

STATE OF NEW YORK

7934

2023-2024 Regular Sessions

IN ASSEMBLY

August 4, 2023

Introduced by M. of A. BUTTENSCHON -- read once and referred to the
Committee on Governmental Operations

AN ACT to amend the executive law, in relation to the designation of
"Srebrenica Genocide Remembrance Day" as a day of commemoration

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Legislative intent. This act arises from a sense of human
2 decency and respect for the Srebrenica people and their history. It is
3 the intent of this legislative body to designate July 11 of each calen-
4 dar year as "Srebrenica Genocide Remembrance Day" in the state of New
5 York. Fifty years after the world said "Never Again" to the horrors of
6 the Holocaust, genocide took place on European soil. The name Srebrenica
7 has become synonymous with those dark days in July 1995 when, in the
8 first ever United Nations (UN) declared safe area, thousands of men and
9 boys were systematically murdered and buried in mass graves. The
10 victims, who were Muslim, were selected for death on the basis of their
11 identity; this was the worst atrocity on European soil since the Second
12 World War. During the Srebrenica massacre, more than 7,000 Bosniak
13 (Bosnian Muslim) boys and men were slain by Bosnian Serb forces in
14 Srebrenica, a town in eastern Bosnia and Herzegovina; in addition to
15 these killings, more than 20,000 civilians were expelled from the area
16 in a process known as ethnic cleansing. The massacre helped galvanize
17 the West to press for a cease-fire that ended three years of warfare on
18 Bosnia's territory, however, it left deep emotional scars on survivors
19 and created enduring obstacles to political reconciliation among
20 Bosnia's ethnic groups. Beginning in 1992, Bosnian Serb forces targeted
21 Srebrenica in a campaign to seize control of a block of territory in
22 eastern Bosnia and Herzegovina; their eventual goal was to annex this
23 territory to the adjacent republic of Serbia, and to do so, they
24 believed, required the expulsion of the territory's Bosniak inhabitants,
25 who opposed annexation. In March of 1995, Radovan Karadzic, president

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 of the self-declared autonomous Republika Srpska (Bosnian Serb Repub-
2 lic), directed his military forces to "create an unbearable situation of
3 total insecurity with no hope of further survival or life for the inhab-
4 itants of Srebrenica". By May, a cordon of Bosnian Serb soldiers had
5 imposed an embargo on food and other supplies that provoked most of the
6 town's Bosniak fighters to flee the area; in late June, after some
7 skirmishes with the few remaining Bosniak fighters, the Bosnian Serb
8 military command formally ordered the operation, code-named Krivaja 95,
9 that culminated in the massacre. The offensive commenced on July 6,
10 1995, with Bosnian Serb forces advancing from the south and burning
11 Bosniak homes along the way; amid chaos and terror, thousands of civil-
12 ians fled Srebrenica for the nearby village of Potocari, where a contin-
13 gent of about 200 Dutch peacekeepers was stationed; some of the Dutch
14 surrendered, while others withdrew; none fired on the advancing Bosnian
15 Serb forces. On July 11, 1995, Bosnian Serb military leader Ratko Mladic
16 strolled through Srebrenica and, in a statement recorded on film by a
17 Serb journalist, said, "We give this town to the Serb nation. The time
18 has come to take revenge on the Muslims". On the night of July 11, 1995,
19 a column of more than 10,000 Bosniak men set off from Srebrenica through
20 dense forest in an attempt to reach safety; beginning the following
21 morning, Bosnian Serb officers used UN equipment and made false promises
22 of security to encourage the men to surrender; thousands gave themselves
23 up or were captured, and many were subsequently executed. Other Bosniaks
24 were forced out of Potocari that day through the use of terror; the
25 women, children, and elderly were placed aboard buses and driven to
26 Bosniak-held territory, while the men and boys were taken to various
27 holding sites, mostly in Bratunac. The total number of men and boys who
28 were slaughtered was initially a matter of some debate; under heavy
29 international pressure, the government of the Republika Srpska issued an
30 apology in 2004 for the "enormous crimes" in Srebrenica and acknowledged
31 that an estimated 7,800 had perished. The process of locating the graves
32 and identifying the victims was complicated by a well-organized effort
33 undertaken by Bosnian Serb forces in September and October 1995 to hide
34 traces of the Srebrenica crimes; soldiers used heavy tractors and back-
35 hoes to dig up mass graves and moved the disinterred remains to distant
36 sites, many of which were later located by U.S. intelligence experts
37 using satellite photographs. Furthermore, it required years of analysis
38 by Western scientists to piece together exactly where the killings had
39 occurred and how the bodies had been moved among an estimated 80 mass
40 grave sites; by early 2010, the International Commission on Missing
41 Persons, a nongovernmental organization established in 1996, had used
42 DNA samples to identify more than 6,400 individual victims. By consist-
43 ently remembering and forcefully condemning the atrocities committed
44 against these people, and honoring the survivors as well as other
45 victims of similar heinous conduct, we guard against repetition of such
46 acts of genocide and provide the American public with a greater under-
47 standing of history. This act declares that this legislative body
48 deplores the persistent, ongoing efforts by any person, in this country
49 or abroad, to deny the historical fact of the Srebrenica Genocide; the
50 failure of the international community to hold responsible nations
51 accountable for crimes against humanity results in travesty of justice,
52 and sets a negative precedent. The state of New York endeavors to
53 encourage and promote a curriculum relating to human rights and genocide
54 in order to empower future generations to prevent the recurrence of
55 genocide.

