

THE PARLIAMENT OF MONTENEGRO

Mr. Ranko Krivokapić, President of the Parliament

Podgorica, 27/05/2011

Subject: The initiative for the establishment of the Day of Remembrance for the victims of the deportation of refugees in 1992

Dear Mr Krivokapić,

we enclose the Initiative to establish 27 May as a Day of Remembrance for the victims of the deportation of refugees in 1992 from Montenegro.

Today we submitted the initiative also to all heads of parliamentary groups.

Given the importance of the Initiative and existing principles and views of the Social Democratic Party about this crime, we hope that you will promptly put it on the agenda of the Parliament, so that next year, 20 years of crime would be marked as a Remembrance Day.

Respectfully Yours,

Tea Gorjanc Prelević, executive director of the NGO "Human Rights Action"

Daliborka Uljarević, executive director of the NGO "Centre for Civic Education"

Aleksandar Zeković, researcher of human rights violations

INITIATIVE

Referring to the international principles of human rights and international humanitarian law, and in particular the General Assembly Resolution of the United Nations 60/147 "The basic Principles on the Right to a Remedy and Reparation for Victims of Gross Violations of International Law and serious violations of international humanitarian law",

Taking into account the competence of the Parliament to enact regulations and general acts (decisions, conclusions, resolutions, declarations and recommendations) pursuant to Article 82, para 1 point 3 of the Constitution of Montenegro,

We suggest that the Montenegrin Parliament adopts a resolution to declare 27 May as the Day of remembrance for the victims of the deportation of refugees in 1992.

Explanation

In May and June 1992, at least 66 refugees of Bosniak nationality (Muslims) from Bosnia and Herzegovina were illegally arrested at the territory of Montenegro, and later on delivered to them hostile army to the Bosnian Serbs in Bosnia and Herzegovina. Only 12 persons deported from Montenegro managed to survive torture in concentration camps.

Refugees deprived of their liberty, by rule, were brought into the security centre of Herceg Novi, which served as a collection centre, from where they were transported on 25 May by buses to the concentration camp in Foča¹ or on 27 May at an undetermined location in eastern Bosnia, where all were killed at the same day. Remains of all victims have not been found yet. Others were arrested in Podgorica, Bar and in the area near the border with Bosnia and Herzegovina also at the end of May in 1992 and deported individually in camp in Foča, or to another unknown location in Bosnia and Herzegovina, where their trace disappeared.

On 27 May 2010, non-governmental organisations have marked the eighteenth anniversary of this war crime by memorial rally held in front of the Security Centre of Herceg-Nov. Organizers of the event, together with representatives of associations of families of deportation victims, repeated initiative to declare in Montenegro Day of Remembrance for the Victims of deportation and to build a memorial in the place from which the victims were deported.

By the Resolution of the General Assembly of United Nations 60/147, entitled as "Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law", Chapter IX, point 22, it is prescribed that reparations for victims include measures of satisfaction, including the "commemoration and tributes to the victims. "

¹ This fact, in addition to the Basic Court in Podgorica, was legally established by the Hague Tribunal in its judgment in case no. IT-97-25-T, Prosecutor v. Krnojelac

The Government of Montenegro adopted on 25 December 2008 decision on court settlement with victims' families and survivors of the deportations in 1992. In this way, Montenegro accepted the fact that the crime occurred and that the victims were real. The fact that judiciary has still to establish individual criminal responsibility for the crime does not impact the commemoration for the victims which are indisputable.

Officially declared Day of remembrance of the victims of this crime would serve as a permanent reminder that no historical or political circumstances must hinder the heritage of Montenegrin humanity and respect of international humanitarian law. In this manner, Montenegro would permanently express regret because of this crime to the families of victims but also to all its current and future citizens, Bosniak people and to all the civilized world.