

Understanding Normative Gaps in Transitional Justice: The Serbian Discourse on the Srebrenica Declaration 2010¹

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The Serbian government has often been accused of “double-speak” in confronting crimes that took place during the Yugoslav war. This behaviour is interpreted as a gap between an underdeveloped domestic norm of facing the past and the international norm of transitional justice. This paper argues that “normative gaps” are no contradiction to the transnational norm socialization process, but to the rule itself. By applying methods of discourse analysis, the 2010 Serbian parliamentary debate on the declaration condemning the 1995 massacre of Srebrenica is used as an extensive case study showing how domestic actors use concepts of facing the past.

Keywords: norm socialization, transitional justice, facing the past, Serbia, Srebrenica, conditionality

1. Introduction

Until recently, Serbia was not regarded as having confronted its war-time past in an appropriate manner. However, under President Boris Tadić (2004-2012) Serbia made veritable progress in its cooperation with the International Criminal Tribunal for the Former Yugoslavia (ICTY) and symbolic politics. Tadić supported a symbolic policy of facing the past and reconciliation that was warmly welcomed by the international community, although his successor, President Tomislav Nikolić, has since adopted another line. Only days after his electoral success the latter stated that Serbia should be acquitted of a past in which nobody could live. The radical wartime politician did not distance himself from his former ultra-nationalist stances and pointed to Slobodan Milošević as solely responsible for Serbia’s past misdeeds (Martens, 2012). With his neo-radical statements he created indignation, describing the Croatian town of Vukovar being a ‘mainly Serbian-populated town’ and by condemning the 1995 Srebrenica massacre but not qualifying it as genocide. As a consequence, Nikolić was

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harshly criticized by the European Union (EU), Western officials and by politicians in the region for rewriting history and denial (Ćirić, 2012). In particular, Serbian behaviour towards the Srebrenica massacre is understood as an acid test. In July 1995, the UN-protected safe area fell, and an estimated 25,000 women, children and elderly persons were forced to leave the enclave. In the following days, (para-)military forces, mainly from units from the Army of the Republika Srpska under the command of Ratko Mladić, killed approximately 8,000 Muslim men and boys.

Although Nikolić expresses views that are not shared or welcomed by international observers, in fact his statements combine most domestic and internationally expected perspectives on facing the wartime past. In the years preceding his presidency, double-speak rhetoric by Serbian government representatives created the impression of “normative gaps” in state behaviour, of a difference between the state’s normative commitment to an external audience and domestic controversy. Normative gaps in state behaviour could be explained by different rules of discourse in a two-level game or, drawing on phase models of norm socialization, by saying that Serbs had only been symbolically integrated into the transitional justice norm regime but had yet not internalized it. I argue that these normative gaps are not in contradiction to the transnational norm socialization process, but in Serbia they are the rule itself. Normative gaps do not reflect norm competition or normative conflict, but different characteristics of the norm, as well as the particularities of the process of facing the past in Serbia.

This article does not analyze “facing the past” as an objective of international relations and foreign policy, but focuses on the use of “facing the past” concepts in the domestic political discourse. The Serbian parliamentary debate on the Declaration Condemning the Crime in Srebrenica 2010 provides an illustrative case study. The debate and discussion during the almost four months prior to the adoption of the declaration encapsulate the main points in relation to facing war crimes in Serbia. On the basis of the original parliamentary minutes of the session, a method mixing quantitative and qualitative analysis of discourse is applied to a study of how domestic actors interpret norms of international justice and concepts of facing the past.

The article proceeds in four steps. The introductory section provides background information on transitional justice in Serbia and the region and on the

2010 debate. In the second section, the 2010 debate is thoroughly analysed and interpreted, providing insight into how domestic actors use the same concepts and wording but apply different meanings or convert them. The main arenas of conflict are sketched out, and the issue of facing the past is presented as one of inter-party competition, a concept that is used to create a positive self-image and as a matter of virtual conditionality. The article concludes that normative gaps reflect processes of domestic conflicts and norm appropriation but also points to the problem of externally induced norm diffusion and its unintended consequences. An afterword shows the difficulty of balancing facing the past and the need for intra-societal reconciliation in Serbia.

1.1 Transitional justice in Serbia and within the region

Transitional justice in the Balkans is often equated with cooperation with the ICTY. This is reflected in the academic discourse, where most scholars focus on: relations between Bosnia-Herzegovina, Croatia and Serbia, and the ICTY (Peskin, 2008; Subotić, 2009); the ICTY's impact on those countries (Nettelfield, 2011); and the conditions of cooperation (Lamont, 2008). Although it is not always clearly stated, all these areas of research can be read as dealing with the norm diffusion processes. They analyze the external expectations of the ICTY or third party states with regard to compliance with international norms, a state's behaviour, and domestic changes in relation to norms like international criminal justice, accountability or the broader field of transitional justice.

Four factors can explain the differences between Bosnia-Herzegovina, Croatia and Serbia. First, domestic power relations; second, direct international support and engagement; third, pressure of third parties in terms of conditionality; and, fourth, the existence of domestic social pressure in the form of local advocacy networks or pressure groups like victims' organizations. In Serbia, none of the four factors favoured successful norm diffusion. Perceived as an aggressor and an international pariah, neither an ethnically Serbian-driven perspective nor moderator perspectives found any international support. During the war and afterwards, few civil society organizations applied pressure to investigate war crimes committed by Serbian forces, and those that did were perceived domestically as being particularly extreme and unpatriotic. Non-Serbian victim groups were completely lacking. From the very

beginning international justice efforts in Serbia were perceived as victor's justice, unjust and ethnically driven. The politics of conditionality and the engagement of third parties had a big impact, as material incentives or other prospects made Serbia engage in pragmatic cooperation (Lamont, 2008; Peskin, 2008). However, the seeming inability of Serbian politicians to explain such actions to their domestic audience made compliance with international justice mechanisms seem coerced (Spoerri and Freyberg-Inan, 2008), and this impression undermined international justice objectives (Spoerri, 2011). As in Croatia and Bosnia-Herzegovina, politicians in Serbia used the legacy of the war as a domestic political resource, "hijacking" ICTY lawsuits and domestic transitional justice instruments for national causes (Subotić, 2009). Nevertheless, the fact that cooperation with the ICTY was a condition of the European Stabilization and Accession Process meant that some progress was made. Under Tadić, there was a phase of dialogue between the former conflicting parties, expressed in symbolic politics like declarations or joint commemoration on the sensitive issue of war crimes. However, of course, the different perspectives on the conflict also created conflicts of memory, as the Serbian Declaration Condemning Srebrenica shows.

