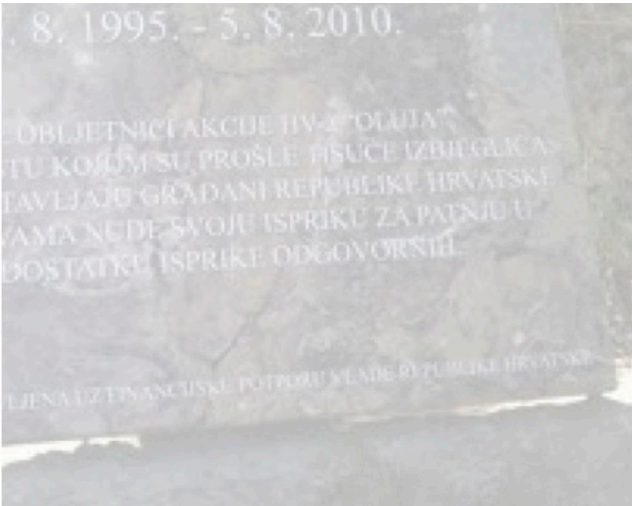




YOUTH INITIATIVE FOR HUMAN RIGHTS
INICIJATIVA MLADIH ZA LJUDSKA PRAVA
NISMA E TË FINJVE PËR TË DREJTAT E NJERIUT



Basic Info | YIHR Croatia



content

1. Context Analysis

1.1. General Context

1.2. Socio-political Context

2. Basic Info and History

2.1. General Information on YIHR Croatia

2.2. History, Main Achievements, Outcomes to Date

2.2.1. Transitional Justice Program

2.2.2. Youth and Education Program

2.2.3. Regional and EU Program

2.2.4. Human Rights Advocacy Program

3. Objectives

3.1. Transitional Justice Program

3.2. Youth and Education Program

3.3. Regional and EU Program

3.4. Human Rights Advocacy Program

3.5. Global Networking

4. Organizational Development

4.1. Sustainability

4.2. Further Professionalization

5. Monitoring and Evaluation

ini·tia·tive

adjective \i-'ni-shə-tiv **also** -shē-ə-tiv\

1

: an introductory step <took the *initiative* in attempting to settle the issue>

2

: energy or aptitude displayed in initiation of action : enterprise <showed great *initiative*>

3

a : the right to initiate legislative action

b : a procedure enabling a specified number of voters by petition to propose a law and secure its submission to the electorate or to the legislature for approval — compare referendum

— **on one's own initiative**

: at one's own discretion: independently of outside influence or control

Synonyms: action, aggressiveness, ambition, drive, go, hustle, enterprise

Source: Merriam Webster Online Dictionary

Context Analysis

This part of the paper describes the context in which the Youth Initiative for Human Rights works in Croatia. The paper focuses on the issues that are relevant to YIHR's work. The topics include education, denial of crimes as well as regional and other issues related to transitional justice processes in Croatia, including the elaboration on how they are being dealt with by the authorities.

General Context

Croatia will become a member state of European Union in July 2013. With that fact socio-political context will be changed permanently. Today, after long accession negotiations human rights standards are much higher and protection is greatly better than it was in the nineties. Still, Croatia has many unresolved cases of war crimes, discrimination of national minorities and other problems emerging from the war period and epoch of authoritarianism of the Tudman regime. Since there was not any form of lustration or vetting in Croatia, critical approach to the recent violent past is more exemption than a rule. Several powerful politicians who assumed high-level posts in the nineties have created for themselves a de facto immunity of power from prosecutions for war crimes.

Formal education on human rights and civic participation is not sufficiently represented through learning process. Critical approach to transitional justice and dealing with the past is sporadic. Ethnic paradigm is the main barrier in normalization and stabilization of the society. Reconciliation is not possible with youth raised in closed ethnic frame with strong sentiments for war criminals as heroes and without empathy for victims.

Negotiations of Croatia with the EU had a constructive effect on dealing with human rights violations. In the future this pressure will not be so strong and systematic. Because of traditionally unresponsive government who will stay without pressure of the EU, Croatian NGOs will need to find additional international human rights forums where they will raise issues of human rights violations in the country.

International relations in the region still suffer from nationalistic politics in post-Yugoslav countries. However, Croatia has the chance to transfer experience from the EU accession process to other countries of the region which can be very helpful to them because the similarities in political and social system. With constructive partnership, new, better relations can be formed to reach sustainable peace in the region.

Socio-political Context

Formal History Education

The Ministry of Education organizes the history education program in Croatia and approves several textbooks that the teachers can choose from. For the purposes of the regional report *Transitional Justice in Post-Yugoslav Countries* (report for 2010 and 2011), YIHR analyzed these textbooks. The way the 1990s are shown in the textbooks is still one-sided. The examples include the failure to mention crimes committed by the Croatian forces, the use of powerful politically charged language when describing Serbian forces and the false portrayal of the Croat-Bosniak War not in line with the facts established at the ICTY.

Denial of Crimes Committed by the Croatian Forces

Even though in the last few years there has been some progress in mentioning and marking (commemorating) the crimes committed by the Croatian forces, especially from President Ivo Josipović, the prevailing attitude towards these crimes is still the one of denial or relativization.

The crimes committed by the Croatian forces that are being commemorated tend to be those that are widely known but politically less controversial. The crimes that defy the dominant Croatian narrative are not being commemorated.

The recent ICTY acquittal of two Croatian generals has been interpreted in Croatia as the proof that the *tempore criminis* Croatian political leadership did not execute any policies that were criminal and that all the crimes committed by the Croatian forces were individual, sporadic incidents.

Denial of Croatian Participation in the War in Bosnia (Croat-Bosniak War)

The most controversial topic arising from the war is the issue of Croatian participation in the war in Bosnia and Herzegovina. The dominant Croatian narrative, framed also by the formal documents such as the *Declaration on the Homeland War* by the Croatian Parliament, deny the participation of Croatia in this conflict. However, the ICTY had concluded in numerous judgments (cases Aleksovski, Naletilić, Martinović, Blaškić, Kordić, etc.) that this constituted an international conflict for the reason of Croatia's participation.

In April 2010, during his official visit to Bosnia and Herzegovina, the Croatian President Ivo Josipović said that he was *deeply sorry that the Republic of Croatia has contributed to that with its policies in the 1990s (...) that the then Croatian policy has*

contributed to the suffering of people and divisions which still burden us today¹. Many human rights activists saw this as an unparalleled step forward in the dealing with the past process in the region. However, after this speech, he faced an avalanche of criticism mostly coming from the then ruling party Croatian Democratic Union (HDZ). Josipović buckled under the criticism only a day later and explained that his *speech was misinterpreted* and that it *was not an apology but an expression of regret for the war events*.² At the moment, the ICTY Trial Chamber's judgment is being awaited in the case against Prlić, Stojić, Praljak, Petković, Čorić, Pušić

Problems in the Institutional/Formal/Legal Setting

It was mentioned above that the general state of respect for human rights was elevated through the accession negotiations of Croatia with the EU. Yet, several grave problems in institutional and legal setting still exist, especially in relation to transitional justice processes.

