



Status quo on reconciliation and no hate speech in Bosnia and Herzegovina

Tools and resources available.

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1. Research content

a. Executive Summary

Bosnia and Herzegovina is a country which, after the war of 1992 to 1995, with the support of the international community, began a peacebuilding process, a process of preventing hate speech.

25 years later, much has been done, but the process of reconciliation and the process of stopping hate speech towards others and others is not over yet. NGOs play a particularly important role in the process of reconciliation and the prevention of hate speech, since the government is not interested in these processes.

In this research, we will present you the basic models, actors, projects and programs that have been implemented during these 25 years, but still today. We want the research to serve as a model for anyone working on peacebuilding processes. The paper presents basic models of education for citizens in reconciliation processes, the most important projects and programs currently being implemented, the most important civil society organizations working for peacebuilding. Also, certain measures taken by the international community are presented.

All of this can serve as an example of good practice, but also an example that, with some adjustments, can be applied in any conflicting society.

Also, the study presents some national, governmental, policies that have been implemented but have not had a major effect on the process of reconciling and preventing hate speech in Bosnia and Herzegovina.

b. Research objective/aim

The aim of this research is to show that, with the efforts of various international as well as domestic activities, reconciliation processes can be accelerated and the level of hate speech in Bosnia and Herzegovina can be reduced.

c. Research methodology (ex. qualitative, quantitative, sample, research methods used)

The importance of this desk research is reflected in the assessment of achievements in peacebuilding and hate speech in Bosnia and Herzegovina, 25 years after the end of the war. Also, through this research, I have tried to provide guidance for future action and implementation of activities by various NGOs, local and national actors, in order to improve the peacebuilding process and reduce the level of hate speech.

Data collection was mainly dependent on the secondary sources. A desk review methodology framework was developed to address the desk review questions outlined in the TORs, based on the desk review



criteria. The desk review methodology framework expands upon the TOR questions, and thus provides a wider interpretation of the issues.

Through this process it was conducted a desk review of documents at country and local levels. Country level documents were drawn from a number of sources such as: government of Bosnia and Herzegovina, International NGOs, multilateral and bilateral agencies working in Bosnia and Herzegovina and domestic organisations.

The documents used in this research have been found on the Internet and are accessible to all individuals, including various analyses, reports, manuals, but also different guides for action. Qualitative research and its techniques have been used for the desk review:

Literature review by analysing secondary data: During the desk review peace, reconsolidation, extremism, migration, human rights, legal and socio-economic data (policies, strategies, reports, protocols, regulations and other related documents) has been reviewed. Interpretive techniques (coding and recursive abstraction) were applied while conducting the secondary data analyses. Validity was addressed as a central challenge in order to ensure credibility of the review - reference check, conformability and balance was observed as ways of establishing validity.

d. Literature review and highlight in main findings

1. What are the available researches, reports, programs, projects that focus in reconciliation and hate speech in your country?

Bosnia and Herzegovina is a country that has been at war for four full years. In that war, over 200,000 people lost their lives, and millions left their homes and had to start their lives elsewhere. Following the signing of the Dayton Peace Agreement, it was necessary to establish various programs and projects that helped the community in the process of reconciliation and the resumption of life. The reconciliation process and the process of preventing hate speech was very difficult and complex. Even some cities were divided. For example, reconciliation and the prevention of hate speech began in 1995 and continue today, as these processes are still considered to be incomplete.

In order to achieve this, different projects have been implemented, different manuals have been developed, education and training of individuals leading the reconciliation process and international support provided. However, due to various problems, these processes go very slowly, and the continued emergence of nationalism still prevents total reconciliation between peoples. One of the key actors in the reconciliation process were, and still are, non-governmental organizations that implemented various programs, projects and activities on peacebuilding, reconciliation and the prevention of hate speech. Almost all programs are based on the population of young people, but also the population of connecting families and family members who participated in the war, and ordinary citizens who were in exile (Božić, 2011).