1.2 Condemning the Srebrenica crime

After discussion of a declaration condemning Srebrenica in parliament, initiated by marginalized opposition politicians in 2005, 2007 and 2009², was successfully avoided, at the beginning of January 2010 the Serbian President Boris Tadić himself initiated a resolution. During an interview conducted on the occasion of a visit to Banja Luka, the administrative capital of the Republika Srpska entity, Tadić proposed an official condemnation of the crimes committed in Srebrenica to the Serbian parliament. He argued his case by saying that this act would be an obligation of the tribunal in The Hague – leaving unclear which one he meant – and that with 'a policy of respect for foreign victims it is possible to gain credibility for the pursuit of national politics at the international level' (Preneto, 2010).

The president's proposal gave rise to controversy. The degree to which it was fraught with meaning was visible from the very first moment. Almost every political stakeholder and agent in civil society articulated their opinion on the topic. From 11

January to 31 March 2010 large-scale campaigns were launched, public appeals and open letters were written, and discussions were held. “Srebrenica” not only became a symbol, but also a veritable buzzword that stirred up and polarized the Serbian population. Hegemonic narratives disseminated by the ICTY, the International Court of Justice (ICJ) and mainstream Western political and public discourse, clearly defined Srebrenica as genocide against the Bosniak people, and as the most serious war crime committed since the end of World War II.³ In the context of the biased policy of “the West” against Serbia since the 1990s, foreign media coverage and the frequent use of collective terms in the region, the impression was created that “the Serbs”, or Serbia as a whole, were perpetrators. Pro-Serb activists interpreted the hegemonic Srebrenica narrative as a constant attempt to demonize and marginalize Serbs. In order to challenge the hegemonic narrative, nationalist politicians, as well as international and domestic intellectuals, tried to reveal the “truth” behind narratives of Srebrenica.⁴ They criticized the account of the Srebrenica massacre as being selective and as separating Srebrenica from other crimes and the overall conflict context in the region. Moreover, some “facts” should be questioned, such as: the qualification as genocide, the number of victims, whether Bosniaks were alive that had been declared dead, whether only civilians were involved or also the large number of combatants in the town, whether Bosniak combatants were buried in Srebrenica who had not been killed during the massacre, how many victims were really killed by bullets, and the role of Bosniak politicians (see for example Karganović, 2012). Reactions and publications by institutions of the Republika Srpska (see Trifunović, 2002), and Serbian victims and survivors of the war in Bosnia-Herzegovina and their organizations were particularly extreme (see for example Ćurović, 2008).

In 2010, the discussion and media coverage on the resolution condemning Srebrenica were extensive.⁵ After almost four months of controversy, a weakly worded resolution was presented as a compromise. At the end of the discussion, a parliamentary debate highlighted the different and often conflicting opinions and arguments of political parties⁶ on the issue. The debate’s importance was highly valued, and the 13-hour marathon was broadcast in its entirety by the state broadcaster RTS.⁷ The declaration finally passed with a narrow margin; 127 out of 250 representatives of the coalition ‘For a European Serbia’ (ZES) supported it, while the Democratic Party of Serbia (DSS) and New Serbia (NS) voted against, and the

representatives of the Serbian Progressive Party (SNS), the Serbian Radical Party (SRS) and the Liberal Democratic Party (LDP) abstained. It states:

The National Assembly of Serbia most severely condemns the crime committed against the Bosniak population in Srebrenica in July 1995 in the manner established by the ruling of the International Court of Justice, as well as all the social and political processes and incidents that led to the creation of awareness that the realisation of personal national goals can be reached through the use of armed force and physical violence against members of other nations and religions, extending on the occasion condolences and apologies to the families of the victims that everything possible had not been done to prevent the tragedy. (Narodna Skupština Republike Srbije, 2010)

Reception of the statement was mixed. The press in Western Europe and the United States praised the adoption of the resolution by the Serbian National Assembly as an ‘important step for Serbia and the region’ (N.N., 2010), and as a ‘landmark on Serbia’s path to the EU’ (M.M., 2010). In the German-speaking press, it was even interpreted as an apology for the massacre of Srebrenica (sda, Reuters 2012; mmq, AFP&dpa 2012). For the Western audience, this act was taken as evidence of Serbia’s efforts and successes in dealing with the past. However, victim groups from Bosnia-Herzegovina strongly criticized the resolution for not using the term ‘genocide’ but rather ‘crime’ or ‘tragedy’. At the same time, Tadić called it the ‘biggest patriotic act’ (Preneto, 2010).

Of course, the different interpretations of the same event can be explained by different actor identities and perspectives, deriving from different experiences, and following different discursive rules and aims in communication. But how can normative gaps between compliance of behaviour and external expectations, in this case between the successful adoption of the resolution and non-compliance with expectations (here, the domestic controversy), be explained?

2. How to Understand Normative Gaps?

The literature on normative change has framed processes, like the facing the past policy in Serbia, since 2000 as norm compliance or norm socialization – an international norm adopted by a state that did not previously apply it. Rational approaches use a cost-benefit calculation of a two-level game to describe the norm

change. Unpopular, domestic actions are pushed through at the national level to reduce costs or consequences at the international level, where a prevailing carrot-and-stick logic promotes norm compliance. In rationalist terms, the normative gap is the consequence of the nature of the two-level game, between rhetorical action to show compliance and domestic non-compliance (Schimmelpfennig, 1997).

Constructivist norm diffusion literature assumes that one international norm diffuses transnationally in domestic policies by norm socialization through domestic, transnational and international advocacy and pressure (Risse and Sikkink, 1999). This process of social learning, following the logic of social appropriateness, has five phases before, eventually, the norm is internalized. The normative gap can be described as an earlier phase of symbolic integration, during which politicians as state representatives adapt to the language of human rights for strategic or material benefits, hoping that a norm internalization process will take place in the long term.

Both models fit the Serbian example, but they both work on the assumption that there is one clear international norm. As norms of facing the past or transitional justice are not codified, and especially as the normative discourse on this issue is plagued with conflicting definitions and concepts that hold different meanings for different social actors, normative gaps could reflect uncertainty about what appropriate action would be or about how to interpret the norm.

