my mind to further sensationalise the situation, as it is dramatic enough already. *Let it remain clear, dear Mr. President, that our options regarding our future in this region remain unchanged – we want to remain here.* I know that you share this attitude. Many of our people who were forcibly expelled from this area (almost 49,000 of them) want to return, and they ask for my help in this process. [...]”

(From Bishop Dr. Franjo Komarica's letter to the President of Croatia, Dr. Franjo Tuđman.)²⁴

“We ask only one thing – that they treat us like people!”

“In numerous talks with you and your closest associates since the outbreak of war in Bosnia and Herzegovina, I have always received suggestions that we endure, and remain in our homes – which is what we also wanted with all our hearts. You have given me firm promises that you would not forget us, and that you would protect us as much as possible. [...]

“Our people were, with their immense trust in their bishop and priests, and for the most part, listening to our suggestions, ready for even the greatest of sacrifices, humiliations, and disempowerments, just to remain in their ancient hearths, and to protect the strong roots of their people and their Church in our ancient lands. They accepted the belief that, with their peaceful attitude and their sacrifices, they could contribute to their people, and to the Catholic Church in the area. [...]

“We have shown our neighbours, you, the Church and the world with our current behaviour – every one of us who remained here, under the control of Serb authorities – that we are peaceful, that we are capable of living with our neighbours in peace, and are ready to do so. The only thing we expect is that it is not the peace of slavery: i.e. unbearable brutality, marked with complete disenfranchisement and lack of prospects.

Until now, others have decided on our fate without asking us what we wanted and how we were feeling. Did it have to be this way? Even if some foreign politi-

²⁴ Dr. Franjo Komarica, *Ibid.*, p. 594

cians and planners do not consider us people, we still believe that we are people to the politicians of our own Croatian people, led by YOU! With their actions so far, the local Serb authorities have done their best to make most of our compatriots tired of living here. But it seems that this wasn't enough for them. Their latest and inhumane action towards our people proves this. A few hundred of our people were forcibly mobilised and taken to the front lines of the battlefields of Doboje, Orašje, Bihać and Kupres, some for twenty days, others for a hundred days, and a few of them for five hundred days! They are so crushed and exhausted physically and psychologically that 90 per cent of them will remain disabled, incapable of living independently. I begged the local potentates, you personally and your closest associates, in many of my appeals, to intervene so that we would receive more humane treatment. Unfortunately, nobody has taken effective measures so far! Why? And what is being planned for us, with this heartless treatment?

"[...]... One gets the impression that all this is staged for us so as to scare us away and force us to move, into the unknown if necessary. That some of our 'neighbours' persistently desire this, we already know. In the last raid, they told many, while they were beaten in front of their family members (my brother, too, was beaten in front of my elderly mother) and forcibly dragged away in the night, into uncertainty: 'If you don't go to your Tuđman, we cannot do anything other than kill you all!' It would hurt us even more if there were any Croatian political officials behind this 'project'!

"Mr. President, I ask you as the politician most responsible for the care of the entire Croat people – what is truly planned for us? Who will finally tell us the whole truth about the future of our people, intended for us by the earthly potentates, for this part of our Croat people who have done nothing to defile the Croatian name? How long are we going to be the stepchildren of the Croat people, foreigners in our own home, unwanted, although desirable neighbours for any normal person? How long are we going to be mistreated, without even having the right to complain about it? For whose and what goals are our people dying and rotting on the battlefields? When will one official representative of the higher political structures finally come here and ask our people how they are, what they are missing, what they want? What should we do so that you, the Croatian politicians, will accept us as your compatriots, no less worthy than those in other places and areas where Croats live?

I ask you to understand that I speak on behalf of at least 35,000 disenfranchised Croats, mostly Catholics from my Diocese of Banja Luka and parts of

the Archdiocese of Vrhbosna, who remained in the area currently controlled by Serbs (as you know, there were many more Croats here previously), and have no spokesperson other than me, nor can their cries be heard from afar. *We ask only one thing, which must be close to your heart, too: that they treat us as people, and allow us to enjoy our fundamental human and civil rights and liberties! We expect that all future negotiations about us and our destiny in this area take these demands unequivocally into account. Do not say that we ask too much and that everyone around you, who decides upon us, did everything they could and continue to do so! God will, as will the history of our people, judge all of us according to our deeds or omissions. [...]*” (Excerpt from Bishop Dr. Franjo Komarica’s letter to the President of Croatia, Dr. Franjo Tuđman.)²⁵

“What have Croatian politicians done specifically, to help us stay in our homes?”

“People want to leave many villages [...] on the outskirts of the municipality of Banja Luka [...], which means leaving their ancient hearths. They have endured somehow until now, hoping for the best; now it seems panic and fear have arisen in many of them, caused by the complete lack of protection, as well as frequent robberies, physical assaults and threats from armed groups, and the persistent silence of Croatian politicians regarding our current critical position.

“I’ve been convinced many times by leading politicians (from Croatia) of the Croat people that it is an option within Croatian politics for our people in Bosnia and Herzegovina to remain in their homes. I ask you, with undisguised pain, as I have many of my other interlocutors: what have Croatian politicians done specifically, before our people and the international community, to help us stay in our homes, which we have the right to do?! How many times have they raised their voices publicly in the last three years to protect our completely unprotected people here? Who is representing us at all and to whom should we listen?” (Excerpt from Bishop Dr. Franjo Komarica’s letter to the Croatian President of the Presidential Committee of Herceg-Bosna, Krešimir Zubak.)²⁶

²⁵ Dr. Franjo Komarica, *Ibid.*, p. 602

²⁶ Dr. Franjo Komarica, *Ibid.*, p. 616

“Where is the work of all those worldly protectors of fundamental human rights?”

“Where is the work of all those worldly protectors of fundamental human rights, who visit other parts of Bosnia and Herzegovina, and Croatia, too? Why is there no official request and no visit made possible, from someone who could see our enduring agony and recognise that we are humans who are guilty only of being here, in our ancient homeland, and still trying not to do any harm, in any way, to anyone? [...] (Excerpt from Bishop Dr. Franjo Komarica’s letter to the Croatian President of the Presidential Committee of Herceg-Bosna, Krešimir Zubak.)²⁷

“The future of Croats (Catholics) from the Diocese of Banja Luka in the area of Republika Srpska – after the peace agreement”

“Based on the latest peace agreement from Dayton, USA, which should soon be officially confirmed, more than two-thirds of the parishes in my Diocese of Banja Luka will definitely remain – unless a possible later agreement should decide otherwise – under the direct rule of Bosnian Serbs.

“Our persistently peaceful attitude to date is well-known to you, and has resulted in a very precious consequence for our neighbouring Serbs, as their lives, property, temples and identity were not in jeopardy at any time. We have persistently demonstrated our ability to coexist in practice, with full respect towards the particularities of others, their freedoms and their rights.

But what is the consequence of such efforts, what have we got in return? They have made of us, in the eyes of the domestic and international public, a flock of sheep, or cattle, destined to be destroyed, not just biologically; they want to remove all evidence that we existed here, as an organised Church community and part of the Croat people!

“Before he left for Dayton, Prof. Dr. Nikola Koljević, the President of Republika Srpska, called me for the first time on the phone. *During our brief conversation I asked him, among other things, about his plans for us; what should we – Catholics – do, that has not yet been done, and how should we behave so*

²⁷ Dr. Franjo Komarica, *Ibid.*, p. 624

that Serbs, our fellow citizens and neighbours, start considering us humans with whom it is desirable to live. He said he owed me an answer, which he would give upon his return from the U.S. The concluded peace agreement provides for, as far as I can elicit, a 'high degree of protection of all human rights and liberties in the entire territory of Bosnia and Herzegovina', which includes the territory of Republika Srpska. If we have been, in practice, denied humanity in all aspects on the territory of Republika Srpska so far, then it could easily happen that this part of the agreement is not applied in this area! I understand and take seriously all political and state actors, domestic and international, who guarantee the return and protection of fundamental human rights and liberties in this area with their signatures and their reputations. But logical thinking and bitter experience urge me to ask, in the name of all the disenfranchised people surrounding me: how will this happen, and will words translate into practice? If none of the political representatives of the Croatian people stand up for the Croats in this area – Bosanska Krajina – as well as Croats throughout the entire territory of Republika Srpska, then who will? Perhaps a Bosnian politician, an international commissioner, or our Serb neighbours?

“Our people here tell me that they are still ready to be peaceful and forgiving, and to sacrifice more. But they do not consider themselves (nor should they) ‘dutifully corraled for slaughter, destruction and total extermination’. They beg me to address the leading politicians of the Croat people again, and ask them what will happen to us? Who will represent the fundamental interests of the remaining Croat population in this area as well as the more numerous one, made up of those who were expelled from here, but who want to return to their ancient home to their parishes, villages and towns?! [...]” (Excerpt from Bishop Dr. Franjo Komarica’s letter to the Vice President of the Croatian Government, Dr. Mate Granić.)²⁸

“You have no right to speak on behalf of all our exiles”

“In last night’s programme on Croatian National Television (HRT), ‘U krupnom planu’, broadcast at 9 p.m., and hosted by Mr. Jozo Ćurić, which was also shown here in Banja Luka, you, as one of the participants, answered a question from the audience. I paraphrase: ‘What will happen to those exiles from Bosnia and Herzegovina who want to return to their homes and homeland, which was

²⁸ Dr. Franjo Komarica, *Ibid.*, p. 631

designated Republika Srpska territory under the Dayton peace agreement?’ You answered (again, I paraphrase), that *‘none of the expelled Croats will want to live under foreign rule, or under foreign army and police forces’*. From the context of your answer, it shows that you think you know better what our people want or do not want: better than the Croats (Catholics) from those areas of Banja Luka and the Vrhbosna Archdiocese, and Mostar-Duvno and Trebinje Diocese, who live under Serb rule know, and better than their priests and bishops, who are with them day and night, for better or worse, shedding their blood for them, and giving their lives!

“I can assure you that you have no right to speak in the name of all of our exiles, who do not want to give up on one of their fundamental human rights – the right to live in their homeland. We have endured in our homes throughout this entire miserable war, as have tens of thousands of our faithful Croats, Catholics from the Bosanska Krajina area, who question their priests daily about when they will be free to return to their homeland. Therefore we clearly refute your publicly stated view about our ‘willingness’ or ‘unwillingness’ to live with others in peace, dignity and mutual respect!

“Although you are a highly ranked and respected official of the Republic of Croatia, I do not believe that you represent the official position of the state with your public statements. I have, in fact, been made aware of completely different claims and suggestions of other highly ranked officials of the Republic of Croatia!

“Even if, unfortunately, strangers decide on our fate, without understanding our position, you do not have to do the same as our compatriot, whom we rightly expect to consider us people with fundamental human rights, including the rights to a home and a homeland, and to freedom of movement and the freedom to decide for ourselves, according to our own conscience!

“Mr. Milas, although innocent, we have been trampled too long by certain people, and completely forgotten by our own! Please, do not disenfranchise us in the future, so as to finish us off and destroy us, when we have already been tortured enough! This would not bring luck nor blessing, neither to you, nor to anyone whom you represent with your authority!

“If you do not want to help us, as people with our own dignity, who strive to serve the honour of our Croat people and the Catholic Church to which we belong, then I ask you in the name of the tens of thousands of faithful in my diocese (and in the name of many others) not to make our position more difficult

with such statements as the one you gave last night! [...]” (Excerpt from Bishop Dr. Franjo Komarica’s letter to Ivan Milas, MP in the Croatian Parliament and the Keeper of the State Signet.)²⁹

“The agony of the non-Serb population in north-west Bosnia has continued for three years now”

“Due to the unbearable harassment and deprivation (by Serbs) of almost all fundamental human rights and freedoms, a large number of the population was forced to leave their homeland in order to live as refugees and exiles, without a secure future, in different European countries, including Germany.

“There were no armed conflicts here, and we acted only peacefully, doing no harm to our neighbours. *Despite this, they did not treat us as human beings. Nobody showed any interest in our destiny during the entire time of our agony, in spite of our numerous cries for help! All the politicians abandoned us, as did the fighters for human rights.*

“Additionally, as a Catholic bishop, I had to watch helplessly as my completely innocent faithful, including priests, monks and nuns, were killed brutally in my hometown. I watched as churches, monasteries and other church buildings were destroyed, and I watch now as my diocese simply disappears [...] *They want to completely erase the remnants of the Catholic church and its cultural institutions in this area, while most other churches and church institutions in surrounding areas have already been destroyed. Genocide, ethnocide, and culturicide have been committed here without reason, along with the deliberate destruction of the Catholic Church, which, as the oldest religious community here, endured the invasions of Mongols, Tatars, Ottomans, and atheist communists. Now, the blind extremist leaders of the Bosnian Serbs, ‘in the name of the Serbian Orthodoxy’ (!), want to expel us brutally, and destroy us Catholics, and, of course, the Bosnian Muslims. [...]*

“*Why are we being punished so brutally? Why does no man of power want to help us in our unbearable strife? Why are brutal fascism and racism allowed to reign here, without anyone having a true interest in what is actually happening? I have tried to engage the responsible politicians in Croatia and in Europe many times throughout our hopeless difficulties. Bosnian politicians told*

²⁹ Dr. Franjo Komarica, *Ibid.*, p. 636

me long ago that 'they could not do a thing for us'! To date, unfortunately, my efforts have been in vain.

“I beg you, Mr. Chancellor, do not ignore the cry of a Catholic bishop from a European diocese, because you promised me last year in Dresden, during the ‘Katholikentag’, that you would be our advocate! It is high time for this advocacy to begin! [...]”

(Excerpt from Bishop Dr. Franjo Komarica’s letter to Helmut Kohl, the Chancellor of the Federal Republic of Germany.)³⁰

“Take a more vigorous stance for us!”

“The local Serb political leaders have not allowed many Serbs from western Slavonia to return to their homes, so that they have an excuse to completely expel the remaining Croats from here!

“I ask you, much respected Excellency, to take a more vigorous stance, along with other institutions, such as the European Union, the International Committee of the Red Cross, UNHCR, and political institutions such as the Croatian government, the Government of the Federation of Bosnia and Herzegovina, the Contact Group and others. The peaceful and peace-making Catholic Croats and others, including Bosnians, in this region of Banja Luka need to have lives worth living going into the future. *Do not let the current right of the strongest (a relatively small group of extremists from the Serb nation) completely eradicate the innocent non-Serb population in the Banja Luka area, in the most fascist way! [...]*” (Excerpt from Bishop Dr. Franjo Komarica’s letter to Tadeusz Mazowiecki, the Special Rapporteur on Human Rights.)³¹

“The deportation of the remaining Catholic Croats from the region of Banja Luka has begun.”

“On the morning of 14 August 1995, the deportation of the remaining part of the peaceful population of Croats from the inner areas of Banja Luka began. People who have been forcibly expelled from their homes during the last few days and weeks are now being taken by bus to the north, ie. towards the border with the Republic of Croatia.

³⁰ Dr. Franjo Komarica, *Ibid.*, p. 667

³¹ Dr. Franjo Komarica, *Ibid.*, p. 667

“The offices of the International Committee of the Red Cross, as well as those of the UNHCR in Banja Luka, are making lists of people who have to leave this area. More than 10 buses have left already.

“The deportations continue, and the Croats who have not yet been expelled from their homes are being deported now. This is being done according to the orders of the highest political representatives of the Bosnian Serbs, as claimed by the representatives of the civil protection of the Alliance of Municipalities Banja Luka, who are managing the entire operation. [...]” (Excerpt from the Report of the Bishop’s Chancery Office of the Diocese of Banja Luka, to the media.)³²

* * *

Today, more than 20 years since these cries were addressed to good people, deaf ears and ruthless hearts, one undeniable fact remains, as a historic document: that bishop Komarica, as a shepherd of the martyr Church of the Diocese of Banja Luka, faithfully and devotedly advocated for the protection of all those disenfranchised, without differentiating, according to the teachings of the Gospel of Christ, and exposing himself to many dangers. It also remains as fact that many of those to whom these cries were addressed turned a deaf ear. By their omissions, when they could have helped, they became participants in the crimes against the innocent Catholic population in the Banja Luka area.

³² Dr. Franjo Komarica, *Ibid.*, p. 726

JOHN PAUL II AND THE HOLY SEE'S COMMITMENT TO HELP REFUGEES AND DISPLACED PERSONS AND THEIR OPPOSITION TO ETHNIC CLEANSING IN BOSNIA AND HERZEGOVINA

Prof. Dr. Fr. Velimir Blažević, OFM, Banja Luka

Introduction

The war in Bosnia and Herzegovina (1992–1995) took many lives and caused great devastation and destruction of material goods in areas where there were battles, but also in other areas too. Additionally, it led to ethnic cleansing or expulsion of certain parts of the population, not only near battlefields, but also in the remaining areas, such as part of the Diocese of Banja Luka. I shall briefly demonstrate the views and reactions of Pope John Paul II and the Holy See diplomacy to the issue of refugees and displaced persons, and ethnic cleansing in general, in Bosnia and Herzegovina and elsewhere.

Pope John Paul II drew the world's attention to this war and its tragic consequences throughout its duration, particularly during the weekly general audience on Wednesdays in the Paul VI Audience Hall, always before a few thousand pilgrims from all over the world, and on Sundays and feast days during the Angelus, in front of tens of thousands of the faithful in St. Peter's Square. He called on the warring sides to stop the war and the killing of one another, and to establish peace, while appealing to the international community to take an active role in ceasing the conflict and the suffering of innocent civilians. He also encouraged solidarity and the giving of aid to refugees, expelled persons and other victims of war, and thanked those who accepted refugees and expelled persons, and offered them assistance. The Holy See did the same through the international bodies in which it was represented, primarily KESS, OESS, and UN Committees, where questions regarding the so-called crisis in Yugoslavia and war in the Balkans, particularly in Bosnia and Herzegovina, were considered.¹

¹ Reports about the Pope's speeches and Holy See diplomatic activities were published regularly in the Vatican daily newspaper *L'Osservatore Romano*, and this way their words reached all corners of the world. In Croatia, *Glas Koncila* reported regularly on these activities, and collected and published the documents in Croatian in Bosnia and Herzegovina, in V. BLAŽEVIĆ's book, *Papa Ivan Pavao II. istinski prijatelj Bosne*, SR. Sarajevo, 1997.

John Paul II's commitment to help refugees and displaced persons, and his warning about the crime of ethnic cleansing. The wave of refugees in Bosnia and Herzegovina started immediately upon the onset of the war, and John Paul II reacted during the general audience on 6 May 1992 when, warning about the horrors that so many individuals and families were being put through, he invited all present to join him in directing fervent prayers to God "to be a support for those who have to leave their homes and seek safe shelter" and to "increase the generosity of those who aid and host many refugees."² Soon afterwards, he warned again about the critical situation of refugees from Bosnia and Herzegovina, during the general audience on 20 May 1992, and called for solidarity, saying: "The joy of our encounter today is, unfortunately, tempered by the painful news of the departure from Bosnia and Herzegovina of a significant number of refugees, who are seeking refuge in the neighbouring republics of Croatia and Slovenia, and now moving to Italy, Austria and other friendly countries. This is a terrible drama unseen in Europe since the end of World War II, and which binds all people of good will, particularly believers, to urgently express solidarity towards those brothers and sisters of ours, tried and tested in troubles."³ During the general audience on 17 June 1992, he addressed a group of youths from Croatia with the following words: "I am close to all who suffer because of the outrageous violence that is happening in Europe, and that has caused numerous human casualties, refugees and much destruction."⁴ In a letter to the bishops of Bosnia and Herzegovina on 12 November 1992, the Pope wrote that he felt close to them during the months since the violence, the attacks on entire villages, the arbitrary expulsions, the removal of people to detention camps, and the destruction of churches and mosques, began.⁵

During the Prayer for Peace in Europe and the Balkans, which took place in Assisi from 9–10th January 1993, and where representatives of Bishops' Conferences from Europe as well as those of other Christian denominations and Church communities, and from Jewish and Muslim communities in Europe, were present alongside John Paul II. On 10 January, the Pope expressed his solidarity with the victims of oppression, hatred and cruelty, with all whose towns were burned and bombarded, with those who left their own

² L'Osservatore Romano (further: OR), 14 May 1992, p. 5; Glas Koncila (further: GK), 24 May 1992, p. 5; V. BLAŽEVIĆ, *op.cit.*, p. 37.

³ OR, 21 May 1992, p. 1; GK, 30 May 1992, p.1; V. BLAŽEVIĆ, *op.cit.*, p. 38.

⁴ OR, 18 June 1992, p. 5; V. BLAŽEVIĆ, *op.cit.*, p. 42.

⁵ OR, 16–17 November 1992, p. 1; GK, 29 November 1992, p. 1; V. BLAŽEVIĆ, *op.cit.*, p. 54.

homes and found refuge elsewhere, and with those who were unjustly arrested and taken to prison camps,⁶ before the Muslim representatives. He also commented on the situation in Bosnia and Herzegovina on 16 January 1993, during the New Year's reception of members of the diplomatic corps to the Holy See, when he spoke about warzones around the world. He said, among other things, the following: "The war shows its ruthless brutality. Of course, I refer to the fratricidal fights in Bosnia and Herzegovina. [...] The most basic principles governing life in society are being mocked by hordes who sow terror and death. How can we not think, ladies and gentlemen, of the children, affected by such horrible scenes? Of the families divided and scattered along the way, deprived of material goods and without aid? Of the dishonoured women? Of the captured and abused persons in camps, who were thought to be lost forever? [...]"

The international community should demonstrate strongly its political will concerning the unacceptability of aggression and territorial conquest by force, and the misconceptions regarding 'ethnic cleansing.'⁷

In a written message to the Secretary-General of the United Nations, Mr. Boutros Boutros Ghali on 1 March 1993, the Pope asked that he do whatever possible to achieve peace in Bosnia and Herzegovina as soon as possible, and that a report on the situation in that country be delivered to all members of the Security Council responsible for watching over the fate of this country and others in the region, saying: "Those nations and the entire international community will be grateful to them for having the courage to seek peace, without sparing any effort, sacrifices or resources to re-establish peaceful lives for those nations, and a roof over the heads of refugees and the displaced."⁸

On the occasion of the Angelus on 11 July 1993, while on holiday in Santo Stefanodi Cadore in northern Italy, the Pope addressed the refugees present from Bosnia and Herzegovina. There were 90 of them in total, of which 55 were Muslims and 35 were Catholics. He said the following: "I turn most cordially to the group from Bosnia and Herzegovina. My most dear people, your presence bears witness to the solidarity that connects Italians to all people, including the women, children, and the elderly of your homeland, which has

⁶ OR, 11–12 January 1993, p. 9; V. BLAŽEVIĆ, *op.cit.*, p. 72.

⁷ OR, 17 January 1993, p. 4; GK, 31 January 1993; V. BLAŽEVIĆ, *op.cit.*, p. 79.

⁸ OR, 13 March 1993, p. 1; GK, 21 March 1993, p. 1; V. BLAŽEVIĆ, *op.cit.*, pp. 85–86.

been torn apart by violence and war.”⁹ On this occasion he invited governments and the international community to give generous support to the programmes of the United Nations High Commissioner for Refugees.

Receiving members of the Cabinet of KESS in a special audience on 30 November 1993, John Paul II pointed out the following: “KESS has the task of establishing the conditions of a common, global and controlled safety. However, it is already clear that this shall never be established if territorial conquests by force are legitimised, if ‘ethnic cleansing’, which is nothing other than genocide, is accepted as a method, or if the most fundamental tenets of humanitarian law are clearly violated.”¹⁰

During the general audience on 21 July 1993, he spoke of the wartime conditions and the suffering in Bosnia and Herzegovina, saying: “The news coming from the dear country of Bosnia and Herzegovina fills me with great sadness. Despite various initiatives to create conditions for peace, the fighting is intensifying, and the number of innocent victims and refugees is rising.”¹¹ He also announced that the Archbishop of Sarajevo, Msgr. Vinko Puljić, had addressed him in a shocking appeal, begging him to do whatever possible to stop the cruel war, which, threatened to eradicate the presence of Catholics in his diocese and the Diocese of Banja Luka.¹²

Since the stream of refugees did not cease to leave Bosnia and Herzegovina, the Pope said in his Angelus address on 28 May 1995 that he had been monitoring with concern the tragic developments in the former Yugoslavia, and that his thoughts were with those people, wherever and whoever they were, who lived in fear, were forced to emigrate, or mourned their loved ones.¹³ In his Angelus address on 27 August 1995, after the final expulsion from the Banja Luka area, he said: “I cannot stop thinking about the thousands of mothers, wives, and daughters, who are forced to leave their homes and loved ones in the countries of former Yugoslavia – Croats, Muslims or Serbs – and who are subjected to inhumane treatment and face an insecure future. I am particularly sad to hear the news from Banja Luka.”¹⁴ During the general audience on 30 August 1995, he addressed the pilgrims from Croatia and Bosnia and Herzegovina and said that

⁹ OR, 12–13 July 1993, p. 6; GK, 25 July 1993, p. 4; V. BLAŽEVIĆ, *op. cit.*, p. 100.

¹⁰ OR, 12 December 1993, p. 7; V. BLAŽEVIĆ, *op. cit.*, p. 116.

¹¹ OR, 22 July 1993, p. 1; GK, 1 August 1993, p. 1; V. BLAŽEVIĆ, *op. cit.*, p. 102.

¹² *Ibid.*

¹³ OR, 29–30 May 1995, p. 1; GK, 4 June 1995, p. 1; V. BLAŽEVIĆ, *op. cit.*, p. 218.

¹⁴ OR, 28–29th August 1995, p. 1; GK, 3 September 1995, p. 1; V. BLAŽEVIĆ, *op. cit.*, p. 232.

he wanted to confirm his closeness, and that of the entire Catholic Church, to those who suffered because of the bloody war in Bosnia and Herzegovina and Croatia, to those who mourned their loved ones who had been tragically killed or had disappeared, to imprisoned, expelled, and displaced persons, to the destroyed families, and to those enduring difficulties.¹⁵

Besides warning the international community about the critical situation, John Paul II called for solidarity and humanitarian aid for refugees and displaced persons, thanking all who offered their help. During the General Audience on 1 July 1992, he directed the following words towards the Croatian pilgrims from Split, Zagreb and Varaždin, and to the seminarians of the Franciscan monastery in Visoko, who were living as refugees in the Franciscan monastery in Ielsa near Campobasso, Italy at the time: "Many war refugees from Croatia and Herceg-Bosna have found refuge in your towns. I thank you on behalf of these brothers and sisters of ours, and I thank everyone who continues to offer urgent and much needed help."¹⁶ The Pope directed further words of gratitude towards Croatian pilgrims from Kraljevica during the General Audience of 28 October 1992, saying that he thanked them in the name of Christ, along with everyone who offered generous humanitarian aid to the multitude of refugees and displaced persons from Croatia and Bosnia and Herzegovina who were exposed to this horrible war.¹⁷ On 6 November 1992, during the *ad limina* visit of Slovenian bishops, the Pope said that he knew how many refugees had escaped the terrors of war – first from Croatia, and then from Bosnia and Herzegovina – and how they had found refuge in Slovenia. He added that he honestly appreciated the bishops' generosity, with which they had come to the aid of so many of their brothers, regardless of race, language or faith, and that he earnestly hoped that the suffering of these people would soon be at an end, and that a lasting and just peace would be established so that they could return to their homes.¹⁸ During the inaugural audience for Mr. Christoph Cornaro, the new Austrian Ambassador to the Holy See, the Pope spoke words of gratitude, thanking the government and the Church and all people of good will in the Republic of Austria for the many types of assistance they had provided to refugees, displaced persons, immigrants and those in need.¹⁹ At the General Audience on 8 November 1995, the Pope greeted the pilgrims from Croatia (from Sopot

¹⁵ OR, 31 August 1995, p. 1; GK, 10 September 1995, p. 1; V. BLAŽEVIĆ, *op.cit.*, p. 233.

¹⁶ OR, 2 July 1992, p. 5; GK, 12 July 1992, p. 5; V. BLAŽEVIĆ, *op.cit.*, p. 44.

¹⁷ OR, 29 October 1992, p. 5; GK, 8 November 1992, p. 1; V. BLAŽEVIĆ, *op.cit.*, p. 52.

¹⁸ OR, 7 November 1992, p. 4; GK, 15 November 1992, p. 4; V. BLAŽEVIĆ, *op.cit.*, page missing.

¹⁹ OR, 28 February–1 March 1994, p. 6; V. BLAŽEVIĆ, *op.cit.*, pp. 149–153.

parish in Zagreb), particularly the volunteers who had dedicated themselves to assisting individuals and families forced out of their homes by violence and war. He encouraged them to continue their noble work, as all help given to refugees and displaced persons contributed to building the peaceful future needed for the populations of Croatia and Bosnia and Herzegovina, and the whole of south-east Europe.²⁰

On 8 June 1996, the Pope received the members of the Commission for Real Estate Claims of Displaced Persons and Refugees in Bosnia and Herzegovina in a special audience, and said to them: “Your commitment attempts to alleviate, and, if possible, to heal, the wounds of a conflict that, during the past four years, forced almost half of the population of Bosnia and Herzegovina to leave and search for better living conditions. A refugee remains an uprooted person who seeks resources to survive, hoping for better days to come, when they are able to return to their homeland, or to take root in the new place of work and residence.”²¹

Holy See representatives on the issues of refugees and displaced persons, and warnings about the crime of ethnic cleansing in Bosnia and Herzegovina

The Holy See and its representatives in international bodies and institutions acted in full compliance and synchronisation with the statements and positions of Pope John Paul II. Thus in Geneva on 13 August 1992, Holy See representative Msgr. Christoph Perre gave a speech to the UN’s Human Rights Committee, which was dedicated exclusively to examining human rights violations in the former Yugoslavia. In it, he said: “Pope John Paul II considered it necessary to express firmly his disapproval again a few days ago at the horrors committed in Bosnia and Herzegovina.”²²

²⁰ OR, 9 November 1995, p. 5; GK, 19 November 1995, p. 4; V. BLAŽEVIĆ, *op.cit.*, p.246.

²¹ OR, 9 June 1996, p. 5; GK, 16 June 1996, p. 3; V. BLAŽEVIĆ, *op.cit.*, pp. 265–266.

²² The statement from the Press Office of the Holy See from 7 August 1992 includes the following: “A number of public statements made by the Holy Father are known to everyone. As a universal pastor of the Catholic Church, he is particularly saddened by the news of murder, abuse and other cruel treatment of unarmed women and children and priests, monks and nuns, as well as laymen; about the obstacles that are placed before the bishops who wish to visit their communities; about the destruction of many churches, hospitals and schools; about the forced relocation of many parish communities [...]. The Holy See has strongly raised its voice in the international institutions to which it has access, to testify to the fact that what is going on in Bosnia and Herzegovina is a negation of all principles of interna-

Three things were particularly unacceptable: the difficulties, and often inability, to deliver humanitarian aid to the affected population; the forced and mass expulsion of the civilian population, including women, children, and the elderly, on the grounds of ethnicity; and the existence of prison camps with inhuman living conditions.”²³ Msgr. Perre continued: “The Holy See requests that the humanitarian aid reaches those who need it in order to survive [...]. It requests that the expulsion stops and that the thousands of refugees, even if we accept them and assist them during their exile, soon be allowed to return to their country and their houses. It insists that the horrors of prison camps end immediately.”²⁴

At the meeting of the Committee of the Conference on Security and Co-operation in Europe (CSCE) in Prague, from 16–18 September 1992, the state of the war and the suffering of the population of Bosnia and Herzegovina was discussed specifically. In his talk, the representative of the Holy See, Msgr. Alain Lebeaupin, pointed out that the international community did not have a coherent strategy, and that it should not be unable to react to something that could rightly be called an aggressive war and a territorial ethnic expansion, which forced certain entire communities to leave their homes, and created an atmosphere of terror through its detention camps, where human dignity was recklessly insulted and violated. He then asked:

“How can CSCE accept a situation that emerged from exercising a policy of ethnic cleansing?” before stating: “It must be solemnly repeated that war for the purpose of ethnic cleansing is unacceptable in today’s Europe, and that those who support it or are partly responsible for it, cast themselves out of the international community. The international community cannot let itself be paralysed by fear again, if it does not want to go back to the delusions of the past. There is not a single nation represented around this table that is not composed of various ethnicities, races, cultures and religions. It is, therefore, dangerous to allow ourselves to be harassed by the demons of historical nationalism, based on race or ethnicity. Territorial ‘cleansing’ conducted by certain national communities

tional law and humanitarian law, which the United Nations have struggled to create.” – OR, 8 August 1992, p. 1; GK, 16 August 1992, p. 3, V. BLAŽEVIĆ, op.cit., pp. 47–48.

