

# CARNEGIE COUNCIL *for Ethics in International Affairs*

## Genocide and Aftermath: Rationalizing the Process of Truth and Reconciliation in Bosnia and Herzegovina

History and the Politics of Reconciliation (2000-2005)

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### Introduction

**DAVID MARWELL:** Good evening. My name is David Marwell, and I am the Director of [the Museum of Jewish Heritage](#), a living memorial to the Holocaust. Welcome to the Museum and our commemoration of the tenth anniversary of the genocide at Srebrenica.

We gather this evening to remember and give purpose to the act of remembering. We commemorate the anniversary of an event that is deeply connected to the themes of this Museum and deeply connected to what we are and hope to be as an institution.

Tonight's program finds its origin in a meeting in September 2005 here in New York City. Ambassador Mirza Kusljugic invited me to meet with Bosnian President [Sulejman Tihic](#), who was in New York to attend the UN General Assembly. President Tihic spoke to me of his own experience during the recent war in Bosnia, during which he had been interned in five different concentration camps. He spoke of the importance of museums like this one in educating the public.

This program was born out of close cooperation with Ambassador Kusljugic and with our new partners, Haris Hromic and the Academy of Bosnia and Herzegovina, and with the advisory support of the Carnegie Council for Ethics in International Affairs.

I want to make special mention this evening of someone else who contributed to the creation of tonight's program, Emina Hadžic. Emina came to the United States in 1997 as a fifteen-year-old refugee from Bosnia, where she and her family endured the siege of Sarajevo. Emina joined our Museum family as a high school apprentice, continued as a part-time employee while she attended college, and has now joined the staff as a full-time employee. I thank her for being instrumental in creating this program and for representing the core messages of this Museum with such devotion. Her own personal history might easily have led her on a path of cynicism and mistrust, but guided her instead to seek out the best in others and give unflinchingly of herself.

Tonight's program is intended not only as an opportunity to remember, but also to explore the

challenges of and strategies for reconciliation. I claim no particular expertise in this subject, and I do not know what conclusions will be drawn from the program, but I can suggest the following: reconciliation cannot succeed until the crimes committed in Srebrenica are fully documented and acknowledged, until all of the victims are determined and given names, and until the perpetrators are identified and brought to justice. As long as [Ratko Mladic](#) and [Radovan Karadžić](#) continue to breathe the air of freedom, the prospects for true reconciliation seem limited indeed. Let there be no ambiguity. These men must be apprehended and transported to The Hague.

Many of you are visiting the Museum for the first time this evening. You will be able to spend a few minutes in the Garden of Stones on the second floor. This memorial garden, designed by Andy Goldsworthy, is within the walls of the Museum but open to the sky. It sits on perhaps the most beautiful and powerfully symbolic spot imaginable, across the water from the Statue of Liberty and Ellis Island. It is composed of eighteen boulders, out of each of which grows a single tree. Goldsworthy's message has to do with the tenacity of life and its ability to take root and flourish even in the most unforgiving circumstances. For me, this garden seems to be a near perfect expression for the themes of this evening's program. On this night one can look out upon these stones and think of faraway places with names like Potocari, Bratunac, and Srebrenica.

Before we begin the program, let us pause for a moment of silence and think about what took place ten years ago. We remember the nearly 8,000 Muslim men and boys who were murdered by Serb soldiers. We remember the families forced to flee their homes. We remember the women. We remember the children.

Now it is my honor and pleasure to introduce our keynote speaker, Professor Charles Ingrao, a distinguished scholar who has devoted himself over the past decade to studying contemporary nationalism and ethnic conflict throughout the former Yugoslavia. We are privileged to welcome Professor Ingrao.

## Remarks

**CHARLES INGRAO:** Thank you.

There was only one Holocaust. But in the 1990s we saw the first example of genocide since, committed against the Bosniaks by the regime of Slobodan Milosevic and his surrogates.

A number of historical parallels have been ignored. One is the imposition of the nation-state on multi-ethnic Central Europe. That was the main cause for the punishing of the Jews in the Holocaust, and indeed for the persecution of the Bosniaks in the 1990s.

We need only go back to the late 19th century, when in multi-ethnic Central Europe, especially in the Ottoman and Hapsburg empires, ethnic nationalism emerged, as the peoples of these multi-ethnic states felt repressed and oppressed by their inability to have nation-states of their own as they saw all over Western Europe. I would mention two particular groups:

- The Austrian Germans, from Austria and Bohemia, people like Adolph Hitler, wanted to be part of a single nation-state but felt that they had been deprived of their manifest destiny by multi-ethnic states that forced them to live together with other groups compared to whom they felt superior;
- The Slavs of Yugoslavia coming together and, after 1945, the Serbs feeling that they had been deprived of their manifest destiny as the leader of the South Slavs because [Marshall Tito](#) had

ensured a strong Yugoslavia but a weak Serbia.

This deprived national destiny informs the feeling of victimization by Germans in Central Europe, such as Hitler, who felt that they had been deprived of their natural legacy, but also of the Serbs of Yugoslavia.