In the case of Serbia, the global norm of transitional justice, or the ‘global memory imperative’ (Levy and Sznajder, 2010: 4), is expressed as a set of expectations for engaging with past injustices. A multiplicity of documents, resolutions and calls from a variety of actors and institutions demand normative engagement by Serbia on the question of how to face its wartime past. The minimum demand is cooperation with the ICTY, the maximum is a deep process of facing the past. In opposition to these expectations are the different domestic interpretations of transitional justice norms and expectations. To come to a clear assessment of a norm diffusion of transitional justice, all the norm interpretations and expectations of stakeholders taking part in the process, on the international and domestic levels, should be analysed and compared. As this is quite an extensive task, this analysis concentrates on one level by taking Serbian parliamentary minutes as data. Therefore, all quotations that are not cited separately are from the parliamentary minutes of the debate on 31 March 2010 (Narodna Skupština Republike Srbije, 2010a). The questions posed were: how do domestic actors use concepts of transitional justice;

what is their understanding of facing the past; and how do they interpret normative expectations?

The applied method of analysing the parliamentary debate used a combination of quantitative and qualitative analysis of discourse with MaxQDA+. ⁸ Based on an analysis of word frequency that gave first insights into the material, a search of the word stems of the most frequently used words referring to transitional justice or associated fields was undertaken, according to the Serbian grammar system. ⁹ The frequency of occurrence indicated a specific concentration of concepts that were significant for the Serbian discourse on transitional justice. In taking these words and word fields as symbolic signifiers, an interpretative narrative analysis around these signifiers revealed patterns of use and interpretation. This kind of “keywords in context” analysis allows us to make conclusions about the rules governing the usage of these words and concepts.

In the parliamentary debate, representatives most often referred to the following words and word fields: ‘crime’ (490), ‘people’ (330), ‘Srebrenica’ (324), ‘our’ (211), ‘genocide’ (161), ‘victim’ (150), ‘truth’ (123) and ‘guilt’ (102). Furthermore, the mention of ‘Europe’/‘values’/ ‘civilization’ (203), ‘responsibility’ (69), ‘national interests’ (36) and ‘crimes other than Srebrenica’ (33), as frequently mentioned concepts, will also be highlighted.

Against expectations, the ‘truth about Srebrenica’ was not the main issue of conflict in debating the declaration’s adoption. Nowadays it is widely accepted in the political landscape of Serbia that Srebrenica was an extremely serious war crime ¹⁰, although the immediate circumstances and the question of whether or not it constituted genocide were controversially discussed. All political stakeholders in parliament have, at some point, acknowledged that they were in favour of a condemnation of Srebrenica.

Instead, conflicts arose over the questions of individual versus collective responsibility, about the equality of victims with regard to the biased recognition of Serbian victimhood by the international community and neighbouring countries, and about the notion of genocide. These issues mark the limits of discourse and allow us to gain a deeper understanding of the distortion of the process of facing the past in Serbia.

Serbian political actors adapted perfectly to the external rhetoric of transitional justice and the memory imperative. They all condemned war crimes, while most referred to concepts of transitional justice as well as universal norms like human rights, truth and responsibility. However, the norm understanding of Serbian political actors is different from theoretical concepts or from the ones of international actors that mainly followed interpretations and narratives of the ICTY. I will demonstrate further that the same patterns of argumentation used by the nationalist representatives are also used by the “reform-oriented” forces to justify their actions in front of their domestic audience through national commitment.

2.1 Which norms?

In the parliamentary debate on the Resolution Condemning the Crime in Srebrenica, the word fields of ‘condemnation’/‘judgement’ (158), ‘responsibility’ (114) and ‘guilt’ (118) were most often used when referring to facing the past. A predominantly legal understanding of facing the past prevails. With the ICTY, and later domestic prosecution, as well as the ruling of the ICJ,¹¹ the emphasis clearly lies on retributive justice. Justice is demanded for perpetrators and victims, including the Serb ones.

‘Truth’ is mentioned 111 times, partly in phrases like ‘(not) saying the truth’, but often with reference to facts that are not currently acknowledged by the broader public. The concept is used in two directions. First, towards stakeholders, with the aim that the Serbian public acknowledges the dimension of the massacre and the Serbian share of responsibility for it. Second, in relation to demands for “true” history, to challenge the one-sided account of war and conflict complexity, such as developments in the Srebrenica region before the massacre against the Bosniak population took place and the real scapegoats of the wars. Terms of restorative justice were used less frequently than expected, like ‘reconciliation’ (23). The Serbian term for facing the past (‘suočavati’/‘suočavanje’) was only used six times.

In conclusion, the object of the debate is not only Srebrenica or the war crimes committed by Serbs, but also crimes committed against Serbs. Most concepts of transitional justice are used in a double way: active, with Serbs as the actor, and passive, with Serbs as the victim. This double role creates the central dynamic in the Serbian discourse.

2.2. Arenas of conflict

Individual versus collective guilt: individualization

The most striking aspect of the analyzed discourse was the repeated distancing from collective guilt or responsibility. This is mainly due to the narratives of the Milošević regime, of nationalist politicians like Vojislav Šešelj and of intellectuals ranging from Dobrica Ćosić to Kosta Čavoški, which interpreted the behaviour of external actors and the impression of biased media as attempts to sentence the Serbian people collectively, that almost all initiatives of facing the past are framed as offensive against all Serbs. Obviously, this impression still prevails among large sections of the Serbian population, making it necessary for all stakeholders to stress that they, themselves, do embrace the notion of individual guilt. In this manner, the adoption of an official declaration was interpreted by nationalist stakeholders as a confession by the parliament, as representatives of the Serbian people, which admitted involvement in the crimes of Srebrenica: ‘Peoples don’t commit crimes, individuals commit them. Don’t make the people apologize for the crimes of individuals’ (Tomislav Nikolić, SNS).

By their understanding, any state commitment is interpreted as a betrayal of the Serbian people, as the state is coincident with the people. For them, the declaration is aimed “to sentence the Serbian people for something it did not do” (Dragan Todorović, SRS) or to “put a mark on generations to come of which they can never be relieved” (Velimir Ilić, NS). This perception is the reason why the youth organization of the Democratic Party of Serbia, during the time of public debate, put their campaign under the title ‘Srebrenica – not in my name’. Stakeholders advocating for the declaration framed state commitment conversely: ‘To not bear the burden of future generations that was given to us by individuals’ (Nada Kolundžija, ZES).

All speakers in the parliamentary debate except one offered interpretations by which the Serbian people remained innocent, passive victims. This rhetorical strategy allowed them to uphold a patriotic image that was crucial for the legitimacy of policies and political identities in Serbia. Only the Liberal Democratic Party presented a completely different stance, embracing the moral guilt of the Serbian nation and frequently using collective ‘we’ constructions. Simultaneously, they distanced themselves from Serbia, referring to it as ‘this country’.

