

GENOCIDE IN
BOSNIA-HERZEGOVINA

HEARING
BEFORE THE
COMMISSION ON SECURITY AND
COOPERATION IN EUROPE
ONE HUNDRED FOURTH CONGRESS

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TUESDAY, APRIL 4, 1995

COMMISSION ON SECURITY AND COOPERATION IN EUROPE
WASHINGTON, DC.

The Commission met in room 2322, Rayburn House Office Building, at 2 p.m., the Honorable Christopher Smith, Chairman, presiding.

Commission members present: Hon. Christopher Smith, Chairman; Hon. Alfonse D'Amato, Co-Chairman; Hon. Frank Wolf; Hon. Steny H. Hoyer; and Hon. Benjamin Cardin.

Also present: Hon. James Moran and Hon. Frank R. Lautenberg.

OPENING STATEMENT OF CHAIRMAN CHRISTOPHER H. SMITH

Chairman SMITH. The Commission will come to order. Good afternoon, ladies and gentlemen. The subject of today's hearing is genocide-genocide in Bosnia-Herzegovina. The Commission's intent is to focus on the extent to which ethnic cleansing, the destruction of cultural sites, and associated war crimes and crimes against humanity constitute genocide in Bosnia and other parts of the former Yugoslavia. With this focus, we hope to learn more about the intent of those committing these acts and the extent to which the war crimes were ordered from the military and the political leadership.

I believe this hearing is of critical importance. This week, as Bosnia enters its fourth year of war, we on the outside have become fatigued by the daily developments there and the endless discussion of policy options. It is perhaps human nature that explains why, in the end, we look at Bosnia in terms of percentage of territory lost and casualty figures. Similarly, our desire is to bring those fighting together--at the negotiating table--to work out a mutually acceptable compromise. In the meantime, we work to get a humanitarian aid convoy to this town or to that town, or to deploy U.N. peacekeepers here or there, with this or with that mandate.

As admirable as these efforts may be, they miss the central fact that what we are confronting here is something inherently evil, a racist force so irrational that it cannot be satisfied by a positive gesture. Genocide must be condemned, confronted and stopped, not tolerated and appeased. Until then, we will continue to see more fighting, and more death, and more destruction in the Balkans.

Laying aside the threat aggression and genocide pose for international stability, there is the convicting moral question. Genocide is directed toward people in a collective sense, but the gruesome acts are

committed against individuals, moms, dads, sons and daughters, friends and colleagues. I have tried to imagine daily life for Bosnians, being forced out of their homes, being publicly and repeatedly raped, being tortured in the camps, and facing execution in the next second, or--perhaps worst of all--watching these things happen to one's loved ones. It is hard for us to imagine what life really is like for the people of Bosnia over these past 3 years. 1 year before that, as we all know, the people of Croatia faced the same ordeal.

In closing, let me say one thing about guilt and innocence. A recently released CIA report confirmed that Serb militants have been responsible for nearly 90 percent of the atrocities committed during Yugoslavia's violent break-up. Their crimes are also the most likely to have been orchestrated in order to carry out a policy that was directed from above. This does not translate into the popular notion that the Serbs are an evil people. Indeed, in previous decades, others were infected by the same evil intentions, and innocent Serbs were at times the victims. Similarly, the deeds of Serbian political and military leaders, as carried out by their militant minions, do not make Serbs collectively guilty.

I want to say this for two reasons. First, should we engage in the now popular "Serb-bashing," we ignore the vulnerability of all peoples in this world to fall into the trap of racist ideology that ensnared so many Serbs today. Second, Serbs in the former Yugoslavia and around the world, including in the United States, can do no more to defend their national heritage than to face squarely what their militant brethren have done, to condemn them for the actions which cannot be justified by history or by anything else, and to work and to seek a reconciliation between Serbs and their neighbors in the former Yugoslavia. They should place the guilt squarely on the Serbian leadership, not share the guilt with those leaders.

Our very distinguished witnesses for today will shed some light on the genocide that has been occurring in ongoing nature in Bosnia. On our first panel, Cherif Bassiouni, a law professor at DePaul University who chaired the U.N. war crimes commission, will discuss the ethnic cleansing that has taken place in the former Yugoslavia, and in Bosnia in particular. Andras Riedlmayer, a bibliographer at Harvard University, will follow with a presentation of how the reminders of Bosnian Muslim culture--mosques, libraries and historic sites--were destroyed in an attempt to deny the earlier existence of those who were ethnically "cleansed." Our second panel, consisting of Roy Gutman, a Pulitzer Prize winning author, a journalist of Newsday, and author David Rieff, will present us with their first hand accounts of what happened in Bosnia beginning in 1992.

I'd like to ask my distinguished colleagues, and I'm very happy to say that Congressman Moran has been outspoken on the issue of Bosnia has joined us, he is a member of the Human Rights Committee of the International Relations Committee, and I'd like to ask if Ben Cardin, a fellow Commissioner, would like to say anything in opening remarks.

OPENING STATEMENT OF HON. BENJAMIN CARDIN

Mr. CARDIN. First, let me thank Chairman Smith for holding these hearings. It is extremely important that this Commission receive as much information as possible concerning what has happened in Bosnia.

In 1948 when the Convention on the Prevention and Punishment of the Crime of Genocide was adopted, I think many of us thought that we would not have to be here today to examine and report on our generation's failure to stop ethnic cleansing. But, clearly, there is a need today for us to document what has happened in the former State of Yugoslavia.

Each year, in communities around the world, we observe Yom HaShoah, a day of remembrance. We remember what happened during World War II, a genocide of an ethnic people. As painful as it is for us to recall what happened during World War II, it's important that we do so in order to prevent genocide in the future. As difficult as it may be for us to obtain information on what has happened in the former Yugoslavia, we must do so. We must know what has happened, and we must hold accountable all those who are responsible for what has occurred.

Only in that way can we make sure that these types of activities will not occur in the future. Only by having hearings like this, and eliciting as much information as possible, can we hold true our values as a civilized society. So, as painful as these hearings might be, and as difficult as it might be to obtain the truth, we must do that, and for that I am, indeed, grateful for our Chairman for holding these hearings.

Chairman SMITH. Thank you very much, Mr. Cardin.

OPENING STATE OF HON. FRANK R. WOLF

The Chair recognizes Commissioner Wolf.

Mr. WOLF. Thank you v want to second what Mr. Cardin said. There have been past abuses by all sides. There's enough blame to go around. But, in this situation here, clearly, the Serbs have been the aggressors. ery much, Chris. I want to thank you for holding the hearings, and I

Both Congressman Smith and I were in Vukovar just several weeks before Vukovar fell. I remember going down into the wine cellar and the people we met, all of them were slaughtered and there are now graves up around the Vukovar area of those people that were slaughtered. I was in a Serb-run prisoner-of-war camp, where we went into the barn and looked at the men with the hollow eyes and watched them as they huddled back and forth, very, low weight, you could tell that they had been abused. They would not look you directly in the eye, and frightening things have happened.

Just go into Mostar, and East Mostar particularly, and see what's taken place. So, clearly, as Mr. Cardin said, this thing has to be dealt with. It has to be dealt with in the public. People have to know. You cannot go to the Holocaust Museum and be moved and, quite frankly, the people ought to know who haven't been there, there were and, perhaps, are Schindler's lists taking place today during this time that we now live. And so, the hearing and Mr. Smith's leadership on this issue, and Mr. Smith has been there a number of times, is very, very important.

And, last, the people who have committed these crimes have to be held accountable. They have to be brought to the bar, because if they are not brought to the bar of justice it will be like letting what happened in Nazi Germany years and years go by and generations will wonder. And, my God, how can we not do it.

So, I just want to commend the Chairman for the hearings and say this is one of the more important things that this Congress will do. You know, this Congress has gotten so wrapped up in economic issues that I'm almost getting tired of the economic issues. It ought to start focus-

ing a little bit on the moral issues, a little bit on the human rights issues and issues like this. It's very hard to get Members of Congress to focus on human rights issues. You can send out dear colleague, after dear colleague, and nobody seems to care. It's about time that the 100 days are up that people begin to care about these issues, because these are the fundamental core value issues.

So, I thank you, Chairman, for holding the hearings.

Chairman SMITH. Thank Mr. Wolf for his very strong and passionate statement.

The Chair recognizes Mr. Hoyer, the Ranking Member of the Commission.

OPENING STATEMENT OF HON. STENY HOYER

Mr. HOYER. I thank the Chairman for yielding. I share Mr. Wolf's view of the frustration, and the anger, and the negligence that the West has perpetrated on the world, not just the people of Bosnia, not just those who are assaulted.

Mr. Smith, Mr. Chairman, I commend you for holding this important hearing. At the same time, I'm saddened and, as I said, angered and share Mr. Wolf's view that it is necessary for us to be here today, yet again, to chronicle the tragedy that is Bosnia.

Fifty years ago the world witnessed the liberation of Auschwitz, that incarceration of savagery and evil impossible to comprehend. Fifty years ago the cry "never again" rang out, rang through the halls of Nuremberg, and burned into the hearts of decent people almost everywhere. Sadly and grotesquely, 50 years after Auschwitz concentration camps appeared in Bosnia, in Europe again, fueled by a virulent nationalism, the Serbian aggressors have subdued 70 percent of Bosnia and have cleansed that territory of its non-Serbian inhabitants, and the international community, the international community that said "never again" watched on television. None can say we did not know.

Elie Wiesel turned to the President and said, "Let us not have it happen again." Very frankly, the President, in my opinion, wanted to act, but neither the Congress, nor the people, were ready to act. To that extent, they were in the same condition that the world was in in the 1930's until such time as Nazi aggression crossed their borders or threatened to do so.