The fundamental issue in this sense is the non-existence of any strategic approach to transitional justice processes. This is partly so for the reason that the EU did not have a strategic approach to these issues. The main (and only clear) request made by the EU towards Croatia was the establishment of full cooperation with the ICTY. Although there was a negotiating chapter dealing with human rights and the mechanisms for their protection³, it did not have clear *benchmarks*. The reforms under this chapter included passing of numerous laws such as the Antidiscrimination Act, institutional mechanisms for protection of minorities, judiciary reform and alike. Nonetheless, transitional justice processes were mostly dependent on the political willingness and initiative by individual politicians. During the last stage of negotiations under this chapter, the domestic war crime trials have been assigned only to 4 big county courts (Zagreb, Osijek, Rijeka and Split) instead of to every county court where many of them were incapacitated to prosecute those crimes in accordance with the international standards.

Different approach to defendants from Croatian forces and other forces still exist. The clearest example is the use of mitigating circumstances institute. While the courts often recognize young age at the time of commitment of crime as a mitigating circumstance to former members of Croatian forces, they avoid this in cases of even younger defendants from the Serbian forces. The

same is with mitigating circumstances such as consequences (pressure) of exposure to war events. Further, several mitigating circumstances are designed in a way they are only used for former members of Croatian forces, even though they are not usually used in international criminal justice. These include special contribution to the defense of the state, *homeland* fervor and voluntary joining to Croatian armed forces. YIHR has noted in its reports also that the tone with which judges handle these cases usually defers depending on if the defendant is a former member of Croatian or Serbian forces.

The crimes of sexual violence and wartime rapes remain inadequately addressed on a national level. The record of prosecutions in Croatia is correspondingly modest, with just a handful of convictions recorded to date. Despite 20 years since the war has passed, only 17 cases concerning sexual violence were prosecuted and only a few verdicts have been passed, with most of them *in absentia*.⁴ The current domestic framework requires that charges to be underpinned with physical evidence including forensic medical documentation, photographs of injuries and torn clothing and other examples. The victim's or witness' statement, without supporting evidence, will not suffice to maintain a charge of rape.⁵ In contrast to the non corroboration rule in *Rule 96 (i)* of the *ICTY Rules of Procedure and Evidence*, which preclude the necessity of corroborating evidence in support of the statement of the witness; the current framework failed to take into account the private nature of the crime of sexual violence and the context of war, which often takes place with no witnesses or only witnesses acting in collaboration with the perpetrator.

Witness protection issues remain a significant problem in Croatia. In its submission (shadow report) to the UN Human Rights Committee in 2012, YIHR noted it is *extremely concerned about the failure of the Croatian Government in implementing and enforcing existing witness protection legislations in the context of war crime cases, noting especially its unwillingness to sanction serious ongoing violations. YIHR also notes with concern about the inadequate measures taken to protect potential witnesses during early stages of investigations which often result in their refusal to testify out of fear of personal safety. The Criminal Code governs the area of witness protection and provides that acts such as the*

¹ See: <http://www.balkaninsight.com/en/article/josipovic-delivers-unprecedented-apology-to-bosnia>, last accessed 23 Sep 2012

² See: <http://www.index.hr/vijesti/clanak/josipovic-nisam-se-ispricao-izrazio-sam-zaljenje-zbog-zbivanja-u-proslosti/486312.aspx>

³ Chapter 23: *Judiciary and Fundamental Rights*

⁴ Srdoč S, Hrvatska zaostaje u progonu ratnih silovatelja, *Tportal Hr* (2 March 2012), accessible at http://www.tportal.hr/vijesti/svijet/180121/Hrvatska-zaostaje-u-progonu-ratnih-silovatelja.html#_UGRgLLJIQXK

⁵ Kolarec, Đ., Pamuković, N., Preporuke za poboljšanje pravnog položaja žena žrtava seksualnog nasilja, Centar za žene žrtve rata i Ženska mreža Hrvatske, interna dokumentacija (2003). Available at http://www.zenska-mreza.hr/nasilje_prema_zenama/definicija_silovanja

revealing of the identity of protected witnesses, threats, aggravated murder, violation of secrecy of data and the obstruction of the collection of evidence as criminal offenses⁶. However, the law has not been adequately implemented. Appropriate sanctions have not been enforced in cases of serious violations which have allowed the ongoing intimidation of witnesses. It was observed that those responsible for these acts were never prosecuted or been convicted.⁷

Regional Issues and Cooperation

Regional cooperation among the societies and states in the Western Balkans has been intensifying over the course of the past decade. However, severe issues still exist.

The cooperation with the states successors of Yugoslavia is often seen in Croatia as defying national interests. Although politicians often recognize the societal and economic potential of this cooperation, the public still shows reluctance towards it. The regional cooperation is often seen as an attempt to rebuild Yugoslavia and terms have been formed in the public that have a very negative tone to them; such as *Yugosphere*. In this sense, regional cooperation still suffers greatly because of the unresolved issues from the violent past. YIHR notes that regional cooperation is threatened even more due to the fact that young people of today have only one set of views towards the neighboring countries. Whereas the former generations have been raised in the context of regional cooperation, the today's youth were raised while the countries of the region were fighting wars and often see them as enemies.

Basic Info and History

YIHR Croatia organizes its activities in 4 programs. Although YIHR has not had the same programmatic platform since its establishment, for the purpose of presentation of YIHR's past work and accomplishments, the activities will be systematized through the same 4 programs.

GENERAL INFORMATION ON YIHR CROATIA

YIHR Croatia was established in late 2008 and registered in January 2009. The founders of YIHR Croatia were young people, most of who were human rights activists. The establishment was done in coordination with the then regional

organization Youth Initiative for Human Rights headquartered in Belgrade, Serbia.

Soon after the establishment of YIHR Croatia, the regional YIHR underwent significant transformation when the regional network of the same name was formed with organizations in 5 countries where YIHR had its offices and activities (Bosnia and Herzegovina, Kosovo, Montenegro, Serbia and Croatia).

YIHR Croatia is based in Zagreb but has several programs that reach into other areas of Croatia, with a special focus on the war-affected communities where YIHR implements its research or cooperates with local youth.

YIHR Regional Network's vision, mission, mandate and values are shared by all its member organizations. These are:

Vision

To live in responsible and accountable societies that have learned the lessons of the past and strive towards a positive future based on the respect of human rights, civic values and the rule of law.

Mission

The Youth Initiative for Human Rights is a non-profit, non-governmental organization, convinced that the sanctity of human life is the sole foundation and fundamental value of every open and prosperous society.

Mandate

Dealing with the past, addressing its legacy in the present, and learning its lessons to build a better future; Support victims of human rights violations and contribute strategically to establishing an institutional framework to prevent [the repetition of massive] systematic human rights violations in the future; Develop capacity and cooperation among young people to lead and drive the creation of peaceful societies in which civic values and human rights are fully respected.

Values

YIHR is a value led organization. YIHR's mission is defined by its values, and its work aims to imbue these values in society. **Responsibility and Accountability**; YIHR advocates for responsibility and accountability in society and believes these values are central to society's positive future development. **Truth**; YIHR advocates for truth and for the clear establishment of facts about wars in the former SFRY because we believe that the crimes of the past should be recognized and named. **Justice**; YIHR advocates for justice because we believe that dignity must be restored to victims and that victims' suffering must be recognized and addressed through reparations and

⁶ Croatian Law on Criminal Proceedings (*Zakon o Kaznenom Postupku*), Article 305.