Closing a chapter

A similar motive can be identified through an analysis of the concepts of facing the past presented by various stakeholders. These approaches basically represent the two poles of “closing a chapter” (partly through strong references to the future and future generations), or of initiating debate. Most stakeholders support the idea of closing the book on this discussion: ‘to close a tragic chapter of the recent past and to open the door to a future where peace, understanding, tolerance and cooperation open new perspectives for generations to come’ (Nada Kolundžija, ZES).¹²

A representative of G17 rephrased the same idea by demanding a ‘cathartic confrontation’ with the crime of Srebrenica, linking it to the mutual condemnation of war crimes by neighbouring countries. The idea was to start with a clean slate, free of the past, to make a common future possible.

It seems that a profound process of facing the past, that reopens old wounds and initiates debate, is partly viewed as dangerous for reconciliation. As the representative of New Serbia stated polemically, after a speech by the representative of the Bosniak minority (who referred to the extent of Bosnian suffering under Serbian rule in the twentieth century, including through forced Christianization by the Serbian Orthodox Church and crimes committed by Serbian forces in World War II and in the 1990s):

Reason prevails slowly, but some want to rekindle the old fire and go back, and through this declaration only on Srebrenica this is again back in the game. We will have these discussions like the ones Mr. Džudžević started, we’ll spit at each other again, and that for no reason (Velimir Ilić, NS).

The majority of discourse participants seem to have failed to understand that recognizing the suffering of other groups also means recognizing different narratives, not only through compassion, but also empathy and a will for mutual understanding. On the contrary, the Bosniak representative was accused by representatives of the Serbian Radical Party, the Serbian Progressive Party and New Serbia, of lying, of provoking new conflicts, and of insulting the Serbian Orthodox Church and the ‘one big people you are living in unity with’ (Tomislav Nikolić, SNS). Instead of discussing the mutual suffering and killing, and engaging in an open dialogue about the past to prevent the exploitation of the discourse around war crimes for political ends’, all dialogue was automatically interpreted as a new threat to peace, and its proponents as troublemakers. The deputy of the Liberal Democratic Party represented the opposing opinion, demanding ‘not to consider Srebrenica over’ (Čedomir

Jovanović, LDP), but to initiate a real confrontation with what happened in, and what led to, Srebrenica.

The equality of victims

Victimhood in the Bosnian war was mainly understood as being one-sided, on the part of the Bosniak population. Crimes committed against Serbs were only rarely covered by the international media. This was partly due to the isolationist policy of Slobodan Milošević who did not allow foreign news services to operate from Yugoslavia during the 1990s, partly due to the exclusion of Yugoslavia from the United Nations between 1992 and 2000. Besides that, Yugoslavian state institutions refused to cooperate with the ICTY, even to hand over information on casualties and suffering among the Serbian population during the Yugoslav wars. Therefore, Serbian victimhood was not given much attention. The 2010 discourse reflects the impression that Serbs were “victims of a second order”, as far as crimes committed against Serbs in the surroundings of Srebrenica are concerned: approximately 3,500 Serbs were killed by the troops of Naser Orić, the commander of the Bosnian enclave from 1992 to 1995, in atrocities in villages around Srebrenica, like Kravica, Skelani or Bratunac. Orić was brought to trial in The Hague and sentenced, but was acquitted by the appeals court in 2008 due to the lack of a clear chain of evidence proving his direct responsibility for crimes against Serbs. The 2010 discourse around the declaration shows evidence of perceptions that the ICTY was biased, that there was a lack of acknowledgement of Serbian victims and a lack of accountability regarding the perpetrators of crimes against Serbs. Some voices even justified the conquest of Srebrenica by interpreting it as a necessary act of defence, or as revenge for what had happened before. Another reason for this engagement was that the prevailing interpretation of the crime committed in Srebrenica implied a clear division between innocent victims on one side (Muslim population) and perpetrators on the other (the Serbian population). As the perpetrators were committing crimes “in the name of Serbs” there was not much distinction between Bosnian Serbs and Serbs living in Serbia, military and paramilitary groups, the Milošević regime etc. Instead, the logic of equivalence prevailed and all Serb activities were attributed to the Serbian people; “Serbs” as a collectivity were identified as perpetrators. This generalization gave rise to a reflex-like reaction to questions of guilt and responsibility. Only in specific discursive fields, such as in court or in academia, has a clearer distinction been made.

Although all political stakeholders refer to universal human rights values, the reference creates an implicit ambivalence as it allows stakeholders to play the different ethnic victim groups off against each other. Observing the discourse on war crimes in Serbia, we can identify a transformation of the “victim” concept in recent years, from a focus on the specific victimhood of one’s own ethnic group to a universal notion of victimhood. Specific victimhood includes a hierarchy and always implicitly poses the question of delinquency. On the other hand, a universal, all-encompassing acknowledgement of all victims has been advanced successfully by an advocacy coalition for transitional justice and the “global memory imperative”, ranging from conditionality to norm diffusion to civil society advocacy networks. This finally finds its expression in the official discourse through references to ‘humanism’, (universal) ‘values’, (human) ‘rights’, terms like ‘moral’, ‘respect’ etc. During the debate, all domestic actors in parliament referred to respect for all victims, compassion for the suffering of others, human rights, the need to face the past and the importance of bringing perpetrators to justice. Yet, the application of universal victimhood is also partly counter-productive: the issue of delinquency can be hidden behind an interpretation along the lines of “there was a war on and we all suffered”. This narrative forbids a distinction between crimes and negates the distinction between victims and perpetrators.

In the Serbian case, participants of the public discourse oscillate between universal and particular notions of victimhood. We can identify a ‘continuous balancing of competing conceptions of victimhood’ (Levy and Sznajder, 2010: 130-131), and observe a shift from national memory to a “cosmopolitanized memory” that meets external expectations. However, instead of leaving the national memory behind or, to put it differently, going beyond the national frame, denationalization goes hand in hand with renationalization. In the Serbian case, in the discourse on the declaration we frequently find the notion of universal victimhood (“Serbia does not make a distinction between victims”), combined with Serbs being simultaneously identified as the greatest victims. For example:

[T]he proposed text is such that it makes a division between victims of civil war on the territory of Former Yugoslavia and that it bullies the people, because this text is not condemning with one word the crimes committed against the Serbian people who in these wars suffered the most. The content and timing of adopting such a declaration is opposing the interests of Serbia, the Serbian people and Republika Srpska (Jovan Palalić, DSS).

