

Fordham International Law Journal

Volume 19, Issue 2

1995

Article 4

The Destruction of Yugoslavia

Svetozar Stojanovic*

*

Copyright ©1995 by the authors. *Fordham International Law Journal* is produced by The Berkeley Electronic Press (bepress). <http://ir.lawnet.fordham.edu/ilj>

The Destruction of Yugoslavia

Svetozar Stojanovic

Abstract

If my statement about the first Yugoslavia being in many ways a non-synchronized and contradictory state is correct, what then can be said about the second Yugoslavia that endeavored, by keeping silent, to fill in the fatal fissure opened in Jasenovac and other places of annihilation of Serbs in the so-called Independent State of Croatia during the Second World War? For that reason, the former mediator of the “international community” in Yugoslav conflicts, Lord Carrington, has repeatedly stated that with its new Constitution, Croatia rekindled the conflict with the Serbs.

RECONCILIATION: APPLYING HISTORICAL LESSONS TO MODERN CONFLICTS

*Lord David Owen**

All wars are terrible, but civil wars are the most terrible, as the people of the British Isles can still attest three and a half centuries on. This year we look back fifty years at the end of the Second World War. We, who lived through that War, are all scarred by it; but to a lesser or greater extent. Unlike the First World War, where it was what happened in the trenches and on the battlefield that has left its mark on history, the Second World War is fated to be remembered not just for famous battles but also for what was done off the battlefield to the Jews in the Nazi concentration camps and to the Allied servicemen in the Japanese work camps.

For those in the United Kingdom who fought during that War there are still deep abiding memories, horrors, war wounds, lost friends, and comrades. For those who worked in factories or on the land there are vivid memories too, fear, comradeship, austerity, absent loved ones, rationing, and blackouts. For the young, like myself, the memories are no less vivid: tension at home, no father around, mother working, nights in shelters or under the stairs, no luxuries, sweets, or bananas. We all, in our various ways, and in different countries, have had to reconcile the past with the present and with the future.

It is an individual decision whether to forgive, to forget, or what blend of each suits his or her temperament. Remembering and forgetting are part of reconciling. Reconciliation is easier for those who do not lose a war and harder for those who may not have lost but who had the humiliation of being occupied. We all choose our own individual pattern, there is no right or wrong way, no general rule of how to think or act. It depends on one's own circumstances, one's own nature. The state cannot and should not attempt to abrogate to itself the task of being the reconciler for its citizens. I am not even convinced that it can give more than a lead in what is a process of reconciliation that has to go far wider and deeper than governments.

Reconciliation is a noble theme, one to which much

* Former Foreign Secretary of the United Kingdom.

thought has been given and to which much experience has been gained over the centuries. There is a role in the process of reconciliation for monarchs, presidents, and governments, but above all it is the citizens who set the pace of reconciliation and determine its quality. If government listens only to the loud voices, they may miss the quiet wisdom of those who consider vengeance as a mechanism for sowing the seeds of future violence and more wars.

The aftermath of our Civil War was dealt with in the two Restoration Settlements which covered the legislation of 1660-62. In the Declaration of Breda 355 years ago, Charles II addressed all his subjects:

If the general distraction and confusion which is spread over the whole Kingdom doth not awaken all men to a desire and longing that those wounds which have so many years together been kept bleeding may be bound up, all we can say will be to no purpose. However, after this long silence we have thought it our duty to declare how much we desire to contribute thereunto . . . we do grant a free and general pardon which we are ready upon demand to pass under our Great Seal of England, to all our subjects.

The Act of Indemnity and Oblivion which followed "halted all process of revenge or retribution."¹ Only those who signed Charles I's death warrant or had been involved in his execution, those responsible for the Irish Rebellion of 1641, and a few "obnoxious individuals," were exempted from its very full and ample provisions.

Unfortunately, Charles II's undertaking on religious freedom in the Declaration of Breda was never enacted and instead a reactionary church settlement ensued. Was the Restoration a reconciliation? Did the Royalist cause win? Did the Parliamentarians retain some things of real value? Historians differ, but the mere fact that such questions are still being asked perhaps indicates "that in politics there are no absolute victors in the long term and that national life is ultimately the product of all who set their hand to it."²

During the American Civil War, sensing Southern disaffec-

1. *THE STUART CONSTITUTION 1603-1688*, at 336 (J.P. Kenyon ed., 2d ed. 1986).