In my years as a member and former Chairman of this Commission, nothing has caused me more anguish than the suffering of Bosnia and the failure of the international community to stop this genocide when it had and has the means to do so. This Commission has acted, and the U.S. Congress has acted. The Commission has worked with two successive administrations to ensure the creation of the International War Crimes Tribunal, which recently issued indictments against some of those responsible, primarily at the lower levels for the genocide in the former Yugoslavia.

Last year, with bipartisan support, the House overwhelmingly voted to lift the U.S. arms embargo, an action designed to uphold Bosnia-Herzegovina's inherent right to self defense.

This year again, Chairman Smith, myself and others have reintroduced legislation to lift the embargo, not even act ourselves, but to simply say to others, we will not stand idly by and leave you defenseless.

I'm convinced that a lasting resolution of the war in the Balkans requires breaking the cycle of violence and vengeance that has racked this region, not just in this century but in centuries past. Those of us in the United States who have the opportunity to travel in Europe and in other parts of the world and talk to them about the problems that exist are shocked and saddened, but know that realistically the motivation exists when people tell us, well, let me tell you what they did to us a hundred years ago, or 200 years ago, or 300, 400, 500 years ago, justifying response in the 19th, and the 20th and the 21st centuries.

If we are to have a new world order it will be because as we become witnesses we then act, as we become witnesses we become enraged and determined to hold accountable those who for no other reason than ethnic differences would commit acts of savagery on their fellow human beings.

Inaction in the face of genocide is both immoral and illegal, but here we are witnesses to yet another attempt in this century to annihilate a people. I do not believe we have done all we can to prevent genocide in Bosnia. Neither do I believe that it is too late to act. Indeed, it must never be too late to do the right thing.

And, as I have said many times, the United States, of necessity, should and must take the lead. We must continue to strongly support the efforts of the International Tribunal, even if we cannot actually bring to justice all those who are guilty we must at least try.

Mr. Chairman, let me enter the balance of my statement in the record. Suffice to say I look forward to the testimony of the witnesses. I trust that there are Administration representatives in the room, I hope. I don't know whether we have any of the members of the Commission here from the Executive agencies, but I know the President feels deeply about this, but we need to convey that deep sense of outrage and of a necessity to act to our allies, as well as to our own countrymen.

Thank you, Mr. Chairman.

Chairman SMITH. Thank you, Mr. Hoyer, and I thank you for your very eloquent statement and for underscoring the fact that this is a bipartisan undertaking and has been for many years, during the Bush years, and now during the Clinton years, this Commission, in particular, has been outspoken in its efforts to try to get the United States, in particular, and the West, in general, to take a more decisive action vis-à-vis Bosnia.

The Chair recognizes Commissioner Salmon.

OPENING STATEMENT OF HON. MATT SALMON

Mr. SALMON. Thank you, Mr. Chairman. I'll be brief, because I'm anxious to hear what the panelists have to say, but I would like to say this. When I was first elected this last year, one of the first things that I wanted to do was go to the Holocaust Museum. And then, as the day neared that I had scheduled to attend that facility, I started having second thoughts because I knew that it was going to be very painful.

And, I did go, and it was very painful. I remember as I walked through, I'm not normally a real emotional kind of guy, but as I walked through the tears flowed. And, why is it that it takes some kind of a physical monument like that to make us remember, to make us understand the evil that man has perpetrated against man throughout the ages. And, here we are, we've talked about some very important domestic issues in this first hundred days of Congress, but many of those issues pale in

concern to the evil that's being perpetrated, such as the evil that's being waged against these people in Bosnia that is equal to, if not surpassed, the great Holocaust.

And, I would just echo what's been said today, that our resolve needs to be strong. At the very, very least we need to call this what it is, the great evil that it is, and we need to do everything that we can to bring the criminals who have perpetrated this to their comeuppance, and I appreciate the opportunity to serve.

Thank you.

Chairman SMITH. Thank you, Mr. Salmon.

Mr. Moran.

OPENING STATEMENT OF HON. JAMES MORAN

Mr. Moran. •T1 Thank you, Mr. Chairman. Thanks for having this hearing.

In listening to each of my colleagues, I have wanted to applaud at the conclusion of each statement, and I have agreed with every element of each statement that has been made.

Clearly, there is evil prevalent in Yugoslavia. It is being perpetrated by people for the very same reasons that Nazi Germany initiated its program of ethnic cleansing and became so powerful.

One of the lessons that we learned from the Holocaust Memorial, Yad Veshem, and from history, particularly at World War II, is the way that good people can empower evil people by standing on the sidelines, by being complacent because of a policy of appeasement, of choosing not to get involved. The United States certainly can say, well, this is not our battle, this is Western Europe's problem, and, essentially, that's what has been the bottom line, I'm afraid, of our ultimate policy. But, the reality is, this is humanity's problem. As members of the human race, we can't allow our civilization to be so degraded, our fellow brothers and sisters of the human race to become the victims of rape, or torture, of displacement, of the most cruel ways of domination.

And, I have to say this Commission is one of the few official voices that have stood out. I get frustrated that some of those folks who know better, who even express some frustration that the problem won't go away, well, the reality is the problem isn't going to go away unless we address it forthrightly, morally in the tradition for which this Nation stands, and, in fact, in the manner of leadership that the rest of the world looks to us to know.

Much blame can go around, and at some point we wind up blaming the victims that the problem persists, but the reality is the problem persists because we have not addressed them in the way we should have and the way in which we should have addressed the invasion of Sudentenland. I could go down the whole list. It wasn't immediate, it was incremental, the ability of evil leadership that we had in World War II to be so successful. I'm amazed that fascism and the evil could be so successful in this day and age, but it shows you that we have not learned our lessons adequately.

I applaud the people who are going to testify today, because they are going to give us further ammunition. I would hope that this body would use that ammunition to act in a moral manner consistent with the principles from which this country is founded and which brought us into public service in the first place.

So, Mr. Chairman, I thank you for having the hearing, and I thank all the members. Obviously, these people that you've heard from mean what they say, and are to be recognized as real moral leaders within this body, on which I am proud to serve.

TESTIMONY OF PROFESSOR BASSIOUNI

Thank you, Mr. Chairman.

Chairman SMITH. Thank you, Mr. Moran, and thank you for being here and lending your voice to this effort.

Professor Bassiouni is a Professor of Law at DePaul University. He's been there since 1964, and is President of International Human Rights Law Institute. In 1993, he was appointed Chairman of the United Nations Commission of Experts to Investigate Violations in the Former Yugoslavia, and between 1992 and 1993 he was the Commission's Special Rapporteur on Gathering and Analysis of the Facts. He is the author and editor of 23 books on U.S. Criminal Law, International and Comparative Criminal Law and Human Rights.

We welcome you, the Commission welcomes you.

Professor Bassiouni. •T1 Thank you, Mr. Chairman.

If I may start by saying that I was deeply moved and touched by your remarks and the remarks of the distinguished members of this panel. And, if I may start with a general observation, there is no doubt that there can be no peace without justice, and there can be no justice without truth being established first, and this applies not only to this conflict, but to any other conflict. And, there certainly cannot be peace if major powers like the United States are not willing to make their commitment felt beyond the mere expression of their good intentions and good wishes.

The difference between a mighty power and a truly great power is the ability for the great power to take the high moral road. Hopefully, the United States will continue in its tradition of moral leadership and effective leadership in the field.

The Security Council established, in 1992, a commission of experts to investigate the violations of international humanitarian law in the former Yugoslavia. This was the precursor for the establishment of an International Tribunal. At the time, we did not know what the extent of the violations were. But as events subsequently developed, we identified approximately 200,000 people killed; 800 prison camps and detention facilities which housed over half a million people; our estimate is that more than 50,000 have been tortured. We conducted the world's largest rape investigation. We examined over 1,600 cases of rape and sexual assault and interviewed 223 actual victims and witnesses. We have 575 affidavits of victims who identified their perpetrators.

Mr. HOYER. Professor, I'm sorry, 1,600 cases you've investigated of alleged rape.

Professor •T4 Bassiouni. •T1 That is correct.

Mr. HOYER. OK. And then, would you go on with the other things?

Professor •T4 Bassiouni. •T1 Sure. We interviewed directly 223 victims and witnesses. We have over 575 affidavits in which the victim is not only identified, but the victim identified the perpetrator as well.

Of the 1,600 cases alleged and brought to our attention, a number of them indicate others who have been raped in their presence. The number of cases exceeds 4,500. Consequently, we are able to make a reasonable projection of four times the number of alleged cases which brings

the total well over 20,000. This number is no longer a figure picked from thin air. It is now based on verifiable facts from which we can make this reasonable projection.

We identified 151 mass graves containing anywhere between five and 3,000 bodies. Most of these mass graves, of course, are clustered around principal places of detention.

The volume of the victimization that has taken place in a relatively short period of time is quite astounding. Consider, if you will, that in a population base of a little over 5 million people, this high level of victimization has occurred in approximately a year and a half.

To put that in perspective, consider, if you will, the Arab/Israeli conflict over the last 70 years involving a population base of about 50 million people. There isn't a single reported rape case occurring on either side.

Consider that in four major wars between Egypt and Israel, with a POW population base of 35,000, there isn't a single case of a POW being tortured to death.

Now, this is quite astounding, as I said, considering the short period of time, the limited territory in which the victimization occurred, the limited population base, and the volume in terms of quantitative volume. But above all, the ferocity with which harm was inflicted is particularly shocking.