Referring to the notion of universal victimhood, representatives of the Democratic Party of Serbia, New Serbia, the Serbian Radical Party and the Serbian Progressive Party demanded that a separate declaration on Srebrenica should not be adopted, as this would marginalize and discriminate against Serbian victims. According to them, all crimes committed during the Yugoslav wars of the 1990s or earlier should be condemned in a common declaration.¹³ The representative of the Liberal Democratic Party argued the opposite point, while also referring to Serbian victimhood:

We are a people that is a historical victim and all the bones that are unearthed in front of our eyes from generation to generation obligate us to say that Srebrenica stands singled out in relation to all monstrous crimes of the wars of the Nineties. It stands singled out in regard to the number of casualties and in regard to the suffering (Čedomir Jovanović, LDP).

The powerful notion of genocide

The concept of “genocide” creates complications. During the parliamentary debate it was used 190 times, even though it was not used in the declaration’s wording, and the question of the application of the term in the declaration was only settled after two months of public discussion. Only the Bosniak minority and the Liberal Democratic Party insisted on the use of the word. The debate about the applicability of the notion of “genocide” has legal and identity-related aspects. The legal dimension is concerned with the definition of genocide and whether or not the term is applicable to the crimes committed in Srebrenica. This raises questions about the intentions behind the killings, and the ideological drives of the perpetrators. In the public discourse questions were asked as to how many casualties were necessary in order for the label of “genocide” to apply, how to prove intent to kill a whole population, and so on.

The discourse of genocide has an important diachronic perspective in the Serbian case. It experienced a boom during the construction of Serbian ethnonationalism in the 1980s and 1990s (Denich, 1994), and was cultivated and employed to contribute to the idea of victimization of the Serbian people. The Serbian people’s suffering and the permanent threats to it by external enemies were the ideological core of Serbian nationalism and of the propaganda of Slobodan Milošević’s regime. The interpretation of being an innocent victim of history and of circumstances, or the hostility from other groups, is deeply rooted in Serbian self-conception (Sundhaussen, 2004). Studies have shown that “perceptions of perpetual

and/or repeated suffering and victimization have been central to Serb mythology” (Duijzings, 2007: 147).

As a result of war crimes and judgement by external actors, the notion of genocide has now been applied to Serbs as perpetrators, not as victims. While Serbs were told during the 1980s and 1990s that they were an innocent people, threatened by enemies from the outside, after 1995 the powerful and meaningful notions of victimization and genocide were used to imply Serbian delinquency. A clear-cut division of good and evil, and the moral glorification of their own nation, became impossible as compliance with the “official” interpretation of Srebrenica imposed a self-stigmatization as a people of perpetrators. The notion of war ‘makes everyone a victim, while genocide and ethnic cleansing imply a focus on a perpetrator and a victim’ (Levy and Sznajder, 2010). This is diametrically opposed to the internalized application of the notion of genocide against Serbs, and has immediate effects on the concept of collective identity by implying a clear identification of perpetrator and victim. This shift directly affects the self-perception of Serbs and therefore creates a very emotional discourse.

In particular nationalist stakeholders, like Miloš Aligrudić (DSS), stressed that it was not Srebrenica that had to be qualified as an instance of genocide, but that genocide was committed against Serbs during World War II in Kragujevac and Kraljevo by Germans and in the Croatian concentration camp in Jasenovac. In nationalist circles, the interpretation of the “Storm” military operation, an offensive executed by Croatian armed forces in August 1995 to gain control of territory that was occupied by Serbs since 1991, as genocide prevails:

Why are crimes that happened during “Operation Storm” less important?
Can there be a greater genocide than driving a nation from one country
to another and, when they have left this country, to bomb their convoys,
to massacre the weak and children, to disperse the convoy with planes?
(Velimir Ilić, NS)

The narrative of a Croatian genocidal campaign against Serbs is still partially upheld: ‘Today you have the crime of genocide in Croatia’, said Tomislav Nikolić (SNS), referring to the situation of the Serbian population and returnees in Croatia. The debate about the declaration of Srebrenica fuelled the discussion of how to deal with Serbian victimhood.

The use of the concept “crime” during the debate was less problematic than the highly politicized notion of “genocide”. “Crime” clearly denotes breaking a rule;

it marks an injustice and indicates a victim and a perpetrator. A crime can happen to anybody and is mostly associated with individual responsibility. During the parliamentary and public debates, Srebrenica was also termed an “accident” or “tragedy”, but only rarely so. All these notions negated the organized, systematic character of the massacre. Using the term “genocide” for minor crimes, and the comparison with crimes inflicted on Serbs, put the singular character of the mass killing in Srebrenica – that was clearly singled out as a crime with a unique feature by the dominant ICTY narrative¹⁴ – into perspective.

2.3. Facing the past as an issue of party competition

The discourse around dealing with Srebrenica encompasses yet another aspect. Domestic stakeholders use it, not only to define their own political profile for domestic political competition, but also to discredit political rivals and, especially, the government. This political strategy has several dimensions. One that is very frequently used is that of accusing the government of acting against the Serbian people and Serbian interests:

If genocide was indeed committed in Srebrenica, the worst possible crimes committed on this planet, who could have prevented this crime? The government. Who formed the government at that time? Your coalition partners. Why do you, as the Serbian authorities, not apologize to those who were victims of this genocide? Why is the burden imposed on all of us? (Aleksandar Martinović, SRS)

Here, the representative of the Serbian Radical Party tries to play the government off against the Serbian people and to accuse them of acting against the interests of the Serbian people. He also characterizes the government’s interpretation of the international “obligation” – the ruling of the ICJ – as wrong, damaging and a hoax designed to deceive the Serbian people.

The overall interpretation of the government “selling the country out to Europe” is frequently used by nationalist stakeholders:

When we look at the politics of this government as a whole, it is very obvious that this government is set with only one goal, that was already predestined, and that is – that there is no alternative to Europe; then Eulex can be accepted at Kosovo, then this kind of resolution can be made and Republika Srpska can be forced, in order to get into some kind of position, where a small part of European integration can be accomplished on the account of the damage of the national interest of Serbian people (Jovan

Palalić, DSS).

This demonstrates in a striking way how the government is penalized for international cooperation and compliance with European norms. The underlying pattern here is to criticize the ruling coalition for being a traitor to Serbian interests, and then to question all of its political actions and to draw a picture of the government as a puppet:

We are not interested in any document in relation to Srebrenica, because this is a farce enacted under pressure of our Western friends to punish the Serbian nation for something it did not do (Dragan Todorović, SRS).