In most cases they are based on (FES, 2018):

- Educational programs for young people;
- Projects for connecting and getting to know each other members of warring communities;
- Programs for dealing with the past;
- Internet hate speech programs.

Educational programs for young people are a set of different activities, starting with ignorance being the root cause of distrust. The main objective of all educational programs is to develop different skills of participants in programs that will prevent and prevent the creation of prejudices and stereotypes against other people's living in B&H (Camica 2007). In Bosnia and Herzegovina, this is the most widely used method of reconciling and preventing hate speech. It is mostly used by non-governmental organizations that, through informal education, educate generations of young peacekeepers. Currently, one such project is being implemented as a project STAR - Social Transformation and Reconciliation, funded by USAID in B&H. This project has been active in B&H, whose main objective is to influence the reconciliation of peoples in B&H. This project is being implemented jointly by the Youth Initiative for Human Rights - YIHR, the Peacebuilding Center, the Nansen Center in Sarajevo and the PRONI Youth Center in Brčko (<http://www.proni.ba/2019/04/25/societal-transformation-and-reconciliation-star-drustvena-transformacija-i-pomirenje-facilitacija-dijaloga/>).

Interconnected community warfare projects are programs and projects designed to involve intergroup contact in a controlled environment.

Intergroup dialogue programs typically include a series of face-to-face discussions and experiential exercises between members of two groups, encouraged by the facilitator. Although most dialogues are conducted in an academic setting, they can also be conducted in work organizations, government institutions, but also in the neighborhood or similar community. The aim of these dialogues is to improve intergroup understanding and provide participants with the skills they need for interaction that goes beyond group boundaries. Unlike other intergroup programs, in this approach conflict is often openly discussed and discussed. Participants were encouraged to express their feelings and discuss their reactions to prejudice, stereotypes, discrimination and conflict (Bozic, 2015). One of the projects currently active since 2013 is the USAID program called PRO - The Future. This project is being implemented in 70 local communities in B&H, in cooperation with non-governmental organizations, institutions and individuals. The aim of the project is to build trust and reconciliation among all ethnic and religious groups in Bosnia and Herzegovina through connecting communities that have had little or no cooperation with each other in the past (<https://www.probuducnost.ba/>). One of the more recent initiatives that works by connecting and leaving young people from different countries to get to know and talk with each other is the RYCO initiative, which brings together six Western Balkan countries, but also the Western Balkan Found initiative. The programs of dealing with the past, for the most part, bring together participants in the war, who bear certain traumas from that period and who, because of that time, are in most cases radical in their views. Programs to cope with the past are designed to address emotional trauma and the needs of people in Bosnia and Herzegovina in order to create problem-solving programs that can help resolve problems caused by long-term conflicts (FES, 2011). How important this program is, says the fact that one of the



most famous European film festivals - the Sarajevo Film Festival, has included in its program films that deal with the presentation of real histories and called it Facing the Past ([https://www.sff.ba / page / facing-the-past](https://www.sff.ba/page/facing-the-past)). It is believed that these programs can present real historical facts and dispel the myths that govern BiH society.

Programs to prevent hate speech on the internet have been very active in the last few years, as there is a clear increase in this phenomenon against various ethnic groups living in the territory of Bosnia and Herzegovina. One of the initiatives currently underway in BiH is the initiative of CAT - Citizens Against Terrorism. The primary goal of this initiative is to present positive stories, positive narratives from a community that has been in conflict or bound by certain stereotypes. This is a joint initiative of united students of Bosnia and Herzegovina.

However, in addition to these projects, there are also several non-governmental organizations active in Bosnia and Herzegovina implementing various projects and programs, based on the need for reconciliation and the prevention of hate speech.

Currently, the best known organizations in this field is the Association "Network for Peace Building". This association acts as an independent association and brings together over 140 different non-governmental organizations, schools and institutions working in different areas of peacebuilding. This association also has its own online library made up of professional literature on peacebuilding.