As Mr. Wolf and others indicated, I spent the last 2 years between 1992 and 1994 visiting these areas, being in mass graves from which we exhumed bodies standing up to my knees in dead bodies, interviewing victims of rape and torture, seeing how life has gone from their eyes, and seeing not only the physical, but the psychological consequences of their victimization. As I said earlier, I think it is the ferocity of the victimization that is particularly shocking. It is the absolute senseless brutality that one sees time and again that is particularly surprising.

Two important footnotes. In many of the interviews of the witnesses, there was a recurrent theme of the perpetrators telling the victims that nobody will ever know about them. Nobody will ever care. Nobody will know what will happen to them. This is a very important fact.

By the end of our mission, as I was crisscrossing Bosnia-Herzegovina and Croatia, members of the International Committee of the Red Cross who inspected prison camps would come and tell me that they would go into camps and the camp commanders would take them on the side and would say, you know, we understand that there's a commission that's gathering evidence here and we want you to come and see that we are not running bad camps.

I think these two, if you will, little vignettes are very telling. When people realize that they can get away with committing these crimes with impunity, obviously, the deterrent element is gone and the level of victimization increases. And, No. 2, when they know that there is some type of accountability, they become more conscious of the level of victimization.

When we started our work in the investigation, you might be very interested to know that the United Nations provided this Commission with absolutely no resources to engage in its investigation. It was quite a surprise to me to realize that although we had a broad mandate to investigate all types of violations of international humanitarian law in a fairly large territory while the war was going on, only the Chairman

was full time; the other four members would come in occasionally on a part-time basis, 2 or 3 days a month for meetings in Geneva; and there was neither a single person nor a single dollar for investigations.

We did not start receiving some moneys in a voluntary trust until July 1993, so until about 7 or 8 months had passed. Most of the work done had really been done along two lines. I started a data base at my university, at DePaul University in Chicago, with the resources of the university. Thanks to grants from the Soros Foundation and the McArthur Foundation, we accumulated 65,000 documents and 300 tapes, and produced over 3,500 pages of volumes of reports, all of which became the first base for the tribunal when it started. Without this foundation the Tribunal would have had nothing to start with, and all of this was accomplished in the United States through private fund sources which ultimately exceeded the total amount of funds provided by the international community.

The data base project cost over \$1,400,000.00, which is not an excessive amount operating for a 2-year period, mostly with volunteer young lawyers and volunteer students. The total contributions from about 18 countries out of the 184 member states of the U.N. amounted to \$1,300,000.00.

However, what we did have is the assistance of some governments, which I solicited to provide us with individuals. I organized individual teams for investigative missions. When we did our rape investigation, we organized 11 teams consisting of 33 women--11 women prosecutors, 11 women mental health persons, and 11 interpreters--and we had teams of three who would go out in the field working in seven cities in Croatia, two in Bosnia, in Germany, as well as in Sweden, collecting information.

All of these teams were volunteer teams. They came at their own expenses. In addition, we used the money that we had from the governments, this piddly sum of \$1.3 million, which many of you will probably equate in your minds with the \$40-45 million spent on the Iran Contra investigation--just to put things into perspective. We were able to use these funds in order to put people in the field, but their time was contributed.

We did mass grave investigations in Vukovar, where you went, Mr. Wolf, because of the terrible situation in OvcAE«MDBO»5«MD30»ara, where 204 Croatian persons were taken out of the Vukovar Hospital«MDBO»;«MD30» taken onto an open field in an agricultural co-op, about five kilometers in the middle of no where«MDBO»;«MD30» and just summarily shot and buried in a shallow grave. We were unable to complete our initial investigation and exhumation for lack of remissions and authorities by the local leader«MDBO»s.«MD30»

We conducted a mass grave exhumation in Sector West of Serbs who had been allegedly killed by Croats. We carried out the investigations. We had received reports that 1,700 Serbs had been killed«MDBO». Since«MD30» I was concerned in the dispensing of my responsibilities «MDBO»about being«MD30» fair and even«MDBO»-«MD30»handed, I proceeded there. We«MDBO» found«MD30» 19 bodies, not 1,700 bodies«MDBO». «MD30» «MDBO»We «MD30»exhume«MDBO»d«MD30» the bodies, but were not able to complete the exhumation and identification process because our Commission was unfortunately terminated prematurely by the U.N. bureaucracy, even without a decision of the Security Council.

As part of our investigation we worked, we did an investigation in Dubrovnik. We sent several experts, one from the Council of Europe, one from UNESCO, two experts from Norway, and two officers from the Canadian government, to do a thorough investigation of the destruction of Dubrovnik and other cultural sites.

Probably more importantly, we did a significant study of the Battle of Sarajevo. We did a day-to-day chronology for a period of close to 4 years, showing every day the number of shells, the number of people killed, the number of persons injured, and above all following the targeting of civilian targets. I can tell you that in a period of less than 4 years the KosAE Hospital, a civil hospital, was bombed 289 times. I can also tell you something very curious, at least it was curious to me, that over 40 percent of the bombing at the KosAE Hospital occurred between the hours of 12 and 2. I subsequently, of course, found out while there 1 day and a bomb fell near my car during 12 and 2 that these were visitation hours when the shelling was the most severe.

The shelling varied according to something else that we were able to track. We tracked the whole history of negotiations and we overlaid the history of the negotiations with the history of targeting. As you can well imagine, we can document and have, indeed, documented for 4 years how when political negotiations went in a particular way the shelling decreased, and how when they went in another way the shelling increased. This is particularly true toward the end of August, beginning of September, as a peace agreement was about to be signed in Geneva. During the last days of the negotiations we were witnessing ten to 20 shells a day when the negotiations broke down, we went up to 3,000 shells the next day, thus, clearly revealing the nexus between them.

Of particular interest too is the fact that we were able to develop a study of the military structure of the parties, the order of battle, establishing which units were where. Probably one of the most unique features of this conflict was the fact that there were 80 paramilitary groups active in it. Many of these paramilitary groups acted within or with the army, others acted outside the army.

At first, many thought that this was a sort of haphazard type situation. We subsequently found that this was not haphazard particularly in Bosnia, as you know, but also throughout most of the territory of the former Yugoslavia. The administrative unit is called an OSA. In the OSA we found out that immediately as the conflict broke out in May 1992 each OSA developed an emergency committee. The emergency committee consisted usually of three

persons«MDBO»:«MD30» the head of the police, the head of the Serb Renewal Party or whatever party was dominant in the area, and the head of the army unit that was there.

Surprisingly enough, throughout the entire arc, starting with FocAE«MDBO»5«MD30»a, GorazAE«MDBO»5«MD30»de, Srebrenica, BrcAE«MDBO»5«MD30»ko, going on to the central part, Prijedor, Baja Luka, all the way to BihacAE1, in other words across the Drina and the Sava Rivers in that important strategic corridor which was ultimately cleansed, there is no doubt that, in a large territorial expanse, over a significant period of time, the same patterns of behavior occurred, and the same administrative organization characterized the acts of ethnic cleansing--who did it, and how it was done.

Particularly interesting is the way ethnic cleansing was done. It was done with plausible deniability in mind. Most of the time, the army was only involved on a support basis. At the beginning, it was the JNA itself. Subsequently, it was the Bosnian Serb Army. Most of the more serious crimes were committed by paramilitary groups who either came in or out of the area, or who sprang up locally. But, the persistent violations came subsequently from the local police and the paramilitary that they recruited.

Unfortunately, police contact is usually not with the elites of a given society, nor with its intelligencia, but rather with its worst elements, and so it is no surprise that they gathered around them the worst elements of society; armed them; gave them the Nationalistic flag to wrap themselves up with; promised them impunity; and allowed them to go and do whatever they wanted. That is really the sad picture of what happened. It evidences a complete breakdown of command and control. It evidences a lack of supervision.

Now, if you looked at it without going in depth, you may think that this is simply the product of chaos. If you looked at it as we have over a 2-year period of time and documented it, you would find out that the systemicity is not unplanned.

We completed our work and before you here is approximately 3,500 pages of the reports of the Commission which delivered to the Security Council at the end of December. The United Nations is supposed to be printing, publishing, and making them available. We are still awaiting that. Last word was that it was coming out at the end of April. I would like, with the Chair's permission, to present a copy to this committee.

We have a summary of approximately 100 pages at the beginning, which if the Chair and the distinguished members agree, I would like to submit to be part of the record. I think that the summaries will very adequately convey the message if you would publish them as part of the hearing.

Mr. •T4 SMITH. Without objection, I think that's a very good idea.

Professor •T4BASSIOUNI. •T1Thank you, Mr. Chairman.

You will see, from this complete documentation, an overall structure that is very methodical and very detailed. The policy of ethnic cleansing had a strategic logic, as well as a political logic, and it was carried out in a consistent pattern. The idea was simply to establish an area along the Drina and Sava Rivers, which would make contiguous the areas inhabited by Serbs in Bosnia, Serbia, Montenegro, and Croatia, to facilitate the contacts between those groups.

The logic of the strategic purpose was also inevitable in its outcome. As the Serb population in those areas was much less than the Bosnian population, it behooved that logic to remove the population, which was inimicable simply because there weren't enough people of the dominant group to be able to control those who were not. So, rather than risk having, if you will, an inimicable or enemy group at your back, the strategic dictates were to ethnically cleanse them.

The tactics were really very simple and rather simplistic. The tactics were simply to engage in the type of violence that would cause people to leave, after many had suffered and been killed, with the fear of what happened to them and with the terrorizing effect that it created. In fact, it is very telling that in 80 percent of the rape cases that we investigated, the acts of rape were done with the purpose of enhancing the element of shame and embarrassment of the victim, of her family, and of the community, so as to create a terror inspiring effect that would cause people, (A) to flee, and (B) not to return.

