

Helsinki Commission Hearing:  
Bosnia-Herzegovina: Outstanding Issues in Post-Conflict Recovery and Reconciliation  
Thursday, November 8, 2007  
Statement of Senator Benjamin L. Cardin, Co-Chairman

Thank you, Mr. Chairman, for holding this very important hearing today. As you know, the conflict in Bosnia coincided with my early work on this Helsinki Commission. As we look at the situation in that county 10 to 15 years later, it is important to recall how genuinely horrific that conflict was. The atrocities committed during the Bosnian conflict truly represent the worst violations of the principles of the Helsinki Final Act since that document was signed in 1975.

The images of ethnic cleansing of villages and the shelling of Sarajevo may have faded from our own minds, but I am sure those events are still vivid today in the minds of the people of Bosnia, especially if they were the subjects and not the audience of the CNN reports. I firmly believe that we must ask the people of Bosnia to look forward, not back -- to the future, not to the past. We cannot credibly do so, however, without acknowledging that their past is not so easily forgotten, nor so easily forgiven.

That is why justice is so important, and why I have strongly advocated – both here in the Congress but also through the OSCE Parliamentary Assembly – that all governments cooperate fully with the International Criminal Tribunal for the former Yugoslavia. Based on their different records of cooperation, my efforts have had to focus mostly on Serbia. We want to see Serbia succeed, but the hesitancy if not outright refusal by some in Belgrade to cooperate with the Tribunal by apprehending indicted persons has complicated Serbia's relations with the rest of Europe, and with the United States. It has also perpetuated an unhealthy, nationalist trend in Serbian politics that should not be accepted as a norm there any more than in any other European country. Finally, it is obvious that getting Ratko Mladic and Radovan Karadzic and the two other at-large indictees to The Hague is important for their surviving victims in Bosnia.

It is also important for Bosnian Serbs in particular to recognize the horrible acts that were committed in their name. Some of their leaders nevertheless have also been less than forthcoming in dealing with these issues.

The international community has a wider stake in this issue. If there was any silver lining to the Bosnian conflict, it was that the international community said for the first time since Nuremburg that the perpetrators as well as planners of war crimes, crimes against humanity and genocide would be brought to justice. We have since seen this become part of the international response to conflicts elsewhere. Accountability on the international level, however, is still a delicate and complicated issue, and we would be setting a very dangerous precedent for the United States or Europe to drop this as a priority before the trials of the remaining indictees are complete.

I hope today's hearing will look closely at this issue, and maybe suggest some possible policy recommendations for Europe and the United States. It will also be good to look at how the war crimes chamber in Bosnia is doing, or its counterparts in Serbia or Croatia. We may discuss additional efforts to help the people of Bosnia move forward, including truth commissions. As we do, however, we should be sure the international community remains committed to the completion of the International Tribunal's work, however long it takes