

“DON’T YOU WANT TO HEAR WHAT HAPPENED TO ME?”  
Victims’ Rights in International Criminal Courts  
National Crime Victims Law Conference  
“Power of One, Strength of Many: Advancing Victims’ Rights”  
Portland, Oregon  
June 17, 2006

“Don’t you want to hear what happened to me?” That is a refrain we who work with survivors of crime have heard many times. We know that telling one’s story in a solemn setting can be as important for victims as a criminal conviction of the one who harmed them.

“Don’t you want to hear what happened to me?” It was a lament that echoed through a high tech courtroom in The Hague where I observed the trial of Slobodan Milosevic for war crimes, crimes against humanity and genocide for three years, as an analyst and commentator for the Coalition for International Justice.

As law professor and author Julie Mertus writes,

“For survivors, storytelling is not a luxury. War has served to strip them of control over their lives and erase all sense of a volitional past and future. . . . The process of telling and of observing one’s story being heard allows survivors to become subjects again, to retrieve and resurrect their individual and group identities. From voice comes hope.”

The need to tell one’s story is as true for survivors of many domestic crimes as it is for survivors of war crimes, crimes against humanity and genocide. Among its other purposes, can a criminal trial provide the public acknowledgement of harm victims need? If

a trial is not sufficient, does it nevertheless serve an important function for victims as they attempt to incorporate what happened to them into a worldview that will allow them to move forward into the future? Are there ways we can improve the experience of victims in the developing international criminal justice system? These are the issues I'd like to address briefly today in the context of the Milosevic war crimes trial. And one final one, how can we who work with survivors listen compassionately to their stories without being overwhelmed by them?

In a war crimes trial of top leaders, very few survivors ever make it to the courtroom. To prove a charge like forcibly deporting millions of people in a criminal plan to change a state's ethnic balance, the prosecutor must be selective in how many victims she calls. Milosevic was charged with 66 counts for crimes committed in three wars over a decade. To meet its obligation for an expeditious trial, the Court imposed a strict time limit for presentation of the prosecution's case, which Milosevic nevertheless undermined.

Faced with limited time and the need to prove massive crimes committed over an extensive area, the prosecutor – just in the Kosovo phase of the case alone – selected ten crime sites out of the hundreds existing. For each site, the prosecutor further selected four witnesses to tell what happened. No more than two and often only one witness testified orally in court. Statements of the remaining witnesses were submitted in writing, a summary of which was read into the record by a prosecutor in five minutes or less, followed by up to an hour of cross examination by Milosevic.

For a number of witnesses, it was a perplexing and frustrating process.

Consider Sadik Januzi, a retired Kosovar Albanian farmer and security guard. Sometime in April 2002, he left his family and friends and traveled from his village in rural Kosovo to Belgrade, Serbia where he boarded a plane that flew him to The Hague in The Netherlands, about a thousand miles from home. Until then, he had only been outside his country once, when he was forcibly expelled by Serbian forces to Albania.

We can only guess at his impressions of this international city teeming with cars, bicycles, trams and buses, and thousands of people speaking a strange language he could not understand. The weather was colder, the days shorter. The land was entirely flat unlike the rolling hills and mountains of his home.

Mr. Januzi was taken to a hotel where he would stay until he completed his testimony at the International Criminal Tribunal for the Former Yugoslavia. The hotel was modern, spotless and efficient. Within his experience it was the height of luxury. But it was far from his family and fellow villagers, and anyway he wasn't there to enjoy himself. He was there to prepare for his testimony against Slobodan Milosevic, the former dictator of his country, the man he and other Kosovar Albanians blamed for a decade of repression and violence, followed by a war in which 10,000 people were killed, 800,000 were driven out of the country, while hundreds of thousands more hid within Kosovo's borders, moving from village to village and forest to forest, as their homes went up in flames.

Likely, Mr. Januzi had never been in a courtroom of any kind before. Certainly, he had never been in an international courtroom with its UN guards dressed in blue with bulky bulletproof vests, its dozen or so computer monitors, the translation booths and microphones that would enable him to understand the questions and others to understand his answers, the video cameras and monitors that broadcast and recorded his testimony, the black-robed judges, prosecutors, clerks and other court personnel, the bulletproof glass that divided him from a gallery of spectators sitting behind his back where he could not see them. Certainly, he had never been in the same room with the former president of his country. Nor had he ever spoken to him. If Mr. Januzi was a little nervous or intimidated, we might understand, even not knowing that a number of better-protected people who testified against or displeased the former dictator had ended up dead. It took great courage for Mr. Januzi to leave his village of Broje and come to the International Tribunal to testify against Slobodan Milosevic.

