

118TH CONGRESS
1ST SESSION

S. 2955

To designate July 11 as National Day of Remembrance for the Victims
of the Srebrenica Genocide.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27 (legislative day, SEPTEMBER 22), 2023

Mrs. SHAHEEN introduced the following bill; which was read twice and
referred to the Committee on the Judiciary

A BILL

To designate July 11 as National Day of Remembrance
for the Victims of the Srebrenica Genocide.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Srebrenica Genocide
5 Remembrance Act of 2023”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The United States and the European Com-
9 munity recognized the Republic of Bosnia and
10 Herzegovina as an independent state on April 7,

1 1992, and the United Nations admitted the Republic
2 of Bosnia and Herzegovina as a member on May 22,
3 1992.

4 (2) During a campaign of aggression through-
5 out Bosnia and Herzegovina during the Bosnian
6 War from 1992 to 1995, Bosniaks comprised the
7 great majority of victims of systematic campaigns of
8 war crimes, crimes against humanity, and genocide
9 conducted by Serbs in Bosnia and Herzegovina and
10 Serb paramilitary forces with the support of the
11 Government of the Federal Republic of Yugoslavia.

12 (3) The Senate passed Senate Resolution 134
13 in the 109th Congress expressing the sense of the
14 Senate that, from April 1992 to November 1995,
15 Serb forces committed aggression against the Re-
16 public of Bosnia and Herzegovina and genocide
17 against Bosniaks, with direct support from authori-
18 ties in Serbia.

19 (4) A primary objective of Bosnian Serb leader-
20 ship, supported by the Government of the Federal
21 Republic of Yugoslavia, was to establish an eth-
22 nically homogenous Serb state within Bosnia and
23 Herzegovina, known as “Republika Srpska”.

24 (5) Serb forces, under the command of subse-
25 quently convicted war criminals Ratko Mladic and

1 Radovan Karadzic, made a concerted effort to con-
2 trol the town of Srebrenica and surrounding areas,
3 which had strategic importance to the Serb cam-
4 paign to create a Republika Srpska state from the
5 inviolable territory of Bosnia and Herzegovina.

6 (6) Most of the population in Srebrenica was
7 Bosniak, but attempts to erase Bosniaks from the
8 national census impacted accurate reporting of and
9 underestimated the number of Bosniaks in
10 Srebrenica and surrounding areas and across Bosnia
11 and Herzegovina.

12 (7) Beginning in 1992, the humanitarian situa-
13 tion in Srebrenica and surrounding areas deterio-
14 rated, with Serb forces placing embargoes on food
15 and critical supplies, which resulted in mass starva-
16 tion and civilian deaths.

17 (8) In 1993, the United Nations, pursuant to
18 Security Council resolutions 819 and 824, des-
19 ignated the towns of Srebrenica, Sarajevo, Zepa,
20 Gorazde, Tuzla, and Bihac, in Bosnia and
21 Herzegovina, as “safe areas”, but failed to demili-
22 tarize or protect the designated areas, including that
23 of Srebrenica in 1995, despite the deployment of the
24 United Nations Protection Force (UNPROFOR) to
25 Srebrenica.

1 (9) Upon entering Srebrenica in July 1995,
2 Serb forces deported Bosniak women and girls in
3 buses after torturing and raping many of them, fol-
4 lowing a nearly yearlong siege and starvation of the
5 town and surrounding areas.

6 (10) Serb forces separated military-age men
7 and boys from other civilians in Srebrenica.

8 (11) In July 1995, more than 8,000 Bosniak
9 men and boys were tortured and killed in and
10 around the town of Srebrenica, including those men
11 and boys that attempted to form a column and flee
12 Srebrenica for safety but were attacked and killed by
13 Serb forces.