This went further when, after World War I, we saw the creation of states that were indeed nation-states but ones in which purity and dominance of one ethnic group became the primary objective. These new states created in the ashes of World War I sought to legitimize themselves by preaching the importance of a single ethnicity in each of the states that evolved.

This was projected by various forms of media—weapons of mass instruction—starting with textbooks that educated one generation after another that they needed to have a nation-state that was ethnically pure, or at least in which their group was dominant. These textbooks and all popular culture were also purged of an awareness, a memory, of centuries of multi-ethnic coexistence.

The Jews and Bosniaks also share an historical heritage in that they were the victims of the first feeble attempts at democracy. We live in a great society that extols the importance of democracy as the best form of government. But "democracy lite," as it was practiced in Central Europe, did not honor the rights of minorities; it did not respect the rights of the individual as much as we do. As a result, in these states it was ethnicity which invested rights rather than citizenship, regardless of race, religion or ethnicity.

Having devoted themselves to multi-ethnic states, whether in the Hapsburg monarchy or the Ottoman Empire, the Jews were the first victims of the nation-state in these democratic societies. Politicians picked on them as people who could never be part of that nation because they did not have the right ethnicity—they were not Germans, they were not Romanians, they were not Poles.

And the Jews, like the Bosniaks of the 1990s, had no place to go. Many people don't realize that the Jews of the Hapsburg monarchy, who were 5 percent of the population of that great state, made up 20 percent of university degrees, 20 percent of government officials, and over 20 percent of the military by World War I, the only Christian state where Jews were over-represented in the military. And, suddenly, they were virtually stateless, just as the Bosniaks found themselves caught between the Croats and the Serbs in the 1990s.

As a result, they became victims of peoples who saw themselves as victims, and in the process we had ethnic cleansing, followed by genocide, committed by the victims, whether the victims were the Germans or the Serbs. Now, as victims, the Germans and the Serbs were incapable of empathizing with the neighbors with whom they had lived in the past, or of even admitting the sins that they were about to commit.

I just came from two weeks in the region, where I heard three different categories of incantations of denial.

1) Outright denial, which held sway for much of the last decade, simply saying, "There was no massacre. There was no Srebrenica massacre of these people. It is all an exaggeration." Until recently, that was the view of the majority of Serbs on both sides of the Drina, in Republika Srpska and in Serbia proper. The Dean of the Philosophy faculty at the University of Banja Luka recently said there was no massacre at Srebrenica.

2) As the facts and the testimony have mounted, we have gone to a second level of denial, and

that is that the numbers are inflated. The President of the Serbian Unity Congress said, "We don't know what happened at Srebrenica. There were 300 war criminals on a list and they were executed and a few people got caught in the crossfire." His predecessor as President of the SUC was publishing remarks about the Bosniaks shooting each other in the dark, presumably with their hands tied behind their backs.

In 1998, Lilijana Karadžić repeated an oft-mentioned explanation, that 3,000 of the 8,000 missing men and boys had voted in the 1997 elections in Bosnia and, therefore, the numbers were grossly inflated. "Where were the bodies?"—a remark that we never heard after the Twin Towers collapsed and we found only a fraction of all those who were murdered.

With over 4,000 corpses now unearthed and half of them identified, we hear other explanations, the most recent example being that many thousands of these bodies were transported from the Indian Ocean, tsunami victims from Muslim Indonesia.

3) Most recently, I heard a third explanation, that all sides committed crimes equally, that no one side has a monopoly on terror and genocide. While I was in Serbia, a list of 3,000 Serbs missing from the area around Srebrenica was presented to the press. While I was in Banja Luka, the MUP, the secret police of Republika Srpska, presented a research team with a list of 2,450 Serbs from around Sarajevo who are missing and presumed dead.

The claim that as many Serbs were killed as those who died in Srebrenica is reflected in the following quotations:

- A resident of Bratunac, a town that had experienced attacks from the Bosniak forces of [Naser Oric](#): "Why doesn't anyone care about our dead? They killed us. We killed them. So what's the difference?"
- Another Serb from a nearby village said: "They got what they deserved."
- A scholar stood at the head of the Republika Srpska Commission that finally admitted that a great massacre had taken place. As he met with a colleague of mine recently in Banja Luka, he said, "It was a terrible crime. I realize that. We should have buried the bodies deeper."

Today there is no longer any question about whether or how many people were killed at Srebrenica. But the question is: Why do the Serbs have so much difficulty accepting this? Why is it so difficult to face the truth?

On a very basic level, what happened in July of 1995 is so indefensible that Serbs simply cannot bear the shame of admitting it, either as individuals or as representatives of a group. You could say the same for many Germans in 1945, until they were forced to confront the facts.

Recently, the story from Nashoba County, Mississippi, also illustrates how we all as human beings share these same problems with admitting the truth when it is too hurtful for our own self-respect. Think of the forty-one years it took before the people of Mississippi could finally bring themselves to try the man who orchestrated the killing of the three civil rights workers. And after the conviction, a decision that the jury felt it had to reach, even if they had to change the crime, one of the jurors said, "We simply could not bear the shame any longer."