After he took an oath to tell the truth, Mr. Januzi confirmed that he had provided a written statement to the Prosecutor and it was entered into evidence. The prosecutor read a short summary, essentially as follows.

Mr. Januzi's trauma began in March 1998, a year before full scale war broke out in Kosovo. He was forced to leave his home after police initiated a major assault against his valley, ostensibly to stop rebel attacks on police. For 14 months he and thousands of other civilians wandered from village to village to seek safety from Serbian forces. After NATO began bombing in March 1999, Serb forces increased efforts to rid Kosovo of Albanians. From Mr. Januzi's shelter in Izbica, he saw a nearby village burning. Within

days soldiers began setting fire to houses in Izbica, forced about 5,000 inhabitants into a meadow, demanded money and valuables, and separated the men from the women. Soldiers with machine guns forced Mr. Januzi and other men to run up the hill in two columns. They ranged in age from 40 to 90 years old. He heard an officer yell, "Stop! Fire!" Bodies fell around and on top of him. Soon a soldier came around checking to see if anyone was alive. More shots were fired into the bodies and he heard someone say, "Let's go. Our work is over." Mr. Januzi crawled away and hid with two or three other survivors. Eventually, he made his way to his sister's house where he stayed for three days before Serb forces surrounded that village and forced the residents to join a convoy of 12,000 others going to Albania. At the border, Serb forces demanded money and took their identification.

Mr. Januzi sat silently listening through the words of a translator to the prosecution's monotone summary of his written statement. He couldn't tell the Court about the fear and revulsion he felt when bodies fell on him, of the shock and sadness at seeing friends and neighbors killed before his eyes, of the terror of his escape or the exhaustion of traveling for miles in a long column of refugees and of how he felt after losing everything that connected him to his home and his past, including his very identity. Mr. Januzi was only allowed to utter the few words that verified the prosecutor's abbreviated description of his 17 month ordeal.

Then it was Milosevic's turn. The Court had ruled that the Accused should have the opportunity to cross-examine all witnesses, including those like Mr. Januzi whose testimony was given in writing.

Milosevic questioned the witness for 45 minutes, at the end of which Mr. Januzi protested to the Bench: “You haven’t asked what I went through – the massacre.” Presiding Judge Richard May rather lamely responded, “We have your statement.” We can only imagine how Mr. Januzi felt when he stepped down from the witness stand to begin his long journey back to his village. Unable to tell his story in his own voice, listening to a much-abbreviated summary read by the prosecutor, then required to answer questions from the Accused that more resembled KGB interrogation with no opportunity to ask questions in return, Mr. Januzi’s distress was evident in his parting lament to the Court. It must have seemed as if he were on trial. Milosevic, the accused, would never take the stand to answer a single question. That the Accused, the former dictator of his country, was his cross examiner had to have added insult to injury. A less satisfying experience for victims is hard to imagine. But there was more. Mr. Januzi, like other Kosovar Albanian witnesses, returned home to face the judgment of his community. He was in The Hague to speak for them, to tell the Court and the larger public of their suffering. In their eyes, he had failed.

Mr. Januzi’s experience was to be expected in a 66 count war crimes trial. How else could the prosecutor prove his case if he didn’t make use of rules allowing written and summarized evidence and other short cuts? After all, he also had to lead evidence that connected the leader to the crimes. That was the focus and far more problematic. In a leadership case, it is easy to lose sight of the victims as the prosecutor concentrates on documents, transcripts and conversations among conspiring generals and politicians. Once again, just as in the criminal conspiracy that destroyed their lives, the victims were in danger of

becoming peripheral to the process. Where Milosevic was unmoved by the effect of his policies on the people of Kosovo, Bosnia, Croatia and even Serbia, so it must have seemed to Mr. Januzi and other victim witnesses whose testimony was so abbreviated that the Tribunal cared little about what happened to them.

Of course people at the Tribunal did care. But as law professor and author Julie Mertus recognized,

“The problem with the war crimes tribunals for the former Yugoslavia and Rwanda is that they are war crimes tribunals. The stuff of law—the elements of the crimes, the rules of procedure, the dance of witness, lawyer, judge—can do only so much. And the closer one is to the crime, the less likely ‘so much’ will be enough.”