²³ OR, 15 August 1992, p. 2; GK, 23 August 1992, p. 4; *L'azione della Santa Sede nel conflitto bosniaco*, Libreria Editrice Vaticana, 1994, p. 154; V. BLAŽEVIĆ, op.cit., p. 290.

²⁴ OR, 15 August 1992, p. 2, GK, 23 August 1992, p. 4; SSCB, p. 156; V. BLAŽEVIĆ, op.cit., p. 291.

that seek to exclude the weak, or minority groups, is an act that should be strongly condemned and suppressed by all means possible.”²⁵

An observer from the Holy See, Msgr. Paul Fouad Tabetna, stated in his address during the meeting of the UN’s Human Rights Committee in Geneva on 9 February 1993: “For the third time in the last few months, the Human Rights Committee has opened a question about the serious violation of human rights in the former Yugoslavia [...]. The motif behind these atrocities has already been established and distinguished. Unfortunately, the policy of ‘ethnic cleansing’ is still being carried out on a large scale, unpunished. Its intellectual originators and executors are encouraged by the fact that they have achieved their goals, and presented the international community with a *fait accompli* [...]. Pope John Paul II spoke before the diplomatic corps to the Holy See on 16 January this year, and asked the international community to ‘strongly demonstrate its political will regarding the unacceptability of aggression and territorial conquest by force, and the misconceptions regarding ‘ethnic cleansing’ [...]. It is also important to help the millions of displaced persons who ran from this ‘ethnic cleansing’ and from the battles, particularly those inside the Bosnian borders, who were exposed to the vagaries of armed men of one camp or other, and sometimes used as human shields.”²⁶

The delegation of the Holy See also participated in the World Conference on Human Rights, held in Vienna from 14–25 June 1993, led by its Secretary for International Relations, Msgr. Jean-Louis Tauran. On 21 June, he said in his address: “Right before us, in Bosnia and Herzegovina, it could be said that all human rights are being systematically and permanently violated. Even fundamental rights, such as that of living in your home, are no longer respected.”²⁷ The aforementioned representative of the Holy See, Msgr. Paul Fouad Tabet, intervened during a session of the Executive Committee of the UNHCR in Geneva, held from 3–7 October 1994, saying: “In the former Yugoslavia, and Bosnia and Herzegovina in particular, the policy of ethnic cleansing has unfortunately not stopped, while the refugees and the displaced persons do not know when they will be able to return.”²⁸

The World Bar Association held a conference in Montreal from 13–18 August 1995, in which the Apostolic nuncio in Canada, Msgr. Ernesto Gallin par-

²⁵ OR, 18 September 1992, p. 2; SSCB, pp. 159–160; V. BLAŽEVIĆ, op.cit., p. 293.

²⁶ OR, 11 February 1993, p. 2; V. BLAŽEVIĆ, op.cit., pp. 302–303, 294.

²⁷ OR, 21–22 June 1993, p. 2; GK, 4 July 1993, p. 4; V. BLAŽEVIĆ, op.cit., p. 304.

²⁸ OR, 12 October 1994, p. 2; V. BLAŽEVIĆ, op.cit., p. 310.

ticipated. He referred to the armed conflicts in Bosnia and Herzegovina in his speech: "As for the current conflicts in Bosnia, the Holy See sees respecting the norms of international law as the only way to solve them. Territorial conquests by force cannot be accepted. Every solution that would be based on the logic of the 'ethnic cleansing' of a state is counter-humanity, and is a sure presumption for future wars."²⁹

The Foreign Ministers of the OSCE met in Budapest on 7–8 December 1995, to discuss the Dayton peace treaty. The Secretary for Relations with States to the Holy See, Msgr. Jean-Louis Taurana, also participated, and gave a presentation on 8 December with the topic "The Role of OSCE in Achieving Peace, Democracy and Stability in Bosnia and Herzegovina." He pointed out that it was important for OSCE to support free movement and circulation of ideas in the whole area, especially in those disfigured by ethnic cleansing, and to avoid the kind of peace that would reinforce borders achieved through violence and hatred between national communities.³⁰

The Commitment of John Paul II and the Holy See to the Return of Refugees and Exiles

In their speeches, Pope John Paul II and Holy See diplomats have repeatedly backed and advocated the return of refugees and displaced persons to their homes. Some examples have already been mentioned; others follow below.

During the general audience on 6 July 1994 in St. Peter's Square, Pope John Paul II addressed the faithful and, in particular, a group of pilgrims from Split and children of refugees from Bosnia and Herzegovina, who were welcomed by families from the Diocese of Barletto in southern Italy. He commented briefly on the war and the situation in Bosnia and Herzegovina, saying: "Now, a final solution of this conflict is needed more than ever before. It is my wish that this solution be based on justice, on respecting the identity of nations, and that it offers the necessary support to facilitate the return of refugees and exiles to their homes."³¹ In the General Audience on 21 September 1994, a group of child refugees from Croatia and Bosnia and Herzegovina was present.

In a special address, the Pope said to them: "My beloved ones, my greeting is accompanied by a fervent prayer to God that He may grant peace and justice

²⁹ OR, 14 October 1995, p. 2; V. BLAŽEVIĆ, *op.cit.*, p. 317.

³⁰ OR, 9–10 October 1995, p. 2; V. BLAŽEVIĆ, *op.cit.*, p. 321.

³¹ OR, 7 July 1994, p. 1; GK, 17 July 1994, p. 1; V. BLAŽEVIĆ, *op.cit.*, p. 155.

to all the suffering people of Croatia and Bosnia and Herzegovina, and that the suffering of the multitude of refugees and exiles be replaced with the joy of returning to one's own home, which is one of the conditions for establishing true peace."³²

In a meeting with a diplomatic corps from the Holy See, held on 13 January 1996, the Pope commented on the Dayton agreement, expressing hope and saying that it should protect the visage of Bosnia and Herzegovina, taking into account its ethnic composition. He noted that peace would be a long and difficult process, emphasising: "I would like to point out, in regard to this, that lasting peace in the Balkans will not be protected unless some terms are abided by: free movement of people and ideas, free return of refugees to their homes, preparation of truly democratic elections, and, finally, persistent material and moral renewal, which should be contributed to, without hesitation, not only by the international community, but also by the Church and the religious communities."³³ The letter that he addressed to Croatian youth at a convention in Split and Solin on 2nd June 1996 contained the following words: "My words of encouragement are particularly directed to you, the youth of the Archdiocese of Vrhbosna and Sarajevo, to you, the youth of the Diocese of Banja Luka, to you, the youth of the Diocese of Mostar-Duvno, and to you, the youth of the Diocese of Trebinje-Mrkan in Bosnia and Herzegovina. I am close to all exiles and refugees who seek, and have a right, to return to their homes in order to continue a life interrupted by a horrible conflict, and to rebuild their towns and settlements along with other residents, in mutual respect and effective collaboration."³⁴

After the end of the war, in a speech addressed to the members of the Presidency of Bosnia and Herzegovina during his visit to Sarajevo on 13 April 1997, the Pope said: "It is necessary to stand up to secure the right of return of exiles and refugees from any part of Bosnia and Herzegovina to their homes, which they were forced to leave during the turmoil of war."³⁵ On the same day, he said to the bishops of Bosnia and Herzegovina: "The havoc created by the recent war has left you with the heritage of broken families, widows and orphans, refugees and exiles, disabled persons and other people struck with various sufferings. It is necessary for you to stay with all of them, bringing them the relief of charitable love and pastoral care."³⁶

³² OR, 22 September 1994, p. 5; V. BLAŽEVIĆ, *op.cit.*, p. 184.

³³ OR, 14 January 1996, p. 5; GK, 21 January 1996, p. 4; V. BLAŽEVIĆ, *op.cit.*, p. 254.

³⁴ OR, 12 June 1996, p. 5; GK, 16 June 1996, p. 2; V. BLAŽEVIĆ, *op.cit.*, p. 263.

³⁵ I. TOMAŠEVIĆ – T. VUKŠIĆ (ed.), *Papa u Sarajevu*, Sarajevo, 1997, p. 38.

³⁶ *Ibid.*, p. 71.

The bishops of Bosnia and Herzegovina reported to the Pope and the Holy See during their *ad limina* visit in January 1999 about the tragic consequences of war in their dioceses, and the drastic fall in the number of faithful, who either fled or were expelled. In a speech that John Paul II addressed to them on 15 January about the “shadows that cause concern”, he mentioned that the unresolved and serious issue of the return of refugees should be a priority: “The main issue to solve, and upon which the just solution of many other questions depends, is the creation of impartial conditions for the much desired return of refugees and displaced persons to their own homes, and ensuring their peaceful future.”³⁷ The issue of the return of refugees and displaced persons was an important part of the Pope’s speech in Sarajevo on 9 February 2001, which was directed towards the delegation of the International League of Humanists: “The hardest times for Bosnia and Herzegovina are over, but the suffering of the people goes on, especially in the drama of refugees and displaced persons. Tens of thousands of displaced persons from the areas of Banja Luka, Bosnian Posavina and other areas of Bosnia and Herzegovina are still waiting to return to their homes. We cannot forget this drama [...]. It is, first of all, necessary to correct the current injustices, paying close attention to the legitimate expectations of those who are affected by these injustices, and ask that their inalienable rights are respected.”³⁸ Pope John Paul II spoke about the unresolved issue of the return of refugees and displaced persons even more decisively and specifically on 30 November 2002, to the Bosnian Ambassador to the Holy See, Mr. Ivan Mišić, saying: “Although the war ended almost seven years ago, unfortunately a real solution to the drama of the many refugees and displaced persons, who yearn to return to their homes, is yet to be seen. I think of the population waiting to return to the areas of Banja Luka and Bosnian Posavina in particular. This population, as well as refugees and displaced persons from other areas, are witnessing the violation of their fundamental right to live peacefully in their homeland. A considerable number of them are therefore forced to seek their happiness elsewhere. Those people justly ask that their safety is guaranteed, and that acceptable political, social and economic conditions are created. They demand, in the same way, that their possessions, which were violently taken away from them during the war, now be returned.”³⁹

³⁷ Vrhbosna, X (CXIII)/1999, No. 1, p. 7.

³⁸ International League of Humanists – For Peace and Tolerance, *Platforma za izgradnju mira, Sarajevo*, 2002, p. 8.

³⁹ B. NAGY (ed.), *Papa Ivan Pavao II. govori Hrvatima. Pozdravi, govori i poruke 1978.–2005.*, Zagreb, 2011, p. 444.

Holy See representative Msgr. Paul Fouad Tabet participated in the session of the Executive Committee of the High Commissioner's Programme for Refugees (UNHCR) in Geneva, at the beginning of October 1994. In his speech, during which he mentioned Bosnia and Herzegovina several times, he stated: "It is urgently required that all participants better coordinate their efforts, particularly to resolve the refugee situation. It is obvious that the solution is in their return, which should not be postponed. Conditions for voluntary return in an atmosphere of trust and security should also be created [...]. The voluntary return of refugees to their homeland is the best solution to their problem [...]. However, the threat of retaliation and uncertainty often plagues those who have already returned to their homeland. Therefore, it is desirable to strengthen the regulations that control the security and respect of human rights in the countries of their return."⁴⁰ Msgr. Renato R. Martino, Permanent Observer of the Holy See to the United Nations, was even more explicit in this regard, during the session of the Third Committee of the UN, held in New York on 7 November 1995, on the occasion of the 50th Session of the UN General Assembly. In his speech, he raised the great challenges that the UNHCR and the international community were facing, particularly on the African continent and in the Balkans, pointing out: "Maintenance of refugee camps still poses serious problems to the UNHCR and the agencies involved [...]. The best solution to the problems of refugees and displaced persons is still to return to their settlements in peace and dignity [...]. Serious efforts to reach true reconciliation in their lands of origin, the removal of terrible repression, the establishment of judicial systems for prosecuting crimes committed against the civilian population, the training and deployment of well-trained police and law enforcement officials, the establishment of a collaborative presence of international support, the revival of the economy, and the strengthening of all social structures are essential factors in the peaceful resettlement of refugees."⁴¹ The accuracy of these words was confirmed in reality, as only a few of these conditions for the return of refugees and displaced persons to Republika Srpska in Bosnia and Herzegovina were implemented, meaning that the anticipated returns never happened.

A delegation from the Holy See also participated in the annual meeting of the High Council of the OSCE, held on 21–22 March 1996 in Prague (at which the implementation of the General Peace Agreement for Bosnia and Herzegovina, signed in Paris in December 1995, was discussed). It was led by Msgr. Mario

⁴⁰ OR, 12th October 1994, p. 2; V. BLAŽEVIĆ, *op.cit.*, pp. 310-311

⁴¹ OR, 12th November 1995, p. 2; V. BLAŽEVIĆ, *op.cit.*, p. 320

Zenari, who stated in his speech of 21 March 1996, that “the OSCE’s contribution to the peace process did not accept the facts, which were a result of the use of force and the violation of human rights and fundamental freedoms, which the OSCE should pay special attention to respecting. Accordingly, the Holy See delegation considered that the principle of the return of refugees should remain an objective in carrying out the peace process, as this would facilitate the long-term coexistence of ethnic communities in Bosnia and Herzegovina, and the entire area.”⁴²

Conclusion

Continuous public statements by John Paul II and Holy See representatives during and after the war, in which they warned of the drama of refugees and displaced persons and appealed for them to be given assistance and enabled to return, as well as declaring ethnic cleansing and condemning it as a crime, came in the form of warnings, incentives, appeals, petitions, proclamations and moral convictions. Therefore, they were only effective if listened to. And the people who should have listened were members of the international community, and the powerful people of the world, who could have prevented many evils; those who could have done much more to resolve the injustices inflicted, and to renew what was destroyed in the war. They could have made sure that the crimes were punished, and that the refugees and displaced persons were enabled to return home. But only a few listened. It is clear that the voice of John Paul II and of the Holy See representatives in international forums was, compared to the world powers, a voice “crying in the wilderness”. Their speeches, however, warned the world and the global public of all the wickedness of the crime of ethnic cleansing in Bosnia and Herzegovina, of the tragedy of violating a fundamental human right – the right to one’s home – and advocated for the rights of refugees and displaced persons to return to their homeland.

If nothing else, the clear and decisive appearances of John Paul II and representatives of the Holy See had another effect – they brought hope, and encouraged and comforted those who were victims of ruthless persecution and ethnic cleansing.

⁴² OR, 28 March 1996, p. 2; GK, 7 April 1996, p. 5; V. BLAŽEVIĆ, *op.cit.*, p. 322.

THE ONGOING CONTRIBUTION OF CARITAS IN THE DIOCESE OF BANJA LUKA, IN PROVIDING ASSISTANCE TO NUMEROUS VICTIMS DURING AND AFTER THE WAR, TO THIS DAY

Doc. Dr. Miljenko Aničić, Caritas of the Diocese of Banja Luka

Even in the late eighties in Bosnia and Herzegovina, the signs of economic decline were becoming increasingly visible. At the beginning of nineties, and with the first signs of a political crisis, the economic situation worsened: the increasing isolation of Bosnia and Herzegovina, high inflation, the growth of unemployment and social insecurity, and therefore, the increasing scarcity of life's daily essentials for large sections of the population. In autumn 1991, Caritas in the Diocese of Banja Luka, which had been established five years earlier, started distributing its first food aid and firewood to the needy in Banja Luka, as well as to Croats in the Bihać area, who had been expelled from those parts of Croatia with predominantly Serb populations. At the same time, deliveries of food aid and clothing from Zagreb via Caritas Croatia began, and Caritas Austria delivered 300 tons of wheat for sowing. During 1992, the amount of aid entering Banja Luka increased. In June 1992, Caritas managed to organise more or less regular aid transports from Zagreb with the military authorities in Banja Luka, through the mediation of bishop Komarica. Almost every week, convoys of trucks delivered on average 100 tons of aid, including food, clothing, footwear, and medicine. During the first few months, the Caritas convoys were joined by trucks from Merhamet, who organised their transport autonomously from the autumn of 1992.

1. The wartime organisation and activities of Caritas

At the end of 1992, Caritas Banja Luka opened an office and a warehouse in Zagreb, and Bishop Komarica appointed a Vicar General for Refugees with a seat in that city. Thus, an office of Caritas and the Vicariate of the Diocese of Banja Luka operated in Croatia's capital during the years that followed. Aid was collected there and shipped to Banja Luka, contacts with donors were maintained, and services were offered to refugees, who grew in number each day.

Sometimes it was also necessary to provide material assistance to the refugees from Bosnia and Herzegovina who had found refuge in Croatia.

By the end of 1995, 127 convoys had been sent from Zagreb to Banja Luka. In addition, there were direct transports of aid to Banja Luka from abroad. Food for distribution was occasionally, when available, purchased in Banja Luka itself. During the winter, convoys delivered blankets and wood-burning stoves. Large quantities of medicine and medical supplies were also transported, most of which was delivered to public medical institutions in Banja Luka to meet the needs of the local population.

In addition to aid for survival, Caritas in Banja Luka and Zagreb established liaison offices, through which mail, packages and remittances were collected from relatives in Croatia and throughout the world for their families in Banja Luka. This was important for both collecting mail from Banja Luka, and forwarding it through Caritas convoys to Croatia, and from there to other parts of the world. Its purpose was to mitigate the isolation of people in Banja Luka to some extent, and to enable them to contact their relatives in other countries. More than 300,000 letters and several thousand packages were sent this way in either direction, both during the war and in the first post-war years.

In Banja Luka, specialist clinics were opened at the end of 1993 on the premises of the old Diocesan Chancery building. From its opening until 1995, 45 doctors and nurses who had been fired because of their national affiliation worked in these clinics. Their number dropped after 1995, when some doctors were persecuted in the summer of that year.

By mid-2009, almost 140,000 patients had passed through these clinics in almost 16 years of activity, and almost half a million medicines of different kinds had been distributed. In addition, Caritas brought mobile clinics from Caritas Denmark to Banja Luka, which operated for many years near the Banja Luka hospital, offering their services to everyone, like Caritas' aforementioned specialist clinics. After opening these specialist clinics, Caritas started providing home care at the beginning of 1994, which operated in Banja Luka, but travelled all the way to Brčko. In fact, due to the inability of Caritas Sarajevo to reach some areas in Republika Srpska, Caritas Banja Luka provided general survival assistance and medical help to some parishes of the Archdiocese of Vrhbosna during the war. Home care continues to be a key project today. In this area there is a large proportion of elderly, disabled and ill persons in the general population, especially in minority communities.

2. Post-war assistance programs

As far as it can be seen from this brief overview of Caritas activities during the war, Caritas was able only to offer assistance for survival. More than this, including securing their own infrastructure for better performance, was not possible. This situation continued for the first two post-war years, as issues regarding the return of refugees were mostly impossible to discuss with the competent authorities.

2.1. Centre for legal counselling

In June 1997, Caritas opened a centre for legal counselling. Its purpose was to help people who had been expelled from property that was later occupied by members of the domestic Serb majority, to regain possession of this property. The international community made this process far too complicated, obviously with the intention to postpone it, and hence to slow the return of refugees. It was necessary to bring valid documentation proving property ownership before the authorities, so that the office of the international community could issue a document after a few months or sometimes a year or two, proving that same ownership. When this document was finally issued, the owner would have to engage in a struggle to remove the current occupants from the property. Some locals occupied four or five estates that belonged to other people. Due to the slow return of property, in November 2000 six humanitarian organisations, including Caritas, addressed a letter to High Commissioner Wolfgang Petritsch, complaining about the delays in the process of property return, caused by both domestic factors and international organisations. They specifically mentioned the High Commissioner's Office in Banja Luka, the UNHCR Office and the IPTF Office. They quoted official data from the Ministry for Refugees and Displaced Persons of Republika Srpska: up to that point, in three and a half years, 15,648 claims for property return had been filed, and only 1050 houses and apartments had actually been returned. At such a pace, the process of resolving claims would have taken more than 50 years. Among the problems listed were that in some cases, the Ministry employees who assessed the claims for property return had occupied other people's property themselves, or that houses and apartments that were to be returned had been demolished before the eyes of the Ministry, the OHR and the police. The High Commissioner's reaction was to deliver our letter to his office in Banja Luka. Nothing happened. There were other similar interventions by Caritas and other organisations, but with no results. This worked in

the favour of those domestic forces that wanted to affirm the consequences of ethnic cleansing. Regardless of this, Caritas' centre for legal counselling managed to obtain legal decisions for around 3000 Croat and Bosniak properties from 1997–2004. The implementation of those decisions took a long time. Many returnees are still fighting for the return of their property. This is particularly true regarding the annulment of contracts signed forcibly during the war, when Catholics from Banja Luka had to sign for property exchanges without having the chance to see the property that they were to take in Croatia. The court judgements concerning annulment of such contracts have not been either implemented or abolished, thus preventing the owners from coming into possession of their properties.

Not only were the actual owners financially exhausted by seeking their assets (in one case, a refugee in Croatia travelled to Banja Luka 40 times to seek return of his assets), but some died without seeing their properties returned. Some simply gave up because they had to start living somewhere. All of this had an extremely negative impact on the return process, and on the number of returnees.

2.2. Reconstruction of houses and apartments

Another problem was that because of the delays in returning property, the ability to restore it was lost. In fact, most of the houses and apartments were intentionally destroyed after the expulsion of the owners or before their return (roofs were often stripped, windows broken, etc.). Every property had to be renovated to some extent, but due to the delay in its return, the opportunity to use funds that were available from international organisations, including Caritas, was missed. Caritas Banja Luka started its Renewal Programme in 1997. There were many cases in which the owner could not enter the Programme, because the person who occupied their property did not want to leave. Houses of displaced persons were also used as barns. The practice of intentional destruction of property continues to this day. On Monday, 9 November 2015, I received a plea for help from a man from the Banja Luka area. He had finally managed to enter his property, after 20 years. The former resident not only took everything from his house, but scratched and damaged the walls before departing. In these matters, the local authorities and representatives of the international community have remained indifferent.

Caritas has both independently and with the direct involvement of partners from its international network, who had their offices in Banja Luka, managed

to rebuild more than 2400 houses and apartments. Due to a lack of funding, Caritas ended this project in 2005 after eight years. Individuals whose property was returned kept coming, but what little help was available was mostly one-off assistance for material goods. The local authorities have not provided any assistance to returnees in years, and there has been no aid available for their survival. The Assistance for Reconstruction Programme didn't start until 2002, and was insufficient to restore the buildings that needed it.

In many cases where houses were reconstructed, the return process was often hampered or prevented by the lack of reconstruction of infrastructure (roads, the power grid, etc.). Competent institutions were not prepared to address this issue for years.

In 1999, Caritas opened two workshops – carpentry and a hardware store – and subsequently began a construction operation. Production of windows and doors was initiated, and this was included in the Reconstruction Programme. For the last decade, Caritas has been producing furniture, which is delivered free of charge to returnees and very poor families.

2.3. Centre For Life and Family

The Centre For Life and Family was founded at the beginning of February 2006. Since then, the following programs have been carried out:

- marital and family counselling
- prenatal classes
- support for parents of children with developmental difficulties
- fighting human trafficking, with some economic assistance
- sponsors for poor families and families with many children
- monitoring poverty
- psychosocial support for women and children

2.4. Care for the Elderly and Disabled – Home for the Elderly

Caritas' aforementioned specialist clinics were in operation by the end of June 2009. Although these clinics have closed, care for the elderly and the sick has not stopped. Home care, which started at the end of 1993 in Banja Luka and

surrounding areas, was expanded to the areas of Prnjavor, Bosanska Gradiška, Kotor-Varoš, Prijedor, and Ljubija, as well as settlements near these towns. Between 200 and 250 elderly, disabled and abandoned persons are visited regularly. In addition to medical assistance, help is also provided in the home, for cleaning, washing, shopping etc. Caritas provides a hot meal during the week to the sick and elderly citizens in Banja Luka's home care programme.

At the end of 2008, the John Paul II Social Centre and Home for the Elderly was opened in Petrićevac, Banja Luka. It consisted of three buildings with a capacity of 70 persons, but has since been expanded by one more building, which added 20 beds.

2.5. Residences for school and university students

In 2000, Caritas opened a boarding school in the old parish house in Prijedor, for those who would otherwise not have been able to attend high school, including children from remote villages and poor families.

In 2015, a 28-bed residence for university students was built alongside the aforementioned Home for the Elderly in Banja Luka.

2.6. Social and Educational Centre

The Social and Educational Centre was launched in 2011 in Banja Luka. The centre is organised and managed by Caritas Bosnia and Herzegovina, and offers education to caregivers of the elderly and disabled, and to assistants for people with special needs. In addition to these formal programs, many other formal and informal educational programs are offered. Recently, a dedicated building was built, and is now owned by Caritas Banja Luka. This has allowed the centre to move into new and more appropriate facilities, and to develop and expand its activities into other parts of the country.

2.7. Caritas' economic projects aimed at creating employment

Caritas has undertaken different measures to help returnees and people who remained in this area during the war to have a basic livelihood. For example, more than 120 cows, many more sheep, and a large quantity of agricultural machinery have been distributed, and interest-free loans to start small businesses have been given to more than 60 families.

Since these programs did not achieve lasting results in terms of employment – a number of small businesses failed, and some forms of assistance were abused by recipients – Caritas decided to tackle the issue of creating jobs by opening its own production facilities. The purpose of these projects is to create jobs, enable employment and generate profit, which can later be used to fund charitable projects. The projects are:

- a) *Craft and trade workshops*, such as carpentry, joinery, upholstery, construction, and retail, which operated for a time as part of a craft cooperative.
- b) *The Livač Agricultural* Cooperative's cattle farm, founded in November 2003. The farm breeds cattle for milk and beef, and a dairy that produces Trappist cheese was added to the farm in 2008. Since then, the capacity of the farm has increased, and the dairy is working towards a greater production capacity, too. A facility for biogas and electricity production began operation on the farm on 15 November 2011. However, despite the existence of appropriate laws, the unwillingness of government institutions has meant that a connection to the mains power supply has not yet been enabled.

3. Aid for the victims of the 2014 floods

Between the May 2014 floods and July 2015, Caritas helped 555 families in Banja Luka, Kotor-Varoš, Čelinac, Prijedor and Sanski Most. This aid included:

- food:	1170 packages
- dehumidifiers used by	150 families
- reconstruction of	190 houses
- furniture given to 329 families	

*beds	649 pcs
*closets	464pcs
*tables	253 pcs
*chairs	995 pcs
*mattresses	656 pcs
- household appliances to 360 families:	
*electric stove	114 pcs
*combined stove	76 pcs
*refrigerator	162 pcs
*washing machine	172 pcs
*freezers	64 pcs
*solid fuel stove	169 pcs
- books and school supplies to:	146 children
- wood for:	248 families
- seeding material for:	50 families
- greenhouses	26 pcs
- psychosocial support to:	316 families

Closing remarks

Through its work, Caritas has contributed significantly to employment, on occasions employing up to 110 people in its institutions. Immediately after the floods in May 2014, Caritas had around a hundred employees. Although this number dropped after the end of the programme of assistance to flood victims, Caritas currently employs 94 people in various fields, and on various projects.

Among Caritas employees and those involved in the implementation of aid projects are people of different ethnic and religious affiliations. Caritas has never overseen or participated in an aid project directed at only one ethnic or religious group.

All these projects, and the other, smaller ones not mentioned here, are aimed at alleviating the current troubles of the people, easing tensions between people of different nationalities, and creating prospects for the future.

The effect would be much greater and more durable if there was any political will to bring justice, to enable the disenfranchised to use their rights again, and to be accepted as equal citizens, including being given appropriate assistance. Without that, all of our work, and the work of many other similar organisations, is like putting out fires that are repeatedly fuelled by policy.

REMEMBERING THE RECEPTION OF THE DISPLACED PERSONS OF BANJA LUKA IN DAVOR IN 1995

Alojzije Jakirčević, Former Mayor of the Davor Municipality

Twenty years of turbulent times in this region are behind us. As time passes and threatens to erase and distort our memories of events, I shall, on this occasion of the 20th anniversary of the expulsion of Banja Luka's Croats, Bosniaks and others, and as a significant protagonist of the time, a living witness, participant, founder and leader of many activities, try to contribute to the truth about those hard times, about what happened and how. I will leave it to science, and particularly to the historical sciences, to process this on a scientific basis. At that time (as today), I did not pay attention to the colour of a man's skin, the community to which he belonged, or his religion. The only thing that concerned me was that he was a man, one of God's creatures, and a victim against his will, simply because he found himself in the wrong place at the wrong time. Everything I did was not done by me, but by GOD, who used me and worked through me, without conditions or delay. How did He – God – lead me, and how did He work through me?

I entered politics in 1990, after being persuaded by the parish priest at the time (who criticised me for strongly opposing many of my fellow townsmen) to run for office in the first multiparty elections. I accepted the nomination and was elected by a majority of 88% to the Council of the local Association of Municipalities – Nova Gradiška – to which Davor then belonged. I was then elected Vice President in the Assembly of the Nova Gradiška Municipality. I went from living a peaceful family life to labouring for my people and my homeland in extremely difficult times, and labouring for God and what He intended for me.

Contacts and discussions with the authorities in Srbac, the neighbouring municipality in Bosnia and Herzegovina, were initiated immediately after the elections, and involved personal contact with the President of the Assembly of the Municipality of Srbac, Miloš Milinčić. At first, these discussions took place because of the threats, and the rumours circulating in Srbac about me personally, and later because of various imputations and talks on how to help those who needed our assistance. I particularly remember a dramatic encounter at the retirement home in Srbac, where I went with my wife. The elections in Davor and Croatia had just finished. One group was talking about Alojzije Jakirčević, how he should be removed and hanged on a lamp post. I made it known that

they were talking about me, and that I was “there among them”. There was silence. I then went to the Assembly of the Srbac Municipality across the street, and looked for the President of the Assembly, Mr. Miloš Miličić. This is how discussions with the other side began. First they threatened me, and then they threatened everyone in Davor. As the war escalated, talks were extended to the Republika Srpska authorities, President Radovan Karadžić, Prime Ministers Buha, Kasagić, Kaličanin, the military authorities of the first and second Banja Luka Corps, General Uzelac, several colonels, and later Generals Aleksandar Subotić, Momir Talić, Majors Savić and Lukić, Captains Ševarika and Kovačević, and others. The most common topics and reasons to meet were those of finding and exchanging people who had been captured or killed, mostly from Bosnian Posavina and western Slavonia. Over time, the discussions began to include the representatives of our military structures. For a while, meetings and talks were organised on the river Sava, on a docked riverboat. Later, representatives of international organisations, such as the International Committee of the Red Cross, the UN and the European Union would also join us on occasion.

I particularly remember the talks conducted in the office of the President of the Municipal Assembly of Srbac, Miloš Milinčić, on 8 October 1991, which were attended by then President of the Crisis Committee of the Nova Gradiška Municipality, Miroslav Čupić, his assistant Antun Raičević, former MP Ivo Babić, and President of the Local Community of Davor, Ivan Pišonić. An incident occurred at this meeting, when Yugoslav National Army (JNA) General Aleksandar Subotić, pulled a gun on me and placed it in my mouth, because I said that neither he nor other senior JNA officers would be able to walk freely in Croatia as they had done previously. General Subotić, a man with an arrogant and aggressive nature, placed a gun in my mouth on two more occasions: once in April 1992, and finally in 1995, in the days of the greatest persecution of the people of Banja Luka. I usually went to negotiations alone. The most difficult negotiations were on 21 April 1992, after two-sided artillery fire, first from Bosnia on Nova Gradiška and its hospital, and then the response from the Croatian side on Bosanska Gradiška and surrounding military positions. After spending the day on the telephone, I went to Srbac at the invitation of Miloš Milinčić to negotiate with the local political and military authorities. I think it was Davor’s D-day (or night). Thank God, it all ended well, and Davor was not damaged.

