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 Assembly, do enact as follows:

Section 1. Legislative intent. This act arises from a sense of human decency and respect for the Srebrenica people and their history. It is the intent of this legislative body to designate July 11 of each calendar year as "Srebrenica Genocide Remembrance Day" in the state of New York. Fifty years after the world said "Never Again" to the horrors of the Holocaust, genocide took place on European soil. The name Srebrenica has become synonymous with those dark days in July 1995 when, in the first ever United Nations (UN) declared safe area, thousands of men and boys were systematically murdered and buried in mass graves. The victims, who were Muslim, were selected for death on the basis of their identity; this was the worst atrocity on European soil since the Second World War. During the Srebrenica massacre, more than 7,000 Bosniak (Bosnian Muslim) boys and men were slain by Bosnian Serb forces in Srebrenica, a town in eastern Bosnia and Herzegovina; in addition to these killings, more than 20,000 civilians were expelled from the area in a process known as ethnic cleansing. The massacre helped galvanize the West to press for a cease-fire that ended three years of warfare on Bosnia's territory, however, it left deep emotional scars on survivors and created enduring obstacles to political reconciliation among Bosnia's ethnic groups. Beginning in 1992, Bosnian Serb forces targeted Srebrenica in a campaign to seize control of a block of territory in eastern Bosnia and Herzegovina; their eventual goal was to annex this territory to the adjacent republic of Serbia, and to do so, they believed, required the expulsion of the territory's Bosniak inhabitants, 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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of the self-declared autonomous Republika Srpska (Bosnian Serb Republic), directed his military forces to "create an unbearable situation of total insecurity with no hope of further survival or life for the inhabitants of Srebrenica". By May, a cordon of Bosnian Serb soldiers had imposed an embargo on food and other supplies that provoked most of the town's Bosniak fighters to flee the area; in late June, after some skirmishes with the few remaining Bosniak fighters, the Bosnian Serb military command formally ordered the operation, code-named Krivaja 95, that culminated in the massacre. The offensive commenced on July 6, 1995, with Bosnian Serb forces advancing from the south and burning Bosniak homes along the way; amid chaos and terror, thousands of civilians fled Srebrenica for the nearby village of Potocari, where a contingent of about 200 Dutch peacekeepers was stationed; some of the Dutch surrendered, while others withdrew; none fired on the advancing Bosnian Serb forces. On July 11, 1995, Bosnian Serb military leader Ratko Mladic strolled through Srebrenica and, in a statement recorded on film by a Serb journalist, said, "We give this town to the Serb nation. The time has come to take revenge on the Muslims". On the night of July 11, 1995, a column of more than 10,000 Bosniak men set off from Srebrenica through dense forest in an attempt to reach safety; beginning the following morning, Bosnian Serb officers used UN equipment and made false promises of security to encourage the men to surrender; thousands gave themselves up or were captured, and many were subsequently executed. Other Bosniaks were forced out of Potocari that day through the use of terror; the women, children, and elderly were placed aboard buses and driven to Bosniak-held territory, while the men and boys were taken to various holding sites, mostly in Bratunac. The total number of men and boys who were slaughtered was initially a matter of some debate; under heavy international pressure, the government of the Republika Srpska issued an apology in 2004 for the "enormous crimes" in Srebrenica and acknowledged that an estimated 7,800 had perished. The process of locating the graves and identifying the victims was complicated by a well-organized effort undertaken by Bosnian Serb forces in September and October 1995 to hide traces of the Srebrenica crimes; soldiers used heavy tractors and backhoes to dig up mass graves and moved the disinterred remains to distant sites, many of which were later located by U.S. intelligence experts using satellite photographs. Furthermore, it required years of analysis by Western scientists to piece together exactly where the killings had occurred and how the bodies had been moved among an estimated 80 mass grave sites; by early 2010, the International Commission on Missing Persons, a nongovernmental organization established in 1996, had used DNA samples to identify more than 6,400 individual victims. By consistently remembering and forcefully condemning the atrocities committed against these people, and honoring the survivors as well as other victims of similar heinous conduct, we guard against repetition of such acts of genocide and provide the American public with a greater understanding of history. This act declares that this legislative body deplores the persistent, ongoing efforts by any person, in this country or abroad, to deny the historical fact of the Srebrenica Genocide; the failure of the international community to hold responsible nations accountable for crimes against humanity results in travesty of justice, and sets a negative precedent. The state of New York endeavors to encourage and promote a curriculum relating to human rights and genocide in order to empower future generations to prevent the recurrence of 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.