There is another reason why it is difficult for the Serbs and other groups to accept the truth. In the

case of Serbia, an on-going court proceeding will undoubtedly find them liable for hundreds of millions, or even billions, of dollars in damages. I would like to think that this should not be a disincentive for the Serbs, because as a German historian I remember what happened in Weimar and how reparations saddled on the Germans after World War I destroyed any chance of Germany's developing a healthy democracy. I don't think we will make that same mistake twice.

And then there is a third reason why it is so difficult to face the truth. I sometimes call this "democracy lite," in which politicians do not have the courage to confront the people with the truth. The founding myths upon which these nation-states have been built make it impossible for politicians to defy and contradict those myths. This is present in all societies to a greater or lesser extent. But right now in the region, democratically elected politicians have to face the Frankenstein monster that was created upon the creation of these states. They know that the people firmly believe in these myths and to defy or contradict them, will cost them reelection. These "weapons of mass instruction," indeed, that have justified the homogeneous nation-state are the greatest brake on admission of what happened and where the people have to come to grips with the facts.

So what are the solutions? The solution with the Germans was easy—occupation for several years, Nuremberg, de-Nazification. But we don't have a situation here of occupation.

We have instead imposed alternate ways of convincing the Serbs and other groups that these myths have caused great tragedies. We have Voice of America, Radio Free Europe, Deutsche Welle, BBC—various broadcasts that are aimed at the region, in particular Serbia. Many NGOs all over the region are also trying to bring out the truth. And then, there is the [ICTY \[International Crime Tribunal for the Former Yugoslavia\]](#), the Hague Tribunal, which has done a great job in explaining to people what happened.

But all these truths are imposed from the outside, as are the carrots and sticks that the EU and the United States regularly cast at the region, promising money, credits; promising ultimate entry into the EU or NATO. This has an immediate effect, but not a systemic one. To wit, the latest polls showing that 40 percent of Serbs believe that Ratko Mladic, the murderer, the butcher of Srebrenica, should be delivered to The Hague, but more than half of that 40 percent want him in The Hague so that the West will get off their back and start loaning them money.

Whatever the solution, it must be multilateral. All sides must participate in the process of understanding what happened, facing the truth, and reconciling.

[The Scholars' Initiative](#), which I have been engaged in for the last seven years, is aimed at bringing together Serbs and non-Serbs from all over the former Yugoslavia, getting them to meet together, and looking at the documents, the secondary sources, at what we all know happened, as we sit around a table, and through peer pressure, engaging Croats and Kosovars, Serbs and Bosniaks, Slovians by saying, "This is what the documents say." Knowing that they want to be regarded as scholars in an international community of scholars, it is very difficult for one or the other of these people to say, "Oh no, I don't believe in that document." The peer pressure has proved extremely effective.

I had already noticed in 1997, my first trip to Serbia after the lifting of sanctions, that many Serbian scholars knew what their politicians wouldn't admit and the people didn't know. We brought these people together and confronted them with what we all know in private, hoping that safety in numbers—there are 270 of us now, more than half from the region—will permit them to exercise the courage and intellectual integrity to recognize and face the facts.

A second revolutionary aspect of this project is that we haven't just talked among scholars, because scholars themselves cannot affect public culture unless they go beyond the ivory tower. We have tried to engage media and political leaders, daring political leaders to confront what their own scholars are saying so that they can weather the storm of criticism from the nationalists in their midst.

Now, this is a very necessary catharsis that we need to effect. In media terms, we owe the victims an accounting of what happened. We must remember the victims. We must provide closure for the survivors, for the loved ones of those who perished in Srebrenica and across the former Yugoslavia. And we must accord justice to the perpetrators, if only as deterrence against future crimes.

All sides benefit from reconciliation rather than revenge. We must stop the cycle of crimes committed against one group or another that has continued throughout the 20th century.

But this must be multilateral. Whereas Croats and Bosniaks and Kosovars have much less to acknowledge in terms of crimes, nonetheless we can only bring the Serbs into this communion of confession by persuading them of our sincerity.

When I was in Potocari recently, I saw a number of young men wearing T-shirts with Naser Oric's name on the front and his achievements on the back. Naser Oric is a hero to them, and indeed there is nothing wrong with acknowledging his military feats, much as the Serbs acknowledge the military feats of Ratko Mladic. But we must also include in the historic record that Naser Oric, a former bodyguard of Milosevic, a former hitman for the Yugoslav Mafia, committed some crimes as well that have to be accounted for. Only if all sides come up with their own acknowledgements of what happened can we convince the others that their effort is indeed sincere.

We need to build confidence that will permit the Serbs, in particular, to take their place in the family of nations. They are no more or less than anybody else victims of the pathology of the nation-state. In order for them to understand what the other people have gone through, they have to feel that their problems have been understood as well.

The greatest advantage of facing the truth is for us to look into the distant future. Nuremberg and de-Nazification was essential for the victims and their survivors, as well as for the international community that let the Holocaust happen. But a century later, when we are all dead, the Germans will still be benefiting from Nuremberg, from de-Nazification, from facing the truth. Today they are a vibrant society at the heart of the European Union. Indeed, after a century of consigning multi-ethnic states to the dustbin of history, the Germans have brought Europe together.