Miloš Milinčić played an important role then to prevent the army from crossing the River Sava. Everything was in place for them to move, but just before

midnight, a message arrived from President Karadžić himself that the army should stay in position. We can only guess what would have happened at that time if the army had crossed the river.

The only significant incident on the side of Srbac, Bosnia and Herzegovina, involving the JNA took place on 2 April 1992, when a sniper on the Bosnian side shot Davor resident Dragica Devic in her hand while she was opening a window in her house. I called Miloš Milinčić and told him what had happened. He promised me that he would have this case investigated and that this would not happen again.

And there really was not another incident of this or a similar type again. In illustration, our fellow citizen Dragan Marjanović had been excavating gravel and sand on the bank of the River Sava during the time, in order to feed his large family. This is how we finally established cooperation between Davor and Srbac, which was not only beneficial to people on both sides of the Sava, but also to the many victims of both sides of the war. Our daily connections were established via couriers, Miloš Ugren on their part, and Karlo Čalić on ours (later Milan Simić-Silijin).

When the number of subjects in talks and negotiations later rose with the introduction of representatives of the international community, the UN, the UNHCR, the EU, the Red Cross, representatives of Republika Srpska, Herceg-Bosna, Bosnia and Herzegovina, FR Yugoslavia, and representatives of the Croatian government, among others, we met in the wedding hall or in the Municipality Hall of Davor.

There were dramatic situations during rescues on both the Bosnian side and our side, especially when police authorities would request that exiles return. The people arriving on our side would wait in Davor until we reunited them with their families, friends or acquaintances, who would take them further. There was joy, but tears, too. Joy because they had been saved, and tears, because they had left so much behind. That was only the beginning.

The Great Exodus

Dramatic and mass crossings began on 14 August 1995. At the request of Miloš Milinčić, I went to Banja Luka with him on 10 August 1995 to see what the situation was like there, as different stories were circulating. On the way, he told me that they did not have any bread or flour, as if he were trying to justify

what was happening. Then I realised the drama and difficulty of the situation. In one field (he told me it was a customs zone), children, women and the elderly were outside, trying to shield themselves from the rain with plastic bags. Many individuals from Zagreb and other places had come to me around that time, asking me to go and save those people. I could not just let it go. I informed the international representatives about what I had seen and found in Banja Luka, and asked them to intervene with our authorities. I informed the President of the Republic of Croatia, Dr. Franjo Tuđman, too. He called me on 11 August 1995 during the night, to hear more details about what I had seen there. In the end, President Dr. Franjo Tuđman said to me: “Mayor, please, do whatever is possible to save those people and all those in danger, no matter what happens to you personally.” On 14 August 1995, we transported 1448 persons in six boats. We were on our own, without help, as we were not officially allowed to do this. It was the beginning of the mass rescues and crossings from the Banja Luka area and its surrounds. The first aid received in the form of food, clothing, and shoes was provided by my fellow villagers from Davor and Caritas in the Davor parish, from whose premises aid was distributed to refugees from the Banja Luka area.

Three Caritas volunteers in particular – Suzana Stuburić, Slavica Jakirčević and Davorka Olić – bore the brunt of this work. We did not spend any municipal funds for this purpose, to avoid trouble later on. We funded the first three days of refugee reception ourselves. The Nova Gradiška Red Cross joined us on day four, covering fuel costs, and transporting the refugees by van to the Home in Davor from that day onwards. The UNHCR in Daruvar also contributed, with two vans for assisting in the transport of refugees. Until then, we had been doing it by tractor. The neighbouring settlements of Orubica, Štivica, Staro Petrovo Selo, Nova Gradiška, Slavonski Brod and others, also came to the aid of refugees. The Governmental Office for the Reception of Refugees and Displaced Persons sent us a sufficient number of buses for the transport of refugees to their planned destinations. I managed to climb aboard every bus, greet the refugees from Banja Luka, and promise them that they would return to their homes. Unfortunately, my words have not come true; it was my wish, but it turned out to be an empty promise.

On day four, the Ministry of the Interior and the border police joined us, along with the Social Care Centre in Nova Gradiška. Only on 25 August 1995 did the Civil Guard start to participate in the reception of refugees. Caritas in the Diocese of Banja Luka, led by Msgr. Aničić, offered us great help, as did people from the Heritage Club of Banja Luka in Zagreb, who donated flour, oil

and cans of food. The French Ambassador to Croatia visited Davor on 18 August 1995, and we subsequently received assistance from the French Embassy in the form of clothes, diapers, and 5 tons of milk. Caritas in the Archdiocese of Zagreb also helped, with Ms. Jelena Brajša at its head. The entire governing structure of Herceg-Bosna from Mostar, led by Dr. Jadranko Prlić, visited us and stayed in Davor for a whole day to talk with the refugees. We established contact with the Embassy of Bosnia and Herzegovina in Zagreb, and with Ambassador Trnka, who sent a delegation of two. This delegation spent two days in Davor without seeing the refugees or the Sava and the border before they returned to Zagreb. Ms. Emma Bonini, the High Commissioner for Humanitarian Affairs of the UN also visited us during that time.

One experiences and sees a lot during such difficult circumstances, and much of this will have found its place in the memory of hard times for the Croats and Bosniaks of Banja Luka. I remember one woman in particular, who was carrying a large bundle. When I went to her and asked: “What are you carrying?” She replied: “I’ll tell you when we get to the other side.” When we crossed the river, she said: “I have two blind passengers.” She unwrapped the bundle, and I saw a large statue of the Mother of God, holding Baby Jesus in her arms. She wanted to rescue the statue of the Mother of God, without worrying about what might happen to her.

A second example is the rescue of five men in the prime of their life. A young woman with a small child did not want to move away from the Sava. She cried, and moaned. I asked her: “Why are you crying?” Through her tears, she said: “What good does it do for me to be alive, when my husband has been singled out and taken to be murdered?” I asked her: “Where has he been taken?” She replied: “Across the Sava, with four other men.” I stopped the transport, and we jumped into a boat and crossed the river. We found the military officers who had taken the men. It was their payback for Vozuća, which had happened the previous day, and during which the Serbian army had suffered many casualties. I sought out Miloš Milinčić, and after labourious negotiations they brought us all five men, who were aged 25–30. Four were Muslim, and one was Croat (a professor, now an entrepreneur in Vojnić).

Refugees have told me that on a football field in Srbac, they were charged 100–400 DM for transport across the Sava, which caused those poor people additional suffering. The Serb side did not offer any transport services across the Sava: that was left to us, in Davor. I protested to Miloš Milinčić that this was not acceptable. The authorities tried to justify themselves by saying that they

needed money to fix the road leading to the Sava. After my intervention, we managed to collect more than 1 million DM from about 7000 expelled Croats and Bosniaks in order to abolish this payment. However, obligatory exit certificates were issued in Banja Luka, and were charged at 400–750 DM, which was beyond my control.

The following is an example of how cruel life and people can be. We transported a mother and father and their two children across the river, but the father was separated from his family on our Croatian side, and returned because he was a Serb. His wife and their two children were Croats so they could stay, but the husband and the father of two could not, and he had to return. He begged his wife: “Please, save our children, make them go to school, I’ll manage to come back somehow. They’ll allow me to enter Croatia sooner or later, and we’ll be together again. Please, save our children.” His wife replied: “I won’t, Mile, not without you. You are our everything, they may as well kill us all here. The two of us belong together.” This man was returned to Bosnia. I asked the soldiers to take care of him for a day or two, and that we would return him to Croatia – not explaining to them why he was returned. I called the Offices of President Tuđman and Minister Dr. Adalbert Rebić, and informed them about the case. I was ordered to go and get him the following morning, and that this should not happen again. I found him with the Serb guards, who had done him no harm – on the contrary, they had fed him and protected him during the night. His wife and their children had not slept at all the night before: they had stayed near the Sava the whole time.

There were incidents and harsh words between us and our border police, and I sometimes considered it safer to be on the other side of the Sava than on ours.

Until 14 August 1995, when the mass exodus and rescues, or the expulsion and reception of refugees, began, 614 persons crossed over to our side. Between this date and 21 September 1995, 22,054 refugees were saved, and transported by boat. Of these, 14,058 were Croats, 7782 were Muslims, 117 were Roma, 57 were Serbs, 22 were Czechs, 12 were Italians, 5 were Slovenes and 1 was German. From 21 September 1995 until the end of November 1995, another 326 persons were expelled and taken through Davor. Altogether around 25,000 persons were rescued and transported to Davor.

Saving Bishop Msgr. Dr. Franjo Komarica from House Arrest

I first got in touch with Bishop Dr. Franjo Komarica on 10 September 1995, via a letter given to me by Miloš Milinčić, the Municipal Mayor of Srbac. Following a request by the family of Radoslav Lakić, a Yugoslav National Army Major captured by Croatian forces, the Bishop asked that I stand up for this man, and do whatever I could for him. This was when I found out that the Bishop had no contact with the outside world, and that he had been placed under house arrest. I searched for a way and an opportunity to rescue him, and found one in the anniversary celebrations that preceded the centennial of the first mention of the name of Davor (the Davor settlement was named Svinjar until 30 December 1899) and the 750th anniversary of the Diocese of Zagreb, to which Banja Luka belonged, too. At the end of November 1995, I got in touch with the authorities. First I spoke with Prime Minister Kasagić, who informed me that he could not do anything regarding this matter, and that it was up to President Karadžić. After two meetings with Karadžić and written correspondence, the Bishop of Banja Luka, Dr. Franjo Komarica, was permitted to come to Davor to attend the ceremonies and join the Mass, after which he was to be returned to Banja Luka.

I informed Bishop Komarica about this in a letter delivered to him through Miloš Milinčić. Before the celebrations in Davor, we, along with Ivica Relković from Davor, organised prayer campaigns, novena, and a spiritual retreat, with famous theologians and preachers, to celebrate the happy arrival of Bishop Komarica to Davor, and his release from house arrest. In his letter, the bishop informed us that he was certain to come because the authorities were forcing him to. He did not understand what we had done in order for such a twist to occur. We contacted His Eminence, Cardinal Dr. Franjo Kuharić of the Archdiocese of Zagreb, informed him of our intentions, and invited him to come to Davor, too. The Cardinal had previously planned to go to Germany, but after we assured him that the Bishop of Banja Luka, Dr. Franjo Komarica was coming, he promised he would come too. We received notice from the Mayor of Banja Luka, Dr. Radić, a few days prior to the celebration, that President Karadžić's personal guard would bring Bishop Komarica to Srbac on 30 December 1995 at 9 a.m., and that we were to take him over to the Bosnian side.

The reception of Bishop Franjo Komarica was magnificent. Many people did not believe that he would be released. Even Cardinal Kuharić, when I told him that we were to pick up Bishop Komarica in fifteen minutes, expressed his

disbelief, saying: “We shall see, Lojza.” So we went to the River Sava and the border crossing. A multitude of people, including women, children, the elderly, and young men in traditional dress waited for our dear Bishop Komarica. Milan Simić started the boat’s engine, and we crossed the overflowing Sava, landing on the Bosnian side. The Bosnian bank of the Sava, where we usually docked, was flooded. We reached the petrol station in Vrbas, and the first houses in Srbac. Four soldiers (members of Karadžić’s personal guard) as had been agreed, and Mayor Miloš Milinčić were with Bishop Komarica. “Please watch over His Excellency and return him to us, we shall wait,” they said. “Everything will be alright, we shall bring him back at three o’clock, after the Mass and after lunch,” we replied. Bishop Dr. Franjo Komarica, Fra. Dujko Levar (the Guardian of the Franciscan monastery in Petrićevac), and the two of us docked on our side of the Sava. This was met by genuine cheers from those present. Once the ferry had crossed, we passed through the delighted crowd – everyone wanted to greet and shake hands with the Bishop. All of Davor had been decorated for this jubilee. We arrived at the parish house, where Cardinal Dr. Franjo Kuharić was waiting for us. Bishop Komarica appeared not to be fully aware of what was happening. The Cardinal approached him, and the two giants of the Church embraced fraternally, to applause from the crowd.

After Mass in the crowded parish church in Davor, a gala meal was prepared in the hall of the Primary School, for all the guests. Bishop Komarica asked me on a few occasions during the lunch: “Dear Mayor, are we late?” I would reply: “Let them wait, everything will be fine.” On our way back, after we boarded the boat, the Bishop asked which song we were to sing. I said: “Bosno moja, divna mila...” (“My dear, beloved Bosnia”) He replied: “Not that one!” He took off his hat, and began to sing “Za svaku dobru reč...” (“For every kind word”). The people on the bank joined in, and the song echoed along the river while we crossed to its right bank. We reached the delivery point, and the guards and Miloš Milinčić were there, waiting to return the Bishop to Banja Luka. I told them that the boat’s engine would not start earlier, and that we had to paddle and were thus late. They accepted the Bishop without anger or complaint, and the Bishop added: “We were all hoodwinked by one Mayor...” (author’s note: in Croatian, the word *veslati* means both to row or paddle, and to hoodwink.)

What can one conclude, after such a massive exodus of the faithful, and other citizens, from Banja Luka and its surrounds to Davor, in boats? We may thank God, and particularly the Blessed Virgin Mary, that nothing went wrong, and no accidents occurred. Nobody, not an old man, nor a woman, nor a child, fell into the water. Most of them were boarding a boat for the first time in their lives.

Usually, 12 to 18 persons were transported in a boat meant for six. To express our thanks for all the good things that happened, I paid for my wife and two of my associates, Suzana Stuburić and Slavica Jakirčević, to go on a pilgrimage to Lourdes.

On the occasion of this, the 20th anniversary of those hard and tragic times for the Catholic Croat people of Banja Luka and surrounding areas, and for all of those who were refugees in the convoy of boats to Davor, I would like to thank the then-boys, now adults, who transported so many refugees in their boats, without a single incident: Bogomir Marjanović, Ivica Dević, Ivica Marjanović, Mladen Marjanović, Milan Simić, Željko Simić and Nevenko Štivin. I thank most sincerely all the people of Davor who opened up their homes and hearts, and to all the good people for their help during those hard times. I thank God for all of that, but I also thank the people who gave me, and thus all the people of Davor, the Golden Medal for Humanity (UNHCR), the “Order of the Croatian Trefoil” (President Dr. Franjo Tuđman), and the Acknowledgement of the Muslims of Bosnia.

On the 20th Anniversary of the Last Phase of Expulsion of the Remaining Catholics from the Entity of Republika Srpska

AGREEMENT ON THE EXPULSION OF NON-SERBS?!

Msgr. Dr. Franjo Komarica

During his stay with us in Sarajevo recently, Pope Francis invited all of us, Catholics and non-Catholics, to be the true builders of peace among the peoples and communities of our suffering land and its surrounding nations.

In doing so, he reminded us of the words of the prophet Isaiah: “And the product of uprightness will be peace” (Is 32:17). He directed the following words of encouragement to us, the officials of the Catholic Church: “You have no right to forget your history. Not for revenge, but to be peacemakers, and to be able to love like them.”

In the spirit of the Pope’s words, I consider it my duty to stay consistent in the fight for truth, justice, reconciliation and a just, permanent peace, especially in my homeland.

This is also the purpose of my address to the public on this occasion.

Exactly 20 years ago, on 14 August 1995, the last phase, ie. the definite expulsion (pogrom) of the unarmed, peaceful, remaining non-Serb population – Catholics and others – began from the wider area of Banja Luka, today’s northern and north-western part of the entity of Republika Srpska. This followed the signing of the “arrangement” about the “undisturbed movement of the civilian population from the area of Republika Srpska”. The “arrangement” was signed in Banja Luka by Dr. Nikola Koljević, the Vice President of Republika Srpska, on the entity’s behalf, and Lucie Stenthal, representative of Cornelio Sommaruga, the President of the International Committee of the Red Cross (ICRC).

It is not known whether any official representatives of the resident non-Serb population from the area of Banja Luka and neighbouring municipalities took part in drafting this arrangement, or in the approval of the expulsion.

As Bishop of Banja Luka, ie. the official representative of the Catholic population in this area, and a direct witness to many dramatic events during the war and the post-war period, I consider it my duty to publicly remind you of some facts, and some attempts that I and some of my closest associates made at that critical time.

The occasion of the 20th anniversary of the now obvious eradication of the Catholic Church, which has been rooted here for many centuries, provides me with this opportunity.

I am doing this for our younger citizens, who have not had the opportunity to hear about the events from that time, but also for those who do not know enough about them, or who deliberately distort them.

1. On 14th August 1995, the very day that the final expulsion of the remaining Catholics in my diocese began, I, under house arrest, addressed a letter to the Office of the International Committee of the Red Cross in Banja Luka (P. Krähen-bühl), with the following content: “We hereby inform you that on the morning of 14 August 1995, the transport company ‘Autoprevoz’ from Banja Luka ordered their drivers to transport the Catholics/Croats in an unknown direction, on behalf of ‘Caritas in the Diocese of Banja Luka’. Our Caritas has nothing to do with this, nor did it request any buses, and it surely did not have the right to transport people who were violently expelled from their homes! We resolutely protest the continuation of this inhuman action of the ethnic cleansing of the Catholic Croat population from the region of Banja Luka. It is well known to you and the local authorities that these people do not want to voluntarily abandon their homeland nor their homes. They have been put forcibly in a situation where they do not have the option of returning to their homes, or of living in them safely. What is being done here is a crime against innocent and peaceful citizens, the Catholics of the Diocese of Banja Luka in the territory of Republika Srpska. You are witnesses to this!”

2. I directed a letter to the Head of the Office of the European Community Task Force (Nils-Erik Ekstrand) with the following content:

“The deportation of the Croatian population from the area of Banja Luka”:

Today, on the morning of 14 August 1995, from several collection points, the expulsion began of the remaining part of the peaceful people of the Croat community from the Banja Luka area in north-western Bosnia. People who were forcibly expelled from their own homes during the last days and weeks, and were unable to take their possessions with them, will be transported to the north, towards the border with the Republic of Croatia. The offices of the International Committee of the Red Cross and the UNHCR are creating a list of people who are obliged to leave the area.

These organisations want to are not attacked on their way to exile. According to some (unverified) data, 13 busloads of refugees have already left. Apparently, a few more buses shall leave today. The violent expulsion will continue, as will the expulsion of those Croats who have not yet left their homes. We fear that everyone might have to leave. This is done in accordance with the orders of the highest political representatives of the Bosnian Serbs, according to explicit claims by the representatives of Civil Protection of the Banja Luka Municipality, who are carrying out the action.

As before, the local representatives of Caritas and the Catholic Church are against such utterly inhuman treatment of the peaceful native citizens of this town and its surrounds. We shall continue to fight for the protection of the fundamental human rights of our citizens here in Banja Luka, and all other forcibly expelled people.”

3. On the same day, 14 August 1995, I addressed all domestic Catholics, along with my fellow priests from the area of Banja Luka:
 - a. The deportation of the faithful Catholic Croats and others from their ancient hearths that began today was not in any way organised by the Catholic Church, the bishop, the priests, nor by Caritas, as the rumours claim. The official representatives of the Catholic Church have no official information, nor can they guarantee a safe departure.
 - b. Only those who organised the action are responsible for what is happening. Each person must make an independent decision about whether to remain or leave. The priests do not have a mandate to take their faithful anywhere from their current parishes.
 - c. We are still convinced that we priests should stay in our current locations as long as possible, doing our priestly duty and praying to God on behalf of the entire community, that these days of heavy trials and tribulations will be over sooner rather than later.
4. On this occasion, I consider it necessary to inform the public through my formal letter dated 6 August 1995, addressed to then President of the Assembly of the Municipality of Banja Luka, Predrag Radić. I have sent copies of this letter to: M. Gogić, President of the Regional Coordination of Humanitarian Aid; V. Ćurko, the Head of the Office of the UNHCR in Banja Luka; and P. Krähenbühl, Head of the Office of the International Committee of the Red Cross:

“Following the current critical situation of the entire local population, we sent a ‘most urgent appeal’ to Zagreb, to the Croatian Government Office for Refugees and Displaced Persons, to ‘provide the urgent opening of passages for humanitarian convoys from Zagreb to Banja Luka, not only for Caritas and Merhamet, but also for UNHCR, ICRC (ICRC), MSF, ECTFE and other international humanitarian organisations’. After the subsequent rushed note of the undersigned, a fax arrived addressed to the undersigned (no. 50407-01-95-16, dated 6 August 1995), and signed by Croatian Government Minister and Head of the Office for Refugees and Displaced Persons, Professor Dr. Adalbert Rebić. The answer was positive: ‘We shall send or provide you with all necessary assistance from Zagreb’. Then it said: ‘Please inform Mr. President Predrag Radic, that we shall provide as much humanitarian aid as we can, but that, in return, he should help the Croats in Banja Luka to survive. We shall meet his needs in the same measure as he meets the needs of Croats. I believe Mr. Radić is a humane person, and that his humanity will be particularly shown in these moments. This will be returned to him a hundredfold in the future. We’ve been helping Banja Luka through these difficult times, and we shall help again in the future. Tell Mr. Radić this. The Croatian Government stands by my promise. The attitude of the Government of the Republic of Croatia is clear. As your peaceful, loyal citizens, we expect that you will treat us like all other citizens of Republika Srpska, ie. that you will protect our lives and property. This is what you are trying to do. We, in turn, insist in our willingness to help our fellow citizens wherever and however we can. We consider our commitment as welcome help in these particularly dramatic days, with the sudden presence of a large number of Serb refugees. While we sincerely sympathise with those poor people, we want to help them as soon as possible and as effectively as possible. I suggest a meeting, at the earliest opportunity, of all competent persons to organise and begin a much-needed humanitarian action – the delivery of humanitarian aid from Zagreb to the Banja Luka area, and stopping the expulsion of the citizens of Republika Srpska from the Banja Luka Municipality. I am personally at your service.”

Here is part of another of my formal letters, written the following day, 7 August 1995, to the “International humanitarian organisations: UNHCR, ICRC, MSF and ECTF” in Banja Luka. A copy was sent to the Regional Coordination of Humanitarian Aid for Banja Luka, Doboj, and Petrovac:

“After the urgent positive reaction of the Croatian Government (following my appeal) to immediately help the entire local population ‘as much as possible’, I informed you, as well as all relevant persons and institutions of Republika Srpska, of this, at the same time asking you to enable the immediate transport of humanitarian aid from Zagreb to the wider Banja Luka area. I now ask you again to urgently take every action to effectively alleviate, at least to some extent, the truly tragic situation of several dozen, maybe even a few hundred thousand, vulnerable people in the area.

“At the same time, and now as well, for the umpteenth time, I raise my voice in defence of the disenfranchised people, of all those manipulated, deceived, displaced persons, regardless of their nationality or religion! As we persistently demand from the local current government to provide us, as their peaceful citizens, a secure life in our homes, we feel that the right of all other displaced people to be able to return and live in dignity in their own homes and in their own homeland is absolutely legitimate.

“In sympathy with those who are suffering, I warn again of the urgent need for care to be provided also to the local indigenous non-Serb population, who were expelled over the last day from their houses and apartments, and who do not have basic security, or adequate living conditions.”

5. Unfortunately, all our sincere intentions to extend as much assistance as we can to all our fellow citizens, regardless of their ethnic, religious or other affiliations, have not yielded the expected results. The situation is becoming more and more critical for local Catholics every day. In the last few days, I have tried to write and verbally intervene with the local authorities, with the representatives of international organisations, and as far as I could, with representatives of the Croatian people.

I quote from my letter to the UNCHR and the ICRC offices in Banja Luka, dated 9 August 1995: “Three days ago, I informed you that, according to our findings, a few hundred families of Croat nationality from the area of the Municipality of Banja Luka have recently been forcibly expelled from their houses. Now, I must inform you that this number, according to as yet incomplete data, has risen to over one thousand families!

According to statements from those expelled, the expulsion was carried out with the knowledge (and under the guidance) of the officials of local

communities. People expelled from their homes, citizens of this town, are completely destitute and unprotected.

Our diocesan Caritas has no food, nor the opportunity to care for these people in a safe and secure location.

I appeal to you that you, in accordance with your program, endeavour to resolve this clear and very serious problem!”

I quote from my appeal dated 10 August 1995, which was sent to the Heads of the Offices of UNHCR and ICRC in Banja Luka, with a copy sent to then President of the Presidential Committee of the Croatian Republic of Herceg-Bosna:

“In the name of the Catholic Croats and others from the wider area of Banja Luka, I appeal to you in this particularly critical moment for our biological survival in our homeland. PROTECT US!

“It is common knowledge that we have been peaceful citizens of our municipality throughout the war in Bosnia and Herzegovina.

“Although innocent and disenfranchised, we have not threatened anyone, neither their lives, nor property.

“While there has not been conflict in our region, around three-quarters of our people have been forced to leave their homeland. They number about 60,000.

“Several thousand people were – according to incomplete data – forcibly expelled from their homes in the past week. They currently have no basic living conditions: no safety, accommodation, food, or medical care. Around 80% of them are elderly.

“As before, we are ready for maximum solidarity with all our fellow citizens – locals and refugees. We see no need to solve the issue of Serb refugees from other regions by expelling us, the local population, from here. [...]

“Neither you, nor the current authorities of the Serb and Croat people in Bosnia and Herzegovina can say that you were not duly informed about our current critical situation. Please help us!”

6. Initially, the definitive expulsion of Catholics from the area of Banja Luka

and neighbouring municipalities was preceded by dramatic days, during which columns of Serb refugees from the area of the self-proclaimed “Serbian Republic of Krajina” in the Republic of Croatia, passed through. On 5 August, the President of the Association of Banja Luka Municipalities, Predrag Radić, told me that “every single Croat must shortly leave Banja Luka and the region, as this is a ‘command’ ordered by the highest authorities.” (!)

Between 14 August and the end of 1995, around 21,000 (20,836) displaced persons – mainly Catholics and Bosniaks – left their home town of Banja Luka, and crossed the Sava River from Srbac to Davor. All their names, along with a chronicle of expulsion, correspondence between the municipal mayors of Davor and Srbac, and other documents, photos, testimonies and expressions of gratitude, were published in 2003, in two books titled: “Davor, Humane Centre of the World: The Persecution of the Croats and Muslims of the Banja Luka Area in 1995.”

An unknown but large number of people were expelled from other places along the line of demarcation, too.

7. According to international law, a criminal act committed with the intent to completely or partially destroy an ethnic or religious group is genocide. In this case, the targeted, violent eradication of the peaceful indigenous Catholic population is, without doubt, genocide.

Unfortunately, to this day, knowledge of this act has mostly been suppressed, not only by local government representatives, but also by the international community and representatives of international organisations, who knew about and approved it.

8. The aforementioned “agreement” between Koljević (Vice President of Republika Srpska), and Sommaruga (President of the ICRC) admittedly explicitly anticipated “an early return of refugees and displaced persons to their homes”. Vice President Koljevic himself spoke to me on 6 December 1995, after returning from Dayton, and told me that “an institutionalised return of Croats to their homelands in the Banja Luka area and other parts of Republika Srpska, should take place as soon as possible!” Annex 7 of the Dayton Agreement outlined the “institutionalisation” of the return of all refugees and displaced persons, including Catholics from the Banja Luka area and the rest of Republika Srpska.

Unfortunately, that did not happen, mainly because of persistent political obstruction by post-war local government representatives, and the lack of legal regulations and much-needed economic help for returning Catholics to rebuild their homes, and enable sustainable and acceptable living conditions to all those (a great many) who wanted to return, especially during the first post-war years.

The deeply inhumane stance, in violation of international law, of local and international political officials towards the members of the Catholic Church in the territory of Republika Srpska resulted in disastrous statistics regarding the number of Catholics residing in the wider Banja Luka area.

Of around 63,000 Catholics from my diocese, who lived in the territory of the current entity of Republika Srpska before the war, only 7400 remained at the end of 1995. At the end of 1999 there were even fewer (6096), as the return of displaced persons was prevented, and the older people were dying. And 15 years later, at the end of 2014, due to the continuous disabling of the sustainable return of local Catholics, there were only 4504 of them!

None of the previous politicians from the entity of Republika Srpska, or from Bosnia and Herzegovina and Croatia, or the responsible representatives of the international communities, seem to care much about all the “agreements”, “peace treaties”, and international human right conventions they have signed. To this day, 20 years after the war, they do not want to enable the vast number of refugees and displaced persons – not just Catholics, but non-Catholics too – from Bosnia and Herzegovina and neighbouring countries, to repossess of one of their inalienable human rights: the right to their native land, their homeland.

9. And with this 20th anniversary of the beginning of the definitive expulsion of Catholics from this part of my diocese, it is our duty to recall the bitter and painful truth about the legalisation of the fascist, genocidal project of “ethnic cleansing” conducted by many of our contemporaries who, during the last 20 years, have performed important political duties in this area. No truthful, humane, just and peaceful man should approve the legalisation of this great injustice, perpetrated against tens and hundreds of thousands of our fellow citizens!

I have personally, as a man and as a citizen of my home town and my country, and on behalf of the Catholic Church (on many occasions in co-operation with like-minded people), addressed hundreds of appeals, requests, alerts, interventions and protests to political and other officials, and all people of good will. I do this again now, and consider it my duty before God, the Church and history: LET US CORRECT THE INJUSTICE THAT CRIES TO HEAVEN, INFLICTED ON OUR INNOCENT FELLOW CITIZENS AND CONTEMPORARIES, SO THAT OUR COUNTRY CAN FINALLY BEGIN THE REALISATION OF A JUST AND PERMANENT PEACE!

TWENTY YEARS AFTER THE DAYTON AGREEMENT THE STATE OF CATHOLIC PARISHES IN THE ARCHDIOCESE OF VRHBOSNA, REPUBLIKA SRPSKA, 1991–2014

Cardinal Vinko Puljić, Archbishop and Metropolitan of Vrhbosna

Twenty years have passed so quickly, and yet what was signed and consented to in this agreement has been carried out so slowly.

On 8 December 1995 we, the bishops, gave an address regarding the Peace Agreement. We expressed satisfaction with the fact that the war had stopped, but we wrote the following: “The Peace Agreement, as far as we can tell, contains a few odd contradictions and fatal uncertainties, which are listed below:

1. A complete Bosnia and Herzegovina has been proclaimed, but it has been separated into two entities
2. How can one country have three armies?
3. In what kind of justice is half of a country’s land given to a community that constitutes only a third of this country?
4. Who can be authorised to sign an agreement in which the majority population of Bosnian Posavina has been left under the governance of the minority?
5. This agreement constitutes authorisation of ethnic cleansing and the right of the strongest, and puts the victim and the aggressor on the same level.
6. Who shall oversee the return of the hundreds of thousands of refugees and displaced persons predicted by the Peace Agreement to their homes and homelands, and guarantee them their human and civil rights and liberties?

We said then that this agreement opened the door to new injustices. Those who were in charge of implementing the agreement were permanently in favour of the stronger over the weaker. To date, all the High Representatives have continued to modify the agreement, to the detriment of the weaker. When we would warn them about this, they would write to the Holy See to silence us.

They established Republika Srpska in order to compensate for the new state of Kosovo. They permanently refer to the Dayton Agreement, but in fact they seek their privileges, backed by great powers who settle their accounts through us, the little ones.

They lack the correctness to admit to the other side that they are acting in their own interests. America does not want to touch the Dayton Accord, and Europe does not see a country like this in its family. Again they ask us to make a deal. There is no deal if there is no common starting point.

Who is responsible for the fact that I have lost more than two-thirds of my congregation? Am I to blame for issuing warnings about this, by calling out not names, but the politics that consider this normal?

All religious objects have been restored with the help of numerous small benefactors and brave priests in the field, with their enthusiastic parishioners.