Now, I hesitate to classify or categorize those acts. The final report of the Commission, which is also here, takes a strong position in favor of considering these acts as crimes against humanity, and we have no hesitation about that. The question of genocide is a little more complicated because of the way the convention is drafted in terms of requiring a specific intent in the way it was carried out, and as to whether or not the convention is to be interpreted as encompassing an entire group.

We, at the Commission, took a more progressive look at it and said that genocide should be interpreted not in light of an entire group, as was the interpretation that followed the Holocaust because that was the pattern that was taken by the Nazis, but rather to look at it in terms of more specific contexts. So that if you took, for example, the context of Prijedor, where 56,000 Bosnians are missing and a large number of them were killed, particularly targeting the intellectual elite, the leadership, et cetera--if you took that context, that is, the Prijedor context, then you can find an intent to eliminate in whole or in part a particular group within that context.

If you take the broader interpretation of genocide as involving the entire group of the Nation, then, of course, you cannot reach the same conclusion.

So, there is no doubt--at least in the final report of the Commission there is no doubt--that if you took it in narrower context, you would reach that conclusion, whereas if you took it in its overall broader context, it would be more difficult to achieve.

Even though the Commission was supposed to finish its work on 31 July 1994, we were administratively terminated 30 April 1994. The final report and the annexes were completed by me, even though the Commission was terminated, through resources that we obtained in the United States and through my university, without any financial assistance from the United Nations to complete the task.

I have frequently stated, and I repeat it again publicly, that there was a political purpose in prematurely terminating the Commission, which was reaching some very damaging conclusions--conclusions that did reach to the military and political leadership. In my judgment, the purpose of eliminating the facts from being known facilitated the ultimate political process.

I have always thought that this was very shortsighted, because, as I said when I started, you cannot have justice without peace. History has taught this in this conflict, with the people in this area, with the historic claims that the Serbs have or others may have in this area, we simply cannot put these things under the rug.

What is important is gathering of the evidence. Prosecution can always occur at a later time. If you have the evidence, there is no fear as to when you can prosecute. We are still pursuing Nazis all over the world 50 years later now. But, if the evidence is not there, and there is no commission that investigates the overall conduct of what happened, it will be very difficult ultimately to prosecute. But, we are delighted to see that the Tribunal is functioning, it is producing indictments, and hopefully it will make a significant record of achievement. Certainly, your support for the Tribunal is very important.

I apologize, Mr. Chairman, if I spoke a little too long, and I thank you for inviting me.

Mr. SMITH. Professor Bassiouni, I thank you for your very expert testimony, and just would note, I've been advised you have to leave very shortly for a plane to New York. I would ask, asking the other witnesses' indulgence, that we go right to maybe one question each to accommodate your schedule, then we'll go back to the regular format.

Let me pick up on that last point that you raised, Professor, with regards to evidence gathering. In your view, is there a body of evidence sufficient to reach to the higher echelon of the political military leadership of the Serbs, and are you aware of any facts that might suggest that the War Crimes Tribunal is disregarding that evidence, or are they looking to go after the leaders, or just at perpetrators at the lower level?

Professor •T4BASSIOUNI. •T1I'm confident that Mr. Goldstone, the prosecutor, as well as the staff that is working with him, are very dedicated people, genuinely dedicated and genuinely concerned enough that they will not be affected or compromised by political circumstances.

However, there are objective difficulties as well as bureaucratic and financial difficulties that I am sure you are well aware of. The budget of the Tribunal has not yet been voted upon by the ACABQ, which is the finance committee of the United Nations. There is an objective problem of putting together a team of people from different countries with different legal systems, and welding them into a team that speaks the same legal language. There are a lot of practical difficulties of going into the field.

To date, there are only ten countries that have adopted implementing legislation. The United States has not yet adopted implementing legislation with respect to the Tribunal. The government of the former Republic of Yugoslavia, the self-proclaimed Republic of Krajina, Serbia, and Bosnia have, of course, clearly stated that they will not recognize the competence of the Tribunal. All of these are objective difficulties.

Mr. SMITH. Very quickly in follow up, is evidence evaporating the ability to gather evidence because of the lack of people in the field doing what you were doing before the termination of your Commission?

Professor •T4BASSIOUNI. •T1In my judgment, yes, for the simple reason that the prosecutor has to focus on specific cases, and it's not difficult to indict and collect evidence on specific cases. Therefore, there is nobody that is looking at the overall picture. And, the overall picture has to be an in-depth study of the order of battle, the distribution of

forces, where they were located, what units were under whose command, who among the 80 paramilitary groups were responsive to what commander, in what theatre of operation, where were the supplies coming from, who was financing them? All of these are sort of general questions, which the prosecutor at this point is not in a position to carry out.

Mr. SMITH. Thank you.

Mr. Hoyer.

Mr. HOYER. In light of that, Professor, as a follow up, clearly, as you know, Secretary Eagleburger branded both Milosevic and Karadzic as war criminals, others as well, but those two.

Mr. Smith's question, Chairman Smith's question, went to the fact of, do you believe there is probable cause, that is to say, enough evidence on which to proceed against those two individuals and others at that level, either in terms of direct evidence or pattern of perpetration in areas estranged from one another. You spoke of that, that there seemed to be patterns in various different areas from which one could conclude, at least circumstantially, that there was an overall plan, as opposed to individual discreet action of violence and atrocity.

Obviously, I haven't read your report. I may not read your full report, but I'll look forward to the 100 pages. As a lawyer, and you say that based upon this to the prosecutor we have probable cause, in effect, a grand jury determination we have probable cause, now you've got to prove it, but we believe there is enough evidence to give us cause to believe that the highest levels have implemented a plan of genocide and war crimes.

Professor •T4BASSIOUNI. •T1Mr. Hoyer, if I may give you two examples based on facts. The battle and siege of Sarajevo, which we documented over a period of 4 years, the unit doing the shelling of Sarajevo is called the first corps, or Sarajevo Romanija Corps of the Bosnian Serb army. This is exactly the same unit that used to be part of the Yugoslav National Army, the JNA, when the JNA presumably pulled out, leaving most of the troops officers, as well as most of its weapons, behind.

The Sarajevo Romanija Corps has been commanded by three generals, all three generals coming out of the ranks. In a period of 4 years, the consistent pattern of bombing of civilian targets, which constitutes undoubtedly grave breaches and war crimes, without doubt establishes command responsibility with respect to these three generals.

Since there are seven army corps in the Bosnian Serb army, all directly under the leadership of Mr. MladicAE1, you can certainly establish the command responsibility of these generals and General MladicAE1 as their commander.

In view of the connection between the bombardments and the political situation, you clearly see the linkage between the military and the political. Consequently, you only need one link in the chain in order to be able to establish political responsibility.

I do not have that added link, because I do not know the extent to which that political leader knew of what was going on or had the possibility of preventing it. However, should that be established, then clearly under the Doctrine of Command Responsibility that would be the case.

A second example is the paramilitary groups under the command of a man commonly known as "Arkan." Mr. Arkan, otherwise known as Zeljko Raznjatovic, is a man we discovered had eight arrest warrants

outstanding for him with Interpol. He is a well-known thug who used to work for the Ministry of Interior in Belgrade before he started his patriotic career doing criminal acts in the name of Serb nationalism.

This man had committed murders and bank robberies, and escaped from jail in Sweden. I've talked to the prosecutors there, and so I've followed his prior career. He had a training camp, in fact, near Vukovar. He, at one time, commanded in the Battle of Vukovar as many as 3,000 men. His men moved from Vukovar to Prijedor, where part of a variety of battles took place, implementing ethnic cleansing policies. They wore brand new army uniforms and had brand new equipment. They worked hand in hand with the JNA, which provided tank and artillery support. The commander of the army corps in Vukovar, during the Battle of Vukovar, was undoubtedly knowledgeable of what was going on, and therefore, his command responsibility is established. He subsequently became chief of staff of the army.

So, you can see from these facts the way pointing out to at least the senior military leadership knowing. It is unlikely that a number of similar incidents occurring over a long period time, which were so well-publicized, could not have been known to the senior political leadership as well.

Mr. HOYER. Thank you very much, Doctor.

Mr. WOLF [presiding]. Mr. Smith asked me just to take--let me just, I will have no questions, Mr. Cardin?

Mr. CARDIN. Thank you, Mr. Chairman.

Let me ask a question. You have raised very serious concerns about the sincerity and interest of the International Community, as far as the investigation is concerned, the lack of funding of the work of your Commission, and the premature termination of it. We know of the lack of enthusiasm, regarding the establishment of the Tribunal, of many countries, and the efforts to diffuse its attention from what's happening in Bosnia. All this raises very serious questions as to how sincere the international effort is, including the United Nations, to get to the truth in this matter.

I wonder whether you could share a little bit more of your insight as to why you believe there has been this lack of commitment within the United Nations and within the International Community to seek the truth of what's happening in the former Yugoslavia.

Professor BASSIOUNI. Well, I think to a large extent, it is quite obvious that the pursuit of a political settlement, and I use that word as opposed to peace, that the pursuit of a political settlement with certain types of leaders necessitated that the truth, in a sense, either be compromised or be held in abeyance.

It seems rather incongruous that one would sit with political leaders with whom one wants a political settlement, and who are receiving high honors by being treated as heads of states, and yet at the same time, threaten these very people with investigating them as war criminals or having committed crimes against humanity.