The perception of “being under pressure” was strongly supported by the media, which reported, especially at the early stages of the debate, that the resolution was ‘part of international obligations’. This was fuelled by President Tadić’s linking the declaration to conditions imposed from outside when initiating the debate, which served to reconcile the public to these policies and their necessity, while simultaneously whitewashing the president in order to avoid creating the impression that any voluntary acts were undertaken which were not in line with Serbian interests. With this link, policies of facing the past can be simultaneously justified as necessary, but framed as unwanted.

Linking the process of facing the past with patriotism goes one step further by making it consistent with prevailing national narratives. The strategy of linking the process of facing the past with patriotism started in the immediate aftermath of Slobodan Milošević’s ousting (Stojanović, 2010). This makes it possible to interpret the process of facing the past as no longer against “Serbian interests”, but in favour of them. This association became very prominent when President Vojislav Koštunica and the Serbian Orthodox Church defined the voluntary surrender of war criminals in 2005 as a ‘patriotic duty [...] to surrender so that Serbia could move on’ (Subotić, 2009). Also at this time, President Tadić framed the declaration’s adoption as the ‘greatest act of patriotism’ (Preneto, 2010).

All political stakeholders characterize the process of facing the past as a patriotic act, except for the Liberal Democratic Party. Patriots often explicitly express their drive to change a supposedly misperceived image of the country and its people:

What this country deserves is that it is stated that we are for peace, that we have to defend the dignity of this nation, that we are advocating that there is not a nice label put on Serbia which it does not deserve, and that the responsibility of individuals is not put on the whole people (Velimir

Ilić, NS).

The idea of facing the past is used to shape and reinforce the political identity of parties for the purposes of domestic campaigning on the basis of patriotism. This leads to an overarching question that cannot be answered within the scope of this paper: whether political parties in Serbia derive more political legitimacy from their policies and tenets or from their representatives' patriotic image.

This merger of patriotism and of the idea of facing the past has an ambivalent character. On the one hand, unpopular policies can be pushed through, aided by patriotic narratives. However, on the other hand, this allows for nationalist interpretations and the undermining of the very objective of facing the past, as any confrontation with the past remains on the surface and is merely a symbolic act. This coalition of patriotic forces at all levels of public life also has the consequence that symbolic political action is not seen as having much effect, a criticism which was raised by a representative of the Liberal Democratic Party:

When we talk about the role of our own people, we are doomed to failure if we do it just as politicians. The parliament cannot talk about Srebrenica while the church remains silent. The International Court of Justice cannot speak on this declaration while our universities or academies remain silent. Serbia cannot take responsibility for itself, if this responsibility was never taken. The president of this country went to Srebrenica five years ago and this is probably as symbolic for us as Willy Brandt's visit to Warsaw and the Warsaw ghetto. But the effects are not the same (Čedomir Jovanović, LDP).

As he put it in another part of his speech, despite all the actions taken, 'Serbia didn't change'. Instead of initiating broad and deeply intra-societal involvement, confronting the past only takes place at the highest political level and at the level of symbolic action. It thus appears that the debate is used to strengthen the profile and identities of political parties.

2.4. Creating a positive self-image

In the case of Serbs, the issue of war crimes is indicative of the negative reputation of the nation at the international level, and confronting those crimes unavoidably implies abandoning the narrative of being the sole victim. As victimhood was one of the main sources of in-group identification along ethnic lines, it cannot be easily abandoned. A variety of stakeholders still maintain the image of Serbia as an innocent victim.

However, other sources of identity – like the reference to norms or positive self-perception – can also be found.

One possible source could be the concept of facing the past itself. In the Serbian political discourse around facing the past, representatives of the ruling coalition, notably Nada Kolundžija as chairwoman of the parliamentary group ZES, used this strategy to campaign for the resolution. In this manner, a positive distinction from other groups within the region could be established, for example by being the first to work on the issue of war crimes in this way, and taking the first step:

Serbia is an active factor of peace and stability in the region and as such must be the leader in the process of lighting the way to the future, to define our relationship to the past and to condemn every crime that was committed in this past (Nada Kolundžija, ZES).

We have to and should be leaders and initiators of such activities and tendencies in the region (Branko Ružić, SPS).

Facing the past is used as a factor for comparison when assessing regional competition, and allows Serbia to show itself in a position of leadership. The declaration's adoption is described as demonstrating the moral greatness of the Serbian people in its respect of and compassion for the suffering of others:

Before us is the question if we are prepared as a society that cherishes the most civilized values, condemning the crimes committed on others, to condemn every crime and seek justice for every victim (Nada Kolundžija, ZES).

The resolution is also described as an important step towards regaining a positive reputation and credibility abroad. While at times the benefits and the functionality of the adoption seem to be in the foreground, it is in part directly associated with the Serbian “national character”:

The character of the Serbian people and all citizens of Serbia [is] to empathize with the suffering of others, to always show a willingness to make sacrifices and help others in need (Nada Kolundžija, ZES).

Using the idea of facing the past to demonstrate virtuousness is not a completely new concept. It was done by President Koštunica when he established the first truth and reconciliation commission in the region in 2001 by presidential decree (although the process was obstructed and never came to fruition). President Tadić also used this concept during his state visit to Bosnia and Herzegovina in 2004, during which he stated that: ‘[W]e all need to apologize to one another, and if I need to be the first to

do so, here I am' (N.N., 2004). The ruling coalition in particular used the declaration to convey a positive picture to the EU and the international community, 'to show in practice [the National Assembly's] self-proclaimed Europeanness' (Sandra Grubješić, G17), and to 'build the country's credibility, raise its international reputation and strengthen its international position' (Nada Kolundžija, ZES).

2.5. Facing the past as a matter of (virtual) conditionality

A major factor in the development of transitional justice or instruments to face the past in Serbia was pressure by external actors to implement the relevant policies. After Slobodan Milošević stepped down on 5 October 2000, cooperation with the ICTY and commitment to confronting the past wars were conditions for Serbia's receipt of foreign assistance, for reintegration into international organizations, and of the EU Stabilization and Association Process.

These circumstances created tensions between domestic actors, who were trying to follow the logic of conditionality imposed by external actors, like the US, the World Bank and the EU on the one hand, and domestic political interests and demands on the other. External interventions definitely contributed to the overall process of facing the past, as they led to increased extradition of suspected war criminals and institutional cooperation. This explains the tremendous role the Serbian government played in this policy field and the prevailing understanding of transitional justice as a forced top-down process. However, structural conditions left only a little room to integrate domestic narratives into the dominant interpretation. It was hardly possible to work on Serbian suffering and loss of life.