2. RONALD HUTTON, *THE RESTORATION: A POLITICAL AND RELIGIOUS HISTORY OF ENGLAND AND WALES 1658-1667*, at 182 (1985).

tion,³ President Abraham Lincoln on December 8, 1863, offered pardon and amnesty to all persons who took an oath of allegiance to the United States and to all its laws and proclamations concerning slavery, exempting only Confederate Government officials and high ranking officers. Whenever ten percent of the people in any state had taken the oath, the loyalists could form a recognized state government. To Lincoln, secession was illegal and the Southern states remained in the Union.

In Lincoln's Second Inaugural Address on March 4, 1865, he said, "with malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds." Following the defeat of the South and the assassination of President Lincoln, the United States entered into the Age of Reconstruction. It was a complex period and like our Restoration, historians argue over the outcome. One historian⁴ perceptively highlights the failure of politicians, as opposed to "businessmen, railway entrepreneurs, tourists, novelists, journalists," in achieving reconstruction and reconciliation and judging the war today, in terms of the interests of the American Union, concludes:

Nothing is here for tears, nothing to wail
Or knock the breast; no weakness, no contempt,
Dispraise or blame.⁵

Another historian⁶ writes, "Reconstruction then failed to save the South from herself, and the Afro-American from the South" and concludes "for Americans, a sour taste of failure and disappointment will always hang about the epoch."⁷

In the last fifteen years in Africa we have seen three spectacular reconciliations in Zimbabwe, Namibia, and South Africa which give immense hope. They also remind us of some other major achievements of the decolonialization period, whether in India, the largest democracy in the world, or in Kenya after the "MauMau." In 1977-79, as Foreign Secretary, while striving for a peaceful settlement in Rhodesia, during many hours of negotia-

3. JAMES M. MCPHERSON, *BATTLE CRY OF FREEDOM: THE CIVIL WAR ERA* 698 (1988).

4. ALAN BARKER, *THE CIVIL WAR IN AMERICA* 165-66, 169 (1961).

5. *Id.*

6. HUGH BROGAN, *THE LONGMAN HISTORY OF THE UNITED STATES OF AMERICA* 383-84 (1985).

7. *Id.*

tions and private discussions, I and others were never able to persuade the leader of ZANU, Robert Mugabe, to accept during the war the need for a general amnesty afterwards. It was a surprise and a delight, therefore, when after ZANU-PF⁸ won fifty-seven seats and thereby secured an overall majority in the elections held on February 14, 1980, that on being invited to form the Government, Mr. Mugabe emphasized in a broadcast, on March 4, that the need for unity and reconciliation would be reflected in his government. He said he would include Mr. Nkomo's party and consider white representation in his Cabinet, "so as to bring about a government that will be reassuring to all people of Zimbabwe." He then, amazingly, retained General Walls,⁹ who had fought the Patriotic Front on behalf of Mr. Smith's illegal government,¹⁰ to preside over the formation of an integrated national army. On March 20, an amnesty order became law covering all politically motivated offenses in the period up to March 1, 1980. Military reconciliation of the different armed forces was the key achievement of Prime Minister Mugabe's first 100 days in office, for there were heinous crimes to forget, massacres on all sides, and the infamous actions of the Smith Government Selous Scouts, who specialized in provoking and laying the blame on others for their actions.

In Namibia, U.N. supervised elections from November 7 to November 11, 1989, gave the South West Africa People's Organization¹¹ ("SWAPO") an overall majority of seats but they did not obtain the two-thirds majority that would have enabled them alone to have drawn up the constitution for an independent Namibia. Sam Nujoma, seen by many whites as a communist,

8. *Rhodesia: Official Election Results by Districts*, BBC Summary World Broadcasts, Mar. 6, 1980, pt. 4, at B1, available in LEXIS, MDEAFR Library, ARCNEWS File (transcribing broadcast by Rhodesia's Registrar-General Eric Pope-Simmonds describing election victory by the Zimbabwe African National Union-Patriotic Front, ZANU-PF).

9. *General Walls' 13th March News Conference in Johannesburg*, BBC Summary World Broadcasts, Mar. 15, 1979, pt. 4, at B4, available in LEXIS, MDEAFR Library, ARCNEWS File (describing, in interview with General Walls, raids into neighboring territories against opposition forces).

10. Bruce Bartlett, *Sanctions Almost Never Work*, WALL ST. J., Aug. 19, 1985, at 14 (describing failure of U.N.-backed sanctions to affect Ian Smith's illegal control of Rhodesia from 1965 to 1979).