At the time when many of these leaders were elevated in stature and recognition in the course of these political negotiations, you could not have a parallel track that would, in the course of events at least, as Mr. Hoyer indicated, raise the question of command responsibility, if not by commission at least by omission, because they had the responsibility to act, they failed to act over a sufficiently long period of time during which they knew what was going on.

And, I think that this was unfortunately the reality in which we found ourselves trapped.

Mr. CARDIN. So, the leaders have not understood your first comments, that is, to have peace you must have justice. They have not quite understood that yet.

Professor BASSIOUNI. I think, sir, that one should consider peace as a long-term process. A political settlement is hopefully the sort of thing you get a few people to sign on a piece of paper. Peace, at least in my estimation, is reconciliation between people, and that takes a lot of building, a lot of effort, a lot of consistency, a lot of recognition of what took place.

Victims all over the world, including victims of domestic crime in this country, the first thing they want is recognition of their victimization. They want somebody to say you've been victimized, we're sorry for you. They want compensation. They want to get on with their lives.

Unfortunately, what we have done is, we have compromised the rights of victims by saying that's not really important. You know, we'll resettle you as refugees in different countries in the world. What we want right now, above all, is people to sign an agreement that says there's going to be no more fighting, so that we can get this thing off the front burner of the various chanceries in the world.

Mr. CARDIN. Thank you.

Mr. WOLF. Mr. Salmon.

Mr. SALMON. Yes. I just had a couple of questions. Some of the statistics that you've shared on the rape victims was harrowing. Were they mostly perpetrated within the concentration camps, or are these acts in their own homes, or are they mixed bag? And also, how difficult is it going to be to get some of these people to come back and testify as witnesses in an open tribunal?

Professor BASSIOUNI. Most of the rapes occurred in detention facilities or in custodial settings. Most of them occurred on a mass basis, not only in terms of the repeated number of rapes against the victim, but also the number of victims--in other words, the victims were rounded up. I'll give you three examples in the town of FocAE5a. There were three places where rape and sexual assault occurred: the partisan hall where women were brought in and raped and kept--it was a sort of a turning point where people would be brought in and out and raped; in another place, a number of women were kept for the satisfaction of the soldiers coming in from the field on a 15-day rotation basis; and another place, and I can identify that one because the people are outside risk, is a little house where 18 women were--women and girls, ranging in age from 11 to 17--were kept from between eight to 10 months. They were all daughters of prominent persons in the cities or all ultimately ransomed.

I interviewed a 14-year-old girl and a 15-year-old girl who had been raped, respectively, for eight and 10 months consistently by their guards. I saw an 11-year-old girl in a fetal position in the psychiatric hospital in Sarajevo, having given birth to a child, having completely lost her mind.

Let me add something that is also very significant. Two days before these girls were ransomed, the commander of that unit was killed, and another camp commander came. On the day of the release, the guards wanted to go in and have a last go at raping the girls, and that Serb commander stood in front of the door and trained his machine gun on his men and said, any one of you who comes close to these girls I'm

going to kill him. And, I'm saying that because there have been many instances of really decent actions by individual Serbs in that conflict who have helped victims, and we should not overlook that as well, because otherwise we risk to sort of slip into, as the Chairman said earlier, of just smearing a whole group of people and that just isn't so.

Mr. WOLF. Maybe what we can--if Senator Lautenberg would agree to chair, you can stay, Matt, we are down to about 5 minutes, and we'll be right back. This way, Senator Lautenberg can chair it, and then we'll just continue to be back, and Mr. Smith will be back in about three or 4 minutes.

OPENING STATEMENT OF SEN. FRANK R. LAUTENBERG

Senator LAUTENBERG [presiding]. Is there something I said to my colleagues?

Well, thank you very much, Congressman Wolf, and I wind up having come late and assuming the chairmanship. I don't know whether that suggests a pattern for the future, but here I am, nevertheless, and I'm delighted to have had a chance to look at your respective biographies, but also to pursue the discussion that's been going on, at least as I've heard it since I'm here. I find all of this so distasteful, and shocking, and unbelievable, I was in Croatia and in Bosnia 2 years ago for a short visit, and saw some of the communities and met residents and learned what happened, and for me it's a very painful experience to know that my country is sitting by and doing nothing about this, though they are trying, but not to be able to get any support from other parts of the world, of the so-called civilized world, I find astounding.

Professor, what happens with the progeny of these rapes? What happens to the children that are born in these incidents?

Professor BASSIOUNI. Well, Senator, I think this is something that should be really of quite concern to us. You were not here when I described the investigation we did of the rapes, and our interviews of 223 victims and witnesses. One of the most interesting things is, as we interviewed the victims I told our teams of investigators, I said, you know, the first thing I want you to tell these victims when you see them is to tell them that the world knows what happens to you, and that the world is concerned, and we are here to just bring you our human solidarity. We may not be able to do much for you, but at least that we wanted you to have.

And, at the end of each meeting, the victim would just break down and cry and sort of hug the three women interviewers who were there and thank them for their concern. And, it was particularly telling because I had agonized in planning this operation and many psychiatrists were telling me of the risk of retraumatizing the victims. Well, in 223 cases not one of them was retraumatized. In most of these cases, the experience was a cathartic experience and, above all, the victims were grateful.

But, what we did realize, of course, is that there is no after care. This is a time bomb. These women are extremely brave. The support network among women is the only thing that keeps this thing going on. But, there simply is very, very little effort, other than some NGO's and humanitarian organizations, who are trying to funnel things over. So, it's not only a question of the progeny. We know of some 200 cases of children who have been born out of forced impregnation like that, but it's the question of the mothers, and it's the question of the family.

Senator LAUTENBERG. But, what happens to the children, those children that are born out of those rape attacks? I assume that when you talk about this repetition of process, you are talking about multiple partners with one woman, and no identification or anything of that nature. What do they do with---

Professor BASSIOUNI. We know only of 200 cases in which there has been child birth. What we did notice, for example, is---

Senator LAUTENBERG. But, do they have abortions?

Professor BASSIOUNI. Yes. In the Sarajevo Hospital, we checked on that, and in 1993 there was something like over 3,000 abortions more than in 1992. We found the same phenomenon in the hospital in Tuzla, for example, where a lot of refugees came from other towns into the Tuzla area. The incidence has increased.

But, as statisticians tell me, the incidence of increase of abortion may not necessarily be due to rape. It may simply be due to the fact that people may not want children in time of war. So, it's a statistical probability.

Senator LAUTENBERG. Because I remember hearing one tale of women being forced to stay in a gymnasium, school-type building, until those pregnancies were ultimately delivered.

Professor BASSIOUNI. There are a few cases like that. As I said, we've been able to track down a little over 200 actual cases of birth as a result of forced impregnation, and from what I've heard, the mothers have kept their children, dealt with them as I think most mothers would. As I said, what's very, very interesting in this conflict is that here you have a network of support by other women who have been equally victimized in different ways, who are supporting them with very limited resources, and that's an area that requires a great deal more of humanitarian attention.

Senator LAUTENBERG. So, Mr. Chairman, I don't know what the schedule here, but I jumped in the chair the minute I saw it was vacant, which is what politicians always do, and to just--I wanted to put forward a couple of questions. If they are redundant, and they are already reflected in the record, please say so, and if you don't mind I'll just take a few minutes.

Mr. SMITH [presiding]. My understanding is that the Professor does have to leave for a plane, though.

Professor BASSIOUNI. If I can have 5 minutes.

Senator LAUTENBERG. Oh, sure. Do you have---

Mr. SMITH. We have three more witnesses.

Senator LAUTENBERG. Oh, before the 5 minutes?

Mr. SMITH. No, before the forty minutes to 4.

Senator LAUTENBERG. , before 4. OK. I think I heard you respond to the question of direct evidence, as to whether or not the Serbian government or it's the Bosnian Serbs, the rogue government there have engaged in genocide. Is there a quick answer to that question? Have they engaged in it directly, a matter of national policy or rogue government policy by the Bosnian Serbs?

Professor BASSIOUNI. I think that the facts indicated that the policy of ethnic cleansing conducted throughout certain geographic areas targeted a particular ethnic group for either elimination or, in part, physical extermination. This did not apply to all Muslims throughout all of Bosnia, but it did apply selectively in certain places. So, it will depend

on how one defines or interprets the definition of the genocide convention as encompassing the entire group or just groups in a particular regional context.

Senator LAUTENBERG. Chris, I won't ask any other questions, because I guess examination of the record will take us a lot, and if the Professor or Mr. Riedlmayer is available for any questions that we might submit later on that would be appreciated.

Mr. SMITH. I appreciate that, and thank you very much for your fine testimony. It was very illuminating.

Professor BASSIOUNI. Thank you very much.

Mr. SMITH. I'd ask the other two witnesses if they also could come to the table at this point, and as they are coming to the table I'd like to introduce Andras Riedlmayer, a bibliographer in Islamic art and architecture, Aga Khan Program, Fine Arts Library, at Harvard University. Mr. Riedlmayer has been actively documenting the destruction of Muslim cultural sites in Bosnia, as well as seeking to preserve or replace the contents of Sarajevo's destroyed library. He has received degrees in history, Near Eastern studies and library and information science, and has fluency or reading knowledge of many European and Middle Eastern languages.

Mr. Riedlmayer, thank you, please proceed as you would like.

TESTIMONY OF ANDRAS RIEDLMAYER

Mr. RIEDLMAYER. Thank you very much.

Mr. SMITH. Do we need to turn the lights down?

Mr. RIEDLMAYER. That would be good.

Mr. SMITH. Please.