But how far that new Europe will spread depends on the peoples of Central Europe. The Serbs, in particular, must change if they are to earn a place in the European Union. It is up to them to see how far east the EU will spread. Will it stop at the Drina or will it go farther east and farther south?

In conclusion, as I look at this challenge, as an American and as a New Yorker, I am an optimist, and as such I believe that we must look for solutions. I am confident that there are answers if we are willing to sacrifice and incur the risks and the costs of reaching those solutions.

I recently did a television interview with B-92, the most important independent TV channel in Serbia, and also with RTS, the people we bombed in 1999. In both interviews, I made a prediction that I hope comes true, that fifty years from now, maybe less, the people of Serbia will condemn Ratko Mladic for what he did. Only after they are willing to condemn his actions en masse will the Serbs be ready to enter Europe. But we must strive for that because they will be the neighbors of Bosniaks,

Croats, Romanians and Hungarians for centuries to come, and we hope that they will be neighbors in one Europe.

**HARIS HROMIC:** I am Haris Hromic, head of the Civic Diplomacy Group at the Academy of Bosnia and Herzegovina.

It has been a privilege, and most of all a duty, to work in the past few months in assembling such a distinguished panel of policy and opinion makers, diplomats, historians, both academics and practitioners, who are well suited to provide the memory of Srebrenica and the suffering of the Bosnian people on this very sad but important commemoration.

Dealing with the past atrocities is an ethical, a legal, as well as a policy challenge. Thus, this evening's demanding panel will be moderated by Mr. Gutman.

"Why Mr. Gutman?" you may ask. Perhaps the title of his book explains it best: *A Witness to Genocide*. Now a *Newsday* foreign editor, in 1992 Gutman was a reporter who risked his life to cover stories revealing the horrors of aggression in the former Yugoslavia. Most importantly, his reporting, for which he received the 1993 Pulitzer Prize, managed to free many thousands of men from Serb-run concentration camps in northern Bosnia. He was the first to expose the existence of death camps fifty years after the Holocaust. His *Newsday* reporting on crimes against humanity set the lead for the national coverage that eventually broke the siege of indifference. His achievements are truly remarkable and his contribution to human dignity immeasurable.

Today, symbols and perpetrators of genocidal politics remain an active force. Nevertheless, the ability to document crimes, provide irrefutable evidence of their commission, and clearly assign individual responsibility intensifies the meaning of these facts and brings closer to the ordinary citizens a realization that war crimes will not be unpunished.

The recent passing of resolutions in both the Senate and the House has clearly expressed the collective sense of the U.S. Congress that what happened in Bosnia in general, and in Srebrenica in particular, was a genocidal aggression against a sovereign state and its people. We gratefully acknowledge the contribution that they have made in reaffirming the truth.

Likewise, Dr. Ingrao's directorship of the Scholars' Initiative and Mr. Gutman's commitment to understanding the importance of the nexus between journalism, international humanitarian law, and war continues to provide an invaluable contribution to truth and justice both in the region and globally.

Finally, on behalf of the Academy, I would express gratitude to the Museum of Jewish Heritage, Director Marwell and his dedicated staff, and President Rosenthal and Dr. Cole of the Carnegie Council for Ethics in International Affairs, whose advisory support was indispensable. I would also like to acknowledge the contributions of the members of this distinguished panel, Ambassador Hays, Ambassador Zeid, Ambassador Ku?ljugic, the Bosnian Mission to the UN, Dr. Barkan, and Dr. Ingrao.

**ROY GUTMAN:** We are all deeply honored to be here tonight in this place, which says so much about the past and how we must learn from the past. And, unfortunately, Srebrenica is a pure example of how we didn't learn from the past, because the cry of "never again" after World War II turned out to be something that many of us felt, but not so the statesmen who ran our countries. Therefore, everyone on this panel reflects the difference that individuals can make in trying to do the right thing, even when their states and their governments fail to do so.



Srebrenica made a huge difference in my own reporting and my own career as a journalist. I happened to be the reporter who came upon evidence of terrible atrocities and crimes in the very earliest days of the war in Bosnia and reported it very carefully. I tried to be scrupulously accurate, because the worst mistake would have been to exaggerate, overstate or embellish.

But after reporting about the concentration camps, receiving a slew of prizes, writing a book, and sticking with the story, the conclusion occurred to me—only after Srebrenica—how little impact we had had as journalists. We needed to ask: Was there more we could have done? Could we have reported better, could we have done a more solid job, to not just put the crimes in the consciousness of the world but stirred people through factual reporting to have acted sooner? I don't know the answer because we cannot rerun history.

We need to learn what humanitarian law is all about—what is a war crime; how do we recognize it; how can we put the spotlight on it? Because only when we can define what is wrong can we determine what must be done.

David Rieff and I spent two and a half years producing *Crimes of War*, a compendium of articles built around the Geneva Conventions.

I would also commend Charles Ingrao for his very profound and solid historical account of some of the reasons that we had this terrible set of events at the time of the breakup of Yugoslavia. He is more nostalgic for the Hapsburg Empire than some people in East Central Europe might be, but his history is very precise, and explains how this came about.