The Archdiocese of Vrhbosna contained 529,049 Catholics before the war (in 1991), mostly Croats, while on 31 December 2014 it had only 182,843 Catholics. This means that the diocese has lost 334,266 Catholics, or 65.43%.

During the war (1991–1995) and the post-war period, 44 parish churches were completely destroyed, 34 heavily damaged, and 23 slightly damaged. In total, 690 church objects were damaged (290 by extremist Muslim forces and 400 by Serbian forces): 101 parish churches, 98 other churches, 177 chapels, 153 parish houses and other parish buildings, 18 monasteries and 123 cemeteries.

It should be noted that almost all the destroyed and damaged parish churches and other church buildings were rebuilt between the end of the war and 2014.

In the tables presented, one can see clearly the contrast in the number of believers before the war in 1991, and today, according to current sources that are renewed annually by parish offices. The tables are arranged according to the deaneries that are, if not completely, then largely in the territory of present-day Republika Srpska. Column 1 of each table contains the name of a town or village that has a parish. Column 2 contains the number of Catholics in that settlement in 1991. In the third column is the number of Catholics recorded in 2014.

NUMBER OF CATHOLIC CROATS BY PARISH, ACCORDING TO CHURCH DATA, IN THE ARCHDIOCESE OF VRHBOSNA, PRESENT-DAY REPUBLIKA SRPSKA, 1991–2014¹

Parish	Number of believers in 1991	Number of believers in 2014
1. Bežlja	3010	1400
2. Bijelo Brdo	2191	55
3. Bijeljina	810	50
4. Bosanski Brod	4780	850
5. Bosanski Šamac	1290	680
6. Brusnica	1350	34
7. Bukovica	1250	4
8. Cer	2950	35
9. Čardak	3264	134
10. Derventa	8380	222
11. Doboј	4172	528
12. Donja Tramošnica*	2732	180
13. Foča kraj Dervente*	3990	148
14. Garevac	2943	174
15. Gornja Komušina	1810	8
16. Gornja Močila-Sijekovac	1792	18
17. Gornja Tramošnica*	2250	231
18. Kolibe	1950	6
19. Komušina	3315	163
20. Koraće*	3258	66
21. Kulina	950	9
22. Modriča	3532	43
23. Novo Selo pokraj Bosanskoga Broda	3050	94
24. Pale	395	83
25. Pećnik	2350	116

¹ This table contains a list of all parishes in the territory of Republika Srpska.

26. Plehan*	8120	109
27. Srednja Slatina	993	41
28. Teslić	2950	608
29. Tišina*	5982	310
30. Turić	1690	484
31. Veliki Prnjavor-Sočanica	1750	4
32. Zvornik*	350	70
33. Žeravac*	2720	96
TOTAL Present-day Republika Srpska	92.319	4416

*Parishes run by the Franciscans of Bosna Srebrena Province.

THE STATE OF CATHOLIC PARISHES IN THE DEANERY OF DERVENTA, 1991–2014²

Parish	Number of Catholics in 1991	Number of Catholics in 2014	Parish	Number of Catholics in 1991	Number of Catholics in 2014
Bijelo Brdo	2191	55	Kolibe	1950	6
Bosanski Brod	4780	85	Koraće	3258	66
Brusnica	1350	34	Kulina	950	9
Bukovica	1250	4	Novo Selo k. B. Broda	3050	94
Cer	2950	35	Plehan	8120	109
Derventa	8380	222	Veliki Prnjavor - Sočanica	1750	4
Foča k. Dervente	3990	148	Žeravac	2720	96
Gornja Močila - Sijekovac	1792	18	TOTAL in Deanery	48.481	984

² The following four tables show the state and the number of Catholics in four deaneries mainly in Republika Srpska territory.

THE STATE OF CATHOLIC PARISHES IN THE DEANERY OF DOBOJ, 1991–2014

Parish	Number of Catholics in 1991	Number of Catholics in 2014	Parish	Number of Catholics in 1991	Number of Catholics in 2014
Čardak ³	3264	134	Odžak ¹¹	2945	1466
Donja Tramošnica ⁴	2732	180	Pećnik ¹²	2350	116
Garevac ⁵	2943	174	Posavska Mahala ¹³	1508	430
Gornja Dubica ⁶	7530	1 482	Potočani ¹⁴	4523	1150
Gornja Tramošnica ⁷	2250	231	Srednja Slatina ¹⁵	993	41
Gradačac ⁸	1990	293	Svilaj	4215	1 206
Modriča ⁹	3532	43	Turić ¹⁶	1690	484
Novo Selo -Balegovac ¹⁰	0	1535	TOTAL in Deanery	42.465	8965

³ Parish is located within Republika Srpska.

⁴ Parish is located within Republika Srpska.

⁵ Parish is located within Republika Srpska.

⁶ Parish is located within the Federation of Bosnia and Herzegovina.

⁷ Parish is located within Republika Srpska.

⁸ Parish is located within the Federation of Bosnia and Herzegovina.

⁹ Parish is located within Republika Srpska.

¹⁰ Parish is located within the Federation of Bosnia and Herzegovina. It was found in 2001, by separation from Gornja Dubica and Odžak parishes.

¹¹ Parish is located within the Federation of Bosnia and Herzegovina.

¹² Parish is located within Republika Srpska.

¹³ Parish is located within the Federation of Bosnia and Herzegovina.

¹⁴ Parish is located within the Federation of Bosnia and Herzegovina.

¹⁵ Parish is located within Republika Srpska.

¹⁶ Parish is located within Republika Srpska.

**THE STATE OF CATHOLIC PARISHES IN THE DEANERY
OF ŠAMAC, 1991–2014**

Parish	Number of Catholics in 1991	Number of Catholics in 2014
Bosanski Šamac ¹⁷	1290	68
Domaljevac ¹⁸	5920	3639
Grebnice ¹⁹	0	1093
Kopanice ²⁰	1390	282
Orašje ²¹	0	1310
Oštra Luka – Bok ²²	7350	2640
Prud ²³	1987	532
Tišina ²⁴	5982	310
Tolisa ²⁵	13850	8398
Vidovice ²⁶	2797	867
TOTAL in Deanery	40.566	19.149

¹⁷ Parish is located within Republika Srpska.

¹⁸ Parish is located within the Federation of Bosnia and Herzegovina.

¹⁹ Parish is located within the Federation of Bosnia and Herzegovina. It was founded in 1992, by its separation from parishes Domaljevac and Tišina.

²⁰ Parish is located within the Federation of Bosnia and Herzegovina.

²¹ Parish is located within the Federation of Bosnia and Herzegovina. It was founded in 2006, by separation from the Tolisa parish.

²² Parish is located within the Federation of Bosnia and Herzegovina.

²³ Parish is located within the Federation of Bosnia and Herzegovina.

²⁴ Parish is located within Republika Srpska.

²⁵ Parish is located within the Federation of Bosnia and Herzegovina.

²⁶ Parish is located within the Federation of Bosnia and Herzegovina.

**THE STATE OF CATHOLIC PARISHES IN THE DEANERY
OF USORA, 1991–2014**

Parish	Number of Catholics in 1991	Number of Catholics in 2014
Bežlja ²⁷	3010	140
Doboj ²⁸	4172	528
Gornja Komušina ²⁹	1810	8
Jelah ³⁰	1995	918
Komušina ³¹	3315	163
Sivša ³²	7850	2792
Teslić ³³	2950	608
Ularice ³⁴	1816	529
Žabljak ³⁵	1793	957
TOTAL in Deanery	28.711	6.643

²⁷ Parish is located within Republika Srpska.

²⁸ One part of the parish is in the Federation of Bosnia and Herzegovina.

²⁹ Parish is located within Republika Srpska.

³⁰ Parish is located within the Federation of Bosnia and Herzegovina.

³¹ Parish is located within Republika Srpska.

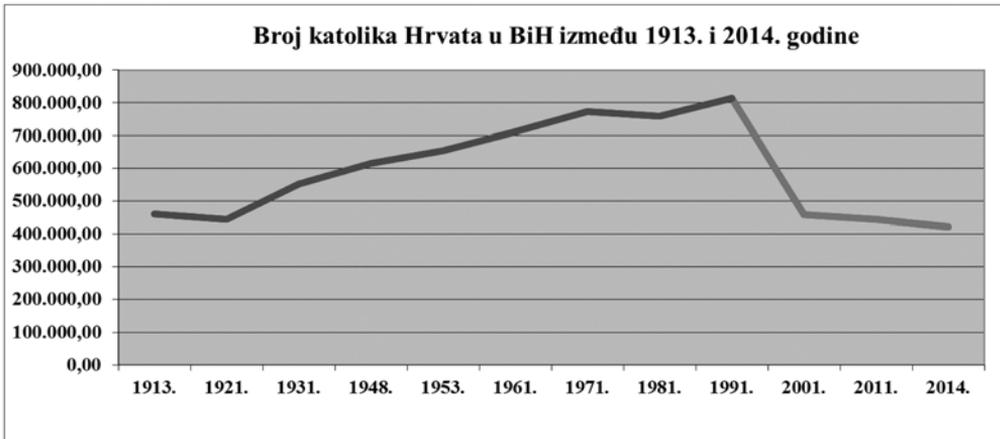
³² Parish is located within the Federation of Bosnia and Herzegovina.

³³ Parish is located within Republika Srpska.

³⁴ One part of the parish is in Republika Srpska.

³⁵ Parish is located within the Federation of Bosnia and Herzegovina.

THE NUMBER OF CROATS IN BOSNIA AND HERZEGOVINA, 1913–2014³⁶



In this graph we see a curve displaying the number of Catholics in Bosnia and Herzegovina rising steadily, and then going into a sudden decline, which has continued to this day.

Year	1913.	1921.	1931.	1948.	1953.	1961.	1971.	1981.	1991.	2001.	2011.	2014.
No. of Cath.	458 999	443 914	551 022	614 123	654 229	711 660	772 491	758 136	812 295	457 355	443 084	420 294

³⁶ Note: data from 1913–1981 is from the national census, and data from 1991–2014 is from the Church census. The number of Catholic Croats in Bosnia and Herzegovina in 2014 is smaller than it was a hundred years ago: in 1913 there were 458,999 and in 2014 there were 420,294. In the years 2001–2014 alone, 37,061 Catholics disappeared from Bosnia and Herzegovina.

THE NUMBER OF CATHOLIC CROATS IN BOSNIA AND HERZEGOVINA, 1991–2014

Year	1991.	2014.	Difference	Percentage (%)
TOTAL in BiH	812.256	420.294	- 391.962	- 48,25%
Republika Srpska entity	152.856	9.355	- 143.501	- 93,87%
Brčko District	27.865	6.951	- 20.914	- 75,05%
Federation of BiH entity*	631.535	403.988	- 227.547	- 36,03%
Archdiocese of Vrhbosna	529.049	182.843	- 334.266	- 65,43%
Diocese of Banja Luka	96.670	34.361	- 60.157	- 64,45%
Diocese of Mostar-Duvno	171.371	182.918	+ 11.547	+ 6,73%
Diocese of Trebinje-Mrkan	15.166	20.172	+ 5.006	+ 33,00%

* Note: some areas that were under Serb control during the war (1991–1995) were joined to the entity of the Federation of Bosnia and Herzegovina following the signing of the Dayton Agreement in November 1995.

If we compare the data in the territory of Bosnia and Herzegovina for 2013 (432,177 Catholics) and 2014 (420,294 Catholics), we can see that there were 11,883 fewer Catholics in 2014 .

VIEWS OF THE EUROPEAN UNION ON THE FUTURE OF BOSNIA AND HERZEGOVINA

Mr. Andrej Plenković, Croatian Member of the European Parliament

I very much appreciate the invitation from our hosts to take part in this International Study Day, dedicated to the remembrance of the expulsion of Croats, Bosniaks and others from the area of Republika Srpska. I wish to thank Archbishop Puljić and Bishop Komarica for everything they have done for the faith and well-being, as well as the return and continuation, of Croats in Bosnia and Herzegovina. The Catholic Church has been the torchbearer of life, and faith in a better future, throughout the entire history of the Croat people in Bosnia and Herzegovina, and has cared for their unity and nurtured their identity.

The importance of this contribution to protecting Croats and their identity in Bosnia and Herzegovina is confirmed by the current unofficial data from the population census in 2013, which shows that the number of Croats in Bosnia and Herzegovina has fallen by 210,000 compared to that of the 1991 census. However, as we all know, the real figures are smaller yet. The data that shows that Croats have almost completely disappeared from the territory of Republika Srpska are a reason for further concern. The basic guidelines of our policy towards Bosnia and Herzegovina is that we support its sovereignty and territorial integrity, the equality of all three constituent peoples, and the legitimate representation of all peoples in the state institutions.

We believe that, for Bosnia and Herzegovina, the only correct solution is one that will ensure a European future and the economic development of the country.

Following the new approach of the EU towards Bosnia and Herzegovina, economic and social issues have been pushed to the fore, rather than the implementation of the judgement of the European Court for Human Rights in the Sejdić-Finci case. This specific incentive of the EU to accelerate Bosnia and Herzegovina's European path was recognized in 2015, when large steps forward were achieved. We witnessed that the Stabilisation and Association Agreement's entry into force on 1 June this year, along with the harmonisation and approval of the Reform Agenda, which includes the implementation of economic and social reforms, as well as strengthening the rule of law and good governance. Progress has also been made in establishing a coordination mechanism, which is currently being technically aligned with the SAA. I believe that the political activities of the Croat member of the Presidency, Dr. Dragan Čović,

directed towards conducting reforms, will also act as an integrating component of the country, and the driving force of the European process.

A written statement from all institutions and stakeholders in Bosnia and Herzegovina for the implementation of the reform process indicates that the European path is a priority for Bosnia and Herzegovina. A great incentive for this was the Progress Report of the European Commission for Bosnia and Herzegovina, which was more positive than any previous report. It stresses that – in the field of economy – the biggest challenge remains addressing the high unemployment rate of nearly 27%, and that a cause for great concern is the unemployment rate among young people, which is higher than 62%. All stakeholders in Bosnia and Herzegovina should focus on the implementation of the reform agenda and the creation of a stable legal and business environment, a predictable tax framework, greater transparency, and more decisive action against corruption. These are the challenges that face every country that wants to become an EU member state, but it is also the only way to ensure the economic recovery of the country, and a better standard of living for all its citizens.

In the context of this year's 20th anniversary of the Dayton-Paris Peace Agreement, I consider it necessary to define Bosnia and Herzegovina's path from Dayton to Brussels more clearly, as well as to find quality solutions for a modern constitutional structure of the country. Signing the Dayton Agreement in 1995 led to the establishment of peace, but now the priority should be to find a sophisticated solution that will enable all three communities to achieve their interests fully, in order to evade a model that would make "the weakest feel the worst". The existing separatist tendencies, which are expressed through announcements of referendums in Republika Srpska, should be clearly resisted, but so should the exaggerated centralist tendencies in Bosnia and Herzegovina.

As an EU and NATO member, Croatia is the most decisive advocate of the European and Euro-Atlantic future of Bosnia and Herzegovina. As Croatian members of the European Parliament, we continuously contribute to keeping Bosnia and Herzegovina high on the European agenda. On the adoption of the EP Resolution on the Progress of Bosnia and Herzegovina, we addressed the realisation of the rights of Croats, especially concerning the constitutional reform of Bosnia and Herzegovina, which should take into account the principles of federalism, decentralisation, subsidiarity and legitimate representation, in order to make Bosnia and Herzegovina a functional state. This repeats a clear and

important message from the European Parliament, regarding the necessity for all three constituent communities to have equal status.

The most important step in relations between Bosnia and Herzegovina and the EU is currently to create the preconditions for an EU membership application as soon as possible. Prior to this formal step, Bosnia and Herzegovina needs to reach an agreement with the Commission on the adaptation of the SAA, so that it takes into account Croatian membership in the EU.

These are great challenges that are currently a priority, because a historical injustice – Bosnia and Herzegovina being the last of the southeast European countries to join the EU – cannot be allowed. Croatia will in turn support all efforts needed to make sure that the request for EU membership is submitted as soon as possible.

This year we mark the 20th anniversary of some of the key events not only of the war in Croatia, but in Bosnia and Herzegovina as well. In order to achieve stability and foster the reconciliation process in individual neighbourhoods, it is essential that each signal of secessionism and relativisation of crimes committed is strongly condemned. On the occasion of the 20th anniversary of the Srebrenica massacre, the European Parliament, in a special resolution, strongly condemned the genocide in Srebrenica committed by Serb forces after the fall of the UN safe area in July 1995. In the context of the Russian veto in the vote for the UN Security Council Resolution, the EP Resolution gains importance, especially since it rejects any denial, relativisation or misinterpretation of that horrible event.

This year we marked the end of the war and the 20th anniversary of the signing of the Dayton Agreement. On this occasion, I invited Bishop Franjo Komarica and Cardinal Vinko Puljić to the European Parliament, so they could present the Bishop's book "Love. Force. Ingenuity: Removing Masks", and enlighten our European colleagues about the issue of the return of expelled Croats to Bosnia and Herzegovina. I also organised, with my fellow MEPs Tonino Picula, Dubravka Šuica, Davor Stier, Jozo Radoš and Cristian Dan Preda, a conference about the European future of Bosnia and Herzegovina. All three members of the Presidency took part, along with EU High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini; European Commissioner for Regional Policy and Enlargement Negotiations, Johannes Hahn; President of the European People's Party Joseph Daul; former German MEP and Rapporteur for Bosnia and Herzegovina, Doris Pack; and a number of other European colleagues who closely follow the situation in Bosnia and Herzegovina.

Speaking from Croatia's experience, I can say that the path to the EU is challenging, and requires great and persistent reform. Although the time for EU enlargement may not be perfect due to the wider context of political sentiments in the EU, and the events in the European area, the progress of Bosnia and Herzegovina is in everyone's interest, as is the need to respect the equality of all three constituent peoples, and the rest of the country's population. These are also the permanent goals of the Croatian Democratic Union's Members of the European Parliament.

TWENTY YEARS AFTER THE DAYTON -PARIS AGREEMENT – OBJECTIVES AND ACHIEVEMENTS

Doc. Dr. Ivo Miro Jović, VITEZ University, Vitez

November is the month of commemorative, scientific and other conferences to mark the anniversaries of war tragedies (1992–1995). It is not accidental that this conference is being held in Banja Luka, 20 years after the end of the final “phase” of the expulsion of Croats, Bosniaks and others from the territory of Republika Srpska, and 20 years after the signing of the Dayton-Paris Agreement. Regarding the latter, this is an opportunity “to give an objective assessment of its legal character and its importance to Bosnia and Herzegovina, and of the degree of its implementation, as well as creating a projection of its application and possible (necessary) changes.” Twenty years have passed since this international agreement was signed. During this time, many scientific conferences have been held around the world – in Washington, Geneva, Belgrade, Zagreb, Ljubljana, and Bosnia and Herzegovina. The conferences on the occasion of the 10th anniversary and now, on the 20th anniversary in Banja Luka, organised by the Diocese of Banja Luka and the European Academy, are among them. The content of all these conferences may be summarised in the questions: “Is this international agreement sufficient, or not? Should it be changed, upgraded or left as it is?”¹

I bring the words of academic Rajko Kuzmanović, presented at the Congress in Mostar on the occasion of the 10th anniversary of the Dayton Peace Agreement. Where are we 10 years after that Congress, are those words valid today, and how topical is the question – which is not only a rhetorical one – that seeks an answer? I said at that very Congress that “there is no doubt that, at the time, the Dayton Peace Agreement was a historical event, not only for Bosnia and Herzegovina, but for all its citizens and communities. However, despite the best of intentions, its creators have not, apart from stopping the horrors of war, created constitutional preconditions for the development of a modern European country.”² One thing is certain: we did not get a just peace, with equality of all communities and citizens. I emphasise: one country, two entities, three constituent, but not sovereign nations. That is the solution from Dayton’s unjust, non-functional and expensive structure.

¹ Academic Dr. Rajko Kuzmanović, Proceedings of the Dayton-Paris Peace Agreement Congress, “The Dayton Model of the Constitutional Order in Bosnia and Herzegovina: To Change or Not to Change?”, Mostar, 2005, p. 33.

² Dr. Ivo Miro Jović, *Ibid.*, “Time Conditions Change”, Mostar, 2005, p.7.

Are we ready, do we want change, do we have enough will, strength and decisiveness to – through agreement of the representatives of the three constituent peoples – change, modernise and adjust Dayton to our conditions and needs, to come to a solution with a just, functional and self-sustaining legal and political system, based on the experience and solutions that the practice of complex European countries may offer? I am convinced that this scientific conference will, through the work of prominent experts, assess the situation (its causes and effects), and offer quality solutions based on the principles of European practice – including the right of Bosniaks, Croats and Serbs, as constituent peoples and citizens – that will unlock new prospects for Bosnia and Herzegovina, as a pre-condition to securing a lasting peace and accelerating our Euro-Atlantic integration process.

The current situation

Our reality in Bosnia and Herzegovina and re-thinking the future according to the solutions offered in the documents of the Dayton Agreement have taken on completely different intentions, based on a number of factors, and particularly depending on from which circles – national, political or social – the proposals come. Ten years ago, we had such a view on the solution of the problem and the future of Bosnia and Herzegovina that “it [was] not possible to reach a consensus of the three so-called ‘constituent peoples’, and a strong systematic and coherent approach from the OHR, The Council of Europe, the European Union and all other institutions of the international community [was] needed in order to remove the barriers and blockages to creating a modern legislation, and to ensure that domestic law, and an increasing number of conventions ratified by the Parliament, are effectively, quickly and consistently applied”.³ However, if we view the Dayton Agreement from the perspective of stopping war, crime and the violation of all earthly values, it can be said that the Agreement has succeeded and met expectations. It should be noted, though, that the times and circumstances in which it was implemented have not allowed for new prospects of prosperity and the future of the community. On the contrary, “the Agreement was and has remained only a framework within which possibilities and opportunities were offered, as it essentially contains dangers and threats, too. Which of its parts will be realised is up to the Agreement’s signatories. We

³ Prof. Dr. Ćazim Sadiković, *Ibid.*, “The Objectives of the Current Constitutional Changes”, Mostar, 2005, p. 43.

ourselves must conceive of how Bosnia and Herzegovina will become a manageable and sustainable community, of three equal peoples and all other citizens”.⁴ It is clear from the above that there are three points of view on the application of the Agreement and the future of Bosnia and Herzegovina, just as we have three views on our past from which we derive the foundations of new and real relations in Bosnia and Herzegovina. Do we acknowledge to ourselves and others that this is a country of three constituent communities and peoples (if so, should they be sovereign?), or do we see the realisation of our future in the non-national (civil) concept, giving others an emphasised interpretation that we are a multinational, multi-religious and multicultural community, with a desire to live together as one. The dilemma is not imposed here only in the views of domestic policy, but is also present in the international circles that are concerned with Bosnia and Herzegovina. James Liyon argued in online magazine *Foreign Policy* on 25 October 2015, that “the referendum in Republika Srpska would nullify 20 years of progress and [...] would be the beginning of the destruction of law in Bosnia”. It is worth asking about to which progress and which rule of law the author was referring. Poskok.info claimed on 27 October 2015 (analyzing what the aforementioned author had written), that “in Bosnia and Herzegovina there is no rule of law, but the tyranny of the OHR, which has corrupted the judicial system and a large part of the political scene, and if Bosnia and Herzegovina is a paradigm of progress, then the author must be a highly optimistic person. So many conflicting views, regarding not just the past, but the future as well! And we should be able to live here – not in any old way, but by leading a decent life, enjoying all the rights to which the new era of human civilisation has given rise, both personal (individual) and collective, and in the case of Bosnia and Herzegovina, as members of three constituent and sovereign nations. Is it necessary to point out that all the relevant international documents regulating the matter are an integral part of our constitutional and legal system?”⁵

The Dayton-Paris Peace Agreement – What Was Agreed and What Was Applied

When reading professionally and closely the content of the General Framework Agreement for Peace in Bosnia and Herzegovina (drafted on 21 No-

⁴ Academic Dragan Čović, *Ibid.*, “The Dayton Agreement and Globalisation Trends”, Mostar, 2005, p. 47.

⁵ Dr. Ivo Miro Jović, “Peace Agreement – Full Text”, HKD Napredak, Kiseljak, 2005, p. 6.

vember 1995 at the Dayton Air Force Base in Ohio and finalised on 14 December 1995 in Paris) many questions are raised that require careful analysis, and clarifications are required that are not easy to find. From a constitutional, legal and political point of view, the need to analyse the introductory section seems most urgent, particularly Paragraph 4, which reads: “Noting the agreement of August 29, 1995, which authorised the delegation of the Federal Republic of Yugoslavia to sign, on behalf of the Republika Srpska, the parts of the peace plan concerning it, with the obligation to implement the agreement that is reached strictly and consequently.”⁶ Following this, we should ask: on the basis of whom or what did then President of the Republic of Bosnia and Herzegovina Alija Izetbegovic sign on 29 August 1995 that Bosnia and Herzegovina should be divided in a 51% (Federation of Bosnia and Herzegovina) to 49% (Republika Srpska) territorial split, and how could that 49% be represented by a president of another country – i.e. the Federal Republic of Yugoslavia? It is also worth asking which body brought such a decision, who authorised it, and has it violated the Constitution of an “internationally recognised” country? For the past 20 years, the political, media and scientific communities in Sarajevo have been pushing the so-called and unconfirmed Karadžorđevo agreements, regarding the division of Bosnia and Herzegovina between Presidents Dr. Franjo Tuđman and Slobodan Milošević, to the fore, in an attempt to cover up these facts. Here we may see who divided Bosnia and Herzegovina, and when and how this happened. We know that it was done without a representative of the Croat people present, and thus its contents are to the detriment of that community, a fact that is confirmed daily. With the aforementioned agreement, the country was divided into two entities: the Federation of Bosnia and Herzegovina (an entity of the Bosnian people, reflecting the number of Bosniaks), and Republika Srpska, the entity of the Serb people. With this act, those two nations gained not only their constituency, but also their sovereignty, which was taken away from Croats. The Croats are accused of allegedly trying to divide Bosnia and Herzegovina, and although they have not done so, they remain guilty. The country was divided without them and without consideration for their rights (rights that the other two nations enjoy), but still nobody has been held accountable for that. This is how we got an unjust, non-functional and expensive country. The formula consisting of one country, two entities (of which one is a Federation, and the other is a Republic) and three constituent peoples has proven to be an impossible mission regarding progress, or the achievement of a better future for all communities, citizens and “others”: the shameful title

⁶ Ibid

the Peace Agreement gives to those who are not considered constituent peoples in Bosnia and Herzegovina.

One should imagine here the sad, tragic, even morbid events that occurred throughout the Homeland War (devastation, murders and the destruction of Ravno and Bosanski Brod by the Yugoslav National Army and Serb military forces) from November 1991 to 21 November 1995, when the Peace Agreement for Bosnia and Herzegovina was signed in Dayton. A vast number of books, presentations, articles and other records have been written on the subject. What they all have in common is that “the truth is this, and it was as I say or see it”. This has produced and entrenched three historical truths, depending on who is writing or speaking. In this paper, I will present, with precise arguments, an exploited and deliberately accentuated problem, and compare it with another, more drastic and obvious one, which has grave consequences that are kept silent. Only recently has it, tentatively, become a topic of discussion in Sarajevo circles. I do not wish to reduce all the horrors of war to this problem alone, but I would like to illustrate, and warn of, the truth regarding the “sold”, “abandoned”, or exchanged (by international and domestic powers) territory, and the people who lived in it. The subjects of my study are Bosnian Posavina, which had a Croat majority, and Podrinje, where more than half the population consisted of Bosniaks.

TABLE 17 ETHNIC COMPOSITION OF THE POPULATION OF POSAVINA, BOSNIA AND HERZEGOVINA

Municipality	CROATS	BOSNIAKS	SERBS
BOSANSKI BROD	13.993	4088	11.389
DERVENTA	22.952	7086	21.938
ODŽAK	16.338	6220	5667
MODRIČA	9805	10.375	12.534
B. ŠAMAC	14.731	2233	13.628
ORAŠJE	21.308	1893	4235
BRČKO	22.252	38.617	18.128
TOTAL	121.379	70.512	80.512

⁷ **Source:** National Composition of the Population – Results for the Republic by Municipalities and Settlements; Državni zavod za statistiku Bosne i Hercegovine; Statistički bilten 1993., Sarajevo, 1993.

TABLE 2⁸ ETHNIC COMPOSITION OF THE POPULATION OF PODRINJE, BOSNIA AND HERZEGOVINA

Municipality	CROATS	BOSNIAKS	SERBS
BIJELJINA	402	30.229	57.389
ZVORNIK	122	48.102	30.863
BRATUNAC	40	21.535	11.475
SREBRENICA	38	27.572	8315
VIŠEGRAD	32	13.471	6743
ČAJNIČE	5	4024	4709
FOČA	94	20.790	18.315
TOTAL	733	165.723	137.809

Examining Table 1, it is evident that, in Posavina's municipalities in 1991, from a total of 279,410 inhabitants belonging to the constituent peoples of Bosnia and Herzegovina 121,375 or 43.44% were Croats, 70,512 or 25.25% were Bosniaks, and 80,512 or 31.31% were Serbs. For a better understanding of the war and the persecution of the population along the Sava River and other parts of present-day Republika Srpska in Bosnia, one should also take into account some 70,000 Croats who lived in the municipalities of Banja Luka, Laktaši, Doboj, Bosanska Gradiška, Prnjavor, Prijedor and others. This gives us a total of about 200,000 Croats. Today, in Posavina County, whose seat is in Orašje (Federation of Bosnia and Herzegovina), and neighbours the District of Brčko, there are about 60,000 Croats. This is 50% of the Croat population compared to the numbers in the 1991 Census, as presented in Table 1.

Table 2 uses the same methodology and comparative techniques (which are desirable in terms of legal and historical research) to present the indicators for the Drina valley, and the persecution of the Bosniak population. Podrinje situated on the Drina River, and is now part of the territory of Republika Srpska. According to the 1991 census, Podrinje's municipalities had 304,265 inhabitants in total, of which 165,723 (54.47%) were Bosniaks, 137,809 (45.29%) were Serbs, and 733 (0.24%) were Croats.

Based on this data, we can argue that in Posavina, Croats accounted for 43.44% of the population in 1991, and that today in Posavska County and the District of Brčko in Bosnia and Herzegovina there are around 70,000 Croats –

⁸ Ibid

over 50% more than the pre-war figures. In those municipalities, or parts of municipalities, which fell under Republika Srpska after the division (Bosanski Brod, Derventa, Modriča and part of Bosanski Šamac), a very small number of Croats returned and remained on their properties. After visiting those municipalities, I am able to estimate that around 5000 people returned permanently or temporarily, which is a rate of around 10%. This small number of returnees is the result of a lack of care, mostly in Bosnia and Herzegovina, but from international elements as well, which did not want to support the return. Today this is a sad part of Bosnia and Herzegovina where everything has remained devastated, overgrown and left to the ravages of time. To give you an example: it is enough to travel the road from Doboј to Brod to see this bitter truth about the expulsion of Croats from this area. The public, especially those who listen to the news media and quasi-political circles in Sarajevo and Zagreb, persistently speaks untruths about these events and the return of displaced persons to Posavina. For them, the main culprits are Dr. Franjo Tuđman, President of the Republic of Croatia from 1990–2000, and Croat party leaders in Bosnia and Herzegovina. Croats got only 2% of the aid given to returnees to Bosnia and Herzegovina. Many returnees were killed, including priests (on 17 November 2004 Msgr. Kazimir Višaticki was murdered in Bosanska Gradiška where I, Ivo Miro Jovic, unveiled a memorial plaque on the parish house in his memory, on the occasion of the second anniversary of this terrible crime in 2006). They were intimidated, and their modest assets, were, again, looted and burned. The International Court in The Hague did not convict any criminal – not from the army of Republika Srpska, nor from the Army of the Republic of Bosnia and Herzegovina – for the crimes committed against Croats in Bosnia and Herzegovina. The persecution and crimes against Croats, and the “presented” and “imposed” Dayton Peace Agreement for Bosnia and Herzegovina (Annex 4 in particular), which has become the Bosnian and Herzegovinian Constitution, have shrunk the number of Croats in Bosnia and Herzegovina to around 560,000 (according to estimates, as the official numbers are still concealed). This is 26% less, compared to the figures in the 1991 census. Trusted analysts estimate that Bosnia and Herzegovina has lost around 9% of its Serbs, and around 6% of its Bosniaks in the same period. The propaganda continues to interpret and falsely present the suffering of only one community in the last war: the Bosniaks.