Mr. RIEDLMAYER. Sarajevo, in the heart of Europe--40 minutes by air from Rome, little more than an hour from Zurich. We see a row of people, standing in line amidst the rubble of their city in their dangerous daily quest for water, food and safety. Naturally, and rightly, our attention is focused first on the people, on their need and on their danger, on the scandal of a modern city and its inhabitants being reduced to this.

But, we should also take a closer look at the rubble, because in Sarajevo, as elsewhere in Bosnia, rubble signifies, not only the ordinary atrocities of war like people's homes destroyed, hospitals targeted for shell fire, businesses and civic institutions burned down, neighborhoods reduced to ruins, cities torn apart by blasted bridges. This is downtown Sarajevo, the Euniz buildings housing Bosnia's largest trading company before and after they were shelled by the Yugoslav national army in the spring of 1992.

Here are two halves of one of six bridges in Mostar that were destroyed by the Yugoslav national army in the spring of 1992. Rubble in Bosnia and Herzegovina signifies nationalist extremists, hard at work to eliminate, not only human beings and living cities, but also the memory of the past. There are two more scenes of Mostar.

Their targets thus far have included the National Library in Sarajevo, you see the burned out shell on the left, the Regional Archives in Mostar, you see books spilling out of a shell hole in the facade, local and national museums, this is the Museum of the city of Sarajevo before and after it was targeted, entire historic districts, Jewish and Muslim cemeteries and, above all, places of worship, mosques, churches and synagogues.

On the left is Sarajevo's 400-year old Jewish cemetery before it was dug up to make room for a Serbian artillery position. On the right, the prior church of St. Peter and Paul in Mostar after it was targeted by the Yugoslav national army.

And, here is the Karadjoz Beg Mosque in Mostar built in 1557, and destroyed in the spring of 1992 by the Yugoslav national army.

Although we are still being told that it's ancient hatreds that fuel this destruction, it is not true. The history that is being erased, both the buildings and the documents, speak eloquently of centuries of pluralism and tolerance in Bosnia. It is this evidence of a successfully shared past that exclusive nationalists are now seeking to destroy.

Alone in medieval Europe, the kingdom of Bosnia was a place where not one, but three Christian churches, Roman catholicism, Eastern Orthodox and a local Bosnia church existed side by side. You see here on your left a map of the medieval Bosnian kingdom as it endured for nearly three centuries. On the right is the tomb of a medieval Bosnia nobleman.

Islam arrived in Bosnia 500 years ago, when the armies of the Ottoman sultans swept across the Balkans and onwards into Hungary. Throughout Europe, this was an age of religious ferment and preachers everywhere saw the coming of the Ottomans as a sign of divine judgment. In Bosnia, people from all religious and social backgrounds adopted the triumphant faith of the conquerors. Many Bosnians rose to join the ranks of the Ottoman ruling elite, as soldiers, statesmen, Islamic jurists and scholars.

On your right you see the tomb of one of them. The headgear denotes his rank as a leading general. On the left is a map of the Ottoman Empire as it stood around the time that the English were first settling in North America. You can see Bosnia at the head of the Adriatic. It retained its identity when great medieval kingdoms elsewhere in the Balkans had disappeared as a province of the Ottoman Empire.

Amongst the most famous of these Bosnian converts was Mehmed Pasha Sokolovic, who served as grand vizier to three Ottoman sultans. He administered a domain that stretched from Yemen to the gates of Vienna. On the left you see one of two mosques he endowed in Istanbul, the imperial capitol. On the right is his tomb at the shrine of Abe.

In turn, the Ottoman sultans and their local Governors embellished Bosnia's towns and cities with splendid mosques and established pious endowments to build and support schools, libraries and other institutions around which new neighborhoods and entire new towns grew up. Among the new Ottoman towns were Sarajevo and Mostar on your right and left, respectively, located at strategic river crossings that were turned into cultural and commercial centers by the construction of bridges, markets and caravansaries.

The history here is reflected in the buildings. Muslim, Christian and Jewish merchants and craftsmen lived, worked and worshipped side by side. In the center of Sarajevo we see the Karadjoz Beg Mosque, the Sephardic Synagogue, and the old Orthodox church and the Roman Catholic cathedral all standing within an area of less than a half a square kilometer. You see on your left a tourist map of the center of Sarajevo, the little rectangle there is about ten football fields wide. At the very center is the mosque you see on your right. Practically across the street from it is the synagogue built to serve the needs of Jewish refugees from Spain. Across and a little to the right of it is the old

Serbian Orthodox church, built at the orders of the Ottoman government to attract craftsmen of that trade, and to the left is the Roman Catholic church.

Here's the synagogue and the old Orthodox church, which, by the way, is still functioning, and on your left the Roman Catholic cathedral.

The citing of architecture is an intentional, thoughtful, political act. People who cannot abide the site of each other will not build the houses and monuments of their religious life in the shatters of those of the others.

Mostar, too, which you see on your right, shows a similar intermingling with the Islamic minaret the Catholic campanile and the Orthodox steeple reaching up from the same skyline.

The hatreds then are rather new, not the result of ancient history, but the creation of 20th century ideologies.

Since April, 1992, after standing in tact for 461 years, Sarajevo's Gazi Husrev Beg mosque has received more than 150 direct hits from Serb nationalist artillery surrounding the city. The little red dots there represent some of the major impacts. You can see that the targeting was quite intentional. The mosque is at the center of the map.

Bosnian's Ottoman centuries came to an end in the year 1878, when a European conference placed the province under Austro-Hungarian administration. On your left you see some Bosnian postage stamps from the turn of the century.

The new rulers brought a Viennese taste for the eclectic to their efforts to modernize Bosnia's cities, erecting schools, museums and civic institutions they sought to bring their newly acquired territory into the modern age. The result is uniquely Bosnian in its blend of cultures.

The Moorish revival building you see under construction in the historic photograph on your right housed Bosnia's parliament on the eve of World War I. After 1918, when Bosnia was absorbed into the newly created Yugoslav state, it served as Sarajevo's city hall, and for the last half century it has housed Bosnia's national library.

In August, 1992, it was shelled and burned, bombarded for 3 days with incendiary grenades from Serb nationalist positions across the river, it was reduced to ashes along with the greater part of its irreplaceable contents. Before the fire, the library held 1.5 million volumes, including over 150,000 rare books and manuscripts, 100 years of Bosnian newspapers and periodicals, and the collections of the University of Sarajevo. Ninety percent of the library's books went up in smoke. This constituted the largest single act of book burning in recorded history. Under the hail of sniper fire, citizens of Sarajevo formed their human chain to pass books out of the flames. Interviewed by an AABC news camera crew, one of them said, "We managed to save just a few very special books, everything else burned down, and a lot of our heritage, national heritage, laid down there in the ashes."

On the right is the first book printed in the Bosnian dialect, 17th century Catholic catechism. On the left there is a page from the Sarajevo Hogada, which was eliminated by Jewish craftsmen in 14th century Spain and was rescued from the National Museum under shelling in December 1992. On the right is a piece of Bosnia's medieval heritage, a Slovanic sultan from the 15th century illuminated for one of the last of medieval Bosnia's kings, its current fate is unknown.

Three months earlier, the Serbian gunner's target had been Sarajevo's Oriental Institute, home to the largest library of Islamic and Jewish manuscript text and Ottoman documents in all of southeastern Europe. Shelled with phosphorous grenades on May 17, 1992, the Institute and virtually all of its contents were consumed by the flames.

On your left you see a medieval astrological treatise from the collection of the Oriental Institute, now destroyed. On your right, a representative of the 200,000 Ottoman documents that burned. This is a 15th century decree by Sultan Mohammed the Conqueror, confirming the privileges and liberties of the Catholic Franciscan Order in Bosnia.

In case you are still thinking in terms of collateral damage, incidental to the general mayhem of warfare, consider this. In September, 1992, BBC reporter Kate Adie interviewed Serb nationalist gunners on the hillsides overlooking Sarajevo, and asked them why they had been shelling the Holiday Inn, the hotel where all of the foreign press corps was known to stay. The officer commanding the guns apologized profusely, explaining they had not meant to hit the hotel, but had been aiming at the roof of the National Museum behind it.

On your left, you see a panorama of Sarajevo, the Holiday Inn is the yellow building at center, just to the left of the tree. The National Museum is across the street and behind it, a street that has, for the past 4 years, borne the unpleasant name of "sniper's alley." On your right, is a view of the National Museum, which is over 100 years old. On your left is one of the galleries of the National Museum.

The museum is badly damaged. All 300 of its windows and skylights have been shot out, many gallery walls have been penetrated by missiles and shells, but the museum still stands. Hundreds of mosques throughout Bosnia, however, have not been as fortunate. Many have been reduced to rubble by concentrated shelling over a period of time. Analysis of impact patterns shows both the deliberate nature of the targeting and its devastating effect.

You have here two views of the Koski Mehmed Pasha mosque in Mostar built in 1618. On your right, you see what's left of it after bombing by the Serbian nationalist forces. To orient you, this is taken from down in the river valley. You can see the smashed portico and the stump of the minaret. What you can't see, because of the angle, is the dome which has also been smashed in.

Away from the battle front in occupied areas under the control of nationalist militias, most mosques have been dynamited or torched in the middle of the night as the key element of a campaign of terror aimed at driving out the Muslim inhabitants.

Consider, for example, the following report of what happened to one community in Herzegovina on the night of January 27, 1993, in the tenth month of its occupation by Serb militia men. "It burned all night as drunken men in paramilitary uniforms fired machine guns in the air. By morning, Trebinje's 300-year old mosque was ashes, and a dark-eyed young man, Kemal Bubic, age 29, joined thousands of numbed people moving eastward. At that moment everything I had was burned down, he said, it's not that my family was burned down, but it's my foundation that burned, I was destroyed."