⁷ Council of Europe Parliamentary Assembly (2011) *The Protection of Witnesses as a cornerstone for justice and reconciliation in the Balkans*

prosecution of perpetrators. **Co-existence**; YIHR believes that citizens of different ethnic, religious, racial, social, sexual and other affiliations can and should live together in peace and with mutual respect. **Human life and dignity**; YIHR strives for human life and dignity to become the foundation of democratic development for the whole region of the former SFRY.

The main objective of the YIHR Regional Network is to **prevent recurrence of wars from 1990's**.

Structure

YIHR Croatia has 25 members in its Assembly. These are mostly young human rights activists, students, journalists, political and social scientists, jurists, writers and members/employees of other YIHR's in the region.

Its governing body is the Governing Board of 5; a Director and 4 other members elected by the Assembly. At the moment, after the decisions of the Assembly and the Governing Board, YIHR Croatia is dividing the Director position in two to further professionalize the organization. The Director of Programs, who will be in charge of YIHR Croatia's programs, will be directly elected by the Assembly and will be a member of the Board whereas the Executive Director will be hired by the Board and will be in charge of YIHR Croatia's administration.

YIHR Croatia organizes its work through 4 major programs as follows: Transitional Justice Program, Youth and Education Program, EU and Regional Program and the Human Rights Advocacy Program. A Program Coordinator is hired or assigned to each of the programs by the Director (of Programs). YIHR Croatia also hires project staff who are paid by projects. A person dealing with finances (handling receipts, travel logs, assistance in preparation of financial reports) is a member of YIHR Croatia with extensive experience in NGO administration and is hired periodically. Further, YIHR Croatia regularly takes interns who are offered education and who participate in the implementation of YIHR Croatia's programs/projects through field research in Transitional Justice Program, background research, education projects, human rights monitoring and regional projects. Finally, YIHR Croatia has a network of activists (volunteers) significant part of which are the alumni of YIHR Croatia's projects.

HISTORY, MAIN ACHIEVEMENTS, OUTCOMES TO DATE

In early 2012, after extensive consultations with members, staff, volunteers, other YIHR

organizations in the region and partners, YIHR Croatia adopted its Strategic Framework for the period 2012 – 2015. As mentioned above, YIHR's work is since then organized in four programs: **Transitional Justice Program, Youth and Education Program, Regional and EU Program and Human Rights Advocacy Program.**

Transitional Justice Program

From its establishment, YIHR has been focused on transitional justice. YIHR started developing its programs in a way that they directly support, initiate or strengthen transitional justice processes in Croatia. As a topic, transitional justice has been a central part of not just this Program, but also the Regional and EU Program and Youth and Education Program.

Reporting (Regional Report on Transitional Justice)

During 2011 and 2012, YIHR Croatia worked on a research for a regional report *Transitional Justice in Post-Yugoslav Countries*. The subject of this report are relevant events in the transitional justice arena in the successor countries of the former Yugoslavia: trials for war crimes committed in the period 1991-1999, institutional reform referring to lustration, approach that institutions and public have to convicts, media reporting about war crimes, truth commissions, work of civil society organizations on documenting facts about war crimes, resolution of the issue of missing persons, return of refugees, reparations, memorials. The report was made in joint efforts of the Humanitarian Law Center, HLC Kosovo, Youth Initiative for Human Rights in Croatia, Center for Research and Policy Making from Macedonia, Transitional Justice, Responsibility and Memory Association in Bosnia and Herzegovina from Sarajevo, the Centre for Democracy and Transitional Justice from Banja Luka and Civic Link from Slovenia.⁸

Research and Criminal Charges

YIHR continuously conducts research on war crime cases. The methodology used varies from case to case, depending on the circumstances, the possibility of access to first-hand sources and the goals of research. Three basic methodologies that YIHR uses are (a) field research, (b) basic research and (c) acting in individual cases reported to YIHR. YIHR does not implement systematic research on all war crimes or human losses from the conflict, but rather acts in specific cases where there is need for reasons such as lack of involvement from the institutions, lacking legal framework or political pressure.

⁸ See: <http://www.zarekom.org/news/Transitional-Justice-in-Post-Yugoslav-countries--Report-for-2010/2011.en.html>

YIHR conducts field research during which its researchers take statements from victims and witnesses of war crimes, members of families of victims etc. They also seek to collect other documentation that might be used to prosecute war crime cases.

In certain cases, YIHR conducts basic research to get background information or a basic overview of a crime(s). This is usually done in cases where those information are needed for public advocacy or for an assessment of the possibility or need to implement field research. Basic research can include site visits and interviews on a location but these interviews are not collected as statements to be used directly for prosecution purposes.

YIHR receives individual reports about war crimes from witnesses and victims. In those cases, YIHR assesses if it can offer help to the persons reporting it related to supporting prosecution or compensation and acts accordingly.

So far, YIHR has directly worked with victims of crimes committed in Petrinja, Sisak, Dvor, Vukovar, Vinkovci, Pakrac, Zagreb, Split (Žrnovnica), Medak Pocket, Osijek and with victims of crimes committed during the operations *Flash* and *Storm*. In 2014, YIHR will focus partially on crimes committed during the *Croat-Bosniak War* (1992-1994) in cooperation with YIHR in Bosnia and Herzegovina.

Three criminal investigations were started by the State Attorney's Office partially based on YIHR's research, two of which after YIHR's criminal complaints. Both that were based on YIHR's criminal complaints were complaints against superior commanders. YIHR sees this as significant success.

Supporting Prosecution of Wartime Rape

YIHR conducted a comprehensive research with four main components: (a) research and analysis of the ICTY jurisprudence related to prosecution of wartime sexual crimes, (b) research and analysis of domestic (Croatian) jurisprudence in the same issue, (c) research and analysis of jurisprudences in the same issue in other jurisdictions and (d) research about the domestic context regarding the state of prosecutions of wartime sexual crimes. This research was conducted under YIHR's Transitional Justice Program and as a part of a project that seeks to facilitate effective prosecution of wartime rape committed during the 1991 -1995 conflict on a national level and to provide victims of crimes of sexual violence committed during the 1991 – 1995 conflict adequate access to justice (the project is supported by the British Embassy in Zagreb, Croatia). YIHR now has the overview of the

Croatian jurisprudence in cases of wartime sexual violence and its comparison to other jurisdictions.

In January 2013, YIHR organized a public discussion on the issue. The participants of the discussion, apart from YIHR, were representatives of other human rights organizations, victims' organizations and representatives of the institutions.

In March 2013, YIHR organized an expert panel on prosecution of wartime rape at the UNDP in Zagreb. The meeting was participated by representatives of international organizations, human rights organizations, experts in trauma, legal experts, members of Parliament and representatives of victims' organizations.

Witness Protection

YIHR has pressed charges on 15th May 2012 with the Zagreb County State Attorney's Office against Branimir Glavaš (a Croatian general and politician convicted of war crimes in Osijek currently serving the sentence in Mostar) for the unveiling of the identity of protected witness. He and his associates have repeatedly named a protected witness to the media and the full name and a photograph of the witness is published on his website. The witness gave his testimony on 16th December 2008 under the alias 'protected witness 06'. If this case gets prosecuted it will be the first case for the unveiling the identity of a protected witness and will be very important for the development of jurisprudence and for the stopping of impunity for these acts. To date YIHR has not received any information from the State Attorney's Office regardless of repeated inquiries.