In addition to this Association, in B&H there are organizations that were based on the processes of peacebuilding and reconciliation. All of them continuously carry out different programs and projects in order to accelerate these processes. Some of the most famous associations in this field are:

- Peacebuilding Center from Sanski Most (<http://unvocim.net/eng/>);
- Forum Ziviler Friedensdienst e.V. - ZFD Forum (<https://www.forumzfd.de/en/westernbalkans>) ;
- Youth Initiative for Human Rights in B&H (<http://yibr.ba/>) ;
- International Center for Peace (<http://sarajevskazima.ba/en/>) ;
- Peace Academy (<https://www.mirovna-akademija.org/rma/index.php?lang=ba>) ;
- Nansen Dialogue Center Sarajevo (<http://www.nansen-dialogue.net/ndcsarajevo/index.php/bs/>) ;
- Trial International in B&H (<https://trial.ba/>)
- Post-Conflict Research Center (<https://p-crc.org/our-work/>) ;
- Helsinki Committee for Human Rights (<https://helcommrs.org/>) .

All of them, but also many more civil society organizations, are working to build B&H society through reconciliation among nations.



2. Is there any legal framework in place relating to both topics?

When we talk about the legal framework, then we can point out that Bosnia and Herzegovina is a complex state with fourteen constitutions and different competencies belonging to different levels of government. First of all, there is the state, entity, cantonal, local and Brčko District levels. Each of these levels has its own laws governing the area.

These laws are mutually harmonized under pressure from the international community and the EU in B&H. However, Bosnia and Herzegovina still do not have laws that sanction hate speech and oblige institutions and individuals to work on reconciliation processes.

One of the most controversial laws being discussed is the Law on Prohibition of Denying Genocide in B&H. Specifically, this law would greatly help to sanction those who deny the facts established in court proceedings. The importance of this law is in fact that every person who deny genocide or some court judgments can be put in jail or have some punishment. However, B&H politicians (especially those coming from the Entity Republic Srpska) do not want to adopt this law. Adopting this law would also prevent their further manipulation of voters, since research shows that this is still the easiest way to gain voter sympathy. Also, in 2010, Bosnia and Herzegovina started drafting the Transition Law Strategy. However, to date, this strategy has not been adopted (Isheric, 2018). However, under pressure from the international community, different measures have been incorporated into different laws to try to ensure equality of all peoples. Just one example of such a law is and the Civil Service Act, which provides that each local community has to have a certain number of employees from certain ethnic groups. Thus, in certain communities, complete processes are suspended as the rules of this law are abused.

Hate speech in Bosnia and Herzegovina is recognized independently of the reconciliation process. Bosnia and Herzegovina, in accordance with the international framework, has adopted a series of regulations which regulates hate speech and established institutions tasked with combating this phenomenon. Hate speech is not explicitly included in criminal laws in B&H, but these cases are referred to as "provoking religious and national hatred and intolerance", which is treated by the B&H Criminal Code (Article 145a), the FB&H Criminal Code (Article 163), RS Criminal Code (Article 390) and Brčko District Criminal Code (Article 160) (Raosavljević, 2015) The B&H Criminal Code imposes a sentence of imprisonment for a term between six months and five years for a person who, on any forbidden basis, denies or restricts civil rights or gives citizens unjustified privileges or benefits.

The Criminal Code of the Federation of BiH prescribes a sentence of imprisonment of one to ten years for a person who publicly provokes or incites ethnic, racial or religious hatred, strife or intolerance among constituent peoples and others living in the Federation, and the amount of punishment is more closely determined by the severity of the consequences that have occurred.

The Criminal Code of Republika Srpska prescribes a maximum sentence of eight years in prison for similar ones criminal offenses and the seizure of materials and articles carrying hate messages, as well as the means for their production, is also foreseen.



