

Should we hold trials for war crimes

Every generation is born, grows up and comes of age burdened by matters beyond its control within its own environment. Any given individual in a given generation has not asked for nor wanted this kind of burden. Nothing this individual has done has provoked or contributed to this, and yet he or she bears this... he or she is not "called" to resolve, clarify or neutralise this... and yet he or she must bear it...

For the young people of my generation, it is the war, and events during and after the war in these parts which represent such a great burden, perhaps the greatest burden. These burdens are inescapable and unavoidable, but also inappropriate for us given how long they have endured, so they could also be called necessary. Their intensity, volume and form are the same for all of us young people, regardless of our ethnicity, gender or the town in which we live... or, better said, vegetate, in those parts of life which still remain ours alone, despite there remaining too little that is uncontaminated for us.

Those of us born during the war or at the end of the armed conflict and who grew up in the years following the war were too small for this to concern us to any great extent at the time; but, 10 or more years after the war we were sufficiently grown-up to be able to understand that we simply could not understand what was happening to the adults around us. Why

they were depressed or strident, why they talked even when being silent, why they would rail at each other, why they did not like one another and bothered one another, even when they did not see each other. When we ask someone something like this, they start talking and talking, draining themselves by saying something which says very little at all: "So-and-so is to blame for everything. If it hadn't been for that, everything would have been different. If this had happened, that would not have happened..." The worst part of it is that it would be hard for two people to agree about these claims, or even about one of them. For the next few years as we matured into young people, we expected that at least some of this, if not all, would be more comprehensible, clearer. That some form of interpretation of the events that occurred before we were born, if not a single interpretation then at least something approaching it, would be formalised and stabilised. That at least the majority would agree that so-and-so was responsible for this and such-and-such for that, that a certain incident was caused by so-and-so, and that it led to this or that consequence.

Much time has passed. We had hoped and expected that many things would have been clarified and formalised, that a line would have been drawn under much of what was disconcerting, that some powerful state lever would have ensured that events from the past stay there and that a fresher, progressive and unburdened stream of life would flow through our lands, among us.

This has not happened, and we continue to hope, to wish, to believe that we will still be young people when things reach this crossroads.

Such a situation inevitably imposes unease and dissatisfaction upon a young person, not to mention a helplessness which leads to despondency, all of which, mixed together, leads to contemplating the point of existence for each and every one of us! However if there is a way to prevent this course of events, if there is even a small chance to break this chain, then something must be done; to relieve the burden of living it is not just that something should be done, but that there must be a constant endeavour to do that something even when the outcome is, to a large extent, uncertain in every sense.

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committed during an armed conflict?

It is for this reason that we invest great hope in judicial institutions; that we believe that the proceedings they conduct establish the actual facts from that time; that in their final proceedings they prove that someone did something and that everyone is responsible for his or her acts and, as such, must be punished in an appropriate manner.

And yet opinions are still divided. Some support the belief that these trials are not impartial, that they are a “set-up”. While others believe that they truly and justly unravel the web of past, fraught events. Yet others still block, slow down and challenge these trials. The position of everyone else forms a balance between those mentioned. It is because of these conflicting individual intentions that some trials never even began, while those which are underway are being drawn out inappropriately. In the face of this, those trials which have been completed have marked, to a great extent, an end, at least in terms of the events and the people involved in them. Aside from the inevitable comments immediately after completion, it would be rare for the actual events and people to be mentioned; the case judged remains in the past, behind us. It does not necessarily have to disappear into history, but the most important thing is that the same story is no longer told in various ways. It is precisely these various attempts by adults, responsible for both themselves and for the generations growing up, that not only blur our view but also serve to confuse. We have already had more than enough of these selective histories.

We believe that judicial institutions will bring an end to this burden, that they will bring truth, any kind of truth, albeit a semblance of the truth. This is the only way to calm passions and draw a line under everything that has come to pass.

A young man, not yet required to make decisions on this sort of essential issue of state, does not possess a tool capable of changing the current flow of events, but the fact that he has been neglected does not mean that he does not favour or does not want to have an impact. However, he is currently powerless to point out the importance of the current moment or his own importance in this moment and every moment that follows it to those who rule time and space and the people in it.

It is precisely for this reason that this young man believes that all trials are needed, absolutely needed, for all crimes and war crimes in particular, because they are the most serious of all; dreadful at the moment of commission and even more dreadful in their scope and the longevity of their consequences. They create victims, both casualties and witnesses, and many pay much, as we do now. I therefore hope that this will be finished, once and for all, through these trials and convictions. I hope this will give young people today the chance to live their lives, unburdened by the ballast of someone else’s distant past.



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