I would like our panelists to reflect on the question: What are the lessons of Srebrenica? Have they been learned, and, if not, how will they be learned?

Charles Ingrao has put us in the frame of mind to answer those questions because he has already suggested the extent to which they have not been learned. Each panel member may have a perspective to share.

I would like to start with Prince Zeid Al-Hussein from Jordan, the Permanent Representative and the Ambassador of Jordan to the United Nations, a former UN official, and an expert on humanitarian law. He was most helpful in my research, because I was trying to reconstruct how the UN and the world community could have ever made as colossal an error as we did—and not just in Srebrenica, but in all of Bosnia.

**PRINCE ZEID RA'AD ZEID AL-HUSSEIN:** For those of us who were in the former Yugoslavia during the war, we all sense, and sensed then, that it was an intensely emotional experience, one that was so emotional that often it is too simplistic to reduce it to any rational cause and effect. We witnessed events of an evil so unconfined that to attribute it to some form of victimization is not enough.

One night I was coming back with a UN team from discussing a ceasefire with the Bosnian Serbs. A car drove up next to us with the head of a young child, who must have been four or five, on the bonnet of the car. The driver was a well-known war criminal. Something like that cannot be attributable to a rational way of thinking.

And so when one speaks of reconciliation, one needs to conduct a proper diagnosis of what led to the prosecution of this aggressive war by Milosevic and his group. The peddling of such a philosophy of negation, a philosophy of violence must be examined very closely.



The war opened up the way for the prosecution of brutalities such that one can hardly comprehend. In a period of very private reflection last year, one of the ICTY judges told me that he had presided in his own country over many murder trials, had seen every conceivable method by which a human being could be killed, from being burnt, to being stabbed, drowned, hanged, suffocated—he had seen it all—and he said it wasn't adequate preparation for what he was to experience at the ICTY.

The cruelty was of an extreme nature, and it affected most of the judges terribly, although they are professional enough to conduct their work in the normal course of events. When you have these emotions strike at you, how then do you keep a level head and proceed to talk about it and maintain some sort of sanity?

This has been the challenge to those who were trying to rebuild Europe following the Second World War. Nuremberg, by laying down the unassailable truth, has helped significantly in this.

The work of the ICTY is utterly invaluable. Some people have said, "But the Tribunal is ineffective. No one is listening. No one is paying attention to the judgments reached, who is being prosecuted, what the sentences are."

Well, that may be true. We don't know of every case that is being prosecuted in our national courts either, but we do know that were it not for the ICTY, were it not for the feeling that justice is being done, it is very unlikely that Bosnia would have ever experienced any form of peace in the last six or seven years. The same can be said for most national systems.

**ROY GUTMAN:** I was at a moving event recently where an impressive young woman from Srebrenica spoke. As I looked around the room, I didn't see any UN officials there, even though it was in the auditorium of the Dag Hammarskjöld Library. Do you think that the UN has drawn the lessons that it should?

**PRINCE ZEID RA'AD ZEID AL-HUSSEIN:** Not fully, no. In 1998, the General Assembly requested that the Secretary General produce a report on Srebrenica. The UN was very reluctant to come clean, but with plenty of prodding by a number of us, the report was finally issued.

We had a perfunctory so-called debate in the General Assembly, where each of about fifteen speakers made a few comments, but we never sat and discussed it. When you look at the [Oil for Food scandal](#) and at other scandals plaguing the UN, there is so much press coverage. And yet, on central crises for the UN—Srebrenica, Rwanda—we have nothing but the perfunctory words that are offered after the issuance of a report.

Here is the importance of a meeting like this here tonight and subsequent meetings to build on these experiences. What is relevant to individual governments in coming to terms with their own past is even more so when it comes to international organizations where accountability is spread very thin.

There are a few people who were in positions of responsibility whose judgments at the time must be called into question. The UN under-performed in the most egregious way when it came to Bosnia.

**ROY GUTMAN:** Dr. Elazar Barkan is the Professor of History and Cultural Studies at Claremont Graduate University in LA, and Director of the Institute for Historical Justice and Reconciliation.

What are the lessons of Srebrenica; have they been learned; and how will they be learned?

**ELAZAR BARKAN:** I would like to start with a couple of observations. First, when we talk about

justice and reconciliation, there is a sense that reconciliation does not have to follow justice but has to be concurrent with it.

I beg to differ. We do not need to wait for justice; we do not need to finalize the retributive justice phase, before reconciliation can take place. Reconciliation is not a place; it is a very long process. We must start to put the pieces together as soon as possible, without waiting to be satisfied with the process of justice. So the ICTY and other forms of justice—whether international or domestic—will take their course, and they will be more or less successful.

We must remember that there has never been a satisfactory process of bringing a regime or people to justice. When you look at de-Nazification, at the time it was a complete failure. It is only in hindsight that it can be seen as successful.

One of the criticisms of the ICTY is the immense expense. When we talk about reconciliation, we have to move beyond the "where" into content. Charles, I am in awe of the Scholars' Initiative project. This is the very essence of what should be done, and you have accomplished it on a shoestring. We must devote resources to this and similar projects.