14 (12) The United Nations Convention on the
15 Prevention and Punishment of the Crime of Geno-
16 cide, adopted at Paris December 9, 1948, defines
17 genocide as “any of the following acts committed
18 with intent to destroy, in whole or in part, a na-
19 tional, ethnical, racial or religious group, as such:
20 (a) Killing members of the group; (b) Causing seri-
21 ous bodily or mental harm to members of the group;
22 (c) Deliberately inflicting on the group conditions of
23 life calculated to bring about its physical destruction
24 in whole or in part; (d) Imposing measures intended
25 to prevent births within the group; (e) Forcibly

1 transferring children of the group to another
2 group”.

3 (13) The Srebrenica genocide remains the big-
4 gest single event of mass extermination in Europe
5 since the end of World War II.

6 (14) The bodies of executed Bosniak men and
7 boys were dumped into mass graves, which were sub-
8 sequently dug up by Serb forces and moved to sec-
9 ondary or tertiary sites in an attempt to hide evi-
10 dence of the genocide that was committed against
11 Bosniaks.

12 (15) Remains of some of the victims of the
13 Srebrenica genocide are still being discovered in
14 2023.

15 (16) In 1993, the United Nations established
16 the International Criminal Tribunal for the former
17 Yugoslavia through Resolution 827, succeeded by
18 the International Residual Mechanism for Criminal
19 Tribunals, which investigated, prosecuted, and
20 passed judgement on international crimes committed
21 during the breakup of the former Yugoslavia, includ-
22 ing during the Bosnian War and the Srebrenica
23 genocide.

24 (17) In November 1995, the peace agreement
25 known as the “Dayton Accords” was concluded by

1 the presidents of Bosnia and Herzegovina, Croatia,
2 and Serbia to end the war in Bosnia and
3 Herzegovina.

4 (18) The Dayton Accords resulted in the adop-
5 tion of a new constitutional regime that created 2
6 entities, the Federation of Bosnia and Herzegovina
7 and the Republika Srpska, in Bosnia and
8 Herzegovina.

9 (19) In a 1999 report on the fall of Srebrenica,
10 the United Nations expressly recognized that the
11 international community must accept its share of re-
12 sponsibility for failing to stop the Srebrenica geno-
13 cide.

14 (20) Serbia issued an apology for crimes com-
15 mitted by Serb forces during the breakup of the
16 former Yugoslavia, including in Bosnia and
17 Herzegovina and at Srebrenica and surrounding
18 areas, but did not recognize the mass murders in
19 Srebrenica as genocide.

20 (21) In 2004, the Government of the Republika
21 Srpska entity issued an apology for crimes in
22 Srebrenica and acknowledged the deaths of some,
23 but not all, victims and did not recognize the mass
24 murders in and around Srebrenica as genocide.

1 (22) In 2015, the Russian Federation vetoed a
2 resolution at the United Nations Security Council
3 condemning the mass murders at Srebrenica as
4 genocide.

5 (23) Since the Dayton Accords were concluded,
6 political leaders in Bosnia and Herzegovina such as
7 Milorad Dodik have undermined regional stability by
8 engaging in genocide denial and spreading false in-
9 formation about the war crimes, crimes against hu-
10 manity, and genocide that took place during the
11 Bosnian War.

12 (24) Some political leaders have declined to cat-
13 egorize the mass murders at Srebrenica as genocide
14 and continue to engage in harmful ethno-nationalist
15 dialogue.

16 (25) In 2021, the High Representative, who
17 oversees the civilian implementation of the Dayton
18 Accords, outlawed genocide denial in Bosnia and
19 Herzegovina.

20 (26) The European Union Force in Bosnia and
21 Herzegovina (EUFOR) oversees the military imple-
22 mentation of the Dayton Accords as a successor to
23 the Stabilization Force, the NATO-led multinational
24 peacekeeping force that was deployed to Bosnia and
25 Herzegovina following the Bosnian War.

1 (27) The United States and the international
2 community have made significant efforts to uphold
3 peace and stability in Bosnia and Herzegovina and
4 recognize the Srebrenica genocide, including by sup-
5 porting the work of local, national, regional, and
6 international nonprofit and nongovernmental organi-
7 zations that preserve the memory of the victims of
8 the Srebrenica genocide.