11. Mark Verbaan, *Namibia: Constituent Assembly Sits for Inaugural Session*, Inter Press Service, Nov. 21, 1989, available in LEXIS, MDEAFR Library, ARCNEWS File. In U.N.-supervised elections, SWAPO won 57% of the vote, and 41 seats of the 72 member assembly. *Id.*

who had fought for liberation from outside the country, said on November 15, that SWAPO was looking forward to the cooperation of other parties and had "no intention of imposing our views on others" and thereby set the tone for a successful transition and reconciliation between white and black. This helped lay foundations for what was to come in South Africa.

In Cape Town on Sunday, February 11, 1990, Nelson Mandela, after his release from prison, made his first public speech in twenty-five years. He disappointed some by addressing his own supporters first, "I am a loyal and disciplined member of the African National Congress. I am therefore in full agreement with all of its objectives, strategies, and tactics. The need to unite the people of our country is as important a task now as it has always been."¹² Yet in retrospect, most would agree that Mr. Mandela was correct at that stage, some time before Prime Minister de Klerk himself could publicly accept one person, one vote, to stress the discipline needed for political victory. By doing so, Mr. Mandela placed himself in a position where he could call for self-discipline on the path towards reconciliation, forge the agreement to form a Government of National Unity, and then display incredible magnanimity after winning the election in 1994. South African racial reconciliation sent a powerful message out across the world to every racist malpractice in it. This was the stupendous achievement of President Mandela in his first 100 days in office.

It has been commented on by many people who know Africa that there are lessons we Europeans can learn from their capacity to reconcile, and maybe history will give an important role for this to the churches and missionaries who have not won many accolades so far in the history of decolonialization. After the genocide in Rwanda it will be interesting to see whether reconciliation can be achieved between the Hutu and Tutsi peoples. The U.N. Security Council decided to establish a Rwanda War Crimes Tribunal in Arusha, Tanzania, after it became clear from documents that the genocide was conceived, planned, and executed well in advance. The Special Rapporteur appointed by the U.N. Commission on Human Rights, in a report on 28 June,

12. *Nelson Mandela Freed in South Africa; Leaves Jail after 27 Years*, FACTS ON FILE WORLD NEWS DIGEST, Feb. 16, 1990, at 98.

1994,¹³ said the killing had been planned and “systematic” and constituted a genocide, an opinion confirmed by others. Genocide is a crime against the whole of humanity. The U.N. Convention on Genocide defines a genocide as “acts committed with intent to destroy in whole or in part a national, ethnical, racial, or religious group.”¹⁴ It is a highly specific crime to eliminate a definable group from this planet — to kill someone deliberately because a person is a Jew or a Tutsi. It is estimated that more than half a million Tutsis were killed over a ten-week period, half of Rwanda’s Tutsi population.

In Europe we are still grappling with the process of reconciliation in the aftermath of the Nazi’s genocide of approximately eleven million Jews. Perhaps, because of Europe’s sophisticated, well-developed legal system, reconciliation has tended to be set within a legal framework. Justice, not vengeance, was the cry around which a broad measure of agreement was reached in dealing with Nazi crimes. A tradition exists in continental Europe of a statute of limitation for murder or being an accessory to murder, though no such limitation applies in Britain, the United States, or Canada. This tradition meant that in Germany and in Austria, a limitation on all Nazi crimes seemed natural to some and was due to expire in 1965. After much international protest,¹⁵ the Austrian Government decided to abolish the limitation on the prosecution of murder, and Germany resolved to extend the terms until 1979. In 1968, the General Assembly of the United Nations adopted the Convention on the Non-Applicability of Statutory Limitations on War Crimes and Crimes against Humanity,¹⁶ which requires parties to eliminate statutory or other limitations, but only thirty countries have become party to the Convention. On July 3, 1979, by a majority of 255 against 222, the German Bundestag decided to rescind the statute of limitation for murder and accessory to murder. These decisions represented an important recognition that Nazi genocide was of a wholly different dimension and it revitalized a concept of jus-

13. *Report on the Situation of Human Rights in Rwanda*, U.N. Commission on Human Rights, U.N. Doc. E/CN.4/1995/7 (1994).

14. Convention on the Prevention and Punishment of the Crime of Genocide, Dec. 9, 1948, art. II, 78 U.N.T.S. 277, 280, 1970 Gr. Brit. T.S. No. 58 (Cmnd. 4421), at 4.

15. SIMON WIESENTHAL, *JUSTICE NOT VENGEANCE* 160-63 (1989).

16. Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, Dec. 16, 1968, 754 U.N.T.S. 73, 8 I.L.M. 68.

tice best summed up by Robert Kennedy:¹⁷ "Moral duties have no term."