My second point is that although I am a comparative historian, I would observe that Bosnia is facing an incomparable obstacle. It is a project that has not been tried anywhere else: reconciliation in a situation where we need to think about remixing.

We have to remember that in none of those countries, whatever form of national or other reconciliation has taken place, was there remixing. More than 100 million people have been expelled in different configurations over the last 100 years. No ethnic minority has been repatriated in a meaningful way anywhere, whether it be in Europe or elsewhere.

Germany has achieved this over a generation in some very significant ways, but it has done so without encountering the victims. They were in the United States, they were in Israel; they were not in Germany. Most Germans have never seen a Jew in person.

The situation is quite different in Bosnia. When we talk about reconciliation, we can examine the similarities, but it is crucial to remember that we have no precedents. We don't know how to deal with remixing and the coexistence of perpetrators and victims.

Reconciliation will be a process, where small building block pieces can be achieved, leading to a more truthful reconciliation in perhaps fifty years. Full reconciliation will take much hard work and many small components. This might be a project for this organization.

**ROY GUTMAN:** What are the lessons of Srebrenica and have they been heard? Is the Tribunal an example of the lessons? By incorporating it through an institution that is probing the past, is the Tribunal itself an example of a lesson? Where does the Tribunal fit into the reconciliation process?

**ELAZAR BARKAN:** The people involved with the ICTY are doing an honest job, and they are committed to it. But our expectations have been too high. If there is a criticism, it is of its exclusivity, as though through the ICTY everything will be delivered, rather than seeing it as a limited project to handle some of the aspects.

We couldn't have done without the ICTY. The question is: How much weight do we put on the ICTY for reconciliation, or even redemption? It cannot produce redemption, but it can eliminate the possibility of amnesty. It eliminates the questions of immunity, and that is its most important function.

When you look at Germany and see how few were brought to justice, you can say the same thing; if you look at Rwanda, you see our limited progress. No meaningful retributive justice has taken place anywhere. In a society that has become criminal in its essence, you cannot bring everyone to justice.

But, on the other hand, you can send a message. The message is that the acts are illegitimate; that the individuals may not have been caught, but it is still a crime.

**ROY GUTMAN:** Let me now turn to Donald Hays, who is with the U.S. Institute of Peace. Until recently, he was the Principal Deputy High Representative to Bosnia, with the rank of Ambassador.

The United States after Bosnia has certainly played a more active role than it did during the war. If any country has tried to demonstrate its credentials, it is the U.S.

Is the U.S. presence in Bosnia today a proof that some lessons have been learned or maybe not enough lessons yet?

**DONALD HAYS:** I spent six years working for [Richard Holbrooke](#). My first trip to Bosnia was in 1994. I came back in 1995, 1996, and 1997, and then was ultimately assigned there in 2001.

How many Americans vote for peacekeeping when they vote for a national leader? How many of them see the responsibility of this country to do what we sitting on this dais feel that America should do as part of its role as a world power? I would suggest very few.

Yet, time and time again, we are expected to lead the charge into what is a very murky situation, where there is no consensus about what should be done, who should do it, and how it should be done.

I had the privilege to be in Kosovo in 1998, in Macedonia in 1998, and in Albania in 1998, so I witnessed some of this catastrophe in the Balkans coming about. Could we have handled it better or more quickly? I believe so. I tend to first get into a problem, and then later figure out what I got myself into. Others are more cautious and thoughtful, more concerned about national consensus.

The United States is very involved in Central Europe and the Balkans. It has worked hard to create a situation where the EU has embraced these countries and brought them in to provide economic and social stability, and also worked with the NATO group, to bring in these countries to ensure that they are secure. In a stable and secure environment, perhaps we can avoid these situations in the future.

That is certainly the goal of Bosnia-Herzegovina, of Croatia, of Macedonia, and elsewhere, and it is now the driving force for the parties in the region as they try to figure out how best to resolve the crisis. They will need a great deal of help.

Why do I say that? Because before the war in Bosnia-Herzegovina, you had a very cosmopolitan, mixed population, with many people unaware of the ethnicity of their neighbors. They all went to school together. They all celebrated their holidays together. There was camaraderie and a social network that has been destroyed and must be rebuilt from scratch.

The war decimated their civil society, their trust in each other, and their trust in all of their institutions. But worst of all, the new generation in Bosnia-Herzegovina has only known division, has gone to separate schools, separate churches, lives in separate villages, and to a large degree sees their ethnic group as a place to be secure, and those of other ethnic backgrounds as forces of instability and a threat to their future.

Unless the international community, the local authorities, the religious groups, the people themselves, can find a way forward to begin the truth process that bridges these communities, that opens up a dialogue between villages of different ethnic majorities, there can be no reconciliation and no sense of country that leads to a European future. The EU will not accept a country that is so divisive, where every single issue is decided on the basis of suspicion, that has three presidents, where Croats cannot buy Bosniak firms and where Serbs cannot move back to Sarajevo because they are unwelcome. This whole attitude that creates three countries, not one, will prohibit them from reaching their goal of security and stability.

**ROY GUTMAN:** What is the number one lesson of Srebrenica, and of the war in Bosnia in a more general sense, that we should take away from those events that you witnessed so closely?