9 **SEC. 3. NATIONAL DAY OF REMEMBRANCE FOR THE VIC-**
10 **TIMS OF THE SREBRENICA GENOCIDE.**

11 (a) IN GENERAL.—Chapter 1 of title 36, United
12 States Code, is amended—

13 (1) by redesignating the second section des-
14 ignated as section 146 (relating to Choose Respect
15 Day) as section 147; and

16 (2) by adding at the end the following:

17 **“§ 148. National Day of Remembrance for the Victims**
18 **of the Srebrenica Genocide”**

19 “(a) DESIGNATION.—July 11 is National Day of Re-
20 membrance for the Victims of the Srebrenica Genocide.

21 “(b) RECOGNITION.—All private citizens, organiza-
22 tions, and Federal, State, and local governmental and leg-
23 islative entities are encouraged to recognize National Day
24 of Remembrance for the Victims of the Srebrenica Geno-

1 cide through proclamations, activities, and educational ef-
2 forts to—

3 “(1) pay tribute to the families of the more
4 than 8,000 Bosniaks who were killed in July 1995,
5 the Bosniak communities in Bosnia and
6 Herzegovina, and the diaspora;

7 “(2) condemn the genocide perpetrated in
8 Srebrenica and surrounding areas and the war
9 crimes and crimes against humanity committed in
10 Bosnia and Herzegovina during the Bosnian War;

11 “(3) encourage continued efforts in Bosnia and
12 Herzegovina, Southeast Europe, and the world to
13 counter efforts to undermine respect for human
14 rights and fundamental freedoms and to promote re-
15 spect for all ethnic and religious groups;

16 “(4) acknowledge the role of the High Rep-
17 resentative in promoting truth about the Srebrenica
18 genocide and maintaining peace and stability in Bos-
19 nia and Herzegovina;

20 “(5) condemn the denial of the Srebrenica
21 genocide, which has been recognized as genocide by
22 the International Criminal Tribunal for the former
23 Yugoslavia and the International Court of Justice,
24 and condemns attempts to revise the history of the
25 Bosnian War;

1 “(6) reaffirm support for the multi-ethnic and
2 multi-confessional culture and territorial integrity of
3 Bosnia and Herzegovina as the people of Bosnia and
4 Herzegovina pursue further Euro-Atlantic integra-
5 tion;

6 “(7) condemn inflammatory rhetoric, including
7 that which is meant to destabilize Bosnia and
8 Herzegovina and the broader region, stoke ethnic
9 tensions, and promote social divisions related to de-
10 denying the Srebrenica genocide;

11 “(8) call on the international community to
12 continue to work toward the sustainable return of
13 Bosniaks consistent with Annex 7 of the Dayton Ac-
14 cords throughout Bosnia and Herzegovina and to
15 Srebrenica, including by condemning ongoing vio-
16 lence and discrimination against, and attempts to
17 disenfranchise, Bosniaks;

18 “(9) encourage continued political reconciliation
19 in the Government of Bosnia and Herzegovina, in-
20 cluding the judicial system, including through the
21 strengthening of democratic institutions and edu-
22 cational institutions;

23 “(10) recognize that barriers to political or so-
24 cial reconciliation remain so long as national, re-

1 regional, and international actors engage in genocide
2 denial and ethno-nationalist rhetoric; and

3 “(11) further call on the international commu-
4 nity to continue educating current and future gen-
5 erations on the Srebrenica genocide, to promote rec-
6 ognition of the Srebrenica genocide, and, within all
7 the legal means provided by law and consistent with
8 respect for human rights, to refute and deter those
9 who continue to deny the facts of the Srebrenica
10 genocide.”.

11 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
12 The table of sections for chapter 1 of title 36, United
13 States Code, is amended by striking the item relating to
14 the second section 146 and inserting the following:

“147. Choose Respect Day.

“148. National Day of Remembrance for the Victims of the Srebrenica Genocide.”.

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