After closer analysis of Table 2, we can easily extract the following data. The entire Bosniak population was expelled from the area of Podrinje. Many people were killed, and property was burned or otherwise destroyed in the bloody crime. It can be seen that around 165,000 people were expelled. Although the results of the 2013 census are still not available, the data indicate that

some 15,000 people may have returned. What disturbs and hurts us is the fact that the Podrinje area is mentioned only in cases of crimes, exhumations, and tentative news about the lives of the few returnees. We have not heard a word about the sale, exchange, betrayal or agreement of the political authorities of Serbs and Bosniaks in Bosnia and Herzegovina, and, I believe, the dictates of international powers. It comes down to the idea that this is how it should be, and that no one did anything wrong, so no one is at fault. However, the book *The Blood of Realpolitik*, written by famous French journalist, spokesperson and Advisor to the Prosecutor at the ICTY in The Hague, Ms. Florence Hartmann, has recently been released. In it, Ms. Hartmann confirms the agreement of Alija Izetbegović, then Chairman of the Presidency of Bosnia and Herzegovina, and Slobodan Milošević, then President of the FRY, concerning the exchange of territory in Podrinje for the city municipalities and settlements of Grbavica, Vogošća, Ilijaš, and Hadžići in Sarajevo.

It can finally be seen that Izetbegović divided Bosnia and Herzegovina with Milošević, as I have previously described, and, with the strong support of the U.S. administration, left the territory of Podrinje and its people at the mercy of Karadžić and the army of Republika Srpska. Here it is necessary to recall Izetbegović's famous sentence, spoken when Serb forces were on the rampage in Bosanski Brod: "IT IS NOT OUR WAR." The conclusion is that the agreement was not reached in the spring of 1995, but much earlier, most probably in February 1992.⁹ What has been elucidated here is certainly not strictly related to this title nor is it closely related to the topics presented at this conference, but these figures will help even the uninitiated to understand the events, times, spaces and solutions that have been the fate of Bosnia and Herzegovina.

Creating the Preconditions for Peace Talks

We must now consider the sad, tragic, and morbid events that occurred from 8–15 September and from 8–15 October 1995, beginning shortly after the signing of the peace agreement on 28 August 1995. Namely, "liberation war oper-

⁹ In February 1992, Mr. Zulfikar Pašić and Muhamed Filipović, emissaries of Alija Izetbegović, have addressed the Bosnian public from the Sarajevo Airport about their visit to Milošević in Belgrade and the agreement signed there: "There will be no war in Bosnia and Herzegovina. The Yugoslav National Army will keep the peace." This was almost six months after the horrible massacres in Vukovar, Dubrovnik, and other places in Croatia, and in Ravno and Bosanski Brod in Bosnia and Herzegovina.

ations” were launched (the first known as “Mistral” and the second as “Southern Move”) by the combined forces of the Army of Bosnia and Herzegovina, the Croatian Defence Council, and the Army of the Republic of Croatia. These forces expelled the Army of Republika Srpska, as well as civilians, from Donji Vakuf, Drvar, Jajce, Bosanski Petrovac and Ključ in the first operation, and from Mrkonjić Grad, Jezero and Sanski Most in the second. It should be pointed out how many lives were lost on both sides during these operations, and the material damage caused. All this to make the contents of the agreement and the borders of the future entities appear inevitable. Today, it is speculated that the united troops reached the outskirts of Banja Luka and could have won the war, until NATO and the US administration intervened (whatever that implied) and the supposedly intended actions were not taken.

These army operations created an illusion that the meeting in Dayton was a result of the military powers of all three parties being equal, and that the time had come to end the conflict. The results of those shameful moves by international and domestic politicians still require an epilogue in the form of a professional study of events, which would offer truth-based conclusions. What happened, and under whose patronage, is clear in the words of the Agreement:

“The Appendix to Annex 2 consists of this document along with (a) a 1:600,000 scale UNPROFOR road map, consisting of one map sheet, attached hereto; and (b) a 1:50,000 scale Topographic Line Map, to be provided as described below.

“On the basis of the attached 1:600,000 scale map, the foreign Parties (Milošević) request that the United States Department of Defense provide a 1:50,000 scale Topographic Line Map, consisting of as many map sheets as necessary, in order to provide a more precise delineation of the Inter-Entity Boundary Line. This map shall be incorporated as an integral part of this Appendix, and the Parties agree to accept the map as controlling and definitive for all purposes.”¹⁰

I quote this part of the Agreement in full, in order to confirm the thesis regarding the maps of entity borders, which were surely made much earlier than the solution for the conflicts in Bosnia and Herzegovina was offered. This confirms the aforementioned regarding the tragic events that happened before the agreement on the division of Bosnia and Herzegovina from 28 August 1995.

¹⁰ Dr. Ivo Miro Jović, „Peace Agreement – Full Text“, HKD Napredak, Kiseljak, 2013, p. 24

All the absurdity between what was agreed and what was applied in practice is best seen in the part of the Treaty relating to Sarajevo, which reads as follows.

“Elements of the Agreed Principles on Sarajevo from 12 November 1995¹¹”

Item 1. Sarajevo will be a unique city and its government will include delegates from the major ethnic groups in Bosnia and Herzegovina. The city of Sarajevo will be a special and separate political unit in Bosnia and Herzegovina, comprised of ten semi-autonomous political districts: the central district and nine municipalities.

Item 3. Political districts may (a) choose the language used for official purposes; (b) display flags and other symbols of either the Federation or Republika Srpska, alongside the flag of the Republic of Bosnia and Herzegovina; and (c) respect the official holidays of the Federation and Republika Srpska.

Item 5. Fifteen additional members of the City Council of Sarajevo will be chosen as follows:

“[...] Ten members will be chosen by the legislative body of the Federation, and five members will be chosen by the National Assembly of Republika Srpska.”¹²

Item 6. “From ten individuals nominated by ten political districts, the City Council of Sarajevo will choose a Mayor and a Senior Deputy Mayor (of which one will be a Bosniak, and the other a Serb), and one additional Deputy Mayor (who will be a Croat) [...]”¹³

This necessarily raises the questions: who changed the determinants of the Agreed Principles under the above title for Sarajevo, and when, how and why did this happen? Which Bosnian authorities considered these questions, and when? Did they make a decision, and if so, which one? These are questions that are yet to be answered.

¹¹ Ibid, p. 166

¹² Ibid, p. 167

¹³ Ibid, p. 167

Instead of a Summary

It had all been planned in detail, far from Bosnia and Herzegovina and its interests and the interests of its peoples and citizens for the purpose of creating a just and equitable state whose “constitution will have normative mechanisms that ensure the full equality and constituency of all peoples within Bosnia and Herzegovina and on its entire territory, including the preservation of their vital interests, the equality of their languages, cultures, and faiths, as well as the instruments of a democratic, legal, social and decentralised state with all the values and mechanisms of civil society, based on a consensus-procedural democracy.”¹⁴

In these circumstances and with the intentions of certain circles, a peace agreement has been tailored that cannot leave even an ignorant man indifferent regarding its inconsistency and contradictions, and, I would say, the maliciousness of the solutions it offers. The more time passes, the more it confirms this, especially when these solutions are put into practice.

Today, 20 years later, the Federation is in big trouble. Its vast and expensive administration, dysfunctional cantons, a politically blocked Mostar, the constant dissatisfaction of Croats with their position and the injustice to which they are exposed throughout Bosnia and Herzegovina (both in the Federation and in Republika Srpska), are just some of the indicators of this unfair, expensive and non-functional state. Furthermore, the Washington Agreement¹⁵ and the Dayton Agreement remain inconclusive, and new steps should be taken to create a favourable environment for Bosnia and Herzegovina’s progress towards Euro-Atlantic integration. My intention here is to show that the problems caused by the Dayton Peace Agreement have not been resolved. Its implementation or non-implementation and its incorrect interpretation, especially by those responsible, have created a climate of injustice and insecurity, and a lack of prospects for the constituent communities, peoples and “others”, in in both entities of Bosnia and Herzegovina, the Federation and Republika Srpska alike. This is our reality. In order to change the situation and move forward, it is necessary to solve all the problems pointed out by the agreement of the legal representatives of the three constituent peoples, who brought the Dayton-Paris

¹⁴ Professor Dr. Mesud Sabitović, Proceedings of the Dayton-Paris Peace Agreement Congress “Constitutional Changes: A Condition of Euro-Atlantic Integrations”, Mostar, 2005, p. 164.

¹⁵ The Agreement signed by Croats and Bosniaks in Washington on 18 March 1994 on the Termination of the War and the Formation of the Croatian-Bosniak Federation of Bosnia and Herzegovina.

Agreement forward on the principles of justice, fairness, and the lessons learned from European countries (such as Belgium and Switzerland) that are structurally similar to Bosnia and Herzegovina.

Mutual respect, understanding and consensus in decision-making are necessary and welcome factors in this process.

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NOTHING IS, EVERYTHING WILL BE, EVERYTHING EVOLVES

*The beauty of nature is there for all of us...why
then do we then focus on our differences?*

By Patsy Sørensen

Thank you very much for inviting me to speak here today. It is impossible to replace Mr Peter von Bethlenfalvy, Executive Director of the Centre for International and European Policy Action; however, I have spoken with him a great deal about what is happening here, and His Excellency the Bishop's continuous efforts for humanity. I stand here before you with much respect and humility.

20 years ago ... and now.

I am from Belgium, but at the same time, I am from everywhere. My grandparents ended up in Belgium by chance, and then left again. My father stayed behind but he was suffering from trauma, or rather, traumas because of the war, and because of losing his parents who had left the country and longed for their homeland. But I learned one lesson from him: never look back.

Nothing ever stays the same; this is the message that I have given to the thousands of victims of extreme exploitation and sexual slavery whom I have helped over the years.

Therefore, as you can tell, I am not a great supporter of Romanticism. During the Romantic movement art was used to evoke sentimental and nostalgic emotions, a longing for the past, wishful thinking ... in my opinion, there is a danger in that.

With some trepidation, I am here to speak to you, and I read and feel that you are all victims of injustice, and of the power games of others.

I know from my experience that before victims can leave their traumatic experiences behind, they need to be recognised as victims of injustice.

Is this possible? Can we re-create a sense of security? How do we do that? Are all conditions present to help and support the residents of a heavily battered landscape?

After war, there are no winners: only losers.

Bosnia – Belgium – Republica Srpska

How much do you know about Belgium? Do you know about our 4 regional governments and our federal government? Our different languages of Flemish, French, German, and even English, which you hear more and more in Brussels? About all the different nationalities living in our country? In my city 164 different nationalities live together – more than in New York. We have many different religions, too. It's not simple, but it works. Sometimes you hear voices that plead for separation, while others say we need to stick together. To me, democracy is a verb. You have to actively work on it every single day, and politicians have to work for their citizens and for all of those who reside in their country.

For this, you need political will and stability.

We have to keep looking ahead; we owe this to the younger generation that wants to study, work and build a future. Are we ready to do this?

As a former politician, I know it can be tough to go into politics, and that you have to think twice before you make a statement.

When I was a politician, I repeatedly had to go into hiding from aggression and threats because I was fighting corruption and organised crime, which is present in Belgium, too. I even wrote a book about it: *The Mask Off*.

While I was a city alderman, I helped a lot of people from your country who came to Antwerp to seek asylum. I founded my organisation, Payoke, in 1987, without any funding or support and with a lot of political opposition. Since then, we have assisted many victims of human trafficking, and helped them to have a fresh start. Together, we have given their lives a new perspective. We know how difficult it is to believe in a bright future after you have lost your loved ones, when you have been humiliated, expelled, oppressed, exploited ... when you were a victim of senseless violence.

But it is good to know the history, to do research and to understand the reasons. Our children deserve answers. But we have learned that this has to lead us forward, into the future. Anger about what happened can and must be expressed. Self-respect has to be rebuilt.

From Belgium and Western Europe, the Balkan war seems distant, but for you it is still visible and tangible every single day. I think that we need to find a balance between the past and the future, and consider what your country has to offer in its lush landscape, breathtaking mountains and rich history.

There is one message that I want to take home with me: that here in Banja Luka I have met a lot of people who are strong, who believe in cooperation, in fighting poverty to create employment opportunities, and in making this world a better place. People who want to make things work; people who are not intimidated by anyone.

Patsy Sörensen

Former Member of the European Parliament

Former Alderman of the City of Antwerp

Founder and Director of Payoke

A DECONSTRUCTION OF DISCRIMINATION?

Professor Dr. Miodrag Živanović, Faculty of Philosophy, Banja Luka

Almost twenty years ago, in this exact temple of ours, I spoke about local forms of discrimination and the problems that follow. Then I spoke about a real event that had happened in one of our towns during the war. In fact, it is a fable about love.

In the early nineties, a great love bloomed in that town: he was a Muslim (that is what they were called back then), and she was Serbian Orthodox. They got married and started a happy family life. But, before the wedding ceremony, he changed his faith, got baptised and became Orthodox. Life, of course, moves on and pulsates in almost unbelievable ways, so he, after a while, fell in love with another girl, who was Muslim. He divorced his first love and married this Muslim girl. But, he was Orthodox then – or, as it is wrongly equated with ethnic affiliation, a Serb. This second marriage worked to some extent, but one day a bitter quarrel broke out. In the heat of the moment, the man killed his wife. A trial was held, and the court record stated that the principal reason for the quarrel and this murder was that she had “hurt his Serbian national feelings”!

This image says much, but primarily it warns us that it is a matter of something that we may refer to as a construct: something artificial, and false. And we can probably apply this to a wider perspective: is it not that our entire lives, particularly in those war years and the current post-war years, are a personal construct?

Our everyday life, especially in the last nearly three decades, teaches us that the answer to the aforementioned question should be positive. If we should speak about Bosnia and Herzegovina, it is not only because of the more than 100,000 lost lives, or the more than a million people who no longer live here, because of the physical destruction of the land, etc., but also because of what happened to us and what continues to happen today.

Unfortunately, an absolute dominance of construction is at work here. This dominance occurs in various forms, and it is filled with diverse content. I shall today, in simple words, at least try to indicate what this entails.

The first problem that, to a decisive extent, determines our life, is a reduction of the breadth and richness of life to a mere ethnic matrix. Do not misun-

derstand me: ethnos and ethnic affiliation do possess a value and deserve real respect, but surely they cannot be the only, absolute and sole criteria of our existence. The Dayton Peace Agreement, as a frame of the said reduction, and the earlier Washington Agreement, proclaimed that we do not exist here as people, but that we exist solely as Bosniaks, Serbs, Croats, and even as “others”. In this way, a tribal system has been installed in Bosnia and Herzegovina. This is, of course, a commonplace structure of our country, but it is also a foundation that necessarily produces discrimination. Examples of this are well known: for instance, Croats and Bosniaks living in Republika Srpska do not enjoy the same rights as Serbs, and vice versa, Serbs living in the other entity, the Federation of Bosnia and Herzegovina, do not enjoy the same rights as the local Bosniaks and Croats. This is primarily about denial of active and passive rights to vote when electing members of the Presidency of Bosnia and Herzegovina, but it is also about other rights to affect and decide upon the common state institutions, even those in the lower state levels.

Such discrimination is manifested in different ways, but primarily in the shape of the so-called asymmetric federation. As it is commonly known, in half of Bosnia and Herzegovina’s territory, there is a threefold structure of authority and decision-making (municipality – canton – entity), and in the other half, the structure is twofold (municipality – entity). The state institutions in Bosnia and Herzegovina are derived from this structure. But, at the same time, the discrimination is also derived as a construct, as each has different competencies at respective levels of government for both entities. For instance, in a municipality as a local community, people should realise and meet most of their needs and interests. Still, the position of the municipalities and the level of their authority do not correspond between entities. In Republika Srpska, they have a larger role and competence, while in the Federation of Bosnia and Herzegovina, cantons are actually the centres of political decision-making and political power. The same is true of differences in the competencies of government institutions on the level of each entity. This is how we have become hostages of the fact that we live in either one half or the other of Bosnia and Herzegovina’s territory.

Every reasonable man would say that this situation should be changed as soon as possible. But the construct is powerful, if not pre-eminent. This power goes so far that, in the practice of the local parliamentary democracy, all the institutions that should represent the citizens and their needs have been eliminated. This is how we have “Homes of Nations” on almost all levels. For example, the members of the Presidency of Bosnia and Herzegovina are not “Heads of State” but form a specific “House of Nations”. It is the same with the

Council of Ministries of Bosnia and Herzegovina, which does not exercise executive power, but is also a “House of Nations”. The House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina should, actually, be a “House of Citizens,” and it should consist of those representatives who represent the citizens themselves. But, this Assembly is, again, a “House of Nations,” and it decides upon each act twice. The first time a particular bill is brought forward, the Assembly vote according to common parliamentary procedure. But then there is a second vote, this time by ethnic affiliation, as it is defined in the Constitution that the decision is only valid if it got the support of the “ethnic majority”. Given that two-thirds of representatives are from the Federation of Bosnia and Herzegovina, and one-third is from Republika Srpska, it is possible that a certain decision gets more than 60% of the vote, but that it is still not adopted. And just a small aside: since the territories in Bosnia and Herzegovina are almost ethnically pure, the House of Representatives actually functions as a “House of Nations” too. If this is so, maybe we do not need the other House in the Parliamentary Assembly of Bosnia and Herzegovina, which officially bears the name of the “House of Nations”. As far as I know, this House has always been, and continues to be, an agent of daily political manipulation.

Essentially, then, there is no House of Representatives in the highest government institution in our country. And what is worse, the government institutions at lower levels, from entities to local communities, function in a different way, but on the same basis. Of course, this is a completely legal, legitimate, and permanently open path to strengthening discrimination as a construct in our society. And that is not all: in a tribal society, politicians necessarily become wizards and their work witchcraft, rather than reason. But that is a presentation for another occasion.

I would just add something that I consider very important. Not only warfare, but also decades of practicing the occasionally mentioned but serious structural disorders in both normative and real organisations led, and still lead, to disturbances in the sphere of social consciousness, and in the system of values. It is, of course, a vast topic, and impossible to elaborate upon here. But let me issue a warning: the research that is carried out continuously in the republics of former Yugoslavia show – generally speaking – that the ethnic distance between our communities is increasing, that it is sometimes deeper and more immense than at the time of the wars that stormed the Balkans during the nineties. At the same time, among the ethno-political elite, but also among so-called ordinary people, an autistic awareness of self-sufficiency is strengthening, and with it the need for mutual isolation, for self-containment as the main value, and as a

necessary prerequisite for the preservation of the “purity” of this or that community. This awareness is becoming more prevalent, and is already seriously blocking those aspirations and goals that are necessary for us to enter Europe, to build an open economy, with science and culture and its true values.

For each self-containment is inhuman, and gives a completely different picture of what has happened to us during containment. Here, in Bosnia and Herzegovina, nationalism, and clerical nationalism in particular, have proven to be a very good business, and while war was an even better one, the best business has been that of local politics in the past quarter of a century. And let me add: the creation of ethnically clean territories resulted in opening space for crime, profiteering, and everything else that belongs to the “grey area” in which we live, and in which local – and international – criminals have no problem finding a place.

There is not enough time or space today to list examples of the structure of the executive or judicial authorities, but I think that what has been said here is enough to open seriously the question asked in the title of my presentation: is the deconstruction of discrimination possible?

I am not a defeatist, so I would answer positively. And such a thing is easy to say. But, this statement needs a truly serious addition. In fact, by all accounts, a deconstruction of discrimination implies a deconstruction of all areas of life – from economy and ecology, to making necessary changes in the area of social consciousness. One could say that I am being sentimental and that I am probably abusing the known postmodern concept of “deconstruction”. But let them object; it seems to me that such an objection is not sustainable, primarily because postmodernism in general – and “deconstruction” specifically – implies a willingness to jump ahead, to break with past events, and to attempt to profile the future. In other words, the deconstruction of discrimination is not possible as a partial project or engagement on the level of daily politics. It is only possible as an integral act.

To conclude, permit me to say just one more thing: this integral act is only possible if we still have people to undertake it. Unfortunately, the part of our population with the best qualities is no longer here. Some were killed during the past wars and devastations, and many of today’s quality youth have already gone to those places to which their hope has directed them. Hence, it has also become necessary to deconstruct the hopelessness and despair that has become normal social awareness here.

In the wake of what was mentioned before, we must stop the prejudice that exists in Bosnia and Herzegovina, which is that a Serb, Bosniak or Croat economy should be absolutely affirmed, and that any development strategy should be enclosed in local ethnic frameworks. There is also a need for a renaissance of the education system. Regarding education, I have often said that it is the only authentic resource of poor and underdeveloped societies such as ours.

Perhaps this would allow us to move towards the future.

And perhaps we could then stop being hostages of Richard Holbrooke's famous words that the Dayton Peace Agreement was made so that approximately all are equally unhappy with it.

THE POSITION OF CROATS IN REPUBLIKA SRPSKA REGARDING THE IMPLEMENTATION OF THE CONSTITUTIONAL PRINCIPLE OF EQUALITY AND CONSTITUENCY OF NATIONS

*Gordana Katana, journalist and correspondent of Oslobođenje,
Banja Luka*

The Constitutional Court of Bosnia and Herzegovina reached a historical decision in July 2000, in its decision on the appeal of Alija Izetbegović, Member of the Presidency of Bosnia and Herzegovina. The court asked that the two entities (the Federation of Bosnia and Herzegovina and Republika Srpska) change their constitutions to ensure the full equality of the three constituent peoples in the territory of Bosnia and Herzegovina. According to analysts from the International Crisis Group, this decision offered a unique opportunity to move as far as possible, within the limits of the Dayton Peace Agreement, towards enabling Bosnia and Herzegovina to become a fully functional multinational state.

Due to the extreme dissatisfaction with this decision among Serb politicians, the High Commissioner of the International Community, the Council of Europe and the representatives of several Western embassies tried to prompt the entities to consider and determine the constitutional changes necessary to implement the Court's decision. This process included: forming multiethnic constitutional commissions within the entities' legislative bodies; efforts by political parties to draft their own proposals; consultations with international constitutional experts; a public debate: inter-party talks: and, in the end, a month of intensive negotiations at the Office of the High Representative (OHR). The parties reached a political agreement on 27 March 2002 in Sarajevo, consenting to a package of rules and principles to be incorporated in constitutional amendments in both entities.

After a series of obstructions by Serb representatives in the National Assembly of Republika Srpska, they finally adopted the amendments to the Constitution of the entity, following pressure from the High Representative. This guaranteed both Bosniaks and Croats, as constituent and equal peoples in Bosnia and Herzegovina, equality within Republika Srpska. As in a theatre of the absurd, Miro Zovko, a judge of the Constitutional Court of Bosnia and Herzegovina appointed from the ranks of the Croat people, voted against the decision. In the second explanation of the decision, Zovko pointed out that he voted as a judge, not as a member of a certain community. The explanation of

such a point of view is much more political than it is legal. This sent a clear message to the Croats who were returning to the territory of the Republika Srpska at the time: just come back – the fact that you will not be equal in your own land is unimportant. This has not prevented Miro Zovko from, after these changes to the constitution of Republika Srpska were made, accepting the position of the President of the Constitutional Court of Republika Srpska.

The principle of equality has been twisted to the point of ridicule

Thirteen years later, the principle of equality of the constituent peoples and their participation in the government (according to the 1991 census) has been consistently implemented only through judicial power. This is primarily because, except in the case of the Constitutional Court of Republika Srpska, they are chosen by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. When it comes to legislative and executive authorities, the principle of equality, especially as it applies to Croats, has been twisted to the point of ridicule. Since parties with Croat affiliation have not had any representatives during consecutive mandates in the National Assembly of Republika Srpska, the Croat representative in the entity's Parliamentary leadership was chosen from one of the majority parties.

This would not pose a problem if the elected representatives of the Croat people served their community's interests through their political engagement. Unfortunately, after an analysis of work and votes in the National Assembly of Republika Srpska, it is clear that they explicitly followed and represented the interests of their parties, even when it was clear that the laws the Parliament adopted were discriminatory towards the representatives of Croats, Bosniaks and others in Republika Srpska.

The situation within the Government of Republika Srpska is almost identical. Even when one of the ministers is a member of a Croat-affiliated party, this position – as was the case in the last two election cycles – is the result of a political agreement between the SNSD (Alliance of Independent Social Democrats) and the HDZ BiH (Croatian Democratic Union of Bosnia and Herzegovina). But the most drastic example of twisting the principle of equality to the point of ridicule, and the most detrimental to the Croat people, is surely the Council of the Peoples of Republika Srpska. In the first assembly of this Parliamentary House (whose main task is the protection of the vital na-

tional interests of the constituent peoples and others) in 2002, the majority of the eight delegates represented Croat-affiliated parties. In the next period – from 2010 to 2015 – Croat delegates voted against the violation of vital national interests in only 13 cases. This is all the more devastating if we take into account a number of laws and decisions of the National Assembly, with which it directly restricted, denied and insulted the vital national interests of non-Serbs in Republika Srpska.

The election of delegates to the Council of Peoples requires that they are representatives of the constituent peoples and others, but not the parties that predominantly represent certain communities. In terms of democratic principles this is perfectly legal, but in the case of the Croat delegates, this provision has been abused for years. Therefore, since 2010, the majority of Croat delegates has consisted of members of the ruling party in Republika Srpska, which has predominantly been the SNSD (Alliance of Independent Social Democrats). In the majority of cases, the delegates elected this way protect the interests of the entity majority, never questioning the damage caused thereby to their own people.

As previously stated, on the basis of available data from the voting transcripts of the Council of Peoples of Republika Srpska in the last three convocations, the Bosniak delegates initiated the issue of protection of national interests in the laws, regulations, decisions and declarations adopted by the National Assembly in 54 cases. In the same way, this caused a violation of the vital national interests of the Croat people, but the Croats stated so only in 13 cases. Therefore, it is simply inconceivable that the Croat delegates did not consider it necessary to react and rise to protect national interests in the cases of the Law on the Prime Minister and the Land Cadastre, the Law on State Apartments Subject to Tenancy, the Decision on the Strategy for the Development of Local Self-government, the Law on Public Holidays in Republika Srpska, the Expropriation Law, the Law on the Protection of Civilian Victims of War, and so on. Likewise, reactions to the reports on the implementation of the Law on Local Government in Republika Srpska – which stipulated that the number of employees in the local administration must reflect the ethnic composition reflected in the 1991 census – were also lacking. This law remained dead letter, but the representatives of the Serb people were not interested.

The party affiliation and benefits that these delegates enjoy have become more important to them than the interests of Croats, which the institutions of Republika Srpska should protect. Thus, the said delegates have become a com-

pletely alienated group, and the harm of their political inaction is, unfortunately, visible in a very low rate of return for those who came back to their pre-war homes, and a lack of sustainability in their lives.

The Duplicity of Croatian Politics

Dragan Čović, the leader of the HDZ BiH (the Croatian Democratic Union of Bosnia and Herzegovina), spoke on a few occasions last November about the need to change the Election Law in Bosnia and Herzegovina, in order to disable the members of one community from electing the representatives of another. The key issue, as Čović considers, is the method of electing the Croat Member of the Presidency of Bosnia and Herzegovina, used to elect Željko Komšić as the Croat member of the State Presidency in the 2010 elections. In the heat of the campaign against those electoral manipulations (as he described them), Čović did not say a word about the elections in Republika Srpska, and how Emil Vlajki was elected Vice President in the same manner.

This is an effective illustration of the duplicity of Croat politics in Bosnia and Herzegovina, which works to the detriment of Croats in Republika Srpska. However, amendments to the Constitution of Republika Srpska regarding the equality of its constituent peoples prescribe that two Vice Presidents be elected in Republika Srpska as representatives of these peoples. At the same time, all powers have been taken away from them. The past few years of activity by the Vice President from the Croat community leaves an impression that this is an alibi for inaction. Therefore, the Vice Presidents' engagement comes down to visiting local communities, meeting with international officials, and having their photographs taken. Since his election as Vice President of Republika Srpska last October, Josip Jerković has not held any press conferences, nor has he spoken publicly about any of the problems that Croats face on a daily basis in Republika Srpska. Are the Croats doing so well that he does not need to? This is a question only Jerković can answer.

The politicisation of the Constitutional Court of Republika Srpska and the Council for the Protection of National Interests is clear, but it is not an excuse. As a journalist, over the years I have been able to talk to the Croats in Republika Srpska on many occasions. The resentment they feel regarding the complete negligence of political representatives concerning their problems is visible – from the reconstruction of property to the resolution of property issues, employment, and so on.

This puts us in an absurd situation. While the politicians take large sums of money from the pockets of their citizens, the latter – faced with the former's complete indifference – ask the Diocese of Banja Luka and its Caritas to help solve all of their problems.

THE RAPID ERADICATION OF THE DOMICILED, AUTOCHTHONOUS CROAT POPULATION FROM THE TERRITORY OF REPUBLIKA SRPSKA

Mr. Frano Piplović, European academy

Today's Bosnian entity of Republika Srpska was once inhabited by many Croats in the area of Bosanska Posavina – Derventa County, Doboј, Bosanski Brod, Modriča and Bosanski Šamac – and in Banja Luka and its surrounds. They lost the former area during the war, and were brutally expelled from the latter, with the assistance of politics and politicians, towards the end of the war.

The main culprits for this outcome in both cases are the politics and politicians from the so-called “domestic orders”, along with the support given to them from those in other parts of the world. In the first case, people used weapons and fought for domination and occupation of the area of Bosanska Posavina. In the second, in Banja Luka and its wider area, civilians refused to take up arms, and peacefully endured the adversities and humiliations, waiting for better days that never came. Despite the dilemma about whether to use weapons or peaceful methods of resistance, the outcome for Croats living in these areas was the same. They had to leave either way. There were as many victims in war-affected Bosanska Posavina as there were in the Banja Luka area, in which there was no war, but there was terror.

On the battlefield of Bosanska Posavina, which included four counties – Doboј, Derventa, Bosanski Brod and Modriča – about 1200 defenders were killed (not including civilian victims). We can only rely on church statistics for how many Croats were killed in the combat-free region of Banja Luka, because there are no other reliable ways to obtain that information. According to church records, in the 48 parishes of the Diocese of Banja Luka, 767 Croats were killed or died after being tortured. Among them were eight priests and one nun.

According to the 1991 Census of Bosnia and Herzegovina (Tables 1 and 2 in the Appendix), in 39 counties and towns in the territory of what is today Republika Srpska, there were 152,975 inhabitants of Croat nationality. Of these, 145,000 lived in the area between Bosanski Šamac and Bosanski Novi/Novi Grad, in five towns and counties in the area of Bosanska Posavina. In Derventa, Doboј, Modriča, Bosanski Brod and Bosanski Šamac, there lived 73,508 Croats, while 71,527 lived in 15 towns and counties in the Banja Luka area. According to the 1991 Census, about 8000 Croats lived in the rest of the territory of Republika Srpska – Semberija, Podrinje and east Herzegovina. Based on these data it can be concluded that today's territory of Republika Srpska, from the River Bosna, with Šamac and Modriča, down the River Sava, and all the way

to the River Una in the county of Bosanski Novi/Novi Grad, is a natural and historical territory that was inhabited by Croats, along with Serbs and Bosniaks.

