

111TH CONGRESS
2D SESSION

H. RES. 1423

Observing the 15th anniversary of the Srebrenica genocide and expressing support for “Srebrenica Remembrance Day” in the United States.

IN THE HOUSE OF REPRESENTATIVES

MAY 28, 2010

Mr. SMITH of New Jersey (for himself, Mr. CARNAHAN, Mr. WOLF, and Mr. BAIRD) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Observing the 15th anniversary of the Srebrenica genocide and expressing support for “Srebrenica Remembrance Day” in the United States.

Whereas July 2010 marks the 15th anniversary of the fall of Srebrenica to Bosnian Serb forces operating in Bosnia and Herzegovina and the massacre of approximately 8,000 people who were resident in or who had sought refuge in the United Nations-designated “safe area” of Srebrenica;

Whereas beginning in April 1992, aggression and ethnic cleansing perpetrated by Bosnian Serb forces, while taking control of the surrounding territory, resulted in a massive influx of Bosniaks seeking protection in Srebrenica and its environs, which the United Nations

Security Council designated a “safe area” in Resolution 819 on April 16, 1993;

Whereas Bosnian Serb forces blockaded the Srebrenica enclave early in 1995, depriving the entire population of humanitarian aid and outside communication and contact, and effectively reducing the ability of a Dutch peacekeeping battalion stationed in the enclave to deter aggression or otherwise respond effectively to a deteriorating situation;

Whereas, on July 11, 1995, Bosnian Serb forces seized full control of the Srebrenica enclave and proceeded to deport women, children, and the elderly in buses, and to hold Bosniak males over 16 years of age at collection points and sites in northeastern Bosnia and Herzegovina under their control, and then to kill the captives and bury them in mass graves;

Whereas Bosnian Serb forces, attempting to conceal evidence of the massacre at Srebrenica, subsequently dismembered and moved corpses and parts of corpses from initial mass grave sites to many secondary sites scattered throughout parts of northeastern Bosnia and Herzegovina under their control;

Whereas the massacre at Srebrenica was among the worst of many horrible atrocities to occur in the conflict in Bosnia and Herzegovina from April 1992 to November 1995, during which the policies of aggression and ethnic cleansing, pursued by Bosnian Serb forces with the direct support of the Serbian regime of Slobodan Milosevic and its followers, ultimately led to the displacement of more than 2,000,000 people, and the killing, raping, and torturing of innocent civilians on a massive scale;

Whereas Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide (done at Paris on December 9, 1948, and entered into force with respect to the United States on February 23, 1989) defines genocide as “any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; and (e) forcibly transferring children of the group to another group”;

Whereas in 2005, the 10th anniversary year of the fall of Srebrenica, the United States Congress, with the passage of H. Res. 199 and S. Res. 134 (109th Congress), became the first legislative body to recognize the July 1995 massacre, as implemented by Serb forces in and near the United Nations-designated “safe area” Srebrenica, as a genocide under the terms of the Convention on the Prevention and Punishment of the Crime of Genocide;

Whereas since the passage of H. Res. 199 and S. Res. 134 (109th Congress), other legislative bodies have recognized the July 1995 massacres in Srebrenica as a genocide under the terms of the Convention on the Prevention and Punishment of the Crime of Genocide, including the European Parliament;

Whereas the International Commission on Missing Persons continues to use and develop the most advanced DNA identity testing to identify victims of the Bosnian Serb forces at Srebrenica, as well as those killed in the conflict

in Bosnia and Herzegovina from 1992 to 1995 and the wider conflict in the western Balkans in the 1990s, and, having positively identified over 6,490 Srebrenica victims using DNA-led scientific methods, currently estimates almost 8,100 persons killed during and after the fall of the Srebrenica enclave;

Whereas, on July 21, 2008, police in Serbia arrested Radovan Karadzic, the Bosnian Serb political leader in July 1995, who in 1995 was indicted by the International Criminal Tribunal for the former Yugoslavia (ICTY) for genocide and other crimes committed against civilians throughout the territory of Bosnia and Herzegovina;

Whereas Ratko Mladic, the Bosnian Serb military leader in July 1995, later indicted by the ICTY for genocide, crimes against humanity, and violations of the laws and customs of war, remains at large; and

Whereas July 11 would be an appropriate date to designate “Srebrenica Remembrance Day” in annual observance of the Srebrenica genocide: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) solemnly observes the 15th anniversary of
3 the Srebrenica genocide;

4 (2) supports the designation of “Srebrenica Re-
5 membrance Day” in the United States;

6 (3) commends the official bodies that have rec-
7 ognized the Srebrenica genocide, including the Euro-
8 pean Parliament, which declared a Srebrenica Re-
9 membrance Day in the European Union;

1 (4) honors the memory of the thousands of in-
2 nocent people who died at Srebrenica in Bosnia and
3 Herzegovina in July 1995, along with all individuals
4 who were killed during the conflict in Bosnia and
5 Herzegovina from 1992 to 1995;

6 (5) extends its condolences to the families and
7 friends of those who died at Srebrenica in July
8 1995, and during the conflict in Bosnia and
9 Herzegovina from 1992 to 1995;

10 (6) reaffirms its support for the independence
11 and territorial integrity of Bosnia and Herzegovina,
12 peace and stability in southeastern Europe as a
13 whole, and the right of all people living in the re-
14 gion, regardless of national, racial, ethnic or reli-
15 gious background, to return to their homes and
16 enjoy the benefits of democratic institutions, the rule
17 of law, and economic opportunity, as well as to know
18 the fate of missing relatives and friends;

19 (7) thanks the International Commission on
20 Missing Persons for outstanding achievement in
21 identifying persons missing from Srebrenica and as
22 a result of the conflict in Bosnia and Herzegovina
23 from 1992 to 1995, as well as the wider conflict in
24 the western Balkans in the 1990s;

1 (8) expresses satisfaction at the apprehension
2 and transfer of Radovan Karadzic to the Inter-
3 national Criminal Tribunal for the former Yugo-
4 slavia (ICTY), where he is currently being tried on
5 charges of genocide, crimes against humanity, and
6 other violations of the laws or customs of war; and
7 (9) urges all countries to meet their obligations
8 to cooperate fully with the ICTY at all times, vigor-
9 ously pursuing, apprehending, and transferring to
10 The Hague without delay all persons indicted by the
11 ICTY, including Ratko Mladic.

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