In the United Kingdom, we have recently had an important debate over the concept of whether justice, not in a spirit of revenge or retribution, must always live on. The House of Commons had to decide whether to introduce a War Crimes Bill. In a Free Vote, I and some others voted against the Bill, but a majority voted in its favor. Personally, I had been strongly influenced by a letter in the Times on July 29, 1989, by the former Chief Prosecutor at the Nuremberg War Crimes Tribunal, now Lord Shawcross, who said:

I cannot believe that a revival of all these sad and terrible matters by sensational trials of a small handful of aged men, which will take years to conduct and which will start with an assumption of guilt, will help to promote understanding and friendship between the different peoples of the world, will help to eliminate the evil of anti-Semitism or — still less — enhance the respect for British Justice.¹⁸

I also remembered the words of Sir Winston Churchill when, in a speech in Zurich on September 19, 1946, he said, "there must be an end to retribution. We must turn our backs upon the horrors of the past, and we must look to the future."

In the House of Lords on June 4, 1990, the Lords declined to give the Bill a second reading. Nevertheless, it was enacted by the Commons in the next session of Parliament under the procedure of the Parliament Acts whereby the Commons can rightly assert its democratic legitimacy over the non-elected Lords. In this case, the House of Commons chose to reopen the decision taken in July 1948, by the then Labour Government, not to pursue war crime investigations and trials on people in the British occupied zone and enable the courts in this country to try offenses of murder and manslaughter committed as war crimes in Germany or German occupied territory during the period of the Second World War. That 1948 decision was based on the belief that it would further the goal of reconciliation. Today, we can fairly claim that with Austria and the now reunited Federal Republic of Germany as members of the European Union, we have achieved a degree of reconciliation perhaps unparalleled in his-

17. WIESENTHAL, *supra* note 15, at 158.

18. *Letter to the Editor*, LONDON TIMES, July 29, 1989, at 11.

tory. We have much to be grateful for the wisdom of those who did not repeat the victors' mistakes after the end of the First World War.

The dilemma of reconciliation is that if justice is to be an absolute, then there can be no pardons or amnesties. Yet, over many centuries, different countries have determined that the need for justice should be capable of being overridden by the need for reconciliation. Some argue that the need for reconciliation to override justice particularly applies in civil wars. But it is not always easy to make a clear-cut distinction between wars of aggression and civil war. This is very much the case in the former Yugoslavia, where there have, since 1991, been at least four distinct wars.

Countries have normally tried to uphold justice as an absolute in the prosecution of crimes against humanity, particularly genocide. I do believe that the Nuremberg Trials had, and still have, lasting value. It contributed to reconciliation that many of those most responsible for the Holocaust were brought to justice. It was a mistake that the U.N. Charter did not provide for the establishment of an International Criminal Court. At its third session, the General Assembly in 1948 asked the International Law Commission¹⁹ ("ILC"), one of its expert organs, to study the establishment of an international judicial organ for the trial of persons charged with genocide or other international crimes. After considering the consequent report of the ILC, the General Assembly in 1950 and in 1952 established ad hoc committees of seventeen states, which both drew up draft statutes for an international criminal court ("ICC"). The General Assembly, however, decided to set aside this project in 1954, ostensibly to await the adoption of a definition of aggression; even when that was accomplished in 1974, however, the General Assembly decided not to take up the question of an ICC. In 1989, Trinidad and Tobago proposed that an ICC be set up, initially just to deal with international drug crimes; the General Assembly again assigned this question to the ILC, which started to study it with increasing urgency after the Gulf War and especially in 1993 after the Security Council established the Yugoslav War Crimes

19. G.A. Res. 174, U.N. Doc. A/RES/174(II) (1947) (establishing International Law Commission); G.A. Res. 36/39, U.N. GAOR, 36th Sess., U.N. Doc. A/RES/36/39 (1981) (expanding International Law Commission to include 34 members).

Tribunal.²⁰ The ILC reported a preliminary draft of the statute of an ICC in that year, and presented a perfected draft in 1994. The General Assembly then established an ad hoc committee, open to all member states, to meet initially from April 3 to April 13, 1995, to review the ILC draft, with the view to convening a diplomatic conference to conclude a convention to establish an ICC. How quickly this will happen and how popular the whole idea will be remains to be seen.