Under normal circumstances, it would be difficult for victim witnesses such as Mr. Januzi to appear in an international tribunal far from home to testify against the former leader of his country. In the Milosevic trial, the difficulty was compounded since Mr. Januzi was not cross examined by attorneys bound by court and professional rules to conduct themselves with dignity and to uphold the integrity of the process. He faced an accused who insisted on representing himself while refusing to recognize the legitimacy of the Tribunal and its authority to try him. Indeed, Milosevic did not say he would defend himself. He proclaimed he would use whatever opportunity presented to make his political case to the public – most particularly his audience back home in Serbia.

Unrestrained by a desire to win over the judges, Milosevic made a show of cross-examination – especially in questioning Kosovar Albanians, who had been demonized by years of vitriolic propaganda. Witnesses were subjected to abusive accusations, mischaracterization of their testimony, attempts to confuse them and the Court, and, at times, cruelty. Milosevic treated almost all Kosovar Albanian victim witnesses with contempt, bordering on racism. In his mind and that of his target audience, they were all liars. Cross examination by the Accused was an added burden particularly for poor peasants, some who could not even write their names. Milosevic appeared to relish it.

The Accused disparaged Isa Raka whose pregnant wife was shot during an attack on their village. Unable to reach the hospital because of gunfire, he tried taking her to safety through the woods. His wife bled to death before they reached help. Milosevic accused him of killing his wife and unborn child through his “cowardice.”

Milosevic derided Sabit Kadriu, head of a local human rights organization: “I can’t even have a comment to something as ludicrous as that.” . . . “You spoke about an attack on Qirez. That is incorrect because nothing else you said was correct.” . . . “Now we have heard an absolutely fantastic assertion.” . . . . “As for massacres, we know whose specialty that is. That’s why I asked about al-Qaeda.” In several hours of detailed testimony, Mr. Kadriu told of whole families massacred in 1998 before the war started. He investigated the crime scenes and catalogued the body parts. He spoke of killings and massacres he witnessed after the war began, and of his imprisonment, near starvation and beating before he was finally sent to Albania. Nevertheless, the presiding



judge admonished him numerous times not to elaborate. “Listen to the question. Just answer the question,” he said. Necessary to expedite a trial. Frustrating for a victim witness who feels impelled to tell what happened to him.

With most rape victims Milosevic was pitiless. They testified under pseudonyms in closed session because of the great shame they would endure if their stories became known in their highly traditional communities. Only later was the transcript opened to disclose their stories and Milosevic’s badgering. “Why are you lying?” he demanded. “What evidence do you have that this happened?” “Why didn’t you report it at the time?” All his questions were designed to present the women as liars to his audience back home who would laugh and applaud him.

Milosevic’s abuse of witness B-1054 haunts me as much as her story. She was one of 75 people from her village who were forced into a house that had been prepared by soaking the carpets in gasoline. The doors were locked and a grenade thrown in. As the room exploded into flame, she was able to make her way to a window and push her son through before following. Lying in a nearby ditch, she watched the house burn and listened to the screams and cries of those inside. They included six members of her family burned alive.

Rather than try to establish his claim that Serbian forces weren’t involved, Milosevic set out to discredit her by pointing out minor discrepancies among the statements she had given to investigators. He badgered her with how the fire started – was an incendiary device thrown into the room? Did shooting ignite the fire? He derided her for failing to mention in her first statement that she took her jewelry when she fled her home.

Dr. Vesna Bosanac was head of the hospital in Vukovar, Croatia during its three month siege. Serb forces repeatedly targeted the hospital, though it is a war crime to intentionally target a medical facility. At one point, an unexploded bomb fell through three floors of the hospital, landing on and killing a patient. Throughout it all, Dr. Bosanac kept the hospital open and accessible to Serbs, Croats and Muslims. In court, we watched a video of the rubble and crowded, unhygienic conditions. From her testimony, I can see Dr. Bosanac in my mind's eye, sending fax after fax to the outside world, begging someone to do something to stop the slaughter of civilians. There was no answer. Vukovar fell to the Serb forces. Dr. Bosanac was taken away, interrogated and imprisoned. Two hundred and forty patients and others who had taken refuge in the hospital were bussed to a farm outside the city and systematically executed. When he cross examined her, Milosevic inquired, "Do you know that the Serbian press refer to you as Dr. Mengele?"