After the submission of the charges, YIHR held a press conference about the case that attracted significant attention from the media. On 18th May 2012, the Croatian Democratic Alliance of Slavonija and Baranja (HDSSB), a political party that Glavaš founded, held a press conference about the submission from YIHR. Speakers of the conference were Vladimir Šišljagić, Osijek-Baranja Prefect and the President of the Party; Krešimir Bubalo, Mayor of Osijek; Ivan Drmić, Chief Secretary of the Party and an MP and Zoran Vinković, the Mayor of Đakovo. The members of HDSSB have dismissed the arguments raised by YIHR and have repeatedly called YIHR an *anti-Croatian force*. YIHR has reported about the problems in witness protection to the relevant national and international human rights mechanisms.

Memorialization

YIHR organized a round table on memorialization on 6th November 2012 in cooperation with the ICMP and the Association of Families of Missing

and Killed Persons 'Tear/Suza'. The topic of the round table was *Memorialization in Croatia: Circumstances and Perspectives of Marking the Sites of Atrocities from the War between 1991 and 1995*. The goal of the round table was to analyze the perspectives of marking the sites of atrocities, especially those committed against Serbs as the initiatives to mark them are often met with criticism and disregard. The participants of the discussion were members of families of victims, human rights activists and scholars.

The round table was the final event of the project that YIHR and 'Tear' were implementing since 2009. During this project, the partner organizations were implementing various activities that aimed at raising awareness of the importance of memorialization. This was done through several commemorative activities and direct work with families of victims.

Missing Persons

YIHR has been monitoring the work of the Administration for Imprisoned and Missing Persons. It has reported about the work of the Administration to relevant domestic and international institutions and organizations. In 2012, the President of Croatia asked YIHR for a report on the work of the Administration.

Apart from the monitoring and research, YIHR has, on several occasions, informed the police and the Administration about the probable locations of remains of missing persons, based on the information provided to YIHR by victims' family members and witnesses.

The RECOM Initiative

The Coalition for RECOM is a non-political regional gathering of civil society organizations. It consists of a network of more than 1800 non-governmental organizations, associations, and individuals who represent and promote the Initiative for RECOM towards the establishment of a Regional Commission Tasked with Establishing the Facts about All Victims of War Crimes and Other Serious Human Rights Violations Committed on the Territory of the Former Yugoslavia in the period from 1991-2001 (RECOM).

YIHR and Documenta are coordinating organizations of the Coalition for RECOM in Croatia. YIHR has been a member of the Coalition since YIHR's establishment. During the process of consultations for forming the mandate of the future Commission, YIHR was involved in a way that it organized several consultations (national and regional) and its members were speaking and holding presentations at over 20 events held across the region.

In 2011, YIHR Croatia and YIHR Serbia coordinated the widest ever signature-collection campaign in the region of the Western Balkans. The campaign has gathered over 550.000 signatures of citizens of the region and was participated by over 1.000 mostly young people as volunteers.

Currently, YIHR is leading, with the Public Advocate for Croatia prof. Žarko Puhovski and in coordination with the regional team of organizations and advocates, public advocacy efforts for the establishment of RECOM.

Advocacy Round Tables

On several occasions, YIHR has organized round tables about specific crimes that are being denied, the perpetrators of which are being shown as heroes or are not being prosecuted. Most notable round tables were held in 2010 about the crimes committed in the Medak Pocket and in 2011 about the crimes committed by a Special Police Unit lead by Tomislav Merčep. At both of the round tables the victims gave public testimonies and specific recommendations were expressed at the institutions. The State Attorney's Office later pressed charges against Merčep, after a long investigation and after significant documentation was delivered to it by the ICTY.

OSCE Trainings on Monitoring of War Crime Trials

The Organization for Security and Cooperation in Europe (OSCE), as a part of their exit strategy from Croatia, has organized training on monitoring of war crime trials for local NGOs. Several human rights and professional organizations were involved and YIHR was one of them. The goal of these trainings was to transfer the experience in monitoring of war crime trials from the OSCE to the local organizations. During the trainings, participants had the opportunity to learn about practical information related the monitoring of war crime trials: legal aspects, writing reports, code of conduct, presentation of reports, media campaigns, etc. OSCE staff and international experts held the presentations. Also, seminars included workshops in which participants could gain more practical knowledge. The dates and topics of the seminars were as follows: (1) *Code of Conduct for Trial Monitors*, 19th May 2012, (2) *War Crime Trial Monitoring Methodologies*, 18th June 2012, (3) *International Standards of Fair Trial*, 26-28 June 2012, (4) *Reporting from Trials and Efficient Communication Strategy*, 03-05 October 2012.

Alliance for Historical Dialogue and Accountability

In 2012, YIHR's Director participated in a fellowship of the *Alliance for Historical Dialogue and Accountability* at the Institute for the Study of

Human Rights of Columbia University in the City of New York. During the fellowship, a project that aims at implementing activities through which young people in Croatia and Bosnia and Herzegovina will work together on forming a shared (fact-based) narrative was developed. The project is at the fundraising stage and is planned to be implemented in 2013 and 2014.

Youth and Education Program

My Initiative Network

My Initiative is a regional activist network of young people that advocates respect for human rights, dealing with the past and the involvement of youth in socio-political life of the communities throughout the region. In Croatia, My Initiative was established soon after YIHR Croatia. My Initiative organizes public actions, activist initiatives and campaigns. The number of members of My Initiatives varies significantly as they are mostly organized around specific actions or campaigns. However, My Initiative has a network in around a dozen towns in Croatia and has had up to 200 members (during the RECOM signature-collection campaign).

Educational Seminars on Transitional Justice

In 2009, 2010, 2011 and 2012, YIHR organized different types of educational seminars on transitional justice. Some of the seminars were short (one-day) on the introduction to the topic or were presentation on specific mechanisms.

On several occasions, YIHR organized presentations of the ICTY for university students in partnership with the ICTY Outreach Programs.

In 2012, YIHR published an open call for applications for a comprehensive training program in transitional justice. The call was published by several news-websites, websites of partner NGOs and was circulated through student web-services (e.g. *Studomat* and *Eduneta*). Every session was organized in an interactive way, either as a lecture with a discussion or as a practical workshop. The first goal of these training is to offer the opportunity to interested youth to learn about transitional justice issues – a topic that is heavily underrepresented in institutional academic and schooling programs. The second goal is to provide basic knowledge about transitional justice to those young people who are interested in working in the field and later possibly include them in the internship program.

Prior to the implementation of educational seminars, YIHR has contacted several other NGOs and institutions or international organizations working in the area of transitional justice to acquire both their inputs for the design and implementation

of this training as well as to include them in its implementation. YIHR contacted the International Center for Transitional Justice (ICTJ) and later used their material in the trainings. YIHR has also cooperated with the OSCE Mission to Croatia, the ICTY Outreach Program and Liaison Office in Croatia, Croatian NGOs monitoring war crime trials (Documenta, Civic Committee for Human Rights and Center for Peace, Non-violence and Human Rights), regional NGOs such as the Humanitarian Law Center (Serbia), the Coalition for RECOM etc.

Internships

YIHR regularly takes interns. So far, YIHR had around 20 interns participating in its work. YIHR is a part of the network of the European Regional Master's Degree in Human Rights and Democracy in South East Europe (ERMA). It is an intensive one-year Master programme established through the joint efforts of the participating universities and coordinated by the Universities of Sarajevo and Bologna. During the program, students do internships in human rights organizations in the region.

In 2012, YIHR organized a comprehensive Internship Program as an (a) educational and (b) practical program.