Conditionality and the need for compliance, with their constant threats of sanctions or even international isolation, created an opportunity for nationalist stakeholders to gain ground against pro-reform forces by painting the position of Serbia as a hostage to external actors. Compliance was often defined as being against Serbian interests, as a betrayal, and members of the government were described as US or EU collaborators who were selling out the country. This narrative of "being (held) hostage" or "being a victim of circumstance" was also used in part by pro-reform forces to defend unpopular policies of compliance before a domestic audience. In creating a virtual conflict, it was possible to fulfil the requirement of compliance with international norms, to undermine the very objective of negotiations and to follow a

nationalistic rhetoric – in short, to act in a manner acceptable for both the domestic and international audiences.

This logic also prevailed during the discourse on the Srebrenica Declaration in 2010. The declaration was justified by the main stakeholders as serving a specific function, most frequently in reference to the EU integration process: there were 88 references to ‘Europe’ during the parliamentary debate. The representatives mentioned ‘obligations’ or ‘to be obligated to do something’ more than 50 times, calling into question the voluntary, honest and necessary character of the adoption of the declaration. It remained unclear whether adoption of the resolution would give rise to the imposition of conditions or obligations by international agents, yet this issue was discussed controversially. All political actors made some reference to external pressure, in part blackmailing the ruling coalition into passing the declaration, partly referring to the European accession process and to the EU as a normative power, and partly denying any external pressure.

There was no clear conditionality specifically on the declaration. The EU and the US only applied regular pressure to cooperate with the ICTY, which was already part of the Dayton Peace Accords and UN Resolution 1244. The EU made this a requirement of the so-called “political criteria” of the EU accession process. Of course, EU officials took Serbia’s cooperation with the ICTY as a condition for progressing with the stabilization and association process. Before the summer of 2011, a longer standstill¹⁵ was only sparked by acts of symbolic politics. However, the context of President Tadić’s initiative in March 2010 was a resolution issued by the European Parliament in January 2009, declaring 11 July a Europe-wide day of remembrance for the Srebrenica genocide (European Parliament 2009a).¹⁶ A few months later, the European Parliament made clear in its issued another resolution on European Conscience and Totalitarianism, in which it made it clear what kind of action it expected from transitional justice processes in the name of reconciliation and peace in Europe (European Parliament, 2009b). Furthermore, the ruling coalition admitted that it had been their aim to signal goodwill in light of the expected assessment by the ICJ on Serbia’s compliance with international law with respect to the unilateral Declaration of Independence by Kosovo and the EU accession process.

3. Conclusion

The alleged disparity between external behaviour and internal, domestic controversy does not reflect a normative gap. As with human rights, international norms are mostly broad “umbrella” norms that allow for the integration of a variety of different norm understandings and interpretations (Bonacker, 2003). At the domestic level, however, these norms have to be presented to the voters as clearly defined concepts and as concrete policies. Bearing in mind the dynamics of domestic political competition, norms can be seen as a source of legitimization and as an identity profile for all domestic political representatives. Even if the if norms on the international and domestic levels widely norms comply, and if norm compliance is observable, the interpretation of norms on at the national level may still be the object of domestic political competition.

The institutionalization of a discourse on international norms, or reference to them that allows repetition, is decisive in their ability to be universalized. Like a ‘Trojan Horse’ (Kastner, 2009), even institutions that are not intentionally designed for it, may function as a mechanisms for societal norm socialization. Through the legal framework, the ground is prepared for civil society that will then advocate for human rights with reference to universal norms. Domestic conflict is no longer the rejection of the norm, but focuses on its interpretation and implementation, and reflects the plurality of stakeholders. The differences between norms and their interpretation at the international and domestic levels should not be perceived as ambivalent or ambiguous, as they do not nullify the norm itself. On the contrary, the plural discourse of how to understand a norm is a ritual of its appropriation. Eventually, national law has to undergo transformative processes and therefore, in order to better reflect international norms in the longer term – and in a sustainable manner.

As we saw, the government and members of parliament have adapted to the international norm of transitional justice: they all refer to it and they all use its rhetoric. The repeated references to concepts like justice, truth, responsibility, human rights and so on, show how concepts of transitional justice and facing the past have been internalized. However, partly, Serbian stakeholders have interpreted them in a new way and have accorded them a different meaning, linking them to other concepts

and discourses. In using them for their own purposes, they have employed globally legitimated vocabulary to invigorate their arguments and demands.

The specific difficulty of the Serbian case is the problem of conflicting narratives, which are subordinated to one all-encompassing master narrative of the transitional justice project. Due to the character of international conflict, and the external pressure by the UN and the ICTY in the process of facing the past, the dominant narrative of what happened is integrated into the perspective of the international community and of lobby groups, pointing to the genocide in Srebrenica. However, this narrated reality of conflict is not the same conflict reality that is shared by Serbs, Serb victims and their families. The latter never really had the same opportunities to participate in or influence the discourse on the “one truth”. These voices do not threaten democracy with a possible nationalist backlash or a “dark side of civil society”; on the contrary, their demand for equal treatment and acknowledgement is democratic. Except in terms of the vexing question of whether, if the definition of “genocide” is used in relation to Srebrenica (and here the criteria and the ruling of the ICJ are very clear), equal treatment and equal usage of categories should to be granted to all conflict parties. Of course, as ethno-political conflict interpretation prevailed during the 1990s, and as it is upheld by post-conflict stakeholders on all sides, it can also be found in the Serbian discourse – partly as legacy, partly as reaction. Above all, the discourse on victimhood reacts to the one-sided narratives of former conflict parties. As long as the Serbian experience of loss and suffering is not acknowledged by other stakeholders in the process, there will not be a balance of narratives.

Nevertheless, the reference to international norms democratizes the discourse and opens the path for communication around facing the past. Local ownership by stakeholders is crucial to the ultimate success of the process. Their voices and narratives can reduce the dichotomy of particular identities, as they are recognized as legitimate voices in the discourse. External pressure to compliance raised, and eventually satisfied, the expectations of international stakeholders. However, this strategy did not only help advanced the process of facing the past, but its unintended consequences and the pressure it applied on conflict parties also reproduced conflict boundaries and identities as well.