§ 2. Subdivision 3 of section 168-a of the executive law, as amended by chapter 237 of the laws of 2020, is amended to read as follows:

3. The following days shall be days of commemoration in each year: January sixth, to be known as "Haym Salomon Day", January twenty-seventh, to be known as "Holocaust Remembrance Day", February fourth, to be known as "Rosa Parks Day", February fifteenth, to be known as "Susan B. Anthony Day", February sixteenth, to be known as "Lithuanian Independence Day", February twenty-eighth, to be known as "Gulf War Veterans' Day", March fourth, to be known as "Pulaski Day", March tenth, to be known as "Harriet Tubman Day", March twenty-ninth, to be known as "Vietnam Veterans' Day", April ninth, to be known as "POW Recognition Day", April twenty-seventh, to be known as "Coretta Scott King Day", April twenty-eighth, to be known as "Workers' Memorial Day", the first Tuesday in May to be known as "New York State Teacher Day", May seventeenth, to be known as "Thurgood Marshall Day", the first Sunday in June, to be known as "Children's Day", June second, to be known as "Italian Independence Day", June twelfth, to be known as "Women Veterans Recognition Day", June nineteenth, to be known as "Juneteenth Freedom Day", June twenty-fifth, to be known as "Korean War Veterans' Day", July eleventh, to be known as "Srebrenica Genocide Remembrance Day", the second Monday in July, to be known as "Abolition Commemoration Day", August twenty-fourth, to be known as "Ukrainian Independence Day", August twenty-sixth, to be known as "Women's Equality Day", September eleventh, to be known as "Battle of Plattsburgh Day" and also to be known as "September 11th Remembrance Day", September thirteenth, to be known as "John Barry Day" and also to be known as "Uncle Sam Day in the State of New York", September seventeenth, to be known as "Friedrich Wilhelm von Steuben Memorial Day", the third Friday in September to be known as "New York State POW/MIA Recognition Day" except if such date of commemoration cannot be observed due to a religious holiday, such observances shall then be conducted on the second Friday of September, the last Saturday in September, to be known as "War of 1812 Day", the fourth Saturday of September, known as "Native-American Day", the last Sunday in September, to be known as "Gold Star Mothers' Day", October fifth, to be known as "Raoul Wallenberg Day", October eleventh, to be known as "New Netherland Day in the State of New York", October eighteenth, to be known as "Disabilities History Day", October twenty-seventh, to be known as "Theodore Roosevelt Day", November ninth, to be known as "Witness for Tolerance Day", November twelfth, to be known as "Elizabeth Cady Stanton Day", the third Tuesday in November to be known as "New York State School-Related Professionals Recognition Day", November thirtieth, to be known as "Shirley Chisholm Day", December third, to be known as "International Day of Persons with Disabilities", December seventh, to be known as "Pearl Harbor Day", December sixteenth, to be known as "Bastogne Day" and that day of the Asian lunar calendar designated as new year to be known as "Asian New Year".

§ 3. This act shall take effect immediately.