The Court considered other procedures that might have helped victim witnesses at the Milosevic trial. One came from Scotland where alleged perpetrators in child sex abuse cases, when representing themselves, are not allowed to cross examine their alleged victims. The Milosevic Trial Chamber considered, but did not adopt this procedure, as a way to protect the most vulnerable victims from Milosevic's often abusive cross examination.

Future trials where accused are allowed to represent themselves would do well to consider similar means of preventing revictimization of witnesses, such as requiring that an attorney or amicus curiae be employed to question victims or that the Court

itself put the accused's questions to the witness, as is done in the civil law system.

From observing the trial, I know the experience of victim witnesses was not uniform. Some, like Mr. Januzi, were clearly frustrated and disappointed. Some felt humiliated and re-victimized by the Accused. Others experienced a sense of power and satisfaction in confronting the man they held responsible for the deaths of their families, the destruction of their communities and loss of their way of life. While their stories were often distorted into the legal constructs of a trial, they were allowed to tell them in a solemn process, before a world court.

Eric Stover confirmed this in his study of victim witnesses who had testified in other trials at The Hague Tribunal. I quote:

“For many study respondents, merely being in the courtroom with the accused while he was under guard helped to restore their confidence in the order of things. Power, one witness said, ‘flowed back from the accused to me.’ If only for a brief while, this witness finally held sway over his personal tormentor, and his community’s wrongdoer. It was at moments like these that the tribunal justice was at its most intimate --” and, I would add, its most effective.

I recall the testimony of a woman who witnessed the murder of six of her children and also lost her husband and mother-in-law. The witness brought a home video with her to court which she begged the judges to watch. It was taken when she returned home after exile to find the bodies of her children in their beds where they had been shot sleeping, in the yard where they had been

executed while playing. Though difficult viewing, she found comfort in sharing these gruesome images in a solemn setting, where the man she believed caused the murder of her children had been brought to answer. When she confronted Milosevic, he expressed sympathy for her loss to which she replied, “It was on your orders that all my family were massacred, so you shouldn’t feel sorry for me.”

Another example was provided by Ismet Haxihavdiju, an elderly former teacher, who testified about the murder of his daughter-in-law and three small grandchildren. The frailty of his body belied the strength of his voice as he turned to Milosevic at the conclusion of his testimony and asked him directly, “How can you sanction the killing of women and children? Do you have ANY feelings?” In the absolute silence of the courtroom, his voice rang out as if it came from an authority much higher than those sitting on the bench.

Alija Gusalic was a Bosnian Muslim prisoner who, because of his large size, was selected for especially brutal torture. He was placed in a group of nine prisoners called “specials.” These men were routinely beaten. They were available to be beaten by anyone passing through the camp. They were beaten at least four times a day – at breakfast, lunch, dinner and at midnight when they were beaten into unconsciousness. When one died, another was brought in to replace him. Mr. Gusalic suffered broken ribs, a broken spine, starvation and maggot-filled wounds all over his body. He lost nearly half his weight. Four times he was taken for dead and removed for burial, only to be returned at the last minute after he moved a hand or leg. He was forced to eat straw and forced to have sex with other men. After he was transferred to another

camp, he saw himself in a mirror. “I got a fright. I didn’t look like a human being at all,” he told the Court.

Milosevic produced a media report by Reuters claiming the Batkovici Camp where Mr. Gusalic had been severely beaten was merely a collection center for enemies involved in combat. “Serbs were in worse physical condition than the Muslims in Batkovici,” the article claimed. Mr. Gusalic, who was hidden with other “specials” when any outsider came to the camp, was not intimidated by the Accused. “Mr. Milosevic, that is a pure lie,” he said. “Shame on you, Mr. Milosevic.”

Sulejman Tihic, a Bosnian Muslim politician who worked to prevent war and ethnic divisions, was arrested with other prominent Muslims, interrogated and badly beaten. He, too, spent months in a Serbian concentration camp. Milosevic subjected him to a brutal cross examination, yet Mr. Tihic stood up to him. Taunting the witness, Milosevic commented, “You say you were beaten and mistreated by the Yugoslav Army. It sounds very improbable to me.” The presiding judge interrupted to allow Mr. Tihic the opportunity to answer. “Yes. I was beaten by members of the Yugoslav Army. Mr. Milosevic, I found that improbable, too, that children, soldiers were beating me because my name was Sulejman. . . .”