The Brčko District Criminal Code imposes a maximum sentence of ten years imprisonment if the incitement of hatred has led to disorder, violence or other grave consequences for the common life of the constituent peoples and others living in the Brčko District (Raosavljevic, 2015).

3. Have there been any steps undertaken to improve the process of reconciliation and the hate speech at the national level?

The 1995 peace agreement stopped the bloodshed in Bosnia and Herzegovina, but also institutionalized ethnic divisions within the country that were created during the armed conflict. Today, the state is divided into two entities, which operate almost completely independently in political terms, and one central level of government that continually demonstrates weakness and fragility in functioning. These political and social divisions, which extend along ethnic and entity lines, have direct implications for the processes of dealing with the recent past in B&H. On the other hand, the process of dealing with the past remains a key step in establishing a stable and lasting peace in the country (Letic, 2015).

Little or no steps towards reconciliation have been made at the national level. Most retirement initiatives come down to individual cases of civil society organizations or international organizations, but in the process, representatives of the international community as well as government officials have failed.

In Bosnia and Herzegovina, there are no unified curricula for learning about the common past, nor a unified version of history in the causes of war, the death toll, or a shared vision that will enable these curricula to be created. One of the main culprits for the lack of common curricula is political parties trying to keep themselves in power, using national rhetoric (Pejanovic, 2017).

Considering that education in Bosnia and Herzegovina is not a “state job” but major decisions in this area are made at the entity and cantonal levels, and the same administrative units are mainly run by mono-ethnic and mono-ethnic political structures, we must unfortunately conclude that schools have long since become new arenas for conflict, employing sophisticated methods to educate young generations about divisions, irrational fear of all that is different, and distrust of neighbors, who differ from them only in the way, if at all, they practice their religion (Letic, 2015).

On the other hand, in order to accelerate the process of reconciliation and reduction of hate speech, the International Criminal Tribunal for the former Yugoslavia (ICTY) has formed to prosecute war crimes committed in wars. In its 24 years of operation, the ICTY has indicted 161 persons and 90 persons have been convicted. One of the most significant judgments of this court is the verdict for the Srebrenica genocide. This court has sat for more than 10,000 days, heard the testimonies of nearly 5,000 witnesses, 90 persons have been convicted of crimes they have committed, including genocide, war crimes, crimes against humanity (Guterres, 2017). However, in 2017, the ICTY closed its doors and stopped processing cases. Further jurisdiction was left to the courts of the former Yugoslavia. Thus, in Bosnia and Herzegovina the jurisdiction to prosecute crimes, with a view to accelerating reconciliation and preventing hate speech, has been conferred on the Court of Bosnia and Herzegovina.



By passing laws and other necessary regulations, the processing of war crimes has been put in place in B&H

is also under the jurisdiction of the domestic judicial authorities, ie. The Court of BiH and the Prosecutor's Office of B&H, with the existing jurisdiction of the cantonal (in the Federation of B&H) and District (in the RS) courts or prosecutors' offices in the Entities and the Basic Court and the Prosecutor's Office of the Brčko District of B&H. Other services and bodies (Police, SIPA, etc.) are also part of the system or network of detection institutions and, each within their respective competencies, are responsible for contributing to the prosecution of war criminals in B&H (CCI, 2018). many are involved in the processing of war crimes; the number of indictments is decreasing from year to year and even unsatisfactory.

This is also borne out by the fact that the Transitional Justice Strategy has not yet been adopted, although it was drafted in 2012, and that there is no national census on how to comply with international judgments and decisions in this area. Therefore, it is impossible to talk about specific strategies, ways and support provided by the state, which is aimed at educating young people outside formal education.

