

Network of Concerned Historians				NCH
Campaigns				
Year original	Year follow-up	Circular	Country	Names
2016		80	Former Yugoslavia / international	— (archives Yugoslavia Tribunal)

*Announcement*

A number of archivists and historians is concerned that, now that the Yugoslavia Tribunal (ICTY) will soon close, its archives will not become sufficiently accessible. The Tribunal's archives are very important for our historical knowledge about the armed conflict in the former Yugoslavia for decades to come. While they are presently preserved, not enough attention is given to pressing questions of access for families from the region and scholars seeking to use them.

If you want to sign the petition (text below), please send an email to:

[s.baas@auc.nl](mailto:s.baas@auc.nl)

providing your details in the following format: *title / first name / last name / position / institution.*

Your name will be added to the list of signatories on the website [ictylegacy.org](http://ictylegacy.org). The petition will be delivered to the ICTY and the United Nations around 1 March 2016.

<http://www.ictlegacy.org/>

## **Open the Archives of the Yugoslavia Tribunal!**

Sign the Petition!

*The International Criminal Tribunal for the former Yugoslavia holds a repository of over ten million unique items of immense value. It is of utmost importance that its preservation and accessibility are guaranteed.*

The establishment of the International Criminal Tribunal for the former Yugoslavia in 1993 was a milestone in the international community's pursuit of global justice. While violence was raging in the former Yugoslav states of Bosnia-Herzegovina and Croatia, the UN Security Council made a commitment to punish those responsible for the atrocities committed by all parties to the conflict. Today, twenty-two years after its founding, it has completed 147 highly complex cases. Trials against four final high-profile suspects – including Bosnian Serb President Karadžić and Bosnian Serb Army General Mladić – are expected to be completed in the coming year. When the Tribunal closes its doors in 2017 its contribution to international justice will be undeniable.

The international prosecution of war criminals has relied on evidence found in official documents from political and military units, personal diaries and note books of the accused, meeting transcripts and witness statements. Further, the prosecution has made use of photographs, films, radio recordings and numerous other sources. All these unique materials are currently stored in the repository of the Tribunal's Office of the Prosecutor. They form the key to understanding the dark pages of the region's history that left over 100,000 people dead.

With the imminent closure of the Tribunal, it is essential that its guarantors commit to the development of this vast and unique collection of materials into a consolidated and easily accessible archive. There are three important reasons why this commitment should form a priority in the Tribunal's completion strategy, all three related to the establishment of a historical record of the wars that tore apart the former Yugoslavia.

First of all, the repository contains information that could help victims' relatives find out what happened to their loved ones. While most victims of the wars have been identified and buried, many relatives still search for information on the exact circumstances under which deaths have occurred. They deserve to have access to the Tribunal's sources that could provide the answers they need to cope with their losses. That archives can provide such support to survivors is proven by the German Holocaust archive in Bad Arolsen, which performs a similar function for Holocaust survivors. More than 70 years after the end of the Second World War, the archive still responds to thousands of requests from victim-relatives every year.

Secondly, the materials represent an unrivalled source to historians of the region's violent past, who attempt to establish the causes of the crimes. Establishing a baseline of historical truth about the violence is essential to learn the lessons of the past and prevent recurrence in the future. But the scientific value of the materials goes far beyond the particular region where the crimes occurred. Social scientific research on mass violence has increased our understanding of armed conflict and it gives us vital insights into identifying the political, societal, cultural and psychological factors that lead to these atrocious crimes.

Finally, the creation of an accessible archive is a matter of integrity and fulfilling institutional promises. When the Dayton Agreement put a formal end to the war in November 1995, the Tribunal's then President Antonio Cassese stated that "justice is an indispensable ingredient of the process of national reconciliation." Indeed, while the Dayton agreement brought peace in the strictest terms – the end of military confrontation – war-torn societies require a long-term process of reconciliation and healing in order to create peace in a broader and more sustainable sense. Reconciliation is aided by the type of historical records created through the Tribunal's proceedings, which prevents denial of the atrocities committed and provides counter-balance to any attempt at political manipulation of history. To live up to its commitment to long-term peace through reconciliation, it only makes sense that the Tribunal makes its records available to support this process.

The records of the Tribunal thus carry major potential value to survivors of the wars, scientists concerned with understanding its causes and to the credibility of the Tribunal itself. In particular, the repository of the Prosecutor's Office contains a vast amount of invaluable material, most of which has not even been fully utilized in the Tribunal's many trials. To fulfill this potential, the repository needs to be structured into a full-fledged archive. Given that most of the materials have already been digitized, this should be a relatively straightforward and low-cost process. We fully respect the need to maintain confidentiality and are not seeking access to confidential items such as witness statements. Further, a rational mechanism must be developed to allow access to its sources, while respecting the confidentiality and sensitivity of documents. To do this successfully, the Tribunal will need to call in experts from existing archives that perform comparable functions, such as the aforementioned German Holocaust archive.

As the Tribunal prepares to close its doors and transfer its records to the Mechanism for International Criminal Tribunals in the next year, there is urgency to these tasks, as employees with valuable knowledge of the repository's content are leaving the Tribunal. While a team of competent archivists is currently processing the archives, a well-articulated policy must still be developed to ensure the accessibility of the full archives for posterity. There is also a need to develop a user-friendly and powerful software interface to allow detailed and thorough searches of the electronic material. We recommend that the Tribunal call in experts from existing archives that perform comparable functions, such as the aforementioned German Holocaust archive. Further, we recommend the establishment of an external advisory committee made up of renowned archivists and ICTY research experts that would support the Tribunal in the development of its policies for the archive.

With the establishment of the Tribunal twenty two years ago the international community altered the course of history by making an unprecedented commitment to global justice. Now, it is time to make sure that the Tribunal's legacy is preserved so that its history lives on.