

# **Weekly column by Christian Schwarz-Schilling, High Representative for BiH: “The line between good and evil runs through every human heart”**

I gave up my political career in Germany because I believed that working for justice in Bosnia and Herzegovina was more important than anything I could achieve at home. I still believe this and will do my utmost both as High Representative and European Union Special Representative to work for this cause because justice is critical to the future of this country, all three of its constituent peoples and all of its citizens.

For without justice, there can be no faith in the rule of law. Without justice, there can be no proper recognition of the loss for the families and friends of the victims of all ethnicities. And without justice, there is a grave danger that an entire people will be stigmatised with collective guilt.

Every death is an individual tragedy. Moreover, the pain of losing a loved one for the survivors – the mothers, fathers, wives, husbands and children – can never be underestimated. Each fatality can be compared with a heavy stone dropped into a pool of water, with the ripples of grief extending far and wide.

In addition to the mental agony and continuing trauma, survivors often have to come to terms with a reduced standard of living. Moreover, in many cases, the death of a loved one

may only have been part, albeit the worst part, of the impact of being attacked or expelled from one's home.

Given the complexity of this issue and the extent of the crimes committed in Bosnia and Herzegovina , there are no easy or rapid solutions. But one thing is certain, media polemics, finger-pointing and political point-scoring contribute nothing to the healing process that the victims and their survivors of all ethnicities deserve.

The only way to provide justice is to build institutions and processes that are able systematically to address these issues and to stick to these processes, no matter how slow and unsatisfactory they may appear.

To be sure, much has been achieved in this field in the ten-and-a-half years since the end of the war – more than after virtually any previous or comparable armed conflict. But much, much more still has to be done.

The first step is finding the remains of the dead, recovering them and identifying them. Only when this has happened is it possible to give them a proper burial. With the help of the International Commission on Missing Persons, in particular, this painstaking process is ongoing. We are gradually discovering the fate of the many war dead as, sadly, their graves are being discovered every month.

The next step is to determine precisely what took place and to bring those responsible to account. This is a yet more difficult task. But again much progress has been made, especially in the form of trials at the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague . And institutions and processes have been and are being built both in Bosnia and Herzegovina and elsewhere in the former Yugoslavia to maintain the momentum that has been generated in The Hague with domestic war-crimes trials.

Yet the legal process is slow, with the result that it is

inevitably as frustrating as it is harrowing for the survivors. But this process holds out the prospect of justice in a way that the politicisation of war crimes – whether trial by media or calls for publication of lengthy lists of potential suspects – does not.

No matter how heinous the crime, the only proper and, in the longer-term, satisfactory way to address it is in a court of law on the basis of evidence that is presented to the court and where the accused has a defence. To this end, I will do my utmost to campaign for the detention of the remaining ICTY indictees, to support the gathering of evidence for future prosecutions, and to equip domestic institutions in such a way that they are able to take these prosecutions further and deliver justice. That, for example, is why this week I signed a new agreement on the Registry for war crimes.

The process of prosecuting those responsible and, thereby, individualising guilt is in the interests of all citizens of this country and all three peoples. This is because, in the words of Alexander Solzhenitsyn, “The line between good and evil runs not between political parties or nations – but right through every human heart.”

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