4. Afterword: intra-societal reconciliation

Even during the first days of discussion of a declaration on Srebrenica, patriotic voices demanded a second declaration condemning crimes against Serbian victims in the territory of the former Yugoslavia. The decision to treat the two sets of war crimes separately – and therefore to make distinctions between the victims – has proved especially controversial. After the adoption of the Srebrenica declaration, representatives of victim advocacy groups, like the Association of Families of the Missing and Killed in Krajina and Croatia, stated that many Serb victims were ‘humiliated and marginalized’ by the declaration. Opposition parties like the DSS seized the issue and criticized the ruling coalition: “The first declaration was for international use, while this one is for internal use and the majority of the population” (Milovanović, 2010). The second declaration, which did not specify particular crimes but highlighted the suffering of the Serbian people, was eventually adopted on October 14th 2010. 133 representatives of the coalition ‘For a European Serbia’ – from the Socialist Party of Serbia, United Serbia, G17, the pensioners’ party PUPS, the Social Democrats of Vojvodina and the Liberal Democratic Party – were in favour of the declaration. Representatives of the Serbian Radical Party, Democratic Party of Serbia, New Serbia and the Serbian Progressive Party left the hall in order to avoid giving their consent (S.S. Rovčanin and M. Babović, 2010). The declaration was not supported by the opposition, who argued that the passage on the 1999 bombing by the North Atlantic Treaty Organization (NATO) was too weakly worded. The opposition claimed that this wording meant a kind of amnesty for the crimes committed by NATO (Narodna Skupština Republike Srbije, 2010b). In the adopted text, the Yugoslav wars of the nineties were defined as ‘armed conflicts’. The parliaments of other countries, especially neighbouring ones, were requested to harshly condemn crimes against Serbs and to assist in the prosecution of suspected war criminals. Behind the declaration was the intention to appease patriotic voices, to make Serbian victims more visible to the outside, and simultaneously to serve the aim of incorporating the narrative of Serbian victimhood into the newly adapted policy of facing the past.

Notes

1. A first draft version of this paper was presented at the 16th Annual Convention of the Association for the Study of Nationalities at Columbia University, 'Charting the Nation between State and Society'. New York, 14-16 April 2011.
2. In 2005 a first effort to condemn the crimes of Srebrenica was undertaken. After a video tape was screened during a court session in The Hague showing Serb citizens killing Bosnian Muslims during the Srebrenica massacre, the Serbian public was shaken. With the wish to succeed by the 10th anniversary of the massacre, two members of parliament supported a declaration, written by several Belgrade-based NGOs, and initiated a parliamentary procedure. The proposal never made it onto the parliamentary agenda. In 2007 (LDP, LSV/SVM) and 2009 (SDU) new attempts failed as well.
3. The dominant narrative can be found for example in the entry on Srebrenica in the interactive map of the ICTY: http://www.icty.org/maps/eng/bih/bih_en.swf. Retrieved Apr. 9, 2012; or the Resolution of the European Parliament (European Parliament 2009a). According to a decision of the ICJ the massacre of Srebrenica amounts to genocide. As explained by the Court, Serbia has no direct responsibility for the crime; however, Serbia is to blame for not preventing it. All documents about the 2007 decision on the Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro) can be found at: <http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case91=&k=f4&case=91&code=bhy&p3=5>. Retrieved: Mar. 9, 2011.
4. See for example S. Karganović *et al.* (2011). The same authors also have a homepage providing 'the truth on Srebrenica' in a detailed fashion: see <http://www.srebrenica-project.com>. Retrieved: Mar. 11, 2011. Another website portraying Srebrenica as a crime against Serbs can be found at <http://real-srebrenica-genocide.blogspot.com/> (retrieved: Mar. 03, 2011), while the "official" narrative is present at: <http://srebrenica-genocide.blogspot.com/> (retrieved: Mar. 04, 2011).
5. The extensive media discourse included voices from civil society, intellectuals and politicians from Serbia as well as external interventions from the region (especially the Republika Srpska), Europe, the US and Russia. The whole media coverage is among the data analyzed in the author's forthcoming dissertation.
6. In Serbia, until the 2012 elections the parliament could not be understood as genuinely representing people's interests. As the whole of Serbia is one electoral district, representatives were not voted in directly, instead the population voted for parties, which then selected the members of parliament. Due to this fact, parliamentary groups were mostly homogenous in their opinions, as single representatives were afraid of losing their positions in the event of a disagreement.
7. Even the Champions League match between Manchester United and Bayern Munich could not be broadcast that night because of the debate. The Union of European Football Associations (UEFA) obliged Radio Television Serbia (RTS) to pay one million euro in compensation, which RTS in turn requested from the parliament. Despite the importance accorded to the parliamentary debate, this dispute between UEFA and RTS was on the front pages of most newspapers on April 1, 2010.
8. This method of keywords-in-context analysis refers to Glasze (2008).
9. For example, the code 'our' also encompasses the notion 'own', as the code 'Europe/values/civilization' is an umbrella code, including human rights as a reference to universal norms. The same was assumed of the code 'other crimes than Srebrenica', including all war crimes mentioned that occurred on the territory of the former Yugoslavia.
10. This is not reflected in the Serbian population. More than 30% of the respondents in an opinion poll stated that they did not know what happened in Srebrenica. See Milanović Hrašovec (2010). The discourse of facing the past encompasses the ICTY or other transitional justice instruments; however, in general knowledge of war crimes during the

- Yugoslavian wars in the 1990s is very limited, due to the state's education policy which avoids dealing with these issues.
11. The ruling on the Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro). See note 3.
 12. This allegory was also used by President Tadić during his visit to the Croatian town of Vukovar in November 2010. There he said: 'Everything that happened to Serbs and Croats in the twentieth century can be put in the records of history, but this [visit] has the intention to write the book of future' (Kleinheyer, 2010).
 13. The DSS even proposed a text for a resolution in which all crimes committed on the territory of the former Yugoslavia should be condemned, including those committed during World War II.
 14. Karge (2011) stressed the problem of intra-Bosniak victim rivalry as Srebrenica victims and their families became objects of positive discrimination in the discourse and treatment of victims of war.
 15. Only in the summer of 2011, after the arrest of the last fugitives Ratko Mladić and Goran Hadžić, the Serbian cooperation with The Hague was assessed as being 'full' by ICTY chief prosecutor Serge Brammertz. The arrest of the two alleged war criminals was made a *sine qua non* condition by the Netherlands which had blocked ratification of the Stabilization and Association Agreement with Serbia since spring 2008.
 16. The resolution was the result of a lobbying process by Bosniak victims and Reis-ul-ulema Mustafa Čerić. It was also supported by several European Parliament members, notably the Slovenian MEP Jelko Kacin.

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