**DONALD HAYS:** The lesson from Bosnia itself, and of Kosovo, is that if you act quickly and decisively, you may stop these flames that consume the society and ultimately destroy it. But as we know, "swiftly and decisively" is not in the definition of the UN, and rarely of other countries.

We have to learn from all of these experiences that now is the time to act, and that we must do so forcefully, aggressively, for the right purposes, because it will be cheaper, more effective, and we will resolve the situation much quicker than if we wait.

**ROY GUTMAN:** Has this lesson been learned?

**DONALD HAYS:** Let me start with the UN's role. Only a very small handful of nations in the UN have a role in deciding these issues in the Security Council. Of those in the Council, most do not have a role in carrying out peacekeeping missions. So it comes down to three or four nations to make these critical decisions. Those nations do not routinely get involved in peacekeeping. It is a very anomalous situation—they are bankrollers but not actors—and a difficult situation to discipline, to harness and to focus.

Should the United States, in effect, be the peacekeeper of the world? That is ultimately what many in the UN would like. The UN would like us to say, "Yes" to every peacekeeping mandate, "Yes, we will put troops in," "Yes, we will engage." It is not so long ago that this was an anathema to the whole world, the idea was that the United States should not be a global policeman.

We must somehow reach a balance between this overwhelming responsibility of greatness, and the reality that we cannot be the solution all the time in every situation. We need to build regional groupings to find solutions.

**ROY GUTMAN:** Let me go to Ambassador Mirza Kustjagic, Bosnian Ambassador to the UN and a close observer of the issues I am raising. How would you respond to our question?

**MIRZA KUSLJAGIC:** The United Nations as an organization has not learned the lesson about Srebrenica and Bosnia. In a panel recently, I said that the UN is not ready to acknowledge its own mistakes, and is not learning the lessons.

From the very beginning of my mandate, I have tried to work beyond the report on Srebrenica, beyond the report from 1999, and to talk the Secretariat into writing a comprehensive evaluation of the UN involvement in Bosnia.

We were doing that for a couple of years. Then finally, when we realized that the Secretariat is reluctant to do that, we worked on a General Assembly resolution which required that the Secretary

General write such a report for the period from 1992. We are still waiting for that report two years later.

Whenever I asked a friend who was supposed to write the report, he said, "We are busy with other assignments," and the formal answer from the Secretariat was, "We don't have money allocated in the budget."

The reconciliation process in the region and in Bosnia-Herzegovina is not heading in the right direction. The so-called international community has not shown interest so far. Other priorities were on the agenda. Without the determination of the international community to help us through the process, we will not proceed as quickly as we should.

As long as the key perpetrators are still at large, it is difficult to even talk to the victims, to convince them that reconciliation is necessary in Bosnia.

Karadžić and Mladić are more dangerous as symbols to those who were followers of that very specific project, which is still alive; different methods are being applied. ICTY cannot do that. Unless we target the instigators who are still comfortably sitting in their chairs and in cabinets, we will not tackle the problem.

Why do we have to do that? Without starting this process, it is difficult to imagine a functioning, sustainable, not to say European, Bosnia-Herzegovina.

Do I have a hope that the process will be successful? In 1997, when no one wanted to acknowledge the crimes, I asked a friend, "Is there any hope?" The answer was, "As long as there is one Serb who wants to talk about that, we have to talk." As long as Sonja Biserko [president of [the Helsinki Committee for Human Rights in Serbia](#)] and [Natasa Kandic](#) and [Nebojsa Popov](#) are not only talking but writing and courageously working on the process, we have to design a much more comprehensive approach. That is what I hope will be part of the process that we are undertaking tonight and will continue tomorrow.

**ROY GUTMAN:** We are hearing a very sobering assessment indeed. It suggests that the glass is not quite even half-full and that, even though there have been accomplishments and peace, not only is reconciliation a long way away, but the basic task of creating a viable state and restoring normal existence is a very long way off.

Charles, as you look at this assessment, could you suggest some practical steps, and maybe we will come to what Mirza is hoping will be a set of goals.

You yourself mentioned the effort of international scholars to convince their brethren that the facts matter and that they must acknowledge them. That sounds like a truly heroic effort. But you are having an impact, because scholars-to-scholars is one of those areas that can work. What else can be done that isn't being done now?

**CHARLES INGRAO:** We have to arrive at a common narrative. Each ethnic group, each nation of the former Yugoslavia has its own narrative of what happened in the distant past as well as in the 1990s. Unfortunately, politicians are captive to this narrative. Scholars are not. Our hope was that scholars talking together could present a common platform on which politicians from across the former Yugoslavia could put at least one foot, because politicians are beholden to the electorate.

This is the dirty little secret about democracy: democracy is only as good as the myths and the

assumptions of the people who hold the franchise. If I were in a position to mandate change, I would start with textbooks, and all sorts of media that predispose people to continue believing these myths.

Srebrenica was not a break with the past, it wasn't an aberration; it was a continuation, "business as usual," of the 20th century, because of the imposition of nation-states on multi-ethnic areas.