YIHR organized Training on Collecting Statements from Witnesses and Victims for the group of interns who were interested in this area of YIHR's work. During the training, it has been explained about how statements should be taken; from details related to communication with victims and witnesses to technical aspects. This was also a wider discussion on how an NGO can support prosecution process (i.e. how are the statements delivered, how they can and should be used). Part of the training also dealt with the confidentiality of the process of dealing with statements. Several interns later participated in YIHR's field research.

As YIHR started working to support the prosecution of wartime sexual violence cases, several interns were interested in participating in those activities. For that purpose, YIHR organized training on this topic.

Several interns demonstrated interest in memorialization efforts. For this reason, the project team gave them written material on the topic and offered examples of memory projects implemented in the region. Further, some of them conducted a basic research about the discussions on memorialization in Croatia. They later participated in the study trip organized by the International Commission on Missing Persons (ICMP) and in the organization of a round table on the topic.

Basic Human Rights Education

In 2013, YIHR formed a partnership with the Human Rights House Zagreb in order to organize periodical basic human rights seminars in Zagreb aimed at students. Two types of trainings will be organized: (a) introductory seminars and (b) seminars on specific topics. At the moment, the two organizations are preparing the curriculum. The trainings are planned to start after the summer 2013.

Commemorative Activist Actions

YIHR organized commemorative activist actions on several occasions to commemorate crimes that are being widely denied or are being relativized by the general public. Some of the crimes YIHR has commemorated through actions in 2009, 2010, 2011, 2012 and 2013 are: crimes committed during the operations of Croatian forces *Flash* and *Storm*, crimes committed against civilian population by the Serbian forces in Vukovar and crimes committed by the Croatian forces and the forces of Bosnian Croats in Lašva Valley in Bosnia and Herzegovina.

Activist Action for Cooperation with the ICTY

An activist action "Where are the military documents?" was implemented on several occasions and it involved pasting stickers with the words "Where are the military documents?" in downtown Zagreb, sending open letters to the Government of the Republic of Croatia, an on-line petition for establishing full and unconditional cooperation with the ICTY and printing t-shirts with various messages which activists and members were dressed in at St Mark's Square at the time of the Croatian Government session, considering that public assemblies around the premises of the Government and the Croatian Parliament were at the time illegal. The action was implemented in the wake of significant pressure put on the Croatian Government by the ICTY to deliver the documents requested by the Office of the Prosecutor.

Crime is NOT an Honor

Crime is NOT an Honor is an activity implemented in 2009 through which YIHR demanded that towns and counties in the Republic of Croatia strip those convicted of war crimes off their titles of honorary citizens. This activity entailed sending memos to all towns in the Republic of Croatia, which, pursuant to the Act on the Right of Access to Information (Official Gazette No. 172/03), were requested to deliver their lists of honorary citizens. Upon this, YIHR analyzed the information collected and contacted local organizations and media outlets regarding those towns that had not delivered the information requested. To those towns where the ones convicted of war crimes are honorary citizens,

YIHR sent a request to revise their lists and launch a debate on stripping them off the title. This request was upheld by numerous civil society organizations from Croatia and the region and a number of public figures; actors, TV hosts and editors, journalists, singers, prominent intellectuals and alike. A group in support of this request was created on the social network Facebook, gathering several hundred members. YIHR's activists mostly coordinated this activity. Regardless of wide support YIHR received, to our knowledge none of the towns or counties acted upon YIHR's requests.

Regional and EU Program

YIHR Regional Network (Regional Coordination)

As mentioned above, YIHR Croatia is a part of the Regional Network of the Youth Initiative for Human Rights with organizations also in Bosnia and Herzegovina, Kosovo, Montenegro and Serbia. The Regional Network is headed by the Regional Coordination; a body comprised of the directors of YIHRs in the region. The organizations of the network implement several common activities and coordinate their work on a daily basis. However, after the transformation in 2010 through which Regional YIHR changed its status from a regional organization into a regional network, there has been a decline in the intensity of the regional cooperation. A strong priority will be given in 2013 and 2014 to strengthen regional cooperation. Already several new regional projects and programs are being implemented by the Network and more are being fundraised for. The most important program in this sense is the Regional Exchange Program.

Regional Exchange Program

The Regional Exchange Program (REP) is the most consistent and the longest-standing program of YIHR regionally. Recently, YIHR Serbia produced a documentary film *Personal Maps* by the author Srđan Keča. The film will be screened in 2013 symbolically as a part of the 50th anniversary of the Franco-German Youth Office. The screenings will mark a start of a comprehensive advocacy campaign to establish a formal exchange program among the countries in the region aimed at youth. YIHR Croatia held a meeting with the Ministry of Foreign and European Affairs in 2011 where initial political support for it has been gained. At the moment, YIHR is awaiting a confirmation of the date for a meeting with the Croatian President to formally ask for political support for the program. Funds for several activities of the program have been secured, where the bigger part is being fundraised for from the European Commission. Parts of this program are the activities for the promotion of cooperation among young politicians in the region.

Regional Cooperation among Young Politicians

YIHR Croatia implemented the project *Political Youth Regional Cooperation* supported by the BTM in 2009/2010. The project's general objective was to support youth participation in decision-making processes related to human rights agenda in the process of European integration and to strengthen regional cooperation among politically active youth. The project was implemented successfully, resulting with a list (booklet) of recommendations for the governments in the region in respect to human rights standards and regional mobility and cooperation. The recommendations were constructed and written by the members of youth branches of political parties from all the countries in the region and were later presented in all the capital cities (Zagreb, Sarajevo, Podgorica, Belgrade, Prishtine). Before writing the recommendations, the young politicians learned, at a working conference in Zagreb, about the transitional justice issues, regional cooperation and have discussed the state of regional mobility with experts and the leading political figures in Croatia (Kristian Turkalj, at the time the negotiator of Croatia with the EU for the visa and border policy, Vesna Pusic, at the time the President of the Parliamentary Committee for Monitoring the Negotiations of Croatia in the EU, now the Minister of Foreign and European Affairs).

As one of the conclusions, YIHR Croatia had stated in the final project report the following: *During the discussions between the young politicians, the YIHR noticed the need to establish systematic exchange between young people in the region in order to create conditions for successful regional cooperation, especially on issues burdening the whole region.*

Regional Youth Actions

Apropos International Day of the Disappeared, August 30, 2009, a regional action was implemented on social networks Twitter, Facebook and MySpace. My Initiative network activists across the region pasted into their status the following text: Do you know where your loved ones are? Help others learn too. We demand that governments in the region locate nearly 16,000 people who are still unaccounted for on the territory of the former SFRY. August 30 – INTERNATIONAL DAY OF THE DISAPPEARED. According to the network's records, several hundred people in the region put this text into their status.

On the 4th of November 2010, YIHR Croatia and YIHR Serbia organized a meeting of youth activists from Belgrade, Vukovar and Zagreb in Vukovar, apropos the meeting between the President of the Republic of Croatia and the President of the

Republic of Serbia. On this occasion YIHR activists cast flowers into the Vuka River from the bridge in downtown Vukovar, thus honoring all the victims of war in Vukovar. YIHR also organized a lunch for young activists, during which the people who survived the war waged in Vukovar, whose family members or they themselves were the victims of war crimes, addressed them.