On your left, you see Trebinje from an old postcard, the minaret of the mosque is in the center, visible just behind the building. On the right is a picture of a ruined mosque from Mostar, I didn't have Trebinje.

Mr. SMITH. Josh?

Mr. RIEDLMAYER. Yes.

Mr. SMITH. In the interest of time, I would like to ask that your full statement be made part of the record, and then ask our other two witnesses, I mean what you are presenting is absolutely compelling, but we are getting close to the end of the hearing, only because of this room having another use later on in the day.

Mr. RIEDLMAYER. . Should I stop now?

Mr. SMITH. Yes, please, if you could.

Mr. RIEDLMAYER. .

Mr. SMITH. And, again, your testimony in its entirety will be made a part of the hearing record.

Mr. RIEDLMAYER. .

Mr. SMITH. I'd like to introduce Roy Gutman, a correspondent for Newsday. In July 1992, he and photographer Andree Kaiser were the first journalists to visit and report on the concentration camps in northern Bosnia. His dispatches, which include numerous interviews with camp survivors, rape victims and refugees from ethnically cleansed areas, won the Pulitzer Prize among other awards, and were published in a book, *A Witness to Genocide*. Mr. Gutman is also the author of *Banana Diplomacy: The Making of American Foreign Policy in Nicaragua, 1981-1987*.

Mr. Gutman.

TESTIMONY OF ROY GUTMAN

Mr. GUTMAN. Thank you, Mr. Chairman, and I'll try to abbreviate my remarks.

First of all, though, just to say, in my many years of covering Congress, I've never heard a set of opening statements like those given today by yourself and your colleagues.

I wanted to answer some of the very specific questions that you put to us, at least to give you a reporter's take on them, and to point you in the direction where I think the facts lie. One of the very basic questions was, is this genocide, is there a clear way to establish that fact? And, I would cite for you in this context the findings of a number of judicial bodies now, and even the U.S. Government. Three years ago when genocide was at its height, no one was willing to use that term. But today, we have the German government, which charged a man from Omarska, Dusan Tadic, with the crime of genocide after arresting him just over a year ago, and the International Tribunal in the Hague, which has also charged the same man, will put him on trial in the next month or two with genocide.

He was at the Omarska Camp. He is charged with beating and killing dozens, if not hundreds, of people.

Second, more recently here in the United States, in the annual Human Rights Report, the Administration, which had previously used the term "acts of genocide," to describe what Bosnian Serbs had committed in Bosnia, now has used simply the term "genocide."

I think I should point out, though also, that this government, the U.S. Government, although it seems to have made this determination, has not followed through, certainly not in public. On the contrary, it seems to me the evidence that is there that it has, that it could present, is being withheld. The latest example is the report done by the Central Intelligence Agency, which was reported in the New York Times, which was not known to most Members of Congress until the time it was reported. It is still being withheld. And, it is very possible that this

doesn't have much news in it, in the sense of breaking new developments. But, it carries an authority and quality of evidence that probably surpasses anything that has come up in the media, or even with due respect for the very careful work of Professor Bassiouni, it probably goes beyond that. Of course, I don't know, I don't have it.

I think, frankly, that that report and, indeed, all the material that the U.S. Government has on this, should be made available to the public, not just in this country but in the region. People in the region need it. People in Europe, whose governments have consistently and disingenuously misinformed their publics about the nature of the events.

I think that this reluctance to provide this material reflects a lack of concept by this government and other governments about what really happened.

The best description I heard in my coverage of the events in Bosnia of what happened in Bosnia came from a delegate of the International Committee of the Red Cross. He said to me 1 day when I was in Sarajevo, "This is not a war we are watching, this is an execution." And, that concept of execution, of slaughter, and as David Rieff's book calls it, "the slaughter house," it seems to me is at the heart of the event. It's been used and in a sense interpreted by a Bosnian sociologist who I have quoted in my prepared remarks here, named Dzemal Sokolovic, who points out that quantitatively this genocide in Bosnia may not be comparable to some of the earlier genocides of this century starting with the genocide against Armenians, but qualitatively it exceeds every other genocide. "Never in history of the evil has crime of such a quality occurred," Mr. Sokolovic said, or says in a paper he has written.

Now, the aspects of it are so numerous, and you know them already, as Mr. Riedlmayer showed you just the destruction of the culture, the targeting of museums, we know about concentration camps. The Tribunal in the Hague has referred, in fact, to some of these camps as "death camps." We know about the systematic rape, as Professor Bassiouni described it, of women of every age. We know about deportations in cattle cars, the siege of cities, the daily snipings. The targets have been in almost every case civilian. It all occurred very quickly, and that suggests a high degree of advanced planning.

And, the question Mr. Sokolovic, this sociologist, asks is, is this a war at all? In his view it is not a war, in fact, because if the Serb radicals who took control of most of Bosnia wanted a greater Serbia under their domination, it was their's for the taking. It could have been done through a conventional war.

You look at the region where I have written the most about, and I think my colleague, Mr. Rieff, as well, northern Bosnia, the area around Banja Luka, where they seized political control without a fight. This area, known as the Bosanska Krajina, saw no conflict whatsoever, except for a few skirmishes, but it is in that region that the authorities opted for or allowed such a savagery to develop that it has produced the first case of genocide before the new Hague Tribunal.

And, this analysis that genocide is at the heart of this, in fact, that it is almost a genocide disguised as a war, I think offers some insight into the course that the conflict has taken, and the reasons that it has not proved to be amenable to the standard conflict resolution or mediation, and we've had three or four different efforts over the past 3 years.

The advance planning aspect is critical and, frankly, I don't have the proof, but the evidence is enormous and it is piled up. It is circumstantial, but there is almost no other interpretation possible of this evidence.

The Commission of Experts that Professor Bassiouni chaired wrote in its report that's just been issued that the Bosnian Serb implementation of practically identical strategies and tactics for the conquest of territories, and the subsequent detention of non-Serb populations suggests an overall plan devised prior to the conflict and carried out locally. And, again, he points out the similarity in the structure of the camps, which suggests a great deal of pre-planning.

I, myself, have reported on one of the rape camps in Foca, and it was possible through an interview with Mr. Karadzic which I had on the telephone, to confirm that the people running Foca were his very closest associates, including a minister in his own government. And, he said they were responsible for everything that took place in Foca. The witnesses whom I interviewed from Foca, three or four women who were in a refugee camp in Turkey, made it very clear what happened in Foca. They were being raped daily in the Partisan Hall in the center of the town, right next to the police station, right under the eyes of the authorities. And, the reporting I did was later verified and expanded upon by the BBC. So, there is this very direct connection to the leadership.

And, I think second, another aspect of this is the role of Serbia and Yugoslavia. I think there's no question about the fact that the military support, the support in their official media, the international diplomatic backing they have given, and the overall governmental backing for the project is convincing, it is all in one direction, it is very supportive of everything that's happened. Those of us who know what policy is, and we know that it takes so many components to make something happen, can see in this collection of actions--separate actions by different parts of that government, different parts of that society--that this was policy.

I did not report or research adequately the role of the Serbian Orthodox Church, or the role of the intellectuals of Serbia, but there's a new book out by Professor Norman Cigar called *Genocide in Bosnia* (Texas A&M Press), which examines these very closely.

And, finally, there's the question of the role of the Yugoslav army. I would refer you to the newly published memoirs by General Veljko Kadijevic, who was the Defense Minister, who makes it very clear in his own writing that the army, the official Yugoslav army, played the critical role in setting up the events in Bosnia. As he said, the role of the army was to secure the liberation of Serbian territory, the protection of the Serbian people, the creation of favorable military preconditions in order to achieve the interests, as they defined them, of the Serbian people in Bosnia.

It is this combination, all of these different elements together, that I think explains the genocide.

I've mentioned in my prepared remarks something about the current situation, both in and around Banja Luka, which a U.N. official describes as terrifying, terrifying conditions, like Nazi occupied Europe just before World War II, and the recent tactic of starving the people of Srebrenica and Gorazde of medical aid. Now, these do not qualify, I think, as examples of genocide per se, but they seem to be right on the edge of major war crimes.

Finally, though, I wanted to inform you that for all of this grim and depressing picture that we have reported on, and seen, and that is there are people in the region who do want the facts exposed and who, in fact, are going to bring them to the public attention. I wanted to read you a passage from a newspaper article published February 28th on the anniversary of the liberation of Auschwitz. This article said that Omarska was a horrifying reality of the senseless war. The author called it a product of the unbridled Serb view of things. He said, "The Serbs are obviously still far away from realizing that they have to take certain moral responsibility for evil deeds committed by their compatriots in this war. This moral responsibility entails first and foremost a readiness to face evidence that those evil deeds were committed, . . . attempts to rationalize and even justify evil are not to be allowed."

Now, the amazing thing is that this article appeared in Belgrade in the last independent daily newspaper called Nasa Borba, and there is a tiny band of people in Belgrade who are committed to getting the facts out to the Serbian people. There's a tiny bunch of subscribers, maybe 20,000. They operate under almost incredible conditions. The paper hangs on by a thread. But, so long as it is there, there is a possibility that the facts will come out in a place where they really matter, provided, of course, that those who have the facts, including in this town and other capitols of the West, do not withhold them.

Thank you.

Mr. SMITH. Mr. Gutman, thank you for your fine testimony and, again, for the good work you have done in exposing and accurately detailing the atrocities. And, your advice, I think, will be well heeded by this Commission, to try to get from our government this very important information.