But the other lesson has to do with the UN. Throughout the 20th century, the great powers have acted in their own best interest. When their best interests are not involved, they do not act. I stand here as neither a proponent of the UN, nor as its defender. The organization is only as strong as the five Permanent Members of the Security Council. When they set up the Safe Areas in 1993, the United States, France, Britain, and for its own reasons Russia, made sure that the Safe Areas would not be safe, because each country—including China—had its own selfish interests at stake.

We can blame the UN as an aggregate, but we have to understand that the United Nations when it is going to act can only act with the unanimity of those five Permanent Members that hold a veto. I don't think the UN can ever move forward as long as the politics of these five great powers can preempt any significant action.

**HRH PRINCE ZEID RA'AD ZEID AL-HUSSEIN:** I would like to touch on this one point alone. We heard a frequent refrain from Secretariat officials whenever we had problems in Bosnia: "The Security Council had given us a bad hand, the mandates were confused." Indeed, within a period of one and a half years, we had forty-seven resolutions come out of the Security Council, and often by the time they arrived at the Mission they were outdated. The mandates were confused and we didn't have enough resources.

But as we all know, some astonishing work can be done with the right people in the field. Despite confusing mandates and no resources, the performance can be impeccable. You can have others in the field with all the resources in the world and they will bungle it spectacularly.

And so the question that was always at the forefront of our minds was: What about the accountability of the UN officials to the victims?

It is not just the Security Council. Indeed, on occasion, there are actions that can be taken in spite of the Security Council. In general, we have seen the number of wars around the world decrease. In half of the conflict areas, the UN has a presence. The UN can do many things, and indeed in Bosnia it did do many things which were very good—it kept Sarajevo alive; there were humanitarian convoys running for most of the period.

But at the same time, that is no excuse for what we did when it came to Srebrenica or, indeed, in prolonging the war because the UN was averse to coming into direct conflict with the Bosnian Serbs. Part of the reason was also that the UN tried to argue that the situation politically was complex, that the situation militarily was complicated. They inferred that the situation was morally unclear.

For many of us the moral picture was crystal clear. We knew exactly what was happening. We knew who prosecuted this oppressive war, and for what reasons. The political mosaic that was in play and changing didn't change the central bare fact that there was no moral equivalency when it came to the acts being committed.

While some actions on the part of the Croats and the Bosniaks have been exposed and dealt with, the preponderance of the crimes committed by the Bosnian Serb army and the militias associated with it is something beyond any denial or doubt.

Elazar mentioned that the tribunals are expensive. I have tried to counter this point in the UN. The tribunals cost us one-twentieth of what it took to run the peacekeeping missions there on an annual basis. We would have to keep the tribunals running for another ten years for them to equal the cost of what it took to have the UN in Bosnia for one year alone, say in 1994 for instance.

**ROY GUTMAN:** The point you make about vacillation in the face of a clearly immoral situation is very profound and disturbing. What can be done about it?

If I come back to Charles's own initiative, which is something he has been working on day and night as long as I have known him, it is an example of a person trying to drive an action that will make a difference in one area. But are there some other solutions that we can think of in this panel of specialists that might be implemented to answer this challenge of continued vacillation in the face of an immoral situation?

**CHARLES INGRAO:** People-to-people programs come immediately to mind. The people of the region are fighting a duel between their experience of successful coexistence, and then what they read and hear in the media about the inability to get along.

In fact, in our project, one of the concluding research teams is entitled "Living Together or Hating Each Other? How People Live Together but that Doesn't Make News." People live together, they coexist, they play together, they work together, they talk together, they intermarry, but nobody writes about that. They write about ethnic conflict, about the awakening of a national group, and that is what they are taught.

People-to-people programs get people to re-experience the idea that they are just people, and see them as such, rather than as representatives of "the other."

**ROY GUTMAN:** We are now ten years after Srebrenica. If we think back to the postwar period—this would be the equivalent of 1955—after the Holocaust, there certainly wasn't much scholarship; it was just beginning. We had the Nuremberg trials, but not a lot of discussion. The museums that commemorated the Holocaust hadn't even been conceived at the time.

Are there comparisons that might be borrowed from the example of the Holocaust to learn how to deal with an event from the immediate past?

**ELAZAR BARKAN:** First, to respond to the question about the comparative in terms of chronology, when you think about the Nuremberg trials and the immediate postwar, the Holocaust did not play a major role in the understanding of World War II. The Holocaust, the destruction of European Jewry, was a relatively small affair in the general understanding of what the war was.

It is only since the 1990s that the Holocaust has become a paradigmatic event in modern history, the embodiment of destruction, of the evil that is embedded and that characterizes much of the 20th century. In some respects, the Holocaust is both specific and metaphysical in its impact on our understanding of history and destruction.

So there is a process of a time-lag. Just as valuable, perhaps, is the point that Bosnia and its destruction was in the postwar era. The Post-Cold War period was characterized by a general process of democratization in the world. When you look at the 1990s, there were many points of light, where many countries became more democratic. Rwanda and Bosnia, or the former Yugoslavia in general, were horrendous, but the exception rather than the rule in the process. During that time, the international community had gotten used to what we now call "transitional regimes" and



"transitional justice," in which accounting for crimes of the past is expected to happen immediately.

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