4. What is the role of the organisation into these processes related to the topic?

Immediately after the end of the war, several non-governmental organizations were formed to deal with the protection of human rights in their activities, trying to speak openly about war crimes, victims and other consequences of the war (Šehić, 2018). In August 1996, twelve civil society organizations established a Civil Alternative Parliament for joint and stronger influence, which is the first network of non-governmental organizations in Bosnia and Herzegovina (Tuzla, Mostar, Sarajevo), Banja Luka, Livno, Trebinje, Bijeljina, Zenica, Bihać), which aimed primarily at building peace, understanding and trust among the citizens of Bosnia and Herzegovina, opposing at the time the generally accepted view that criminals were only from the other people, while at the same time presenting many of their criminals as heroes of war. It is through the work of these NGOs that critical mass has been created within B&H society (UNDP, 2018).

There is a wide range of actions by non-governmental organizations that can contribute to uncovering the truth about events in B&H. They can testify before the courts, hand over some documentation and other exhibits, assist in the discovery of individual mass graves, identify the exhumed, discover the identity of the perpetrators of crime, forms and modes of crime, all of which are prerequisites for reconciliation (Macic, 2018).

These activities are done by associations that bring together families of war victims, but also by associations of war victims themselves. Their contribution to the processes of reconciliation and the prevention of hate speech is immeasurable, since pointing to facts, true events and testimonies prevents the creation of wrong narratives and misuse of historical facts (Raosavljević, 2015).

In recent years, special attention has been given to connecting young people from different local communities in Bosnia and Herzegovina who have had the opportunity to hear only one side of the truth



and testimony. One such project is the YOUTH for PEACE project, through which young people get to know each other, exchange opinions and views, but also create friendly relationships with young members of other nationalities and other communities (<https://www.youth-for-peace.ba/en/>).

NGOs have also recognized the importance of involving other actors (other than activists) in peacebuilding and hate speech processes. Thus, the Archdiocesan Center for Youth Pastoral in Sarajevo recognized sport as a particularly important segment for peacebuilding and the prevention of hate speech. Through their activities, they have educated sport teachers working in schools, on ways to build peace, but also on the importance of sport as a tool that can enable young people to connect with each other (<https://www.mladicentar.org/index.php/novosti/1395-odrzana-edukacija-sport-u-izgradnji-mira>).

Non-governmental organizations use various funds and funds for projects in the field of peacebuilding and speech prevention. The most important donors in this area are the European Union, but also USAID representatives in B&H. Through USAID's Pro-Future Support Program, over 60,000 diverse citizens, decision makers, children and young people are involved in peacebuilding and hate speech processes.

One of the supported projects is the "Small School for Peacebuilding" project implemented by the CRS. Through this project, all interested citizens are enabled to educate online and acquire new knowledge and skills about the processes of conflict resolution and building lasting peace. So far, four ICMM cycles have been organized, attended by over 150 citizens of B&H and the region, with the aim of improving their knowledge and understanding of peacebuilding.

Since 2013, our Coalition of Non-Governmental Organizations for the Fight against Hate Speech has been active in our country. The Coalition also advocates the implementation of already existing laws that partially regulate these issues (criminal laws of Brcko District, FB&H and RS, Law on Prohibition of Discrimination of B&H), and actively works to raise public awareness of what is hate crime and hate speech, and their serious consequences for B&H. Society (<https://www.diskriminacija.ba/koalicija-zaborbu-protiv-govora-mr%C5%BEenje-i-zlo%C4%8Dina-iz-mr%C5%BEenje>).

It is particularly important to highlight here the regional initiatives that address peacebuilding or hate speech. One of the most important initiatives is the RECOM Initiative. RECOM is an official, interstate commission that should be jointly founded by the successors of the former SFRY. As an extrajudicial body, RECOM is tasked with establishing the facts of all war crimes and other serious human rights violations related to the war; to list all victims of the war by name and determine the circumstances of their deaths; to collect information on places of confinement, persons who have been unlawfully imprisoned, subjected to torture and inhumane treatment, and to compile a comprehensive list of them; to gather information on the fate of the missing, as well as to hold public hearings of victims and other persons about war-related crimes. The Regional Commission should be independent of its founders and funded by donations (<https://www.recom.link/bs/>).

