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Bosnia's future: Arrest War Criminals – Now

By Jakob Finci, Bozidar Matic, and Wolfgang Petritsch

Ten years ago this November, Dayton, Ohio, became a household name across the Balkans when the presidents of Bosnia and Herzegovina, Croatia, and the Federal Republic of Yugoslavia initialed a peace agreement at the town's air force base. Though the Dayton Accord ended the war, it failed to provide a blueprint for a viable state in Bosnia and Herzegovina. The years that followed brought a massive foreign intervention, supervised by an international "high representative" with sweeping powers and supported by a significant military presence. In spite of considerable and tangible progress, the results stemming from the Accord face mounting criticism. Many observers think that the post-conflict settlement should have been fully implemented by now, which, they argue, would have yielded a democratic, self-sustainable and pluralistic Bosnia and Herzegovina. This, unfortunately, is not the case and, despite many achievements, the country remains in a volatile state, still dependent on foreign assistance -- both financially and politically.

Another tenth anniversary suggests a further reason why Bosnians may be in no mood to celebrate. In July 1995, Bosnian Serb forces under the military command of General Ratko Mladic, and the political leadership of Radovan Karadzic, overran the Eastern Bosnian enclave of Srebrenica -- a UN "safe area" -- systematically killing more than 7000 Muslim men and boys. A video shown during former Serbian president Slobodan Milosevic's trial at the International Criminal Tribunal for the former Yugoslavia in The Hague on 1 June was a graphic reminder of the enormity of that crime -- and of the failure of Serbia to own up to it. The Dayton promise of justice for those and other victims of the Bosnian tragedy has so far remained unfulfilled.

To be sure, Milosevic is standing trial in The Hague, something few observers would have thought possible when the court was established. Also, Serbia has recently shown a more constructive attitude towards the tribunal -- an attitude that deserves further encouragement and that may receive a new impetus with the execution video. Sadly, however, the two individuals most directly responsible for the destruction of Bosnia and Herzegovina, Mladic and Karadzic, are still at large.

While the primary responsibility for this sorry state of affairs must fall to the Bosnian Serb leadership and their mentors in Belgrade, neither do NATO and the international community emerge unscathed from their Bosnia mission. As the principal provider of security in theater, the NATO-led Stabilization Force (SFOR) had an obligation to ensure that war crimes indictees do not go unpunished. This obligation has now passed to the European Union, which took over from NATO last December.

We do not fully comprehend what accounts for NATO's failure to arrest Karadzic and Mladic. We do know, however, that this obligation, wherever it falls, will not simply disappear, nor will the international community find it easy to extract itself from the close management of Bosnian affairs as long as the most-wanted are at large. The failure to arrest Mladic and Karadzic to date is a permanent stain on the international community's reputation -- almost as serious as its inability to prevent the genocide at Srebrenica in the first place.

We thus appeal to the governments with a stake in the future of Bosnia and Herzegovina -- including the United States -- to ensure that those responsible for the Srebrenica genocide be brought to justice. We know from our own experiences on the ground that the current international envoy in Bosnia, Paddy Ashdown, will find his hands tied on many issues as long as Karadzic and Mladic are at large. Their arrest would remove a - if not the - major obstacle to reform and progress in this war-torn society; an obstacle too often used as a convenient pretext for inaction.

We believe that 2005 is not just of symbolic importance for the all-important relationship between war crimes and reconciliation in Bosnia and Herzegovina. Whatever the calculations behind NATO's failure of will to arrest Karadzic and Mladic in the late 1990s, the variables in that equation have now changed -- both on the ground and in the capitals of the Dayton guarantors. Today, we believe that the nexus between successful state-building, justice, and responsible disengagement from post-conflict areas is better understood.

Building on this emerging understanding, we are organizing an international conference set for 20-21 October 2005 in Geneva, with this precise focus. The conference will be designed to provide the opportunity to explore this complex relationship further, a precondition for international stakeholders and Bosnians alike to agree on a much-needed domestic reform agenda for the future of Bosnia and Herzegovina.

The ongoing constitutional debate within the European Union must not detract from the continued need for a coherent integration strategy for all Balkan countries. Indeed, the European Union has begun to appreciate that it has an obligation to lead the stabilization and integration efforts in the Balkans. Arresting Karadzic and Mladic would be tangible proof that this appreciation is more than just a good intention.

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