YIHR Croatia and YIHR Serbia have organized a public action in Vukovar on 31st August 2012. The action was participated by YIHR's activists from Croatia (Zagreb and Vukovar) and Serbia. Interns from the Transitional Justice Program were involved in planning and implementation of the event. The action had three parts: (a) a public school class, (b) restoration of the Europe House's backyard and (c) visit to the memorial sites in Vukovar and Ovčara. The action was co-organized with the local administration in Vukovar and Danijela Stanković, Deputy Mayor of Vukovar, participated in the public school class.

Sarajevo Film Festival: DocuCorner

Every year, YIHR participates in the Sarajevo Film Festival at the *DocuCorner*, where it organizes discussions of young human rights activists from the region on human rights issues raised by the documentary films shown at the Festival. YIHR puts special emphasis on the issues of dealing with the past in the Balkan region.

Regional Study Trips

The International Commission on Missing Persons (ICMP) organized 3 study trips and workshops for the YIHR Regional Network between 2010 and 2012 in Sarajevo, Podrinje and Potočari. The participants of the study trips learned about the issue of missing persons, processes of identification and search for remains and have met with the families of missing persons, organizations and institutions working on the issue.

European Grassroots Antiracist Movement

YIHR Croatia, together with the other YIHRs in the region signed the Manifesto of the European Grassroots Antiracist Movement on November 2, 2010 in Paris, at a conference organized by the French organization "SOS Racism" (SOS Racisme). Besides representatives of YIHR, the Manifesto was signed by more than 30 non-governmental organizations from 25 European countries, which this movement is currently comprised of. The EGAM implements its activities both at the local (grassroots) and the European level.

Human Rights Advocacy Program

Research on Human Rights Mechanisms

YIHR conducted in 2012 a comprehensive research on international human rights mechanisms. For around a decade, most of the human rights organizations have focused on the EU mechanisms as the EU had strongest tool to put pressure on Croatian authorities. During this process, human rights organizations have neglected other international mechanisms. YIHR has thus implemented this research and has been, in part, helped by the Amnesty International (London, UK) and TRIAL (Geneva, Switzerland).

Reporting

In March 2011, YIHR has published a report *Against Immunity of Power: Prosecution of War Crimes in Croatia*. This report had three central chapters as follows: Partiality of Investigative Bodies and Courts, Examples of Insufficiently Investigated and Inadequately Prosecuted Crimes, Non-prosecuting or Inadequate Prosecuting of Powerful Military and Political Personnel. The aim of the report was to map the basic problems which disable proper and impartial functioning of investigative and judicial institutions in the Republic of Croatia, as well as to point out the ever-present problem of political pressure on the judiciary, which disables an efficient and impartial functioning of the judicial system.

In June 2012, YIHR submitted a Shadow Report to the United Nations Human Rights Committee (UN HRC) for the Adoption of List of Issues Prior to Reporting in the 105th Session. This was the only report that the UN HRC received from a local NGO that deals with the issues of transitional justice. YIHR has systematized the report as follows: (1) Failure in addressing prevailing discriminatory practice in investigation and prosecution of war crimes, (2) Failure in ensuring efficiency and impartiality of judicial framework in the prosecution of war crimes, (3) Lack of political will to prosecute war crimes, (4) Inadequacy of existing domestic legal framework for the prosecution of crimes of sexual violence (the report is attached as Attachment 18).

On 03rd September 2012, YIHR has delivered a report to the European Delegation as an NGO Submission of Shadow Briefing to the European Commission regarding Monitoring Report 2012 on Croatia's Accession. The report was systematized as follows: (1) Inadequate measures taken to improve in judicial framework for prosecution of war crimes, (2) Failure to implement and enforce witness protection legislation, (3) Failure to ensure impartial practice in the prosecution of war crimes, (4) Inadequacy of existing domestic legal

framework for the prosecution of crimes of sexual violence, (5) Lack of real political commitment to investigate and prosecute war crimes (the report is attached as Attachment 19). A foreword was prepared for the report that stressed the following: *This report presents opinion of YIHR on Croatia's development and progress, or lack thereof; towards meeting its pre-accession commitments and requirements under Chapter 23 following the monitoring report issued by the European Commission on April 2012; with a particular focus on its handling of domestic war crimes cases. This opinion is based upon the result of our continuous monitoring and observations in this area; in preparation of our delivery of a comprehensive report to the United Nations Human Rights Committee in July 2012. We are aware of the measures and strategies implemented to improve the tackling of impunity for war crimes. However, we are still concerned that several issues in this area remain unaddressed; and we remain unconvinced of the political commitment and efforts demonstrated by the Croatian Government in addressing these issues. We hereby present our requests in that urgent attention to need to be paid to these areas and that additional action need to be taken in order to ensure efficient and impartial prosecution of war crimes.*

Zagreb Pride

In 2012, the Coordinator of YIHR's Human Rights Advocacy Program was a member of the Organizing Board and the Spokesperson for the annual LGBTIQ *Pride Parade* in Zagreb. YIHR also logistically supported the organization of the *Zagreb Pride* by providing space for meetings, material, equipment and alike.

Objectives

This part of the paper describes YIHR's objectives for the following period through a presentation of its planned activities.

Transitional Justice Program

In the future period, the Transitional Justice Program will remain a strong component of YIHR's work. YIHR has developed substantial capacity to monitor, support and initiate the processes of transitional justice. YIHR's reports are being used by international organizations such as Amnesty International and TRIAL and they attract more media attention. Most of the media in the country reported on the recent presentation of the abovementioned regional report. Further, institutions have shown more interest in YIHR's monitoring conclusions and the State Attorney's Office is now more responsive to YIHR's submissions and charges.

Reporting

In the following period YIHR will continue to monitor and report on the progress and problems in transitional justice process in Croatia. This will be done in two main ways: (a) specific reports for institutions, international human rights mechanisms, international organizations etc. and (b) through cooperation with other transitional justice organizations in the region on comprehensive regional reporting on transitional justice.

Documentation and Criminal Charges

YIHR continues its work on documentation. In the following period YIHR is looking to intensify its research and documentation efforts and strengthen its capacities by hiring more researchers. Cases that remain in YIHR's focus are those cases that have not been adequately investigated by the Croatian authorities or for which there are either political or formal/legal/institutional challenges. These cases, as identified by YIHR are the following groups: (a) crimes committed by Croatian forces, (b) crimes committed in Bosnia and Herzegovina, (c) crimes of sexual violence and (d) crimes for which high-level officials hold command responsibility.

YIHR will also continue to evaluate cases individually and press criminal charges where found necessary. This has proven to have impact in the past.

YIHR will focus on strengthening witness protection through advocacy work and strategic reporting on cases of violation of witness protection.

Outreach

It has been noticed that even after convictions, war criminals often keep their societal "heroic" status. This has been especially noted in cases where they are still socially or politically active. For this reason, YIHR recognizes the need to focus more on outreach efforts, especially at the local level. YIHR will thus organize round tables, presentations of established facts, implement small-scale local campaigns and activist actions to direct the attention towards victims and away from the perpetrators.

The RECOM Initiative

YIHR remains loyal to the RECOM Initiative. In the following period, the crucial activities are those of public advocacy, as it is needed to finalize the transfer of the initiative from civil society to institutions and officials. YIHR will focus on providing support to the Public Advocate in Croatia

and the regional advocacy team and also to coordinate its efforts with the Coalition for RECOM and partner organizations in the region. YIHR Serbia is starting an on-line campaign for RECOM in which YIHR Croatia will participate fully to ensure its widest possible reach, especially among young people.