And, one thing that I know that I will seek to do as Chairman of the International Ops and Human Rights Committee, and we have on this—Mr. Moran is a member of that subcommittee, and we have members of the Appropriations Committee as well, is to get all the information and also to find out whether or not all of the resources are available, both to the United Nations, and to our own government efforts to get all this information to try to chill some of these terrible things and bring to justice those committing them.

Thank you for your fine testimony.

Finally, I'd like to introduce David Rieff, an author. From the summer of 1992 to the fall of 1994, he spent extended periods in Bosnia-Herzegovina, and recently released a book about his experiences and the war. It's called *Slaughterhouse: Bosnia and the Failure of the West*. With an ongoing interest in the situation for displaced populations, Mr. Rieff is also the author of *The Exile: Cuba in the Heart of Miami*, *Los Angeles: Capital of the Third World*; and *Going to Miami*.

Mr. Rieff, please proceed.

TESTIMONY OF DAVID RIEFF

Mr. RIEFF. Thank you. Thank you, Mr. Chairman.

I would like first of all to say how grateful I was for Mr. Wolf's comments about all of this, and to say that Bosnia, of course, matters in and of itself, for itself and of itself, but it also matters to us, I think. It matters whether we are in the end going to decide that the moral principles that we stand for, or claim to stand for, are real.

I think it's a relatively non-partisan thing to say, that we have a mixed record of living up to the standards that we have set for ourselves, and that our rhetoric has not often, or always at least, matched-been matched by our actions. That's not to claim some malign power in Washington saying one thing and really meaning to do the other, but, nonetheless, as someone who has spent a lot of time on the ground there I can tell you that every time a President of the United States, or a U.S. Senator, or a U.S. Representative, opens his or her mouth, people listen very closely, so that, if we don't plan to do anything, and I very much hope that your efforts in this committee are successful and that we do more and recommit ourselves to doing something about this slaughter in Bosnia, but if we don't plan to do anything we really need to be clear. We have to not make promises we are unwilling to keep, because if we do people die. That is just the fact of the matter.

People calculate accordingly. They calculate in terms of the heroic resistance that the Bosnian government side has put up, but, frankly, they also calculate on the aggressor's side. They calculate, not just the victims make calculations, but the victimizers as well. I can tell you in Sarajevo that every time it looked as if NATO was going to do something, suddenly, as Roy knows as well or better than I, convoy routes opened up, food supplies came in, stuff that was stuck at airports were suddenly let loose, we were allowed to move freely in the press, although, we are the least of this story, they were afraid. Don't kid yourselves, they took it very seriously. And, for all the bluff talk, that was, in fact, but, of course the minute, and I think Professor Bassiouni alluded to this in his own statement, the minute people became aware on the Bosnian Serb side that nothing was going to happen the shells began to rain down again.

And, of course, with time the feeling began to grow on the Bosnian Serb side that nothing would be done, and you had Gorazde, Bihac and now again what you see.

Just to widen the frame for 1 minute, I know it's closing, I'm obviously compressing madly, I think that Bosnia is also important to us in another way, a way that I haven't heard expressed often enough, although I'm sure people on this panel have thought about it and, perhaps, talked about, and that is that ethnic cleansing and genocide were things we used to think of as anomalies. If we are not careful, these will be the methods of war fought in the next century.

We already see, if you look in Central Africa, where I've spent a good part of the summer, left Bosnia for Central Africa, anyway, that this is the standard method of war. And, I think it's not just a question of specific treaty obligations, or even claims for our society, a larger question is really do we want to live in a world in which the way war fighting is really genocide making, that is a tendency that Bosnia, in my view, opens, but which unchecked will simply become the way of war in the next millennium. And, I think that, for me, as much as anything, is why Bosnia matters so much, even by people who are not affected by it.

And, again, the moral argument, strong enough about Bosnia in its own terms, but surely made even stronger by the idea that if what we are saying is that in the future every war will have its Omarska's, and its Ternopolje's, and it's sieges of Sarajevo, the longest siege now in modern European history, we really are inviting a world that is much worse than even the most pessimistic among us could have imagined.

I want to only say two things from direct observation. Genocide is a process. Ethnic cleansing is a process, it's not an act. And, if you think about what happened, particularly in this worst of the northern part of Bosnia, the place where Roy Gutman and I spent much time, it's about the destruction of a people, not just the destruction of human lives. The process in most parts of northern Bosnia comprised many steps. It was not simply carting off a great many people in the camps, although that took place. It was not just making--raping women, although that certainly took place, it was also making the ancestral home of one significant part of the population unlivable for them while they remained there, and unreturnable for them once they'd been thrown out.

When I first went to northern Bosnia, it was estimated, Mr. Riedlmayer will have the figures better than I do, that there was something like 1,000 mosques in that area. There are now, by my estimate, about 50. The idea of that is quite specific, it is about saying this land no longer belongs to you. And, it's not just a question of destruction, it's a question of construction as well. The last time I was in Banja Luka, it wasn't that long ago, it was about 10 months ago I suppose, they were building orthodox churches on the sites. So, you really have a process that I've just read about, the example of the Spanish conquistador is building churches on the sites of the Aztec temples, you are talking about erasing, not just people, because people can always come back as we know from history, but the artifacts of their civilization, the memorials to their having been there at all.

The process was, of course, the terrible physical terror that other people in these panels have described more eloquently than I, but also a way of writing people out of the Bosnian story, and that's why these questions of memory that have been brought up here are so central, and why we must decide whether, when we say that we don't want memories to die, whether it's of the German killing of Jews and gypsies in the second war, or the Turks, what the Turks did to the Armenians, or the Bosnia massacre, we have to decide, I submit to you, whether we mean it, because if we don't do something for Bosnia then never again simply means never again will Germans kill Jews in Europe in the 1940's, and I would argue that doesn't mean very much.

Thank you, Mr. Chairman.

Mr. SMITH. Mr. Rieff, thank you very much for your very eloquent testimony, and we are running out of time with a vote, regrettably, but let me just ask, if all three of you would consider making recommendations of what we should be doing. I've introduced legislation to lift the arms embargo, the gentlemen at this table have sponsored similar legislation. We are faced with very few options. It would seem we've squandered many, both during the Bush and in the Clinton years as well. I remember when Mr. Wolf and I came back when the war was in Croatia, and we had been to Vukovar, Osijek, visited with President Tudjman, but more importantly with Mr. Milochevik. We said, this thing is going to spread to Bosnia as sure as we're standing in front of you.

And, General Scowcroft thought this was Europe's problem, they ought to take care of it. Europe hasn't.

What should we be doing right now? What would be your recommendation? Mr. Gutman, if you might want to start, or Mr. Rieff, Mr. Riedlmayer.

Mr. GUTMAN. As a reporter, I have to duck the question.

Mr. SMITH. OK.

Mr. GUTMAN. But, I did say in my testimony, and my editors approve it, that the fullest disclosure of the facts is the starting point, as Professor Bassiouni also said. The one thing people really want to know is that we know what's happened to them, that it is known in general. That's the starting point for anything, and the U.S. Government has a lot of information. I don't know if it has enough, maybe it should expend more efforts, but what it has it should make available to the public.

Thank you.

Mr. SMITH. Mr. Riedlmayer.

Mr. RIEDLMAYER. Yes. The killing of memory, to which I alluded, is not only the elimination of knowledge of the past, but also the elimination of evidence of what has been happening.

And, I think it is a crucial thing, even if we do nothing else, to make sure that doesn't happen. That means the fullest possible financial as well as moral support of the international legal process, and in that context I'd like to point out that it's not only the genocide convention that's involved. There is also the 1954 Hague Convention for the protection of cultural property in war time, to which former Yugoslavia was a signatory and to which the successor states are bound.

I think in that context it would also make some sense for you, in your respective Houses, to push for U.S. ratification of that 1954 convention, which 40 years after the fact has now been recommended for ratification by the Department of Defense. I think by doing so we would add the moral authority of the United States to the fact that violations of this sort will not be tolerated.

Mr. SMITH. Thank you.

Mr. Rieff.

Mr. RIEFF. Can I simply say that I think that the danger of forgetting is not just in Bosnia, but here, and while I'm not as optimistic as some about the practical effects of lifting the arms embargo, I think the debate that such a move could provoke is, itself, great good, because the real danger, and certainly reporters have this experience all the time, is the degree to which the story has fallen off the news. So, I suggest whatever the practical results of lifting the arms embargo may be, it both rights what I believe to be a legal and historic wrong, but also brings the subject back to the fore, and so in that sense, if for no other, I think that would be a practical thing to take.

Mr. SMITH. I appreciate that, and we will pursue the full disclosure. I've often thought when Larry Eagleburger named names as he was going out the door, and did so with such vehemence that he knew much more than would meet they eye about what was actually going on there.

Mr. Gutman.

Mr. GUTMAN. If I can just point out, in my testimony I quote one of the former State Department officers who did a study of what did the Administration do and know about genocide. After Mr. Eagleburger made his statement, there was no tasking anywhere in the Administration to find the information that would actually back up his allegation. That's

very regrettable, because the facts should come out one way or the other. So, you might find, if you had all the information available, that there's a lot of very useful information, but that whole areas that might have been explored, and should still be explored, have not been.

Mr. SMITH. I thank you.

I would like to, in closing, recognize and thank them for being here, for giving us the privilege of having their presence, the Bosnian ambassador to the United States, Ven Alkalaj, and I could be mispronouncing that and I apologize, and Mohammed Sacirbey, and again, I may be being phonetical.

Without further ado, this hearing is adjourned.

[The hearing was concluded at 4:01 p.m.]