

Remarks of Rep. Eliot Engel
to
Helsinki Commission and Lantos Commission
Joint Briefing
The International Tribunal and Beyond:
Pursuing Justice for Atrocities in the Western Balkans
December 12, 2017

Mr. Chairman, I would like to thank the Tom Lantos Human Rights Commission and the Helsinki Commission for holding today's excellent joint briefing on the state of accountability for atrocities committed during the wars in the western Balkans in the 1990s. As the International Criminal Tribunal for the former Yugoslavia winds up its work, this is the right time to look back on its successes and failures, and to learn the lessons of its efforts to bring the perpetrators of war crimes to justice.

We all know the history to one extent or another. After the death of Tito -- who held Yugoslavia together for many years -- the country began to break up. But, unlike peaceful the division of Czechoslovakia, Yugoslavia's dissolution turned into a vicious ethnic bloodletting -- the most brutal to occur on the European continent since World War II.

The conflicts over Yugoslav succession conflicts were characterized by widespread and flagrant violations of international humanitarian law, war crimes, and crimes against humanity, and the ICTY was set up to bring the violators of the worst crimes to justice.

I would like to commend the Helsinki Commission and the Lantos Commission for working together on this joint briefing to assess the Tribunal's work. But, Mr. Chairman, even as the ICTY closes down, I fear that the need for justice in the former Yugoslavia has not diminished, and I would like to highlight two particularly horrific cases in Serbia.

While there has indeed been progress toward democracy in Serbia, I believe that it has been held back by a continual unwillingness to deal with the crimes committed during the 1999 Kosovo War. First, let's recall fate of the Bytyci brothers, three American citizens who were murdered after they were arrested by Serbian police while trying to help their neighbors -- a Roma family -- return home. Serbia's President Vucic promised Vice President Biden and personally promised me to bring the criminals to justice... but that has not yet occurred -- despite widespread understanding of who was behind the killings.

Before continuing, I would like to highlight the very important work of the Belgrade-based Humanitarian Law Center which forms the basis of what I am about to recount. I thank their

representative for being with us from Belgrade and HLC for its critical work to see justice and the truth.

On January 31st of this year, the Humanitarian Law Center released a Dossier called, “The cover-up of evidence of crimes during the war in Kosovo: The Concealment of Bodies Operation.” This report described mass graves in Serbia containing the bodies of 941 Kosovo Albanians, mainly civilians killed outside combat situations in Kosovo during 1999. According to the report:

“The evidence corroborated that the decision to conceal evidence of crimes committed was planned as early as March 1999 at the highest level of the government, and indicated that members of both departments of the Serbian MUP (State Security Department and Public Security Department) and the Yugoslav Army’s departments in charge of “clearing up the terrain” were involved in it.”

The murder and mass burial of almost 1000 innocent civilians is a grave crime against humanity, but the perpetrators have not only gone unpunished, they have not even been pursued. Mr. Chairman, it’s long past time for Belgrade to face the facts and bring to justice the people – including high officials in its government – who are behind these very serious crimes.

At the same time, the Serbian unwillingness to achieve justice has brought no adjustment in policy from the United States, and the European Union’s willingness to proceed with Serbia’s accession process has been unaffected. This has to stop and has to stop now. Until Serbia brings those who have committed these serious crimes to justice, the EU should not move ahead with Belgrade’s EU accession process and the United States should think twice before advancing our relations with Serbia.

Mr. Chairman, I asked Secretary of State Tillerson and Deputy Secretary Sullivan what they were going to do about this mass murder and cover up. In its response to me, the State Department expressed its belief that “those guilty of moving the bodies of Albanian civilians from Kosovo to clandestine mass graves in Serbia to conceal evidence of earlier massacres should be brought to justice.” The Department has “brought the report by the Humanitarian Law Center to the attention of Serbia’s newly appointed War Crimes Prosecutor.”

I thank the State Department for raising this issue with Serbia’s War Crimes prosecutor. This is an important step forward, and in the days ahead, I look forward to an update from the Department and will pay close attention to whether Belgrade finally brings to justice those who committed these horrific crimes.

Again, thank you to the Commissions for this briefing and for your willingness to tackle these difficult issues.