Litigation

YIHR has been cooperating with TRIAL since 2011. The main objective of TRIAL is to put the law at the service of the victims of international crimes (genocide, crimes against humanity, war crimes, torture and forced disappearances). In this sense, TRIAL: (a) fights against the impunity of the perpetrators and instigators of the most serious international crimes and their accomplices, (b) defends the interests of the victims before Swiss tribunals, international human rights organisms and the International Criminal Court and (c) raises awareness among the authorities and the general public regarding the necessity of an efficient national and international justice system for the prosecution of international crimes.⁹

In the following period TRIAL plans to initiate a program in Croatia. Through this program, TRIAL would formally partner with YIHR as a local organization as they do not plan to open an office. YIHR's role will be to directly work with victims, implement necessary research, collect documentation and formally participate in the litigation in front of international courts and human rights mechanisms.

Youth and Education Program

Transitional Justice Education

YIHR has noted the importance of transitional justice education and has had specific success in more intensive programs. However, for the reason of the lacking resources, most of YIHR's educational activities only targeted youth in the capital (Zagreb). In the future period, YIHR will strongly focus on education on transitional justice for youth in local, war affected communities. These communities have a stronger need for transitional justice activism on a local level. YIHR will focus on three areas: (a) Osijek and Vukovar, (b) Pakrac and Petrinja and (c) Knin. In those areas, YIHR will educate youth on transitional justice issues and help them develop capacities to get involved and support the processes of transitional justice and dealing with the past. YIHR has had very good experience with the internship program implemented in 2011/2012 and will use a similar methodology in these areas. YIHR will target university students.

⁹ See: <http://www.trial-ch.org/en/about-trial.html>

Basic Human Rights Education

As mentioned above, in cooperation with the Human Rights House Zagreb, YIHR will develop and start implementing in 2013 a program for basic human rights education. There is an obvious lack of such a program, while at the same time there are very little formal programs at which the students could learn basics in human rights. Same as for the transitional justice education, YIHR and the Human Rights House Zagreb will take interns and place them in different human rights organizations (including YIHR) based on their specific human rights interests.

My Initiative Network

Further development of the activist network is a crucial component for YIHR's successful work, especially on the local level. The interns that YIHR will take on the local level will assist in developing stronger-linked activist network. Also, the strengthening of the Regional and EU Program, especially the Regional Exchange Program both requires and strengthens YIHR's activist network.

Regional and EU Program

Regional Exchange Program

Since it was founded, the Regional YIHR has been implementing an exchange program for youth, journalists and other civil society actors in the region, where specific focus has been put on exchange between Serbia and Kosovo. Over two thousand people have participated in this program so far. YIHR Croatia, although it was established after this program has been implemented for years, strongly recognizes the need for its existence and cooperates fully with other YIHRs in the region to strengthen it and develop it further.

YIHR will continue implementing its Regional Exchange Program following the vision of the establishment of national exchange institutions, following the French-German example, in the countries in which the YIHR is active. These institutions should work on the establishment of new connections between young people in the countries successors of the former Yugoslavia.

In 2013, YIHRs in the region will start promotional activities and public advocacy for the establishment of a formal Regional Exchange Program among the states of the region. This year is especially symbolically important as it is the 50th anniversary of the Franco-German Youth Office.

Regional Cooperation among Young Politicians

On the basis of conclusions from a project YIHR implemented in 2009/2010, the *Regional*

Cooperation among Young Politicians aims to support the establishment of a sustainable regional platform for cooperation of politically engaged youth on issues of regional cooperation, human rights, youth mobility and transitional justice. The project intends to contribute strategically to remedying current situation by connecting politically active young people, building solidarity and supporting the establishment of a regional constituency of young people committed to sustained conciliation and peace in the region's further integration into the EU.

Domestic Outreach of War Crime Trials

YIHR developed a program that would make possible that the information of domestic war crime trials are easily accessible to the public and that the conclusions and established facts reach the wider public, especially youth and victims' families and associations. The program was developed in partnership with the ICTY Outreach Program and is currently being fundraised for.

The major components of the program are: (a) Establishing an online database containing comprehensive yet user-friendly information about and judgments of domestic war crime proceedings; with the final outcome of transferring maintenance and management of the database to the domestic judiciaries. The database will also contain other sources of information (documents, analysis, academic articles) about the application of international criminal law by domestic judiciary in the region. (b) Establishing a physical library containing hardcopy resources of information about and judgments of domestic war crime proceedings; with facilities that enable access to those without computers or Internet to these materials. (c) Organizing public presentations and round table discussions of the factual findings and judgments of domestic war crime proceedings in the local communities and round table discussions on the international humanitarian law at the major universities. (d) Encouraging the participation and cooperation from the domestic judiciaries in the provision and public dissemination of information regarding domestic war crimes proceedings; with the purpose of placing these institutions as primary source of information.

Fostering Inter-Ethnic and Cross-Sector Exchange between Scholars and Activists on Historical Dialogue and Transitional Justice in the Western Balkans

The project *Fostering Inter-Ethnic and Cross-Sector Exchange between Scholars and Activists on Historical Dialogue and Transitional Justice in the Western Balkans*, is designed to facilitate dialogue and co-operation among researchers, scholars and civil society activists from all post-

Yugoslav states, as well as to improve exchange of information and experiences between them and their peers from other post-conflict regions and elsewhere. Under the project, an international conference will be organized, focusing on the issues of historical dialogue, politics of history and transitional justice in the Western Balkans, where scholars, researchers, civil society activists and policy-makers from institutions in the region, will gather to discuss and present their work. As a follow-up, the papers presented in the conference will be published in the academic journal of the Institute for International Relations (Croatia). The contacts established between the participants of the conference, and an exchange of information and experiences between them, will continue through an online platform which will be developed for this purpose.

In organizing the Conference and other project activities, YIHR will heavily rely on assistance of, and co-operation with, its partners from the Coalition for RECOM, i.e. the Humanitarian Law Centre (Serbia), Centre for Civic Education (Montenegro), Humanitarian Law Centre Kosovo, Centre for Democracy and Transitional Justice (B&H), Association Transitional Justice, Accountability and Remembrance in Bosnia and Herzegovina, Civic Link (Slovenia), Centre for Research and Policy Making (Macedonia) and other YIHRs in the region. Further, in preparation of the academic part of the conference, and in implementation of the latter two phases of the project, YIHR will closely cooperate with the Institute for International Relations from Zagreb, as well as with the Alliance for Historical Dialogue and Accountability (AHDA) of the Institute for the Study of Human Rights at Columbia University (New York, NY, USA).

Human Rights Advocacy Program

Reporting

Based on the research YIHR implemented about the international human rights mechanisms, the organization will continue and intensify reporting to these mechanisms. These include mechanisms of the United Nations, Council of Europe, OSCE, EU and others. YIHR will also report to the designated institutions in Croatia such as parliamentary committees and Ombudsman Office.

Strengthening Capacities of Local Human Rights Organizations

Through its Human Rights Advocacy Program and its cooperation with international organizations, YIHR will organize trainings for local human rights, youth and minority organizations on reporting to the international mechanisms for human rights. Through this, YIHR intends to strengthen local

organizations to produce submissions for the mechanisms that are again becoming increasingly important in the wake of Croatia's joining the EU. The number of trainings held will depend on the interest from the local civil society.

