



*Stalna misija Bosne i Hercegovine pri Uredu Ujedinjenih naroda u Becu,
OSSE i drugim medjunarodnim organizacijama, B E C
Permanent Mission of Bosnia and Herzegovina to the United Nations
Office at Vienna, OSCE and other International Organizations, V I E N N A*

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**Statement by
Edin Dilberovic, Ambassador of Bosnia and Herzegovina to the OSCE
in
Response to the Chief Prosecutor of the International Criminal
Tribunal for the Former Yugoslavia
Mrs. Carla Del Ponte**

**to the Permanent Council Meeting
Vienna, 7 September 2006**

Mr. Chairman,

I would like to join the others in welcoming Chief Prosecutor of the International Criminal Tribunal for the Former Yugoslavia Mrs. Carla Del Ponte, to the Permanent Council and thank her for her comprehensive report and ideas that she presented to us today.

We would like to take this opportunity and thank Mrs. Del Ponte for everything that she and her able team in Den Hag have done and still do in helping my country and the whole region of Western Balkan to face the past and continue with normal future.

Just for the record because sometimes it is necessary to repeat well known things. International Criminal Tribunal for the Former Yugoslavia (ICTY) was established by the Security Council Resolution 827 (1993) with the fundamental aims of: bringing to justice the responsible individuals breaching International Humanitarian Law, bringing justice to victims, discouraging further criminal acts, impeding revisionism, and contributing to the reconciliation process in the territories of the Former Yugoslavia.

Great Aristotle said that - *It is in justice that the ordering of society is centered.* For us, International Criminal Tribunal for the former Yugoslavia is just about it – justice.

Recognizing the truth about last war in Bosnia and Herzegovina is of a crucial importance for confidence building. In that process the role of The Hague Tribunal is indispensable as it will be the role of the State Court War Crimes Chamber in Bosnia and Herzegovina in a future.

As I stated lot of times in a past, still bringing most wanted war criminals Karadzic and Mladic into the front of the justice is a main goal of both Bosnian leadership and international community and both are to be blamed because these two individuals are still at large, ten years after the war. The fact that spirit of these two remaining fugitives and indicted war criminals is very present in the region is more than recognizable during today's election campaign in Bosnia and Herzegovina.



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The role of The Hague Tribunal and Mrs. Del Ponte is of tremendous importance in this so called individualization of guilt. There is no excuse for the committed war crimes and individuals are responsible for the war crimes not nations. Each war criminal has his or her name and surname. We hope that the time when war criminals have been portrayed as national heroes is behind us. We hope!

The ICTY has to complete all its work by 2010 in accordance with the Security Council Resolutions 1503 (2003) and 1534 (2004). Unfortunately the painful chapter of war crimes and war criminals in Bosnia and Herzegovina will not end with this date.

It is not enough just to arrest and transfer the most wanted war criminals to The Hague Tribunal. For confidence building and reconciliation in Bosnia and Herzegovina it is more important that local judiciary carries on court and judiciary procedures for hundreds others war criminals, the cases that have been approved by The Hague Tribunal.

We recognize the curtail importance of regional co-operation in the judicial field and we would like to use this opportunity and express our gratitude to the OSCE and the field missions in the region of Western Balkans and their efforts in promoting such cooperation.

We also support Chief Prosecutor Del Ponte's request to the OSCE to promote better co-operation between the governments of Western Balkan countries in respect of the extradition of war crimes suspects and the transfer of proceedings between domestic jurisdictions.

Important role in confidence building process have non-government organizations. So, Bosnia and Herzegovina fully supports co-operation between the OSCE and the ICTY in the field of monitoring of war crimes trials at the War Crimes Chamber, and we are ready to further improve regional co-operation in regard with the domestic trials.

Mrs. Carla Del Ponte, as Lois McMaster Bujold ones said - *The dead cannot cry out for justice; it is a duty of the living to do so for them.* Thank you for helping us in fulfilling this honorable tasks and duties.

Bosnia and Herzegovina in particular, Mrs. Del Ponte wishes you, all the success in your future private and professional life.

Thank you Mr. Chairman.