

Weekly column by Christian Schwarz-Schilling, High Representative for BiH: “Solidarity and Justice”



In New York this week, I asked the UN Security Council to establish a UN Day of Srebrenica. The people of Srebrenica were under UN protection in July 1995, but the United Nations was unable to protect them and to prevent genocide. The Day would mark the tragic events that occurred there and pay respect to the victims of genocide and their families.

But while a UN Day of Srebrenica would be an important and appropriate symbol of international solidarity, such solidarity would be meaningless if it were not accompanied by justice – and 12 years on, justice for the people of Srebrenica and for all those who were, directly or indirectly, victims of war crimes in Bosnia and Herzegovina, is far from complete.

I also reminded the Security Council this week that the International Court of Justice ruled that genocide occurred in Srebrenica and explicitly called on Serbia – which the court found had failed to prevent and punish this genocide – to cooperate fully with the International Criminal Tribunal for the former Yugoslavia.

Serbia is not cooperating fully, and this is undermining stability in Bosnia and Herzegovina and the region.

Lasting peace depends on justice. Everything possible must be

done to bring each and every one of those indicted for war crimes, at Srebrenica and elsewhere, to trial.

Some believe that indictees need only stay on the run for a year or two more – the ICTY is scheduled to close in 2009 – after which world interest will move on and they will be able to live out the rest of their lives quietly in retirement.

This isn't going to happen.

The international community has consistently and systematically made it clear that consolidating the rule of law in Southeastern Europe is the bedrock of every other effort – social, political, and economic – to integrate the region in Euro-Atlantic structures.

In this respect, I would point out that Croatia was only able to take forward its relationship with the European Union and NATO after Ante Gotovina was apprehended and transferred to the custody of the ICTY.

I would also point out that I have not rehabilitated anybody removed from office in Bosnia and Herzegovina for failure to cooperate with the ICTY and believe that such individuals should remain removed as long as ICTY cooperation is unsatisfactory.

Governments in the region have severely misread their moral, political and internationally binding obligations if they think they can avoid cooperating with the ICTY and get away with it. In New York this week, I asked the Security Council to consider steps to ensure that all the Dayton signatories – and that includes Serbia as the successor to the Federal Republic of Yugoslavia – comply with their ICTY obligations, and I also asked the Security Council to consider ways of making Serbia take concrete steps to implement the ruling of the ICJ.

These are not tiresome chores which countries can attend to

when they get round to it; these are obligations which must be met for the sake of victims of war crimes and for the sake of all in the region who want to live in dignity and peace.

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