According to the 1991 Census, 75,099 inhabitants of today's Republika Srpska declared their nationality as Yugoslavian. This group was made up of citizens who had Croatian, Serbian or Bosnian ethnic origins. Where there was a reduction in numbers in one of the ethnic groups, this was interpreted as an increased number of citizens identifying as Yugoslavs. For this reason, these citizens were claimed by everyone at the time. *This ethnic group disappeared with the disappearance of the former state, but the people did not!*

To which ethnic group have they collocated? Whose are they now? As the number of inhabitants of an ethnicity as stated in the 1991 Census is used to determine its proportional presence in representative bodies and public authorities, it would be beneficial to know which ethnic group is using this social group in the political struggle for a better position, and a greater proportional presence in these bodies and authorities.

When I talk about this with some of my acquaintances, those that are informed as to the prior conditions in this area try to convince me that the people who declared themselves Yugoslavs were mostly Croats by ethnicity, and that they made this declaration out of fear. *Considering that at the time of the 1991 Census large-scale social disturbances and violent ethnic and national homogenisations were taking place in the territory of the former state, this kind of transformation, from one undesirable ethnic group into another, is highly possible.* It is probable that with this interpretation, although unconfirmed by data, that there were about 220,000 Croats living in the territory of today's Republika Srpska before the war. This could be possible, as the sum of ethnic Croats and declared Yugoslavs is about 228,000 citizens.

Dark Premonitions and Estimations

It is hard to say with certainty how many Croats there are today in Republika Srpska. The answer was supposed to come exactly two years ago, with the results of the 2013 Census of Bosna and Herzegovina. But even though the data has been collated, these results have not yet been published.

Some estimates leak out here and there, for everyday use by certain politicians.

Who is afraid of the publication of the official results, and why? During the war and the post-war period, and until today, the 1991 Census, whose results are

known to be inaccurate, is in the public domain, and is being used as a basis for all kinds of manipulation.

Even though the records from annual church statistics are incomplete and imprecise, they are reasonably reliable regarding the number of Croats living in Republika Srpska today. However, they are also alarming. It is a well-known fact that the situation of the Croat population of Republika Srpska has been becoming increasingly critical since the 1990s. In this time, the number of Croats in the territory of Bosnia and Herzegovina has been nearly halved, and it has been reduced to “remnants” in the territory of Republika Srpska. The available sources give different information about these “remnants”. Wikipedia¹ says that in comparison to the results of the 1991 Census, *there are 135,386 fewer Croats in Republika Srpska today*, and church statistics² show that number to be even smaller. According to this source, there are 143,501 Croats missing from catholic parishes in this entity, to which it is estimated that *only 8.5% of former Croat residents have returned*.

It appears that the leaked and published data³ from the October 2013 Census confirm dramatically the dark premonitions and estimations regarding the number of Croats in Bosnia and Herzegovina and Republika Srpska today. It is estimated that there are 553,000 Croats living in Bosnia and Herzegovina today, making up 14.6% of the country’s population. *In comparison to the 1991 Census, 208,000 Croats, 66,353 Bosniaks and 127,085 Serbs are missing from Bosnia and Herzegovina today*.

From before the war to now, 92.62% of the Croat population has disappeared from Republika Srpska.

According to current church statistics, in 1991 there were 152,856 Croats in what is now the entity of Republika Srpska, while today there are only 9355.

Of these, 4654 belong to the parishes of the Diocese of Banja Luka that are on Republika Srpska territory; 4416 belong to the parishes of the Archdiocese of Vrhbosna in the territory of Republika Srpska; and 375 belong to the parishes of the Dioceses of Mostar-Duvno and Trebinje-Mrkan, also on the territory of Republika Srpska.

¹ Wikipedia, https://hr.wikipedia.org/wiki/Republika_Srpska at https://www.google.ba/search_g=broj+hrvata.

² F. Marić, *The State of Catholic Parishes in the Archdiocese of Vrhbosna on the Territory of Republika Srpska Between 1991 and 2014*, Sarajevo, 2014.

³ "Dnevni avaz" newspaper, 10 January 10 2014.

The sad fact is that only one in twenty Croat Catholics has returned from exile, which speaks to the defeat of all international, national and entity politics to date, regarding the return of this community to the territory of Republika Srpska. The estimates and the official national statistics tell us so.

But what do the church statistics show about the number of Croat Catholics in the area of the Diocese of Banja Luka, which spans both entities – the Federation of Bosnia and Herzegovina and Republika Srpska? The Diocese of Banja Luka show that 97,857 Catholics⁴ were registered in 48 parishes in 1991 – 17 in the Federation of Bosnia and Herzegovina, and 31 in Republika Srpska. After 8 years of genocide, misery and adversity, by the end of the millennium – in 1999 – there were 52,711 Catholics registered. Following the same trend, the number of believers nine years later (in 2008) only 37,815 Catholics⁵ were registered in the Diocese of Banja Luka. This downward trend in the number of Croat Catholics has continued in the years since. In the last three years (2012, 2013, and 2014) the number of believers in the Diocese of Banja Luka fell to about 35,000; specifically, 35,428 believers were registered in 2012, 35,590 in 2013, and 34,361 in 2014. There was a significant decrease in the number of believers between 2013 and 2014. Last year, the Diocese of Banja Luka had a deficit of Catholic believers, and therefore of Croats.

The Broad Path to Disappearance

We must ask where more than 145,000 Croats from the territory of Republika Srpska have disappeared to. Where are they, and why are they not where they were at the time of the 1991 Census?

Croats from the area of Bosanska Posavina and the region of Banja Luka have always travelled to and from their native region. However, the exile of the 1990s did not have the characteristics of the previous migrations; it was the result of war and dubious politics, whose goal was to relocate people and exchange territory. The Croats of Posavina were evicted and displaced after

⁴ The Diocese of Banja Luka, The Number of Catholic Croats in 1991, Službeni glasnik Banjalučke biskupije 1992.

⁵ The Diocese of Banja Luka, The Number of Catholic Croats in 2008, Službeni glasnik Banjalučke biskupije 2009.

their defeat, and a serious cloud hangs over the evictions in the wider area of Banja Luka, which was inhabited by Croats. There is a lingering question as to whether the disappearance, exile and banishment of the Croats are direct results of secret and compromising politics regarding the relocation of people and the exchange of territory.

Croats disappeared from the Banja Luka area in several stages, after being pressured and enduring brutalities such as beatings, crimes, murders, imprisonments, threats to family members, and human rights violations. They left in different manners, some quietly and some in larger groups as, for example, did the Croats and Bosniaks from Kotor Varoš. As a result of all what they were put through, the number of Croats in the Banja Luka was reduced from nearly 70,000 to about 40,000 in 1995.

That number was still not to the liking of the powerful local figures, so was further decreased through a combination of pressure, force and brutality. The number of Croats had to be reduced to insignificant figures. Why? Nobody knows, but those who participated in and carried out this exile blame the aforementioned order. From whom this order came, no one really knows. We can only speculate.

Then came the summer of 1995, with almost ideal conditions to complete what was viciously intended. *In August 1995, two tragedies, significant human and humanitarian crises, occurred: Croatian Serbs were expelled from Krajina, and the remaining Croats were expelled from the Banja Luka area. The main refugee corridors ran, as if by chance, through places where there were still some Croats who had decided to stay, despite all the suffering. Those who had not left by choice would now have to leave by force. How could Bosnia and Herzegovina resist this wave of refugees from Croatia?*

It is truly monstrous to allow or plan hardship upon hardship. It did not occur to the representatives of the International Committee of the Red Cross (ICRC) to demand the prevention of any close encounters between the Croatian Serbs and the Croats from Banja Luka. On the contrary, after all those “close encounters”, after the many robberies and murders of Croats from the Banja Luka area that are still unresolved, ICRC representatives were ready to play an intermediary role in the safe relocation of Croats and their “voluntary” departure.

Nikola Koljević, the Vice President of Republika Srpska (on behalf of the entity), and Lucie Stendhal (on behalf of the ICRC) even formulated a written

contract about this,⁶ regarding which disgraceful business they failed to involve Dr. Franjo Komarica, the Bishop of Banja Luka. *They did, however, inform the relevant people in Zagreb, from which not a single word of protest was heard to stop the exile of Croats from Banja Luka, even though both the Croatian Army and the Army of Bosnia and Herzegovina were very close to the area at the time.* This shameful document, in which an international humanitarian organisation such (the ICRC) participated in a crime against the Croats of Banja Luka, has never been reviewed nor was it ensured that obligations (if there were any) from the contract were fulfilled.

After this deal, the daily export of Croats and Bosniaks from Banja Luka began, “under the protection and complicity” of the ICRC, by the most difficult route: across the River Sava by boat to Davor. Not a single local or international philanthropist could think of a better, easier, and less risky route such as, for example, Bosanska Gradiška – Stara Gradiška, about twenty kilometers up-river. In the following months, more than 30,000 people were expelled. Where these expelled Croats went, or where they were supposed to go, is not the subject of this analysis.

After the Dayton – Paris Agreement, various initiatives, promises, and conferences about restoration and return were conceived. It seemed that with the help of donors, many war consequences would be resolved, the famous Annex 7 of the Dayton Agreement would be carried out, that the ruins would be restored, and that all of those who were expelled and banished would return to their homes. That did not happen. Why? The real question is: Who is obliged to rebuild a man’s house if it was destroyed by someone else? These people generally had no means for restoration. They could only rely on the state and various international donors. The war that had expelled people from their homes, and destroyed their lives and property was a project for a state or states. Therefore, the return of the people, the restoration of their houses and the conditions for a normal life must also be a project for a state or states. War is not started or led by an individual. When an individual kills another individual, it is a criminal act, and he compensates for the damage he caused if proven guilty; when a state kills during war, it is considered a patriotic act. We could list all kinds of reasons, and ask all kinds of questions, but we would never get a real and complete answer. It seems that the story of restoration and return has been dishonest from the very beginning. It became one of buying time for those who

⁶ ICRC – Guidelines on the Organisation of the Voluntary Departure of People from the Banja Luka area, Geneva, 13 August 1995.

had caused the exiles and relocations, so that the displaced would lose the will to return. Instead of starting immediately with the restoration of houses and infrastructure, for everyone equally, and with no distinction, the restoration was long-term, piece by piece and according to national affiliation. The real lives and needs of the refugees could not wait, and solutions had to be found. Because as strong as a love for a ruined homeland may be, even with a restored house, potential returnees would come back without adequate economic, health, social and other conditions.

Some questions are thus formed. Was the refugee problem of concern to only one ministry, and its small and limited budget?

Why did some politicians and their attendants, despite a clearly demonstrated will to return from many Croat refugees, take the initiative to proclaim that the return had ended? Who came back is welcome and who cannot or does not want to does not matter, because the return is over! These are the words of those who would resolve the refugee problem by declaring that it no longer exists.

Three Groups of Reasons

While reading various literature about the problems faced by refugees, we were able to classify the reasons why the expelled Croats decided not to return to Republika Srpska into three groups: **socio-psychological, politico-legal and security-economic.**

1. The socio-psychological group involves perception: the place from which they have been expelled has been remade to someone else's design, and has changed its ethos, name, alphabet, flags, people, and customs. Returnees would have to see all this, endure it and adapt to it.

2. In the security-economical group, there are reasons such as: Why do I need a house when I cannot bring my children back? I cannot raise them in this new society, or educate them through acceptable programs. We have nothing to live off, and I cannot find work because I am different. You do not leave a secure job and a means of income out of love for your devastated homeland. Comparing the percentage of Croat returnees to the areas of Bosanska Posavina that belong to the Federation of Bosnia and Herzegovina with those that belong to the Republika Srpska, it is evident that more Croats are returning to the former entity. It can be concluded that the main reason for this is the latter entity's name, which was given by one of its constituent peoples – by the administration of the entity that cares only about things Serb, and whose policies are

more Serbian than those in Serbia itself – and by Croat politicians in Bosnia and Herzegovina, who are not interested in this problem. They can see it, but they do not react.

3. In the politico-legal group, the reasons are of a political and legal nature, whereby the politico-legal system with its principles of equality and constituency – which belongs to Croats as one of the three constitutive peoples – does not function. Filling the Croat quota in entity and county bodies and authorities are mostly Croats from the SNSD (Alliance of Independent Social Democrats) or, in other words, Croats from the so-called “friendly Croatian parties”, whose positions and sinecures within these bodies and authorities were not won in elections, but were distributed by the ruler of the entity.

There are no legal obstacles or publicly demonstrated obstructions to the plan of return, but there is a quiet and very efficient prevention, due to many practical life issues that are easily explained. These include: a lack of legal protection; unemployment; inability to receive credit for starting one’s own business; inability to receive social and health care; and occasional beatings and verbal and physical threats, which are admittedly fewer today than they were before. It was shown that the “sustainable return” of Croats is also threatened by the following elements:

- Having to live in half-restored buildings that have been without electricity for several years
- Agricultural areas that have not been demined
- Being alone and at the mercy of the county rulers, where Croats do not have even one representative within the bodies of county authorities
- Inability to receive any kind of material support
- Local authorities that primarily help the returnees from their own communities
- A lack of organised social care for the elderly and infirm
- Inability to go to the doctor
- Inability to educate the community’s few children, due to unfinished schools and inadequate educational programs

- Difficulties finding employment and inability to receive adequate assistance for starting one's own business
- Problems with destroyed infrastructure in most villages inhabited by Croats (roads, water system, power grid)
- Problems with the protection of one's natural resources (from illegal gravel extraction, theft and felling of timber)

We must add to these factors the lack of awareness about the procedures and the conditions of assistance for renovation, which are set by local, county and entity institutions. These campaigns are led exclusively in the territory of Bosnia and Herzegovina, and are thus unavailable to the majority of Croats – the potential returnees – because they live near the borders, outside Bosnia and Herzegovina.

Only 409 Croat Children are Enrolled in Primary Schools in Republika Srpska

Let us briefly analyse the number of Croat children in the elementary schools of Republika Srpska in 2013. According to confidential information from 2013, there were 78,142 Serb children, 6410 Bosniak children, and only 409 Croat children in 164 primary schools in the territory of Republika Srpska. Judging by this data, and if it is true that “where there are children, there is a future”, the future of Croats in Republika Srpska is fairly certain: they will disappear. In a more thorough analysis of this data, we find that in 96 of the 164 primary schools in Republika Srpska, there was not a single Croat child in 2013. Two years ago, there was at least one Croat pupil in only 69 elementary schools. In 14 elementary schools in Banja Luka, there were 89 Croat children; in 3 elementary schools in Doboj there were 33; there were 28 in 2 schools in Teslić; 25 in 2 schools in Prnjavor; 22 in 4 schools in Prijedor; 49 in Ljubija; 11 in Nova Topola; 11 in one school in Gradiška; 11 in Potkozarje (ex-Ivanjska); 10 in Pelagićevo; 8 in Vrbanja; 8 in two schools in Kozarska Dubica; 9 in two schools in Derventa; 7 in Oštra Luka; 7 in two schools in Mrkonjić-Grad; 6 in Trn; 5 in Potočani; 4 in Kalenderovci; 5 in Kotor-Varoš; 3 in Bosanski Brod; and one or two Croat children in the remaining 26 primary schools in Republika Srpska.

When we add to this the data on birth rates, death rates, the number of unmarried youth, the trend of marrying later in life, and other trends such as

abortions and illnesses, the broad path to the disappearance of Croats can be traced. I read in a certain publication about the worrisome estimation of the “Human Life” organisation, according to which 79 nationalities will be extinct within the next two centuries. Among them are the Croats, but so too are the Serbs. Estimations on these disappearances are relate to those areas from where Croats originate, as well as from territories to which they have immigrated.

Croatian people have been migratory for a while, but in the last decades of the last century and the first decade of the current one, these migrations have become catastrophic. The most common causes of this were wartime coercion, and economic pressure. More dangerous is the trend of migration without any of the causes that usually constitute a motive. Such a trend can create pressure and an unfounded need to move in uncertain or dependent people. They go where everybody else goes, even though there is no reason to do so, out of an empty desire to be where everyone else is instead of in one’s own homeland.

Some people feel a sense of shame and incompetence because they have not relocated. Sadly, politics also bears its share of responsibility for relocating the soul of our people to other countries. Unsurprisingly, “bodies follow their souls”, as father Mirko Filipović, the Abbot of the Plehan Franciscan monastery, said in a conversation about the return of Croats to Bosanska Posavina.

What kind of future, then, can we expect for the Croats in Republika Srpska?

The Return of Nationalised Property, the Lengthy Legal Proceedings, and the Real Estate Tax – The Continuation of Ethnic Cleansing

One thing that creates problems for many people *is the return of nationalised property in this area of Bosnia and Herzegovina.*

According to some pronouncements, laws that do not ensure justice and correctness in the process of returning this property are in the works. It has been said that there will be trouble returning the property to certain monasteries, church communities, organisations, and Croatian cultural clubs. Compared to the Catholic Church, the Islamic community, and especially the Serbian Orthodox Church, are having less trouble reclaiming property that was nationalised by the communist Yugoslavian government, despite the fact that the law on restitution has not been established yet.

We should also mention the lengthiness of the legal proceedings to undo contracts on property exchange that were signed under duress during the war,

between Croat citizens and people who arrived here under the circumstances of war. Since the court authorisation to undo these contracts and return properties to their former owners was adopted, we have witnessed various forms of game-playing that are complicating the lives of returnees or potential returnees.

Several years ago, when the National Assembly of Republika Srpska adopted the new *Law on Real Estate Tax*, there were no significant objections. However, when the *Ordinance on Registration of Real Estate to the Fiscal Register* was authorised (along with a pile of incomprehensible forms) and the Ordinance on the Estimation of Real Estate Value announced its 30 September 2009 deadline for registering real estate so that it could be taxed starting 1 January 2010, there was panic. The first to weigh in were the Bosniaks, with their media and politicians proclaiming the law as dangerous, potentially leading to *Bosniaks and Croats losing their property in Republika Srpska again*, in an essential continuation of ethnic cleansing. Many Bosniak organisations and individuals concluded that this law supports those who obstruct the return of both Bosniaks and Croats, because those who have not returned (or could not return) would not be able to pay tax.

It was also pointed out that many families were expelled during the war; many family members were killed or have since died of natural causes, leaving no descendants. There is no one to report their property, so the potential successors will be parted from it.

This problem is still looming over the heads of Bosniaks and Croats, *and were it not for the Bosniak unity and their solid political organisation in Republika Srpska, that project would already have been completed, along with its immense consequences for both communities. Where are the Croats in this story and where is the Croatian unity?*

An intervention by the High Representative *Valentin Inzko* was requested, *to stop the new wave of ethnic cleansing (in peaceful terms) by the legitimatised deprivation of the right to claim Bosniak and Croat land in Republika Srpska.*

Since fines ranging from 500–1500 KM were prescribed for those who did not report their property by the deadline, the disquiet and fear among Croats and Bosniaks in this entity grew. Because of these pressures and announcements, as well as the fact that by the prescribed deadline, September 2009, only 211,000 applications were filed, out of an expected 3.8 million (as estimated by the Republika Srpska Taxation Department), the conditions for the implementation of the law have not been met. As a result, its implementation has been postponed once again, and the fearmongering continues.

The credit for postponing the enactment of this law (*which carries many dangers that could jeopardise the interests of Croats in Republika Srpska*), at the moment goes to the Bosniaks. Their politicians, media, organisations and individuals were much louder and more organised than their Croat counterparts. The Croat representatives largely remained silent. But despite the postponement of its enactment, the dangers of this law are still present, mostly because of the complexity of the questionnaire that has to be completed when reporting real estate, which requests a great deal of unnecessary data. This causes so much stress that many Croat refugees simply give up on their confiscated and demolished properties.

The Return That is Not

The words “democracy” and “freedom” are used often in public speech in Bosnia and Herzegovina, followed closely by the word “return”. The latter is used by politicians of all ranks in a bid for a better position in the government, and it awakens in many refugees the hope that one day they will resettle in their homeland. While for some people these hopes are fulfilled, for others they become failed expectations. This is especially true for Croats in the Banja Luka area, and in Bosanska Posavina. Plans to return are becoming nothing but dreams and impossible missions for the expelled Croats of these regions.

In many towns from which Croats were expelled, the conditions for returning are untenable. There is no money available for rebuilding the demolished houses, for restoring the infrastructure, or for creating employment. There are no indoor public gathering places, except for churches that have not been renovated. There is nothing that would help people to return, but there are loud invitations for the Croats to come back “because their safety is guaranteed”. What kind of stimulation is this? Is their safety guaranteed by the foundations of their destroyed houses, leaving them without a roof over their heads, without electricity, or roads, out in the cold, snow and mud? What hypocrisy!

Every person who lived through the atrocities of war in Bosnia and Herzegovina, regardless of religion or national affiliations, is still sensitive about anything that might have a connection to intimidation and insecurity. Although progress has been made in both legislation and the penalisation of perpetrators, there are still those who intimidate target groups, which are usually those who intend to return to their homeland. Often it is not clear who stands behind these activities: are they individuals, profiting from wartime fearmongering, or are

they well-organised and protected groups? Official authorities usually attribute such instances of intimidation to unknown individual perpetrators rather than blaming organised groups. In any event, it is significant that the former fear-mongers (we consider them to be known to security bodies) have not become peacemakers.

A clear illustration of the absurdity and insanity of the systematic extermination of Croats from Posavina and north-western Bosnia can be seen in places like Briševo, Sokoline, Liskovica and Korićani. The houses, parish churches and infrastructure have been demolished or devastated, and the inhabitants banished. With no people, over time the paths have become gullies and the overall result is a real wasteland, hidden by the trees that have grown out of the burnt houses. What makes the paradox even greater is that all these places were destroyed and devastated even though there was no armed combat in or near them. They were plundered, burnt and demolished in a safe zone, far from the front lines. This indicates that the perpetrators had no intention, either temporary or continuous, to populate this area with people of their own ethnicity. It was more important to ensure that there were fewer of “the others”, and that they would never come back.

False Promises – New Disappointments

The topic of refugees is a useful way for many politicians to build their image as humanists and warriors for justice, and a great opportunity to score political points during election campaigns. Such care for the refugees lasts as long as the reasons to talk about it. After that, the topic recedes, and is handed over to lower-ranking politicians and officials who then turn the story over, and wind it and rewind it until the next campaign. The results are not even close to the pompous stories of great investments, and of how “they” will finally solve all the refugee problems. To this day, such stories have been served to many Croats and representatives of the Church from all ranks of politicians. Relatively frequent visits by political representatives from Croatia awoke hopes that things would improve, but sadly those short trips through Bosnia only brought new disappointments. The same applies to the various conferences (humanitarian, restorative, donor-based) announced by the media and presented as milestones. One such “milestone” was the so called Round Table, which was held three years ago in this same room. An entire entourage of politicians, the cream of Croat politics in Bosnia and Herzegovina, with the help of “supporters” from

Croatia, made empty promises that they transferred into 13 conclusions that nobody managed to achieve. And no one was embarrassed about what was promised to the tortured Croatian people. We shall now examine what was said and promised.

The conclusions of the Round Table:

1. We ask for the immediate and consistent implementation of Annex 7 of the Dayton Agreement, which means enabling the safe return of the banished and expelled Croats to their proper homes, especially to Bosanska Posavina and central Bosnia. The results of the return so far have been weak, and particularly devastating in Republika Srpska. The return of refugees must be a priority state project. The hypothesis that “Croats do not want to return” is wrong and dangerous. The lack of safety due to thefts and vandalism, is particularly concerning. The most common violation in Republika Srpska is the illegal felling of timber, which we condemn. We demand that the police and judiciary of Republika Srpska prevent such occurrences immediately.
2. We are calling for the Government of the Republic of Croatia to develop, through its Office for Croats outside Croatia, a strategy for action with a clear vision, in collaboration with its partners. The operationalisation of the strategy in the sense of public presentation of specific projects for particular areas should be achieved by the end of this year. The “Prsten” (“The Ring”) organisation of Bosnian Croats is ready to help in any way. We also call for the institutions of Bosnia and Herzegovina to tackle the same problem.
3. The sustainable return of expelled and banished Croats, and members of other communities, must have three components or phases: a) renovation of dwellings; b) construction of infrastructure; and c) employment. It has been proven that merely repairing dwellings is inefficient, because a life has to be returned as well as a home – and that is impossible without employment. The economy of Republika Srpska and Bosnia and Herzegovina as a whole is in a problematic state, and solving this problem using the current approach cannot be expected.
4. Financial assistance for Croats in Bosnia and Herzegovina from the Republic of Croatia has to be supported by the new foundation, specifically for projects of small and medium-sized enterprises that will be carefully

planned and evaluated. The good news is that the Croatian Parliament has recently adopted the Strategy of Collaboration with Croats outside Croatia, and that the dedicated Office for the realisation of this strategy has begun its work.

5. To solve the refugee problem in the whole of Bosnia and Herzegovina, civil society institutions must weigh in, especially the various organisations that have common interests and goals. Official institutions have not yet achieved the goals set by international societies and by their own people who were relocated and expelled. Civil society organisations have to counteract official politics, so that the process of disintegration within Bosnia and Herzegovina can be stopped in time for the era of integration with Europe.
6. We honor and thank the Catholic Church in Bosnia and Herzegovina for their continuous support of the sustainable return of Croats and many others, which was often the only support returnees received.
7. Bosnia and Herzegovina must quickly be granted membership to the European Union. Its international tensions, alienated political structures and the inefficiency of its judiciary are facts that show Bosnia and Herzegovina as a country with a divided society. This has led to the phenomenon of an “imprisoned state”, whose function does not meet its citizens’ expectations.
8. We call for all Croat political parties in Bosnia and Herzegovina to operate in a unified way, especially during the next local elections. Partial party and personal interests to date have brought the Croat people in Bosnia and Herzegovina to an unfavourable position, because they cannot realize their fundamental constitutional rights. The survey conducted shows that the Croat political parties are very negatively perceived.
9. Field work with returnees is crucial to the development of ideas for small and medium-sized enterprises, including giving specific advice, and consulting and monitoring the novice entrepreneurs until they achieve their first positive results. This will also create a positive psychological atmosphere, and the optimism required for the development of entrepreneurship. In these specific projects, we will involve experts on agriculture, animal husbandry, fruit-growing, and the processing of agricultural products.

10. We believe that this Round Table should become an annual gathering, to enable us to follow up on what was suggested and discussed and achieved in practice.
11. We ask the Government of the Republic of Croatia, namely its Office for Croats Outside Croatia, to form teams of experts to lead the education (training sessions) of Croat people with the purpose of gaining the needed knowledge for applying for projects funded by the European Union. We ask them to do this by autumn this year.
12. We appeal to the European Committee for a quick and responsible approach to the problem of the return of Bosnian Croats, in accordance with those government institutions in Bosnia and Herzegovina that are able and willing to implement the regulations of Annex 7 of the Dayton Agreement. Time is the most important factor for refugees. We also ask for enhanced surveillance to ensure the equitable division of financial aid from the European Union.
13. We demand that the public media in the Republic of Croatia gives more space to the problems of the return of expelled and banished Croats in Bosnia and Herzegovina, because so far it has only been marginal.

Croats in Bodies of Authority in Republika Srpska from 1996 to 2015

As one of the three constituent peoples, the Croats are guaranteed by the Constitution of Republika Srpska (Article 1) to equally and without discrimination participate in the enactment of authority in the entity.

Article 5 of the Constitution guarantees national equality and the protection of the crucial national interests of the people. The Croatian language is, with Serbian and Bosnian, one of the three official languages. Based on these constitutional regulations, all other guidelines for political action and representation in bodies of authority and bodies of public administration in Republika Srpska should have been enacted. However, in reality the constituency of Croats in Republika Srpska is declared but has not yet been realised, and may not ever be. With the implementation of the Decision of the Constitutional Court of Bosnia and Herzegovina on the constituency of peoples, the Croats and Bosniaks have become constituent nations of Republika Srpska, and the Serbs of the Federation of Bosnia and Herzegovina.

However, constituency is not the fruit of a healthy political action and deliberation of political factors within a favourable societal and political climate. It was simply said: you will now be constituent. How you will manage to do this is your concern, you who have accepted constituency in our entity, where everything is ours – Serb – even the air. And those few feeble instruments for the implementation of constituency are so undeveloped and inefficient that the Croats in Republika Srpska have almost no use for it.

Those Croats in Republika Srpska, who wanted to be “constituent”, who wanted to live in their native area of Banja Luka, were brutally expelled, and those who used weapons against that constituency in exchange for a different one in Bosanska Posavina, have lost the fight. How, then, do you achieve real constituency where they do not want you, where you are unwelcome, and where you have no political tools or voting capacity for parliamentary mandates? Republika Srpska has been, since its conception, intended as a geographical, political and social space, in which one constituent people would rule: the Serbs.

This was outlined in the first Constitution of Republika Srpska in 1992, where it was defined as an exclusively Serb state. We can find confirmation of this in the transcripts and sections of discussions from 19 sessions of the Parliament of the Republika Srpska between 1992 and 1995. That Constitution was later “fixed” thanks to amendments. From its enactment until 2003, amendments were added 14 times. There were 114 amendments all together, some enacted by the Parliament of the RS and some enforced by High Representative Wolfgang Petritsch, after the decision by the Constitutional Court of Bosnia and Herzegovina that Articles 1, 2, 3, 4, and 5 contradicted the Bosnian and Herzegovinian Constitution. With the Decision on the Constituency of Peoples in the territory of Bosnia and Herzegovina, Croats and Bosniaks became constituent peoples in Republika Srpska. Translated into a language understandable to all: Croats and Bosniaks, as the new constituent peoples in Republika Srpska, agreed to father an already born child”. They accepted being founders of the entity and showed a willingness to “form and preserve” it, as written in the 66th amendment of the Constitution of Republika Srpska, so that the entity would not escape from Bosnia and Herzegovina.

Let us return to the concept of *constituency*. What does it mean? In the Croatian lexicon being constituent means being *significant, elementary, fundamental, integral, regulatory, objectively valid*, and, according to the Croatian encyclopedia, “*that which establishes and determines, which is significant and*

fundamental". A constitutive nation is a nation that shares the common territorial entity of a state. In our case, constituency relates to the state of Bosnia and Herzegovina and not to a part of it, because a part is not a whole. That would mean that Croats cannot be constitutive in Republika Srpska as such, but are constituent in Republika Srpska as a part of Bosnia and Herzegovina. In practice, this concept confuses and deceives more than it clears things up. If it is not specifically selected and embedded into the politico-legal system of the Republika Srpska entity, then it is unfortunately and ineptly selected, without the mechanisms of its control and practical enforcement being clear and unambiguous. If we choose any of the mentioned meanings of the concept of *constituency*, and if we use it in practice today on the Croats in Republika Srpska, we will always reach the same conclusion – that the Croats in Republika Srpska are declared constituent, but that the level of constituency they have in reality is ridiculous, and it is becoming a laughing stock. We will now look at how Croats have *equally and without discrimination participated in the enactment of authority, and in what ways national equality and the protection of crucial national interests in Republika Srpska have been guaranteed* (as promised in the Constitution of Republika Srpska) through participation in the entity's bodies of authority. Who has represented them and how? How were the elections of those who have represented Croat interests conducted? And who decided what the interests of the Croats in Republika Srpska would be?

The National Assembly of Republika Srpska

To date, the entity of Republika Srpska has had nine sessions of its National Assembly⁷. The *first* session was the so-called war session, and it lasted until 19 October 1996, without the participation of a single Croat, as far as we know. The first postwar session (otherwise known as the Dayton session) was the *second* session of the National Assembly of Republika Srpska and it lasted from 19 October 1996 to 26 December 1997. The only Croat in this session was Tomislav Tomljanović from Derventa, a member of the Croatian Farmers' Party of Bosnia and Herzegovina, which was in coalition with the SDP of Bosnia and Herzegovina, UBSD and MBO. The mandate of this session did not last for the prescribed two years, because it was dissolved by the former President of Re-

⁷ Analysis of the sessions of the National Assembly of RS from 1991. to 2014.

publika Srpska Biljana Plavšić, and elections for the new session of the National Assembly were announced.