Global Networking

YIHR Croatia, as well as other YIHRs in the region, is a part of several global networks of youth organizations active in the field of democratization. These are the *World Youth Movement for Democracy* and the *Democratic Youth Network*.

However, YIHR notes a lack in concrete sustainable cooperation of youth organizations dealing with transitional justice. For this reason, YIHR developed an initiative for a global, closely tied network of youth organizations dealing with transitional justice. During the development stage, YIHR was assisted by the International Center for Transitional Justice, International Coalition of Sites of Conscience and the Institute for the study of human rights at Columbia University. The network represents a common endeavor of youth organizations from various post-conflict and post-authoritarian areas that strive to build a new global generation that seeks justice, accountability, truth and memory of past atrocities, learns from them and works to promote and support transitional justice mechanisms to minimize the risk of recurrence of widespread violations of human rights. Based upon the global solidarity among youth, the network builds a platform for the exchange of practices, knowledge and experience as well as provides prerequisites for sustainable and constant global cooperation among youth organizations tackling the legacies of violent past in their societies. Apart from the Regional YIHR's activities, the development of this network will be a priority for YIHR Croatia's international work.

Organizational Development

This part of the paper deals with YIHR's organizational development. It contains information on what is seen by YIHR's team as most important issues for securing the stability and sustainability of the organization.

Sustainability

Most of the donor community supporting democratization and transitional justice has pulled or is pulling its programs and funding from Croatia. This has left a situation in which human rights organizations are turning towards the EU funding and funding from local sources, such as domestic institutions. However, several of YIHR's activities, especially in the Transitional Justice Program

cannot be funded from domestic institutions for two main reasons: (a) either they are not in the priority areas of the existing funders or (b) they are tackling situations that are still seen as controversial by domestic institutions. Since YIHR is not an organization driven by donor opportunities, but rather one that remains loyal to its values and programs based on actual needs of its target groups and the society, YIHR formed a Sustainability Working Group to find new ways of funding. Consultations were held among YIHR's staff and members, Board members, partners, friends of the organization and persons with experience who were able to help with advice.

In the following period, YIHR will devote significant efforts to reach a situation of organizational sustainability through several main components.

Regional Programs

YIHR will focus on regional programs and funding for national efforts through regionally designed programs, as funding opportunities for regional human rights, transitional justice and reconciliation efforts still exist in the Western Balkans. Although there are several donors who design their regional programs in a way that Croatia is excluded, several still support regional initiatives. Special focus will be given to EU funding of regional and cross-border efforts. YIHR has also developed several programs in partnership with international organizations and institutions (such as the ICTY) that stand better chances to be funded.

Social Entrepreneurship

YIHR has developed a concept of a social entrepreneurship, a business that will be established and owned by YIHR. This firm will do the following: (a) on-line advertising, (b) graphic design and (c) web design. This set of services was chosen because they require very little investment. In 2012, Croatia introduced legislation that makes it simpler and less costly to establish a business, as well as certain benefits for social entrepreneurship. YIHR has formed a network of freelance designers that will act as part of YIHR's business team.

Global Network

As mentioned above, YIHR lead the concept development for the *Different Generation Network* – a global network of youth organizations dealing with transitional justice. The network is planned to be formally established in the second half of 2013. Support for its fundraising efforts will be provided by a New York-based organization *Philantropia*. Part of the funding for the network will also be secured through *crowdfunding* platforms as the network seeks to promote solidarity among youth across borders where youth in developed

democracies support youth in transitional countries and those countries still heavily burdened by their violent pasts.

Further Professionalization

In the course of 2011 and 2012, YIHR Croatia underwent significant organizational transformation. Before these changes, YIHR Croatia had a small membership of 9 people. Now, the number of members is 25. The new members are people who have participated in YIHR Croatia's work, who have helped its work in a significant way, the new Board members and the representatives of other YIHR's from the region. All of the new members understand and respect YIHR's goals and methods and share its vision and mission. By this, YIHR Croatia made a stronger membership base rather than simply widened the membership.

YIHR Croatia previously had the Assembly (all members) and the Executive Board (coordinator and two other members elected by the Assembly). After the changes it has the Assembly (as before), Governing Board (director and 4 other members elected by the Assembly) and the Program Coordination. The Program Coordination is established by the director (in the future by the Director of Programs) and will be confirmed by the Board. It is comprised of YIHR Croatia's activists/employees and members with the ability to monitor, support and further develop respective programs, as outlined by the Strategic Framework. Members of Program Coordination are program coordinators and act together as an executive body.

Based on the decision by YIHR's Board, the position of the Director will be split in two to allow for further professionalization and better division of responsibilities, but also to minimize the conflict of interest. In March 2013, YIHR published a call for applications for the Executive Director position. YIHR's current director will, after the employment of the Executive Director, become Director of Programs. This way, YIHR will have a person in charge of its programmatic aspect and a person in charge of administration. Director of Programs will be elected by the Assembly and will serve in the Governing Board, while the Executive Director will be hired by the Board.

In the following period, YIHR aims to secure stable funding to ensure that the main staff is hired by permanent contracts with fixed salaries as decided by the Board and that the programs of YIHR are sustainable. Securing general support grants will be crucial for this.

Monitoring and Evaluation

This last part of the paper describes YIHR's monitoring and evaluation strategy as applied for various of YIHR's programs and projects.

YIHR monitors the implementation of every project and activity it conducts through evaluation during the implementation and evaluation after the implementation.

Evaluation during the implementation is conducted as both internal and external evaluation. The team working on the project regularly evaluates progress, methodology and impact in order to insure the best possible organization of the activities, adapt methodology to the interest and capacities of the target group and participants and maximize impact. These evaluations are conducted through meetings of the project team. The Board is informed about the progress of specific projects and is able to give suggestions for its improvement. YIHR also uses evaluation questionnaires or organizes evaluation meetings with the participants of its projects during and right after the activities to ensure that the projects are designed in a way that is most useful for the participants and for the goals set forth by the team and YIHR.

For certain of YIHR's activities, like documentation and research in regards to criminal prosecutions, YIHR adapts its methodology to two basic principles: (a) that the victims and witnesses feel

safe and well during activities such as taking statements and (b) that the documentation collected is up to a standard that can be used further by institutions such as State Attorney's Office and the courts. This is why YIHR has developed its own questionnaires and methodology for taking statements, collecting documentation and processing it. At the moment, YIHR's methodology in this regard produces documentation that is reliable and adequate for use.

For reporting, YIHR makes sure to have clear recommendations in its reports. Often the institution to which YIHR delivers reports publish their own reports, YIHR reviews the conclusions to determine if its recommendations were included. Formerly, the UN Human Rights Committee and the European Commission have included some recommendations or conclusions similar to those previously delivered by YIHR.

The evaluation of advocacy activities is monitored constantly to adapt the activities as much as possible to achieve results. The advocacy is most easily monitored as results are clearly seen in real-time.

Apart from evaluation of the activities, for most of its projects, YIHR identifies the measurable indicators of success to be able to monitor its success rate. YIHR is a result-oriented organization and seeks to organize its activities in a way that they can realistically reach results set forth prior to the project implementation.



YOUTH INITIATIVE FOR HUMAN RIGHTS
INICIJATIVA MLADIH ZA LJUDSKA PRAVA
NISMA E TË RINJVE PËR TË DREJTAT E NJERIUT

contacts

croatia@yih.org
00385 98552976
8 Milana Amrusa street
HR-10000 Zagreb
CROATIA