It is generally agreed that a General Assembly-sponsored treaty is the only feasible way to establish a permanent international criminal court, as the Security Council would have no authority to establish a standing organ to cover international crimes, such as airplane hijacking, hostage-taking, and attacks against diplomats. One legally satisfactory alternative would be to establish the criminal court through a Charter amendment, which, once it entered into force, would bind all Member States. Charter amendments, however, are difficult to achieve.

In 1992, on the invitation of the London Conference on the former Yugoslavia, it fell to Cyrus Vance and myself to recommend how the international community should deal with people who have allegedly committed war crimes in the various wars that had engulfed the former Yugoslavia since 1991. Predominantly crimes by Serbs against Muslims, but also against Croats, and Croats against Serbs and Muslims, and Muslims against Croats and Serbs. While conscious as negotiators of the value of pardons and amnesties, we felt the nature of these crimes demanded the establishment of a Court or Tribunal. We would have preferred to establish, under the U.N. Charter, an International Court, to which cases could be referred from any part of the world, and we informed the Foreign Ministers of this in December 1992, when they attended the International Conference on the Former Yugoslavia ("ICFY") meeting in Geneva. Sadly, we later concluded that there was not sufficient support within the Security Council for such a Court. We therefore recommended establishing an ad hoc court specifically to try crimes committed in the territory of the former Yugoslavia. We believed it essential that any Court or Tribunal should be free standing, independent, not connected in any way with the ICFY,

20. S.C. Res. 827, U.N. SCOR, 3217th mtg., U.N. Doc. S/RES/827 (1993).

and consciously divorced from the peacemaking or peacekeeping process.

We recommended that the ad hoc court be established under the authority of Chapter VII of the Security Council because it would be faster than enacting a treaty that would have to be ratified by every country. We felt that the Court or Tribunal would be able to draw on the enforcement power of the Security Council to bring people to justice and comply with a warrant of arrest, in effect to extradite. Any political judgments as to the duration of the Court or Tribunal's jurisdiction would be taken by the Security Council. In this way we hoped the issue would not be subject to bargaining between the leaders of the countries involved in the war, some of whose leaders might themselves be brought to trial. We deliberately chose the Security Council, in effect the World's Parliament, because it, unlike the General Assembly, can pass binding international "legislation" if it is faced with a threat to the peace. Nothing that has happened since has made me wish to change our recommendations. I am glad the Security Council established the International Criminal Tribunal for the former Yugoslavia ("Tribunal"). The Tribunal's statute gives it the power to prosecute persons accused of grave breaches of the Geneva Conventions of 1949,²¹ violations of the laws or customs of war, genocide, and crimes against humanity. Security Resolution 827,²² which established the Tribunal, saw it as being able "to contribute to the restoration and maintenance of peace." To do this, the Tribunal must help to deter future crimes and its deterrent function cannot be divorced from providing punishment and retribution.

The Security Council will be able to resolve the dilemma over reconciliation and whether justice in this particular part of the world at some future moment in time should or should not remain an absolute. I cannot conceive of the Security Council terminating the activity merely because of a peace settlement. It is now bound to proceed to the trial and sentencing stage. Nor should it give up just because some of the suspects are not

21. Geneva Conventions For The Protection of War Victims Concerning: I Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, II Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, III Treatment of Prisoners of War, IV Protection of Civilian Persons in Time of War, Aug. 12, 1949, 6 U.S.T. 3114, 75 U.N.T.S. 31.

22. S.C. Res. 827, *supra* note 20.

forced to leave their country and stand trial. Governments change, public opinion changes, "pariah status," not being able to travel, are in themselves deterrents.

For those already issues with arrest warrants, like Radovan Karadžić or General Ratko Mladic, I do not believe that it would be right to grant any request for an amnesty or pardon. A key role that the Tribunal will have relates to "ethnic cleansing;" how it will be defined and classified. Some fear that any settlement that does not reverse all the ethnic cleansing that has taken place will in some ill-defined way ratify ethnic cleansing. I see no way in which this would happen. Within the ICFY, all draft peace settlements and countless bilateral and trilateral statements signed by the parties have included a condemnation of ethnic cleansing and a declaration that any documentation signed under duress is null and void. It will be very important for the future of international humanitarian law to have this whole issue of ethnic cleansing clarified and to have it made clear that it is a crime for which its perpetrators can be charged and punished. In the former Yugoslavia the Serbian nation is not on trial, but individuals whether Serb, Croat, or Muslim, must be held responsible, whether prominent or local decision makers, and, as happened over the Nuremberg and Tokyo Tribunals, justice should proceed, individuals should be investigated, brought to trial, and if need be, extradition procedures enforced by the Security Council, suspects judged and, if found guilty, sentenced.