The mandate of the third *session* started on 27 December 1997, and lasted for almost a year, until 19 October 1998. In this session there was also only one Croat, Professor Franjo Majdandžić from Banja Luka, and he entered the Assembly as a member of the Party for Bosnia and Herzegovina. The *fourth* session started on 19 October 1998 and lasted until 16 December 2000. Two Croats were elected to this session, from two Croat political parties. They were *Zdravko Marinić* from the Bosnian HDZ, and *Tomislav Tomljanović* from the New Croatian Initiative. Marinić gave his place to *Marinko Rebac* before he had even started his mandate.

The *fifth* session started on 12 December 2000, and lasted until 28 November 2002. *Tomislav Tomljanović* was the only Croat in this session, during which some important decisions were made. The first of these were the constitutional amendments regarding implementation of the Constitutional Court of Bosnia and Herzegovina's Decision on the Constituency of Peoples. This is considered to be the most important session of the National Assembly of the Republika Srpska so far, because all the important improvements to the Constitution of Republika Srpska were made during its mandate. This improvement of the Constitution to make another two peoples constituent did not pass without resistance. To implement the Constitutional Court of Bosnia and Herzegovina's Decision on the Constituency of Peoples, the High Representative in Bosnia and Herzegovina, Wolfgang Petritsch, enforced some solutions. The first thing he did was stage an intervention into the Parliamentary House Rules of the National Assembly of Republika Srpska, as well as into the structure of the Committee for Constitutional Affairs, and the way in which its members are elected. He determined that the Committee for Constitutional Affairs has to be formed from four Serbs, four Croats, four Bosniaks, and four people from the category of "others". The Committee was important because it had to prepare the constitutional amendments by which this decision would be implemented, and protect its vital interests. The Croat committee members were *Tomislav Tomljanović*, *Pejo Krnić* and *Mirko Čolić*, all from the NHI, and one member of Croat origin from the SDP in Banja Luka. In the end, the Serb members complained about the High Representative's decision and did not want to be part of the Commission within the National Assembly of Republika Srpska, so these solutions were enforced by the High Representative.

We will revisit the enforced normative improvements to the Constitution of Republika Srpska after we introduce the Croats in the sixth, seventh, eighth and ninth sessions of the National Assembly.

The *sixth* session of the National Assembly of Republika Srpska started on 28 November 2002, and it lasted for four years, until 9 November 2006. In accordance with the constitutional changes, four Croat representatives were elected, as prescribed by Article 71 of the Constitution, in which it is stated that each of the constituent peoples of Republika Srpska must be represented by at least four members in the National Assembly. The four Croats were: *Tomislav Tomljanović* from the New Croatian Initiative (NHI); *Tomislav Memon*, from the Party of Bosnia and Herzegovina; and *Ivka Ristić and Nada Tešanović*, from the Alliance of Independent Social Democrats (SNSD). During this session, the first Croatian Vice President of the National Assembly of Republika Srpska, *Tomislav Tomljanović* (NHI), was elected, but he acted in opposition because the SNSD would not support him.

The *seventh* session of the National Assembly of Republika Srpska started on 9 November 2006, and ended on 14 November 2010. Four Croat women were elected to this session: *Ivka Ristić, Nada Tešanović, and Snježana Jokić* from the SNSD, and *Dijana Čekić* from the Party of Democratic Progress (PDP). None of the representatives from the list of Croat parties were elected. Those elected were, in colloquial expression, 'in-laws' (married to one of *our guys*; editor's remark), and *Nada Tešanović* was elected Vice President of this session.

In the *eighth* session (25 November 2010–24 November 2014) nothing changed for the Croats. The same people were elected in the name of Croat constituency: *Ivka Ristić, Nada Tešanović, Snježana Jokić* (SNSD) and *Dijana Čekić* (PDP). The elected Vice President of the session was *Predrag Gluhaković* from the Socialist Party (SP). As before, none of the representatives from the list of Croat parties were elected to the National Assembly of Republika Srpska.

The *ninth* and current session started on 24 November 2014. Again, there are no elected Croat representatives from the list of Croat parties in Bosnia and Herzegovina. The four elected members are: *Željka Stojičić* (SNSD), *Zdenka Gojković* (SP), *Sladana Nikolić* (SDS), and *Ivana Lovrić* (the Homeland Coalition). In this session, the Vice President from the constituent Croat people in Republika Srpska was not installed immediately. Finally, *Željka Stojičić* (SNSD) was recently elected to this position.

This is how the Croats, as a constituent nation, have been “equally and without discrimination” represented in this entity for the past nine sessions of the National Assembly of Republika Srpska. In the last 20 years, there have been 12 representatives of Croat nationality in the National Assembly. Tomislav Tomljanović (HSS BiH – NHI) was a representative in four mandates, Nada Tešanović and Ivka Ristić (SNSD) were in three, Snježana Jokić (SNSD) and Dijana Čekić (PDP) were in two, and the rest were in one session. Of the total number of Croats in the National Assembly of Republika Srpska, two representatives were elected from the list of Croat political parties, and the other 10 were from one of the Serb-oriented parties. *As the majority of the representatives entered the Assembly through party ballots, they are obliged to conform to party politics in the parliament, and represent the opinions of the party that sent them there.* Croats could not have elected them; they were elected by voters from the majority. Consciously or subconsciously, they have accepted that role, and thus put themselves in a position of active participation in politics that have largely worked against the interests of Croats in Republika Srpska.

Such political representatives, who are formally introduced as representatives of the less numerous people (the Croats), have neither the will nor the mandate to solve problems. Their mandate is just to keep their seats for a while, and make good lives for themselves. It is surely ridiculous and a bit sad to expect that a representative from the party of one constituent people (even though he is not one of those people) would defend the interests of another constituent people – the one to which he belongs! *All these years, even though Croats have been present in the Assembly, not a single vital matter regarding the status of the Croat people in Republika Srpska was initiated; not even that of living conditions for Croats in Republika Srpska. The representatives thus far are not to be blamed. They have done their bit as extras in the parliament, in the name of the Croat constituency in Republika Srpska, by obeying party rules and party politics. They did what was required of them. The formal requirements were satisfied, but what about those of substance? It is almost as if those don't matter! On the contrary, they do matter, but it is impossible to address them in this manner.* Formal constituency and the current political and other powerlessness are at work here. This “convenience”, given by the Constitution of Republika Srpska to the Croat people as one of the three constituent nations – to articulate and spread vital Croat interests through those (at least) four representatives in the National Assembly of Republika Srpska – has not yielded any results in 13 years. Is the problem the regulation itself (from Article 71 of the Constitution of Republika Srpska), or its incorrect application, or is there something wrong with Croats?!

Of course, the fact that there is only a small number of Croats does influence their social, political and other positions, especially in the lower levels of authority, in counties and towns where Croats have almost no political representatives. If we consider the small number of Croats and the method with which the so-called Croat representatives were elected into the bodies of the entity of Republika Srpska, it is clear that they cannot be anything more than “*democratic decoration*”, or the “*ikebana of the entity authority*”.

Let us look at the other possibilities that the adoption of the amendments to the Constitution of Republika Srpska have opened up. What has been gained by these amendments? The languages of the constituent peoples – Serbian, Bosnian and Croatian (Article 7) – became the official languages of Republika Srpska. Legislative power is held by both the National Assembly and the Council of Peoples. This means that laws and regulations passed by the National Assembly that concern the vital interests of any of the constituent peoples in any way, take effect only after being adopted by the Council of Peoples (Article 69). Article 70 regulates these *vital interests*, such as: exercising the right of the constituent peoples to be adequately represented in the legislative, executive and judicial bodies of the authorities; protecting the identities of constituent peoples; organising bodies of public authority; ensuring the equal rights of constituent peoples in the decision-making process; protecting the right to education, religion, and language, and cherishing culture and tradition; territorial organisation; and public information systems, as well as all other matters of vital interest concerning 2/3 of one of the clubs, groups of representatives of the constituent peoples. Croats, as well as other constituent peoples, were given the opportunity to elect eight members to the Council of Peoples, the legislative body that works alongside the National Assembly of Republika Srpska.

Apart from this, Croats as constituent people got a possibility to elect one Vice President of Republika Srpska from the Croat community, which they have done regularly since this was articulated in the Constitution. It was also regulated (in Article 92) that three ministers in the Government of Republika Srpska have to be Croats, as do two of the nine members of the Constitutional Court. Most importantly, Article 97 of the Constitution regulates the proportional presence of the constituent peoples in the entity’s public institutions, such as ministries in the entity Government, bodies of authority in the counties, and the County and District Courts of Republika Srpska.

The Vice President of Republika Srpska from the Croat Community

The Vice Presidents of Republika Srpska were elected for the first time on the grounds of the amendment of the Constitution in 2002, for a mandate of four years. *Ivan Tomljenović* from Banja Luka was elected in the name of the Croat people. He was nominated by the Bosnian SDP, with the support of the NHI party. The second time Vice Presidents were elected was in 2006, when *Davor Čordaš* was elected after being nominated by a coalition of the Croat parties NHI, Bosnian HDZ, Đapić-Jurišić HSP, and HNZ. The third elections in 2010 showed “the emperor’s new clothes”, and were characterised by disunity and discordance among Croat political parties and their leaders. The elected Croat Vice President was *Emil Vlajki*, nominated by one of the lesser known Serbian parties – Krsto Jandrić’s NDS. The fourth Croat Vice President, *Josip Jerković*, was elected in 2014, having been nominated by a coalition of Croat parties: Bosnian HDZ, HSS, HKDU and HSP HB.

All the Vice Presidential elections so far have been defined by an absence of any kind of deal between Croat political parties, and of an agreement by parties with common politics to identify a common candidate, who has a real chance of being elected. Instead of it, the small election base has shrunk further with the nomination of several candidates, and the position of Croats in Republika Srpska was more and more difficult, making some people believe that the Croatian problem does not exist in

Republika Srpska any more. Even though it was already known that some people from the parties were burdened by their own egos, which makes any collaboration that would benefit the Croats impossible, the election of Vlajki as Vice President confirmed this. It was clear that the main Croat political party in Bosnia and Herzegovina had a better relationship with the biggest Serb party than with any of the other Croat parties with which it constitutes the Croatian National Assembly.

It was strange to many that the Croat politicians – who had vigorously criticised the election of Željko Komšić as the Croat Member of the Presidency of Bosnia and Herzegovina because he was elected by Bosniak votes – did not do the same during the years when the Serb political parties were appointing and electing “their Croats”, or when Vlajki was elected Vice President in the name of the Croat people by Serb votes.

The only person whom the outnumbered Croat voters could elect was the Vice President of Republika Srpska in the name of the Croat people, and that opportunity was compromised by the fact that it was normal in Republika Srpska for one nation to elect the representative of another. Because of the political immaturity and the disunion of the Croat political parties in Bosnia and Herzegovina, where almost every political faction nominates its own candidate, confusion and disunity have been created among the small number of Croat voters in Republika Srpska. Still, even the election of a Croat representative to this token duty, the Vice President of Republika Srpska in the name of the Croat people, was, for a while, seen as a chance to do or repair something. It soon became clear that this role was purely symbolic, and that a Croat representative elected in such manner would soon be strictly controlled by the political leaders (of the SNSD and the Bosnian HDZ), implementing that which was decided by these leaders, and not what the poor remaining Croats in Republika Srpska expected from such an official.

According to the Constitution of Republika Srpska, the axis of authority is the President of Republika Srpska, who has all the power he needs, and perhaps even a little more. His authority is almost regal, and is described in Articles 80–89 of the Constitution. The Vice Presidents however, (one Croat and one Bosniak), have no authority, and according to the Constitution cannot do a thing. They are, however, specifically mentioned in the Constitution in several places: *“to help the President of the Republic in conducting activities entrusted by him”*; *“that the President and the Vice Presidents are elected simultaneously from the same ballot”*; *“that they can be elected for a maximum of two consecutive mandates”*; *“that they must swear an oath before taking up their posts”*; *“that they enjoy immunity”*; *“that their mandate ends before the end of their terms if they resign or are impeached”*; *“they are impeached by the same procedure with which they were elected”*, and *“that the President, in case of temporary indisposition to conduct his duties, can decide which Vice President will replace him”*.

These are the parts of the Constitution of Republika Srpska in which the Vice Presidents are mentioned, by which we can evaluate the importance of these constitutional duties in the politico-legal system of the entity. The honour of replacing the President in case of indisposition has not yet been realised in practice, even when one of the previous Presidents was actually indisposed. This occurred after the abrupt death in office of the former President of Republika Srpska, Dr. Milan Jelić, upon which neither of the Vice Presidents

(Davor Čordaš and Adil Osmanović) were permitted to assume the role of Interim President.

In defiance of the Constitutional regulation, presidential duties were temporarily conducted by Igor Radojičić, President of the National Assembly of Republika Srpska.

Croats in the Government of Republika Srpska from 2003 to 2015

Based on Article 92 of the Constitution of Republika Srpska, it is required that there are three Croat ministers in the Government of Republika Srpska, one of which is the deputy speaker of the entity Parliament.⁸ Respecting this constitutional principle, all six governments since 2003 have had three Croatian ministers. The ninth Government of Republika Srpska was first to implement this principle under Dragan Mikerević, who was elected on 17 January 2003. The Croats in this government were: *Slaven Pekić* (PDP), the Minister of Administration and Local Self-Government; *Marin Kvaternik*, the Minister of Health and Social Welfare; and *Boris Gašpar* (SDS), the Minister of Commerce and Tourism.

In the tenth government, that of *Pero Bukejlović*, which started its mandate on 15 February 2005, the Croats elected were: *Zdenka Abazagić* (Independent/SNSD), the Minister of Administration and Local Self-Government; *Ivo Komljenović* (Independent/SNSD), the Minister of Health and Social Welfare; and *Boris Gašpar* (SDS), the Minister of Commerce and Tourism.

In the eleventh government (Milorad Dodik's second), which started on 28 February 2006, the elected Croats were: *Anton Kasipović* (SNSD), the Minister of Education and Culture; *Slaven Pekić* (PDP), the Minister of Agriculture, Water Management and Forestry; and *Predrag Gluhaković* (SP), the Minister of Commerce and Tourism.

The twelfth government (Milorad Dodik's third), was formed on 30 November of the same year, to which *Anton Kasipović* (SNSD), the Minister of Education and Culture; *Zoran Lipovac* (SNSD), the Minister of Agriculture, Water Management and Forestry; and *Predrag Gluhaković* (SP), the Minister of Commerce and Tourism were elected.

⁸ Analysis of the election of Croat members of the RS Government from 2003. to 2014.

The government of Aleksandar Džombić was the thirteenth Government of Republika Srpska. It was elected on 29 December 2010, and the Croat ministers were: Anton Kasipović (SNSD), the Minister of Education and Culture; Nada Tešanović (SNSD), the Minister for Family, Youth and Sports; and Davor Čordaš (Bosnian HDZ), the Minister for Refugees and Displaced Persons. This government tendered its resignation on 27 February 2013, but continued its work until the election of the new government on 12 March the same year.

The fourteenth government was the first of Željka Cvijanović, and it started on 12 March 2013. Its Croat ministers were: *Nada Tešanović* (SNSD), the Minister for Family, Youth and Sports; *Igor Vidović* (SNSD), the Minister of Economic Relations and Cooperation; and *Davor Čordaš* (Bosnian HDZ), the Minister for Refugees and Displaced Persons.

The current government of Željka Cvijanović is the fifteenth government, and it elected the following Croat ministers: *Anton Kasipović* (SNSD), the Minister of Justice; *Predrag Gluhaković* (SP), the Minister of Commerce and Tourism; and *Davor Čordaš* (Bosnian HDZ), the Minister for Refugees and Displaced Persons.

In the past 12 years, 11 Croat ministers have been involved in six sessions of the Government of Republika Srpska, and only three have come from Croat political parties. All the others have come from the ballots of the SNSD, the PDP and the SP.

Article 116 of the Constitution states that the Constitutional Court of Republika Srpska has nine members, two of whom are Croats.⁹ The primary role of the Constitutional Court is to protect constituency and legality. For this reason, the Committee for the Protection of Vital Interests was created within it. This committee was established on 14 March 2005. In this first session of the Constitutional Court, the two Croat members were *Mirko Zovko* (President) and *Branko Sunarić* (Member). In the current session of the Constitutional Court, two Croats were elected with an eight year mandate: *Miljenko Arapović* (Vice President) and *Irena Mojović* (elected after the death of Zoran Lipovac).

⁹ The Constitutional Court of Republika Srpska, Information on Croat Members

Croats in the Council of Peoples of Republika Srpska from 2003 to 2015

As regulated by Article 69 of the Constitution, the Council of Peoples is a legislator, as is the National Assembly, and has the authority to protect vital national interests when they are thought to be endangered. It is interesting to see who the members of this legislative body have been during its last four sessions, from 2003 to 2015,¹⁰ and how many times and in what ways they have protected vital national interests.

In the first session of the Council of Peoples of Republika Srpska (29 April 2003–24 December 2006), eight Croat representatives were delegated to serve: four from the NHI, three from the SNSD, and one from the Party of Bosnia and Herzegovina. They were *Pejo Krnjić*, the President of these representatives (NHI), *Borislav Bjelanković* (NHI), *Pero Mršo* (NHI), *Luka Babić* (*Marko Božanović*) (NHI), *Mirjana Vehabović* (SBIH), *Božana Lepir* (SNSD), *Karmela Nedić* (SNSD), and *Josip Anić* (SNSD).

In this session of the Council of Peoples of Republika Srpska, the majority of Croats were delegated from the Croat political party, so they were able to start working on vital national interests without difficulty or obstruction. Such an opportunity existed only in this session of the council. *By efficiently using this “magic formula” to delegate one or more Croats from the list of a Serb or Serb-oriented political party, the Council of Peoples, has, since then, become an obstacle to the Croats rather than a tool for addressing issues of vital national interest, as is regulated by the Constitution of Republika Srpska.* In this session, the Croats started the procedure for protection of vital national interests 18 times. The request was observed at the Joint Commission six times, withdrawn from the procedure five times, the Constitutional Court has returned a decision that the Croats’ request was unacceptable four times, and only once declared the request justified and acceptable.

The delegates in the second session of the Council of Peoples (12 December 2006–27 December 2010) were: *Tomislav Tomljanović*, President of these representatives, (HSS-NHI); *Drago Vidović* (SNSD); *Ivanka Gavrić* (HSS-NHI); *Vesna Sladojević* (SNSD); *Ljubica Banjac* (SNSD); *Milan Marinčić* (SNSD); *Marko Skoko* (SNSD); and *Slaven Pekić* (PDP). The party structure of

¹⁰ The report on the initiatives begun for the protection of vital national interests in the first, second, third and fourth sessions of the Council of Peoples of Republika Srpska from 29 April 2003 to 27 December 2014.

this session was: five delegates from the SNSD; two from the HSS-NHI; and one from the PDP. Only five times has the procedure of protecting the vital national interests of Croat people been started, once independently and four times with the Bosniak delegation in the Council of Peoples of Republika Srpska.

The third mandate of the Council of Peoples started on 27 December 2010, and lasted until 27 December 2014. The Croat delegates were: *Josip Jerković*, President (HDZ); *Drago Vidović*, Deputy Leader (SNSD); *Vesna Sladojević* (SNSD); *Milan Marinčić* (SNSD); *Dragan Juričević* (SNSD); *Mario Karadža* (SNSD), *Ivanka Gavrić* (HSS-NHI) and *Tomislav Tomljanović* (HSS-NHI). In this session of the Council of Peoples, we have five Croat representatives from Dodik's SNSD and three from the two Croat political parties – HDZ and HSS-NHI. Judging by the number of procedures for issues of vital national interest, Croats did not have many complaints. Requests for the protection of vital national interests were submitted only twice, once independently and once with the Bosniak delegates.

The fourth session of the Council of Peoples started a little less than a year ago, on 27 December 2014, and should last until the end of 2018. The Croat delegates are: *Nada Tešanović* (SNSD); *Ivka Ristić* (SNSD) (it is rumored that she was given this position by the HDZ); *Tomislav Tomljanović* (HNS, formed from the former HSS-NHI); *Ivo Kamenjašević* (Bosnian HDZ); *Mijo Perkunić* (HDZ 1990); *Goran Milošević* (SDS); *Andrea Dorić* (SP); and *Željko Stipić* (Coalition Domovina-HSP BiH). In the current session, the SNSD has two representatives, and HDZ BiH, HDZ 1990, HNS, SP, SDS and Coalition Domovina have one each. During the time they have been working together, they have not once stated that an initiative for protecting vital national interests should be started. In contrast to the Croat delegation, the Bosniak delegation has started the procedure four times already – every time that they have held a meeting. It seems that the Bosniak delegation is either exceptionally active, or it acts as a disruptive factor. Conversely, it seems as though everything is going well for the Croat delegation – it is amazingly calm and quiet.

In the thirteen years that the Council of Peoples of Republika Srpska has been in operation (three finished mandates and one current), the majority of Croat delegates were elected by representatives of Dodik's SNSD. Of the 32 Croat members in these four sessions, 15 have been from the SNSD, six from the HSS-NHI, two from the Bosnian HDZ, and one from each of the remaining parties.

We have now answered the question we asked at the beginning of this chapter. *In the Croatian delegation of the Council of Peoples of Republika Srpska, most members came from the SNSD political party. They were the ones who decided if and how the vital national interests of Croats in Republika Srpska was endangered, and accordingly started the mechanisms for protection, if it was convenient to their party interests.* The small number of members from Croat political parties did not have that opportunity; they remained powerless.

Based on this analysis, it can be concluded that the main contributor to the unacceptable situation of the remaining Croats in Republika Srpska today is their inability to elect authentic Croat representatives from the lists of Croatian political parties into the representative bodies and the bodies of public authority of Republika Srpska. It is surprising that these constitutional and legal abuses against Croats in Republika Srpska do not bother anyone, especially those who are responsible for ensuring legality and national equality, without discrimination against constituent peoples. All those responsible are pretending to be blind and deaf, despite the fact that the Constitution has clearly been violated, as has the constitutional principle on the constituency of peoples.

A constituent people, if true constituency is provided, elects and delegates its own representatives to representative bodies and bodies of public authorities. This is not done by another constituent people. The Serb majority is electing the representatives for the Croat people, and thus making a fool of them.

* * *

As things stand, it is impossible to significantly improve the situation for Croats unless changes are made to the politico-legal framework. All that is needed in this regard is to disable Serb political parties from electing Croat representatives to representative bodies and bodies of public authorities, because it is not their job. Putting ethnic Croats on the ballots of Serb political parties that have no intention of protecting the vital national interests of the Croat people is serious fraud and foul play. It is known in political practice that the policies of a party are created and adopted by that party, and not by an individual within it. It is the members' duty to implement these policies, by adhering to the party line. It is well known where "solo fliers" end up.

Accordingly, demanding and expecting that one ethnic Croat, who was elected to a representative body or a body of public authority by a Serb political party, will represent the interests of Croat people in Republika Srpska is a nonsense akin to political suicide. Therefore, such ethnic Croats, as we have seen over the last 20 years, are deciding to do as “the boss” says, in exchange for easy money. Their sin is in the fact that they have agreed to become instruments at the expense of their own people.

If and when a change will come is hard to say; change is discussed and advocated, but it never occurs.

ANNEX 1

CROATS IN THE CURRENT TERRITORY OF REPUBLIKA SRPSKA ACCORDING TO THE 1991 CENSUS

Region of Banja Luka

Municipality	Croats	Yugoslavs
1. Banja Luka	<i>29.033</i>	23.408
2. Bosanska Gradiška	<i>3422</i>	3245
3. Dubica	<i>488</i>	11.820
4. Laktaši	<i>2584</i>	11.491
5. Mrkonjić-Grad	<i>2141</i>	584
6. Bosanski Novi	<i>402</i>	1531
7. Prijedor	<i>6300</i>	6371
8. Prnjavor	<i>1737</i>	1718
9. Teslić	<i>9549</i>	3427
10. Čelinac	<i>79</i>	360
11. Kostajnica	<i>166</i>	213
12. Srbac	<i>145</i>	754
13. Skender-Vakuf	<i>4807</i>	165
14. Kotor-Varoš	<i>10.640</i>	707
15. Šipovo	<i>33</i>	154
Total	<i>71.527</i>	45.948

Bosnian Posavina

1. Derventa	21.972	3306
2. Doboj	13.283	5637
3. Bosanski Brod	13.923	3609
4. Modriča	9660	1813
5. Bosanski Šamac	14.670	1722
Ukupno	73.508	16.087

Semberija – Podrinje

1. Bijeljina	517	4256
2. Zvornik	120	1225
3. Ugljevik	85	276
4. Lopare	1259	566
5. Foča	104	448
6. Sokolac	22	84
7. Vlasenica	40	336
8. Živinice	3969	2115
9. Kalinovnik	18	46
10. Rogatica	18	185
Brod	5	93
11. Srebrenica	38	372
12. Višegrad	39	316
13. Han Pijesak	7	68
14. Bratunac	41	220
Total	6282	10.596

Eastern Herzegovina

1. Bileća	39	223
2. Gacko	29	84
3. Nevesinje	194	123
4. Trebinje	1226	1625
5. Ljubinje	44	19
6. Pale	126	394
Total	1658	2468
Grand total	152.975	75.099

According to the 1991 Census, in Bosnia and Herzegovina there were: **760,852 Croats (17.38%)**; 242,682 Yugoslavs (5.54%); 1,366,104 Serbs (31.21%) and 1,902,434 Bosniaks (43.7%).

Source: The Republic Bureau for Statistics, 1991 Census for Bosnia and Herzegovina – per municipality, 15th May 1991 – Unofficial data regarding the structure of the pre-war population of Bosnia and Herzegovina.

ANNEX 2

Unofficial data regarding the structure of the pre-war population of Bosnia and Herzegovina

The official data have (supposedly) never been published.

Socialist Republic of Bosnia and Herzegovina

The Republic Bureau for Statistics

1991 Census

First results for the Republic – per municipality

Sarajevo, 15th May 1991

Municipality	Total	Declared themselves as				
		Croats	Muslims	Serbs	Yugoslavs	Others
TOTAL FR BIH	4,354.911	752.068	1,905.018	1,364.363	239.777	93.685
	%	17.3	43.7	31.3	5.5	2.2
SARAJEVO	525.980	34.867	259.088	157.526	56.048	18.451
- CENTAR	79.005	5411	39.686	16.632	12.960	4316
- HADŽIĆI	24.195	743	15.399	6391	831	831
- ILIDŽA	67.438	6914	28.973	25.061	5134	1356

- ILIJAŠ	25.155	1713	10.620	11.339	1158	325
- NOVI GRAD	136.293	8886	69.204	37.736	15.508	4.959
- NOVO SARAJEVO	95.255	8786	33.981	33.014	15.036	4.438
- PALE	16.310	126	4.356	11.269	394	165
- STARI GRAD	50.626	1197	39.498	5178	3237	1516
- TRNOVO	6996	17	4822	2063	71	23
- VOGOŠĆA	24.707	1074	12.549	8843	1719	522
BANOVIĆI	26.507	559	19.188	4453	1925	382
BANJA LUKA	195.139	29.033	28.550	106.878	23.408	7270
BIHAĆ	70.896	5471	47.223	12.646	4278	1278
BIJELJINA	96.796	517	30.314	57.541	4256	4168
BILEĆA	13.269	39	1944	10.651	223	412
BOSANSKA DUBICA	31.577	488	6470	21.811	1820	988
BOSANSKA GRADIŠKA	60.062	3422	15.888	35.989	3245	1518
BOSANSKA KRUPA	58.212	143	43.365	13.765	685	254
BOSANSKI BROD	33.962	13.923	4.140	11.464	3609	826
BOSANSKI NOVI	41.541	402	14.083	25.106	1531	419
BOSANSKI PETROVAC	15.552	45	3276	11.695	358	178
BOSANSKI ŠAMAC	32.835	14.670	2248	13.619	1722	576
BOSANSKO GRAHOVO	8303	219	12	7929	128	15
BRATUNAC	33.575	41	21.564	11.479	220	271
BRČKO	87.332	22.163	38.771	18.133	5621	2644
BREZA	17.266	861	13.048	2118	1010	229
BUGOJNO	46.843	15.963	19.724	8854	1539	763
BUSOVAČA	18.883	9089	8486	634	505	169
CAZIN	63.406	142	61.861	765	411	227
ČAJNIČE	8919	5	4007	4714	76	117
ČAPLJINA	27.852	15.007	7717	3768	1018	342
ČELINAC	18.666	79	1440	16.591	360	196
ČITLUK	14.709	14.544	110	19	17	19
DERVENTA	56.328	21.972	7122	22.986	3306	942

DOBOJ	102.546	13.283	41.268	40.020	5637	2338
DONJI VAKUF	24.232	686	13.393	9375	622	156
FOČA	40.513	104	20.898	18.339	448	724
FOJNICA	16.227	6639	8.010	154	396	1028
GACKO	10.844	29	3830	6765	84	136
GLAMOČ	12.421	184	2243	9849	114	31
GORAŽDE	37.505	83	26.316	9844	776	486
GORNJI VAKUF	25.130	10,709	14,086	106	150	79
GRAČANICA	59.050	135	42.628	13.566	1501	1220
GRADAČAC	56.378	8521	33.921	11.184	1417	1335
GRUDE	15.976	15.939	4	8	5	20
HAN PIJESAK	6346	7	2544	3699	68	28
JABLANICA	12.664	2253	9136	504	573	198
JAJCE	44.903	15.781	17.400	8684	2486	552
KAKANJ	55.857	16.625	30.445	4937	2531	1319
KALESIJA	41.795	33	33.226	7669	270	597
KALINOVIK	4657	18	1726	2821	46	46
KISELJAK	24.081	12.441	9843	747	597	453
KLADANJ	16.028	38	11.747	3833	272	138
KLJUČ	37.233	336	17.714	18.438	545	200
KONJIC	43.636	11.354	23.791	6645	1379	467
KOTOR VAROŠ	36.670	10.640	11.161	13.986	707	176
KREŠEVO	6699	4738	1527	33	249	152
KUPRES*	10.098	3947	745	5169	213	24
LAKTAŠI	29.910	2584	506	24.438	1491	891
LIŠTICA	26.437	26.231	9	147	19	31
LIVNO	39.526	28.456	5927	3782	1122	239
LOPARE	32.400	1259	12.225	17.995	556	365
LUKAVAC	56.830	2132	37.886	12.281	3384	1147
LJUBINJE	4162	44	327	3743	19	29
LJUBUŠKI	27.182	25.180	1569	64	222	147

MAGLAJ	43.294	8366	19.637	13.298	1492	501
MODRIČA	35.413	9660	10.442	12.563	1813	935
MOSTAR	126.067	42.648	43.931	23.909	12.654	2.925
MRKONJIĆ GRAD	27.379	2141	3275	21.159	584	220
NEUM	4268	3738	196	209	92	33
NEVESINJE	14.421	194	3313	10.737	123	54
ODŽAK	30.651	16.598	6229	6084	1133	607
OLOVO	16.901	653	12.669	3196	282	101
ORAŠJE	28.201	21.234	1900	4219	606	242
POSUŠJE	16.659	16.571	6	9	26	47
PRIJEDOR	112.470	6300	49.454	47.745	6371	2600
PRNJAVOR	46.894	1737	7153	33.575	1718	2711
PROZOR	19.601	12.213	7173	49	99	67
PUCAREVO	30.624	12.127	11.649	4087	2115	646
ROGATICA	21.812	18	13.169	8374	185	66
RUDO	11.572	5	3142	8191	93	141
SANSKI MOST	60.119	4267	28.285	25.372	1202	993
SKENDER VAKUF	19.416	4807	1080	13.277	165	87
SOKOLAC	14.833	22	4486	10.181	84	60
SRBAC	21.660	145	940	19.291	754	530
SREBRENICA	37.211	38	27.118	9381	372	302
SOKOLAC	40.769	2761	30.595	5326	1130	957
STOLAC	18,845	6113	8393	3912	312	115
ŠEKOVIĆI	9639	11	328	9086	116	98
ŠIPOVO	15.553	33	2998	12.318	154	50
TESLIĆ	59.632	9549	12.801	32.853	3427	1002
TEŠANJ	48.390	8952	34.938	3078	1038	384
TITOV DRVAR	17.079	34	33	16.613	357	42
TOMSILAVGRAD	29.261	25.347	3166	570	103	75
TRAVNIK	70.402	26.008	31.862	7751	3688	1093
TREBINJE	30.879	1226	5542	21.387	1625	1099

TUZLA	131.861	20.581	62.807	20.424	21.920	6129
UGLJEVIK	25.641	85	10.402	14.404	276	474
VAREŠ	22.114	8.982	6721	3630	2049	732
VELIKA KLADUŠA	52.921	707	48.600	2.261	919	434
VISOKO	46.130	1973	34.385	7377	1456	939
VIŠEGRAD	21.202	39	13.316	6963	316	568
VITEZ	27.728	12.679	11.471	1502	1362	714
VLASENICA	33.817	40	18.699	14.356	336	386
ZAVIDOVIĆI	57.153	7519	34.341	11.637	2703	953
ZENICA	145.577	22.651	80.377	22.592	15.651	4306
ZVORNIK	81.111	120	48.208	30.839	1225	719
ŽEPČE	22.840	9081	10.780	2289	531	159
ŽIVINICE	54.653	3969	44.063	3499	2115	1007

THE MINISTRY FOR REFUGEES AND DISPLACED PERSONS IN THE GOVERNMENT OF REPUBLIKA SRPSKA – SUPPORT AND CONTRIBUTIONS TO THE PROCESS OF RETURN AND RESTORATION

*Mr. Davor Čordaš, Ministry of Refugees
and Displaced Persons, Republika Srpska*

The great suffering inflicted upon Croats in Bosnia and Herzegovina during the 1992–1995 war, with the killed, missing, and wounded, has brought another problem that lasts to this day: exile.

