



United States Delegation

Session 14: Promotion of Tolerance and Non-Discrimination Aggressive Nationalism

As prepared for delivery by Kathyryne Bomberger
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Mr. Moderator, Ladies and Gentlemen,

I would like you all to consider for a moment what it means to be the relative or friend of someone who disappeared years ago without a trace during armed conflict.

Consider what it means to have no news of that individual for a decade or more.

Families of the missing are profoundly affected by trauma and fear. They have relatives and are often vulnerable refugees as well. With such trauma, they easily fall prey to nationalist political manipulation. Breaking that link is critical to the successful implementation of any post-war agreement and achieving reconciliation.

In the build-up to the 1990s Balkan conflicts, opportunistic nationalists exploited post-Second World War efforts to conceal earlier inter-ethnic and political atrocities. They grossly exaggerated or grossly understated the numbers of those killed to stir up hatred, fear and distrust.

Until only recently, the Government of the Republika Srpska had denied that 8,000 men and boys were missing from Srebrenica. The Milosevic regime similarly hid evidence about the disappearance of over 800 persons from Kosovo.

To assist in finding a solution to the issue of missing persons, President Clinton announced in 1996 the creation of the International Commission on Missing Persons. Its primary tasks are to:

- secure the co-operation of Governments,
- locate and identify the missing, and
- encourage public involvement.

ICMP developed a three part approach. Working directly with governments and using forensic sciences, as well as supporting civil society actors, ICMP has achieved results in a way that has ensured sustainability and encouraged local ownership of the process.

By embedding efforts within the domestic structures, ICMP has acquired a unique expertise in guiding post-conflict states as they account for the past. In so doing, states not only meet their human rights obligations, they also build institutional capacity that promotes long-term confidence in public bodies.

Bosnia provides a good example. The state has, with ICMP assistance, adopted unique, enabling legislation, such as the Law on Missing Persons and established the Missing Persons Institute, which is responsible for pursuing cases of missing persons regardless of national identity. Cross-boundary networking between associations of family members has put pressure on governments to release information on mass graves and equalize social benefits to the relatives of victims.

ICMP has pioneered novel, rapid and cost-effective techniques for identifying sets of mortal remains that have been intentionally disturbed. Forensic experts had initially deemed progress on such complex issues unlikely, since in the process of moving and re-concealing victims, many individual remains had been dislocated and spread across numerous sites.

Early inability to make positive identifications granted war criminals a measure of protection. Uncertainty as to the identity of those in the graves allowed the denial of atrocities. A Serbian government minister reported that many of those buried in a mass grave in Belgrade were Serbs, when in fact all 800 were Kosovo Albanian. It should be noted that after the fall of Milosevic, the new Serbian government cooperated with efforts to find and exhume the bodies of Kosovo Albanians brought to and buried in Serbia.

ICMP's advances in identification techniques directly undermine attempts to deny atrocities. Instead, irrefutable evidence links perpetrators to crimes. Through the identification process, then, evidence is uncovered and victims' humanity is restored. These efforts have resulted in more than 10,000 DNA-based identifications bringing long-awaited answers to damaged communities.

At the technical level, DNA often represents the only reliable means of identification. At the political level, DNA offers the significant benefit of scientific accuracy in identifications, thereby pre-empting the exploitation and manipulation of the issue.

But, technical methods rely upon the political will of governments. Governments should be responsible for trying to address human rights violations committed by a previous regime. They should investigate and disclose reliable facts about the missing. And, victims should be able to assert their legal rights for truth, justice and fair treatment. Finally, for the sake of society and future peace in the region, states must comply with international judicial mechanisms such as the International Criminal Tribunal for the former Yugoslavia.

ICMP has already begun applying its model to other states and is currently working with Iraq and Colombia regarding ways in which support can be provided.

Sadly, this issue is a global one. In the OSCE region, there are issues in the unresolved conflict regions in the South Caucasus, in Chechnya, as well as in the former Yugoslavia and on Cyprus.

The wars in the former Yugoslavia have left deep scars. The evasion from justice of persons indicted for war crimes, such as Karadzic and Mladic continues to leave deep scars in the region. Refugee displacement is a continuing problem underpinned by mistrust, political manipulation and the anguish of those most affected. The problem of large numbers of missing persons aggravates the situation, especially in Bosnia and in Kosovo.

Mr. Moderator, revisionism and the intentional misuse of emotional factors linked to identity and victim-hood are the stock in trade of nationalists and indeed terrorists. Painstaking efforts to establish the truth, to restore identity and to seek redress will ultimately help prevent the manipulation of history; the starting point for new conflict and new horrors, and will help build a durable basis for peace and reconciliation.