I believe that demonstrating to the world again that there are international laws governing individual conduct during war will contribute to the process of reconciliation in the former Yugoslavia and send a wider message to the world as a whole. I believe it was necessary to deal with genocide and crimes in Rwanda, but I regret that the Security Council still felt it necessary to establish a Rwanda-specific court rather than establish an international court of universal application. But, I hope that the experience gained from dealing with the former Yugoslavia and Rwanda will provide the basis for an early U.N. decision to set up a permanent International Court for trying people suspected of war crimes, genocide, and other crimes against humanity, and I believe that such a decision would have the effect of making it less likely that such crimes will be committed in the future.

I have pondered long and hard some of the other ways in

which reconciliation in the former Yugoslavia can be promoted. Some have suggested a Truth Commission, not to prosecute but to learn. Truth is in short supply in the former Yugoslavia, for the lies go back to the Second World War. It was not only then a fight between Partisans and Fascists, but also a civil war with many people killed by their own kind. To establish the truth about the wars that raged from 1991 onwards in the former Yugoslavia would be well worthwhile, but I do not believe it will be possible to do, and even the exercise would be wasted effort giving grounds for more recrimination than reconciliation.

Eventually it may be possible to promote reconciliation in the former Yugoslavia, as elsewhere, by trying to ensure that all have the same broad historical perspective. Historians will often differ in their interpretations of facts, but it would help if history books at least showed some common ground on basic facts. This was one of the early tasks taken up by UNESCO²³ but with very variable results. One of the most potent factors in the violent break-up of the former Yugoslavia was the recrudescence of its history. Tito's propaganda had obscured the reality of the civil war that raged from 1941-45. When Belgrade and Zagreb TV in 1991 revived the term Ustasha for the Croats and Chetniks for the Serbs, the old hatreds came back even for the young.

It is, I am told, since I do not read Japanese, a sad feature of our much slower reconciliation with Japan than Germany that the history books in Japanese schools still describe the events leading up to, during, and immediately after the Second World War, in very different terms from those of the history books in Europe and in the United States. It cannot be beyond the capacity of all our governments, who work together in the OECD²⁴ and the United Nations, to try and reconcile the facts. As a contribution to that wider reconciliation, it would be good if the G8 Summit took an initiative to reconcile the history books of the eight participating nations.

I was very impressed by the wisdom shown by the Polish Government, in contrast to that of the U.K. Government, in inviting all the countries of the former Yugoslavia to the 50th Anniversary of the ending of the horror of the Auschwitz concentration camp. No doubt some in the Polish Government were

23. U.N. Educational, Scientific, and Cultural Organization.

24. Organization for Economic Co-Operation and Development.

tempted not to ask the Federal Republic of Yugoslavia (Serbia and Montenegro) which Poland, like most other members of the United Nations, had not formally recognized. But to do this would have been to visit the sins of the sons on their fathers. Poland, who, after the Soviet Union, suffered the most casualties of the Allied forces, must have been conscious that the Yugoslavs, mostly Serbs, suffered the third most casualties in that war, and that in the Nazi and Croatian Ustasha concentration camps there was a massive genocide committed against the Serbs.

The British Government was right, I believe, to listen to the views of ex-servicemen who fought in Southeast Asia who did not wish to abandon the term VJ Day that we have used for fifty years. But their voice, however loud, cannot always be the determining factor. His Royal Highness the Duke of Edinburgh, who fought in the Pacific during that war, showed courage and won respect for being ready to represent the Queen at the funeral of Emperor Hirohito. The ex-servicemen in the West country who criticized the decision that Toshiba should build factories in Plymouth, my home town, fifteen years ago were listened to with respect but did not carry the day, and now there is hardly a person who regrets that decision, and the Japanese management are welcomed and appreciated. It is as people learn more about each other's countries and cultures that reconciliation puts down its roots. My children know a modern democratic Germany and Japan within which they have travelled and lived with ease and enjoyment. My generation forgives Germany and Japan but does not forget. My father, who recently died, served as a doctor in the Royal Army Medical Corp in France, North Africa, and Italy. He was the mildest of men but he neither forgot nor forgave Germany nor the Japanese for what that war did to him and his generation.

Such is the reconciliation process. The sins of the fathers must not be visited on their sons, least of all on their grandsons. Of one thing we can be certain. There will never be, as long as the European Union remains in being to bind us together, another war pitting Germany and Austria against the United Kingdom and France.