With the Dayton Peace Agreement (DPA), Bosnia and Herzegovina was divided into two entities: The Federation of Bosnia and Herzegovina, and Republika Srpska. I consider it my responsibility to describe the conditions in Republika Srpska. The exile began in 1992, and ended in 1995. Most of the Croats from this area were expelled, and their property destroyed or damaged.

The estimated number of refugees ranges from 150,000 to 180,000, which was almost the entire Croat population at the time. One part was expelled as a result of armed conflict (Posavina and eastern Herzegovina) and the other without conflict (the Banja Luka area). In order to visit his expelled people in 1995, Bishop Franjo Komarica had to cross the River Sava by boat.

This was “scorched earth” politics, with the hope that no one would return. Almost all religious sites were demolished.

Despite their troubles, the first to return to the incinerated sites were the priests. His Eminence himself, Cardinal Vinko Puljić had serious problems in Derventa in 1998, but he was not disheartened, and constantly encouraged us all to return. The critiques were and are that the priests should not have been sent there without the believers. Now, I can say with certainty that if they had not gone back first, no Croats would have returned to the area. By joining forces, the renovation of the parish offices, churches and family homes was begun for the small number of Croats who wanted to restore their own properties and live in their own homes at all costs.

Many are not in favor of us and they spread the idea that Croats do not want to return to Republika Srpska. This was, and still is, a real problem, but it should not have been a reason to prevent rebuilding, which began in 1998. It was mainly undertaken with our own labours, but later some of the international

ganisations joined in, only with the intention to show that Croats did not want to return while they were willing to help everyone. I would like it to be published who helped whom, and how much during that first period, which was the most important for returnees. It is not my intention to call out anyone, but I wish to point out that the institutions where Croats managed to ensure places and status in Bosnia and Herzegovina (the Committee for Refugees and Displaced persons of Bosnia and Herzegovina – the Fund for Return; the Federal Ministry of Refugees and Displaced Persons of Republika Srpska; the Bosnian Human and Refugee Rights Ministry), the Government of the Republic of Croatia, and Caritas were most helpful to the cause of returning Croats to Republika Srpska.

The rebuilding and returns started relatively late, and were obstructed during their first phase by the county and entity authorities. It is commonly known that most returns happen within the first five years of the end of a conflict. In this case, the later phase contained fewer obstructions, but it also provided less funding for rebuilding.

The largest number of refugees now live in the territory of the Republic of Croatia, where they have begun new lives. Over time, this has become the biggest obstacle for returnee. It is encouraging, though, that refugees have not forgotten their homeland.

Because the rebuilding was not followed by employment, returnees are generally of a more advanced age.

The political climate is changing, even though this process is slow and difficult. The Croat representatives are joining the activities of municipal councils, which is facilitating fieldwork. Before that, it was only possible to work with non-governmental organisations. Mandates are being won in the Assembly, in the Council of Peoples, and in the Government of Republika Srpska. For a while the Croat parties were working together, but a lot of effort from several sources and institutions have succeeded in destroying that cooperation.

It is especially encouraging that successive generations are interested in rebuilding, which means they have not given up on their heritage. Those who were children at the time, and who can barely remember (or have no memories of) living in these areas have not given up on their properties, and they want to restore their ruined homes.

It is our moral obligation to help them, and enable them to live in their childhood homes again, in all their glory.

Assistance from donors and from the budget of the entity governments have made up about 3–6% of funding. This was successfully increased to 18% through the Committee for Refugees of Bosnia and Herzegovina (2007 - 2010), and today, more than 50% of the total government funding for the return to Republika Srpska went to Croats. This is how we reached the absurd situation of providing four years' worth of assistance in one year. It is evident that most of the money was invested in the last four years, so return and rebuilding must be separated.

Investments by the Ministry for Refugees and Displaced Persons of Republika Srpska in 2004 and 2005

During the years 2004 and 2005, of the 9,471,425 KM invested by the Ministry for Refugees and Displaced Persons of Republika Srpska, only 3.43% (324,500 KM) was allocated for Croats on the territory of this entity, while 42.87% (4,060,970 KM) was allocated for the return of Bosniaks and 53.7% (5,085,955 KM) for the return of Serbs. It is interesting to note that all funding for Croats went into the rebuilding of houses, but the restoration of infrastructure, which would have ensured conditions for return, did not follow. For Bosniaks and Serbs, the restoration of infrastructure and housing was funded simultaneously.

Investments by the Ministry for Refugees and Displaced Persons of Republika Srpska from 2006 to 2010

Between 2006 and 2010, the Ministry for Refugees and Displaced Persons of Republika Srpska allocated 2,552,722 KM (7.36%) of a total of 34,699,990 KM to Croats. Of this, 667,263 KM was used for building houses, 1,078,474 KM for the restoration of infrastructure, 561,500 KM for the restoration of religious sites, and 245,483 KM for sustainable return projects.

Even though there was an increase in funding for the return of Croats to Republika Srpska thanks to the influence of Croat representatives in bodies of authority, the biggest shift happened in the period that followed – between 2011 and 2014 – when, thanks to the collaboration of Croat political parties, the representative from the ruling Croat party in Bosnia and Herzegovina became Minister for Refugees and Displaced Persons of Republika Srpska.

Investments by the Ministry for Refugees and Displaced Persons of Republika Srpska from 2011 to 2014

Thanks to the new leadership of the Ministry, the Government of Republika Srpska allocated considerably more funding for helping Croats in Republika Srpska in the period from 2011 to 2014, so that of a total of 20,890,314 KM, 52.11% (10,885,075 KM) was allocated for Croats. Long-term housing solutions were thus ensured for 186 families: 96 residential units were built according to the “turn key” principle, and 90 packs of building materials were given, for which 3,988,223 KM was allocated.

A total of 139,000 KM in financial aid was given to 15 families. Seventy infrastructure projects were implemented, with a value of 3,679,452 KM, which systematically followed the restoration of housing, providing all the conditions needed for returnees. A considerable amount of funding was allocated for sustainable return projects, so that 541,100 KM was given for projects in crafts and agriculture ensuring incomes for 52 families. To meet the specific demands and needs of certain returnees, 56,300 KM in financial aid was given to 130 families, and 58,000 KM of emergency funds were allocated to three families. As the Church has a very important role in the life of Croats, special attention was paid to the restoration of religious sites, and 1,718,000 KM was allocated for this purpose. Those projects had a great impact, and we can say with certainty that more people have come back to the places in which churches were restored. A part of the funding, 75,000 KM, was added to the funding of two counties that carried out projects in support of the Croat returnees in this area. Support was also given to Croat returnee societies, and 125,000 KM was allocated through 47 donations.

A Comparison of Investments Between 2004 and 2014

Despite the very small allocated share of 3.43% for Croats between 2004 and 2005, the increase from 2006 to 2010, and especially between 2011 and 2014, resulted in a considerably larger share being contributed to the final sum allocated from 2004 to 2014. From the total 65,061,729 KM invested, 13,762,297 KM (21.15%) was allocated to Croats, 25,432,214 KM (39.09%) to Bosniaks, and 25,867,218 KM (39.76%) to Serbs.

This change is particularly visible when reviewing the investment data according to purpose. Between 2004 and 2005, 324,500 KM was invested for the restoration of Croat housing, 667,263 KM between 2006 and 2010, and 4,127,223 KM between 2011 and 2014. Investment in the restoration of infrastructure for Croat returnees began in the period between 2006 and 2010, when 1,078,474 KM was allocated for the purpose. This rose to 4,757,926 KM between 2011 and 2014. The difference is also significant in investments made in religious sites: 561,500 KM was allocated between 2006 and 2010, while 1,718,000 KM was allocated over the next four years. A shift was achieved in investment in sustainable return projects, for which 245,483 KM was allocated in the period between 2006 and 2010, and 1,360,400 KM was allocated from 2011 to 2014.

Allocations via the Fund for the Return of Bosnia and Herzegovina for Supporting Croats in Republika Srpska

It must be pointed out that, as well as by direct investment from the budget of the Ministry for Refugees and Displaced Persons of Republika Srpska, the Government of Republika Srpska has supported returning Croats by allocating money to the Bosnia and Herzegovina Fund for Return. This fund combines funding from the Government of Republika Srpska, the Government of the Federation of Bosnia and Herzegovina, and the Government of the Brčko District, to implement projects throughout Bosnia and Herzegovina. Through these joint projects, the Fund for Return invested a total of 8,918,956 KM into the return of Croats to Republika Srpska and Brčko District between 2008 and 2010. Of this, 5,210,000 KM was allocated for individual returns, 1,781,000 KM for the restoration of the social infrastructure, including religious sites, 1,842,956 KM for the power grid, and 85,000 KM for the restoration of utility infrastructure.

Support from the Government of the Republic of Croatia for the Return of Croats to the Territory of Republika Srpska

The Government of the Republic of Croatia has also given support for the return of Croats to Republika Srpska over the years, and in the period from 2008 to 2014 it allocated a total of 141,020,000 HRK to the Croats in Bosnia and

Herzegovina. However, of these significant financial resources, only 13,275,000 HRK (8.66% of the total) was allocated to Croats in Republika Srpska. Those resources were often allocated to supporting the activities of certain institutions, and the results had an extremely limited impact on the return of Croats as a whole.

We know that the time is the greatest enemy of return, but we are feeling optimistic about the fact that, with material support, a few thousand people attend the celebrations of the patron saints of our parishes, feeling more comfortable in their homes than anywhere else.

We have recently finished a review in which we recorded the Croat houses restored in Republika Srpska. We found more than 5000 renewed objects. Although we are aware that there are still many devastated buildings, we cannot ignore those that have been rebuilt, especially when we know that on average 20,000 KM in average is needed to restore one house.

This means that at the moment, at least 100 million KM has been invested in the return of Croats to Republika Srpska. The majority of apartments were also returned, but most were subsequently sold or exchanged.

**THE NUMBER OF CROATIAN FAMILIES WHOSE HOUSES WERE
REBUILT, AND THE NUMBER OF REQUESTS SUBMITTED
TO THE REGIONAL HOUSING PROGRAMME (RSP)
(BY MUNICIPALITY, IN 2015)**

MUNICIPALITY	No. of renovated houses	No. of Requests submitted to RHP
Pelagićevo	736	333
Teslić	717	553
Derвента	668	773
Šamac	593	261
Brod	590	460
Modriča	427	212
Doboj	357	361

Vukosavlje	239	48
Banja Luka	169	164
Prijedor	128	225
Kotor-Varoš	124	330
Gradiška	89	52
Oštra Luka	56	14
Berkovići	39	6
Mrkonjić-Grad	37	26
Prnjavor	33	33
Laktaši	13	29
Trebinje	8	6
Kostajnica	7	3
Nevesinje	7	0
Istočni Mostar	7	0
Kozarska Dubica	3	1
Novi Grad	3	1
TOTAL REPUBLIC OF SRPSKA:	5050	3891

As well as the projects funded by the Government of Republika Srpska, the Ministry for Refugees and Displaced Persons of Republika Srpska has implemented its own projects to restore and reconstruct the homes of Croat returnees. These are: the reconstruction project of the housing fund OPEC, under which 45 housing units were built during 2014, with a total value of 1,228,992 KM; and the reconstruction of housing units financed by loans from the Saudi Development Fund (SAF), with which 47 housing units with a total value of 1,175.000 KM are being built on the territory of Republika Srpska.

In the process of dividing the funds from the Donors' Conference, we have managed to fight for all 1800 houses intended for Croats to be built on the territory of Republika Srpska. Sadly, this project is moving very slowly and if it continues in this fashion, not even a third of the planned number will be completed. The donors' unrealistic conditions are nowadays often unacceptable to returnees. But that's another story, and there is not much use in telling it now.

The previous table shows the number of houses renovated and the number of applications submitted to the Regional Housing Programme. It can be seen that the number of applications is larger where there has been active work.

For return to be sustainable, the restoration of homes must take place alongside the simultaneous restoration of infrastructure, and sustainability through employment or agricultural support and growth of family businesses.

Despite all that has been achieved so far, the future of Croats in Republika Srpska is not bright. However, there are guidelines for all of us to work by in pursuit of the same goals, and those are:

1. Further renovation and sustainability of returns
2. Political action of all Croat parties in Bosnia and Herzegovina to address mutually important matters
3. Continued help from the Government of the Republic of Croatia, with a larger percentage of funding for Croats in Republika Srpska
4. Restarting the economy in this area and employing returnees
5. Registering returnees at their old addresses, and processing documents in the counties from which they were expelled, even though it is difficult
6. Maintaining a level of social rights in Croatia for those Croats who wish to return, or who have returned, to Bosnia and Herzegovina
7. Allowing dual residence. Otherwise the majority of returnees will give up residence in Bosnia and Herzegovina.
8. Keep providing every kind of assistance to the renewed parishes in Republika Srpska to allow them to thrive, because they provide great support to returnees
9. Encouraging highly educated people to participate more actively in the process of return, and in the political life of Croats in Republika Srpska
10. Encouraging those expelled not to sell their property, and to pass on the love of the homeland to younger generations

PHOTOGRAPHIC DOCUMENTATION OF THE EXILE OF CROATS AND BOSNIAKS FROM BANJA LUKA

Frano Piplović, MA

It is commonly known that the photography of a certain event is an important record, whether it is of personal nature, or a social occasion that we want to remain aware of and protect from oblivion. In order to bring the events from 20 years ago (the last phase of the exile of Croats and Bosniaks from the Banja Luka area) into focus, we have curated an exhibition of written and pictorial documents to mark this anniversary.

About 50 original documents from the Bishop Ordinary of the Diocese of Banja Luka from 1992–1995 are displayed, in which Bishop Dr. Franjo Komarica appeals to many powerful people at the time, including international and local politicians, church leaders, and the international and local public, to take a stand for these people who were suffering various kinds of torture, harassment, and killings.

Alongside these letters are about 50 photographs, which were acquired with difficulty. We did not expect significant problems in collecting photographs from that time, but this turned out to be our biggest obstacle. Despite our endeavours to find at least one photograph that showed the exiled Croats and Bosniaks from Banja Luka in the concentration centres where they waited to be transported, we failed to do so. At first, we were surprised that no such documents existed, but then we were informed that photographing such scenes could have been punishable with a bullet to the head, and the lack of documentation became clear.

The creation of any document of this kind had to be prevented, because it could later serve as key evidence against those who had planned and conducted this crime of expelling innocent people from the Banja Luka area.

We had more luck finding photographs that depicted the reception of refugees in the small Slavonian town of Davor, which became the “humane centre of the world” during that period. Through the kindness of the previous and acting Mayors of the Municipality of Davor and the Mayor of the Municipality of Voćin – where many of the expelled people of Banja Luka live today – we have received photographs that show part of the tragedy of the expelled Croats, Bosni-

aks and others, and the big hearts of the people of Davor and its surrounding villages. Some of these photographs are included in this publication as a contribution to the development and reinforcement of the human and historical memory of these tragic events.

This is our small contribution to the database about these events, which were so devastating to Banja Luka and its wider area. They will be accessible to all those who carry truth in their hearts.



A monument to the boats in Davor in Okučani: one of the boats that transported 22,000 refugees across the River Sava from 14 August to 10 October 1995.



Buses on an improvised parking lot on the Srbac side of the River Sava, which transported the refugees for days.



Expelled youth from the Banja Luka area, on their way to freedom and an uncertain life.



A daily scene during August and September 1995. Red Cross Volunteers, nuns, the selfless people of Davor, and relatives, waiting for and accepting the refugees.



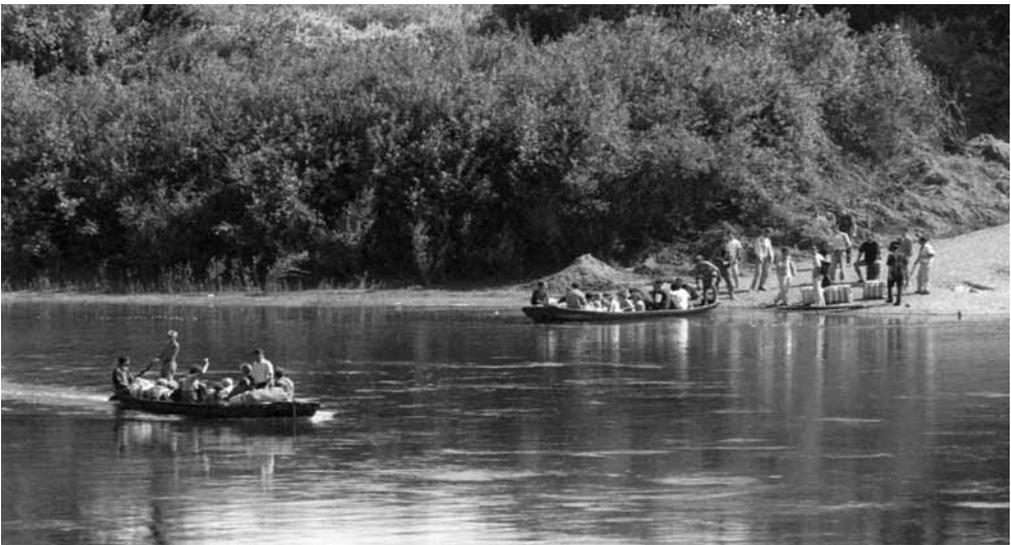
A view of Srbac and a group of refugees, some in a boat with their possessions, others on the riverbank, waiting for the boat that will take them to the left bank of the River Sava (August 1995).



Davor, August 1995. Refugees on the Croatian bank of the River Sava.



Davor, September 1995. Boats full of refugees from north-west Bosnia. Their roots, homes, sufferings and part of their lives that will remain unforgotten have been left behind on the other side. For the youth, the first steps on the left bank of the river, on the way to a new life, are a reason to smile.



Davor, September 1995. The heroes of Davor tirelessly transported thousands of refugees from Banja Luka and Bosnian Krajina in these fishing boats for days on end. Luckily, not one incident occurred.



Refugees in Davor, August 1995. Women and children aboard a boat as it docks on the Croatian bank of the River Sava.



Davor, August 1995. Refugees with the only possessions they were allowed to take with them



Davor, August 1995, left bank of the river Sava. Refugees with their lives packed into bundles wait for boats to transport them to an uncertain future.



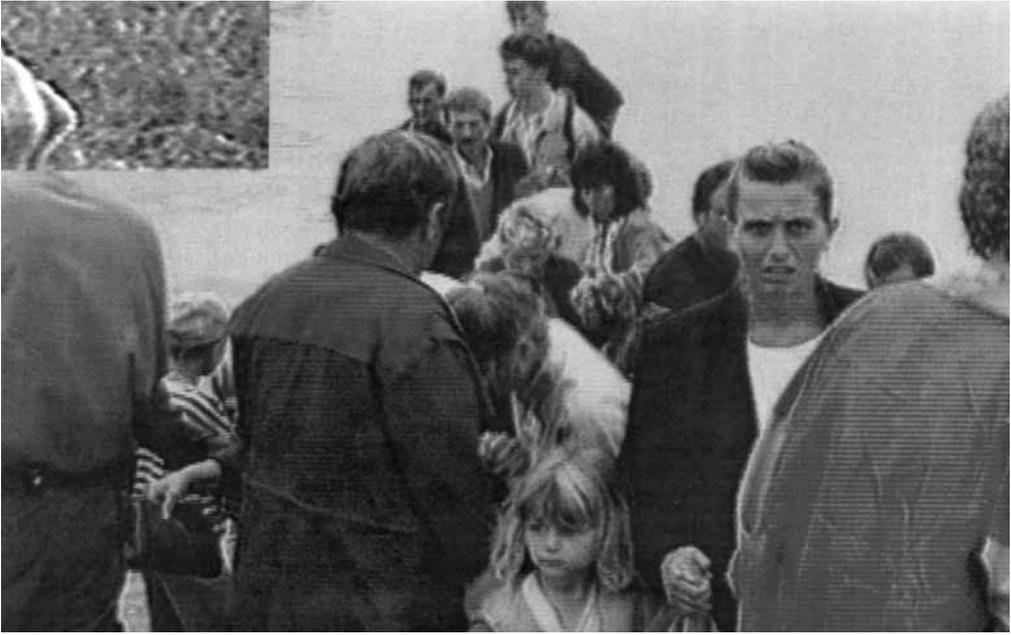
Davor, August 1995. Refugees on the thresholds of their new lives, on the road to exile with the meagre possessions that they were allowed to take with them.



Davor, August 1995. The streets of this usually calm village in Slavonia-Posavina have witnessed such scenes for days.



Davor, August 1995. Years of misery and hardship finally break through, transformed into tears and pain.



Davor, August 1995. When they disembarked from the boats, first they looked for familiar faces.



Davor, August–September 1995. A grandmother and her grandchildren on their way to exile.



Davor, August 1995. An exiled family from Banja Luka embrace.



Davor, August 1995. The painful expression of this refugee from the Banja Luka area illustrates the feelings of those expelled from their native land.



Davor, August 1995. There was no mercy shown towards the sick, the weak or the wounded. Everyone was expelled!



Davor, August 1995. What did this innocent, shocked and scared little boy do to anyone?



Davor, August 1995. Women, children and the elderly accounted for the majority of the refugees.



In the Davor settlement on the Sava embankment, August 1995. A scene from an interrupted childhood: sadness and fear are easier to manage when shared with a favourite toy.



Davor, 30 December 1995. The boat carrying dear guest Franjo Komarica, the Bishop of Banja Luka, emerges from the mist on its way to the left bank of the overflowing Sava.



Davor, September 1995. After much suffering, refugees from the Banja Luka area, plundered but finally free, are on their way to the uncertainty of exile



Davor, 30 December 1995. Bishop Franjo Komarica meets with expelled nuns, refugees from Banja Luka, and Davor locals.



Davor, 30 December 1995. A crowd of locals from Davor and expelled people from Banja Luka gathered to greet Bishop Komarica on the bank of the River Sava, after the Serb authorities granted him to leave Banja Luka after a seven-month house arrest.



Davor, 30 December 1995. Two Croatian heroes in a fraternal embrace: Cardinal Franjo Kuharić and the Bishop of Banja Luka Franjo Komarica, the latter having just been released from house arrest after seven months (231 days).



Davor, 30 December 1995 – Cardinal Kuharić escorts Bishop Komarica and his closest associates to a boat on the River Sava, for their return to Banja Luka.

Review

AGAINST THE DESTRUCTIVE POWER OF SILENCE

*Ms. Tanja Topić, Political Analyst
Friedrich Ebert Foundation, Banja Luka*

The collection of works “*A silenced crime – 20 years under the burden of exile, injustice and silence*” is an extremely important testimony. It speaks of a time that defies the dominant paradigm, which can be reduced to institutional and other kinds of silence about the crimes committed, and a long and shameful period in history. Better said: it defies the way of life that leads to oblivion. That is the value of this endeavour. That which has been hidden for years certainly aimed to cover the documented facts with silence and civilisational deceit, so it would seem that nothing ever happened. This extensive and multidimensional collection of works will prevent that kind of forgery and manipulation, by destroying the silence about the dark sides and “our” role, and providing evidence about “their” sufferings. The collection is diverse, in terms of both style and content, and includes historiography, prose, and essays, which speaks to the diverse selection of participating authors.

We certainly know who is not going to read this: those who think they own the exclusive rights to the truth about the nineties, and what happened in the territory of Krajina. They are afraid to peek between the covers of this work, because it will unmask all the misery and despair, and their efforts to project the illusion that they were “good guys” who committed shameful crimes, such as exile and ethnic cleansing, for a greater cause. Or those who kept silent about it.

Or, worse, those who find excuses for the crimes committed.

But these events had to be documented and printed, out of an obligation to future generations, and out of an obligation to ourselves. This collection of works defies the dominance of the selective culture of remembering in these areas, in its efforts to keep the suffering of the non-Serb population in Banja Luka (where there were no armed conflicts and where the exile of Croats and Bosniaks is cynically described as voluntary relocation) from falling into oblivion.

This work is not only a view of the past: it is a significant step forward, and a window to the future. This is good, because this is how we escape imprisonment by the dark shackles of the past, and find the strength to move forward,

despite the bad memories and the pain, and despite the fact that we lost tens of thousands of our citizens, who were expelled by our own people.

This collection of works reviews a broad range of events, processes and phenomena to create a whole. It starts with “*good people, deaf ears and selfish hearts*”, to discuss contributions given to victims of all ethnic groups in these areas by the Diocese of Banja Luka and Caritas, and explains the roles of these bodies. It then considers the future of the area in the context of the Dayton Peace Agreement and the integration of Bosnia and Herzegovina into the European Union, before arriving at an argumentative analysis of the implementation of the constitutional principle of the equality and constituency of people.

The collection of works also shows the support given to returnees and contributions made to the rebuilding process on an institutional level. This is commendable, but it would be even more so if the wall of silence about the crimes and the injustices inflicted upon people were openly, critically and institutionally broken. Keeping quiet about one’s own crimes or worse, denying them, is almost equal to being an accomplice. Knowing this, it would be historically priceless if this collection were made available in the chambers of institutions and officials of Republika Srpska, because it would break the silence that has been so powerful for all these years that it has dissolved the web of civilisation in which a society and a community can reside. Finally, it would mean an apology to all the citizens and victims in this area, the embarrassment of admission, and a warning to future generations about what happens when we do unacceptable things.

An especially moving part of this collection is the wonderful documentary photographs that do not allow evil and hardship to fall into oblivion, no matter how much the powerful forces conspire to pretend it never happened.

The writings in the collection are a plea for a dialogue on these traumatic subjects, an effort to break the silence, and an entreaty to the other side, to at least begin to talk about the events of the nineties. The approach to memories and events here is multidimensional and multi-perspective, and as such is a solid basis for encouraging the culture of dialogue on these difficult events from the past, which so heavily burden the present and future of these territories.

Banja Luka, 7 March 2016

Review

THE "CULTURE OF MEMORY" AGAINST THE "CULTURE OF OBLIVION"

*Academic Dr. Zlatko Kramarić,
General Consul of the Republic of Croatia in Banja Luka*

The International Study Day was organised by the European Academy of the Diocese of Banja Luka, and held on 13 November 2015, on the 20th anniversary of the exile of non-Serbs (Croats, Bosniaks, and others) from the greater Banja Luka area. Of about 150,000 Croats who lived in the territory of today's Republika Srpska during the nineties, today no more than 10,000 remain. There is not enough information about the disappearance of this domicile and autochthone population, and we are left with the uncomfortable feeling that this tragic (even dramatic) fact does not concern anyone. Even the international community has kept its silence. But this fact does not stir the local political or academic elites, either. It is precisely for the reason of not forgetting this "silent", "invisible" crime, that the European Academy of the Diocese of Banja Luka organised this International Study Day, so that these tragic events would not fall into the "culture of oblivion".

The papers presented at that meeting have been compiled into this collection of works. *We congratulate the organisers, as well as all the other institutions and individuals who gave the logistic support needed, and thus made it possible to gather, process and publish the papers and materials from the meeting in record time – only a few months.* These presentations represent the victory of the "culture of memory" over the "culture of oblivion". As such, they will help considerably the political and academic communities, not only to highlight the tragic events in the Banja Luka area in the entity of Republika Srpska, but also to change political and academic discourse, regarding desirable and appropriate political (and other) relations in these territories.

All the writings in this collection start from the baseline that no society/entity/state can participate in the community of modern societies if it does not accurately define itself by the "negative/criminal episodes" from its recent past. In other words, it is not possible to build any kind of future if we are not capable of facing this "negative" past: we cannot act according to the philosophy that nothing has happened, and ignore the people and communities that vanished from our cities, regions, and entities overnight with all their historical "baggage". The departure of these people and entire communities leads directly to

the change of identity of our city, our area, and our entity because, without the active participation of these people, their customs and habits, specific mentalities, rich cultures and traditions, and extraordinary spirituality, nothing can remain the same! All the actors on the public scene (both international and local) have to be aware that the city, the area and the entity are not what they used to be before these tragic events. Finally, guarding that difference in identity and spirituality represents the richness of an area, city or entity.

There is no doubt that these sad events shaped life in these areas; they played a role in making new geographic and mental maps that will not be easily changed. But the organisers are aware that in some situations we have to follow the instructions of Tertullian: some work, no matter how pointless it may seem at first glance, simply has to be done, even if it goes against the dominant signs of the time. And today's "ruling signs" of the time are not at all encouraging: no one, or very few people – are ready to stand face-to-face with evil, let alone their own, and to publicly and critically talk about it.

This collection of works is exceptional in many ways, and that is one of the reasons we support its publication. It is one of those necessary links that might lead to the point where these things are not only talked about, but where there is a collective catharsis that will enable new political and social perspectives.

Banja Luka, 5 March 2016

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.....the text that is represented in these Proceedings arises from the basic premise that no society, entity or country can be part of a modern society if it does not openly declare its stance on war atrocities of a criminal nature from its recent history. In other words, it is impossible to build a future if we are incapable of acknowledging a recent negative past. We cannot behave according to the 'As if philosophy that nothing occurred, when people and entire communities disappeared overnight from your city, region, entity, together with their historical 'baggage'.

Namely, the absence of these people entire communities automatically causes changes to your identity and the city, region or entity to which you belong. Without the active participation of these people, their traditions, customs, specific mentality and rich culture, nothing can remain the same anymore!

All actors in the public domain (both foreign and domestic) must be aware that the city, region and/or entity cannot remain as it was prior to the occurrence of these tragic events. Finally, preserving that identity and spiritual diversity represents the richness of that area, city, region and/or entity.

These Proceedings oppose the use of a selective memory in these instances, by not turning a blind eye to the suffering and expulsion of Croats and Bosnians from

Banja Luka in the absence of military operations/interventions but by preserving it in our memory. The explanation provided was that our fellow residents were not expelled, but rather left voluntarily.

This work is not only a look into the past, but it is a significant step forward – a look into the future. This is a positive move as to free ourselves from the dark shackles of the past, to find the strength, despite the bad memories and dark past, to overcome the difficult and painful act of moving forward, despite the fact that tens of thousands of our fellow residents are no longer with us. Our people expelled them.

.....to ignore our own crimes, or even worse, deny them, is tantamount to being an accomplice to them. Consequently, it would be historically monumental if these Proceedings had been initiated by the officials within the institutions of the Republic of Serbia, because this would cause them to break their silence, which was so strong all over the years. A silence that tore apart the fabric upon which a civilised society and community could rely.

Finally, this could result in an embarrassment, and an apology to fellow citizens and victims in this area, which would serve as a reminder to all future generations that we committed crimes that are unacceptable