5. Recommendations and possible interventions needed in the field



In order to advance the reconciliation process, it is necessary to involve the international community and the mechanisms that are available more actively, but also to punish individuals who downplay and do not recognize the judgments of the Tribunal for the former Yugoslavia. In addition, more active involvement of civil society organizations and even stronger funding for projects and programs is needed in B&H, which will accelerate mutual acquaintance, understanding and cooperation among peoples living in these areas. Civil society organizations have a great responsibility in connecting communities, getting to know each other, and working to reduce the stereotypes and prejudices that prevail among youth from different religious and national groups. Regional initiatives that will be launched at national and local levels are of great importance for accelerating the process of reconciliation and reducing the level of hate speech in the public space and on the political scene. Also, another possibility for NGOs to work is the political empowerment of young people in order to take active role in decision-making and lead Bosnia and Herzegovina to radical reforms. However, the most important process is to strengthen the role of the citizen who will finally understand that political subjects, by nationalist rhetoric, only strengthen their influence and remain in power. Therefore, non-governmental organizations need to be more involved in strengthening the role of citizens and voters in order to allow certain politicians to be sanctioned for their reluctance, ie rewards for their work, effort and commitment. Consequently, in order to accelerate the process of reconciliation and reduction of hate speech, all relevant factors may be involved in the processes of building a democratic society. The fact is that Bosnia and Herzegovina still needs international support to address these issues. For this reason, we need stronger pressure and open sanctions for individuals who disrupt these processes. This shortcoming also represents an opportunity for NGOs to act to accelerate the adoption of the legal framework. Lobbying, advocating and working to adopt various reconciliation initiatives can accelerate these processes.

e. Tools and resources available for other youth workers and organisations to use

(Gather here a set of tools and resources that can be used in national level. They can also be European tools, platforms, materials, etc) Use the following form to cluster them.)

<i>Local level</i>	www.mladivolonteri.org
<i>National level</i>	https://p-crc.org/our-work/



	<p>http://www.nansen-dialogue.net/ndcsarajevo/index.php/bs/</p> <p>https://www.mreza-mira.net/biblioteka/resursno-podrucje-o-izgradnji-mira/</p> <p>http://www.mpr.gov.ba/web_dokumenti/Vodic%20kroz%20tranzicijsku%20pravdu%20u%20BiH.pdf</p> <p>https://helcommrs.org/</p>
<i>Regional level</i>	<p>https://www.rycowb.org/</p> <p>http://westernbalkansfund.org/</p> <p>https://www.developmentaid.org/#!/organizations/view/31524/see-change-net-fondacija-mreza-za-promjene-jugoistocne-evrope/partnersCompetitors</p>
<i>European level</i>	<p>www.europa.ba</p> <p>https://www.developmentaid.org/#!/organizations/view/31524/see-change-net-fondacija-mreza-za-promjene-jugoistocne-evrope/partnersCompetitors</p>

f. Short summary of WALK ON project.



WALK ON project is a capacity building project financed by European Union under the Erasmus plus Program. The lead organization is Beyond Barriers Albania in cooperation with five other partners from: Kosovo, North Macedonia, Serbia, Croatia and Bosnia and Herzegovina.

Reconciliation in the Western Balkans is a very fragile topic. The seeds of hatred are shared till nowadays among the generations that make the present and the future of the region. This project aims to build the competences of youth workers, teachers, young people and community youth leaders in the Western Balkans, to address and work with reconciliation, countering hate speech and promoting peace building. Peace building cannot be reached if we don't all work together, therefore this project proposes a thorough approach in involving different stakeholders of the community and equipping them with skills and expertise how to fight these negative phenomena in their environment.

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- <https://www.recom.link/bs/>
-