Testifying in court may also provide some relief and satisfaction to those who commit crimes “under orders.” That was the case with a twenty-year-old conscript who was one of four soldiers ordered to shoot 15 unarmed women, children and elderly men at close range. One of the children was an infant who, when

shot three times, “screamed unbelievably loudly,” according to the young man. The soldier approached the prosecution and asked to testify against Milosevic. When asked why, he answered,

“I came forward to give my evidence because I wanted in this way to express everything that is troubling me, that has been troubling me for the past three years since I completed my service. Never a night goes by without my dreaming of that child hit by the bullets and crying. I thought if I came forward and told the truth that I will feel easier in my soul. It is the only reason I am here.”

The trial also offered the soldier a way to confront the man he held responsible for distorting his life and making him into a killer. During cross examination, Milosevic asked him if it wasn't correct that not a single officer ordered him to kill civilians. The soldier replied,

“That is not correct. I heard [the order to not leave anyone alive] and also ten soldiers from my company can confirm it and in no way can you deny that. I was there, I heard it and . . . you, as Supreme Commander, could have come down there and seen what it was like for us. You were issuing shameful orders to be carried out.”

At the end of cross examination, Milosevic pressed the witness: “Since you committed this grave crime, were you given any promises for this testimony of yours?” The soldier looked him in the eyes and answered, “Mr. Milosevic, I am here of my own free will. Mr. Milosevic, when I tell this truth to the person who, in my opinion, is the most responsible for all the crimes, it already makes

me feel better. I don't need more.”

Following Milosevic's death before the trial's completion, I think back to this young soldier's testimony and wonder if he feels robbed of a verdict or if the opportunity to confront Milosevic remains satisfaction enough. Victims who came to the Tribunal and those they represented likely have many different reactions to this most problematic trial and to the Tribunal as a whole. Some may wonder what it was all for. Others will find satisfaction in the fact that Slobodan Milosevic died in a jail cell where he had spent the last five years of his life.

Should we expect victims to feel satisfaction from these types of trials? Certainly, any criminal trial, domestic or international, is designed for purposes other than victim satisfaction. It is a highly stylized procedure, with technical rules that limit how and what evidence can be presented, rules quite foreign to victims who urgently want to tell their stories. The purpose of the trial is to determine whether a crime was committed and, if so, whether the accused committed it. The victim is a witness to the crime – which, over time, has come to be considered a crime against the state, not the individual. In the case of international war crimes trials, the injured party is the entire human community, evident in the designation “crimes against humanity.” Even more than in domestic criminal cases, individual victims of war crimes, crimes against humanity and genocide are lost in their sheer numbers. While an international war crimes trial is meant to de-collectivize guilt, so that an entire people is not demonized, the trial, mirroring the crimes, collectivizes the victims. Very few have an individual presence that is recognized and remembered from the trial.

The ICTY and its sister Rwanda Tribunal were created in such haste that the UN's Declaration of Basic Principles for Victims of Crime and Abuse of Power was virtually ignored. Hence, victims there are seen primarily as witnesses. Their function in the trial is limited to providing whatever piece of evidence the prosecutor needs to support the charges she has chosen. Victims who testify will receive protection from the Tribunal, as well as some support. The protection includes, with Court permission, anonymity through use of a pseudonym, screening from the public and face and voice distortion on video replay. In special cases, a victim witness may be allowed to testify in closed session and even given a new identity and moved to a different country. Since the Tribunal's interest in victims is primarily as witnesses, the focus is on whatever enables them to testify. It does not necessarily meet victims' needs.

Of course there are ways to lessen a victim witness's sense of being used – and the ICTY undertook a number of them. It established a Victim and Witnesses Unit to assist witnesses with travel arrangements and orientation to the court, as well as providing some emotional support. The presiding judge attempted to keep Milosevic's worst abuses in check, though Milosevic persisted in his strategy to expose victim witnesses as liars. Investigators, members of the Victim and Witnesses' Unit and some prosecutors met with witnesses before and after their testimony to explain the process and answer questions. They were not obligated to follow up, to check in after the victims returned home to see how they were doing – and limited resources insured follow up was the exception rather than the rule.



The newly-established permanent International Criminal Court has taken a giant step forward in how it intends to treat victims. At the ICC, victims are not only witnesses. They have been given a substantial role in the process. A victim may be admitted as a participant in the process where he can show a personal interest and that his participation will not threaten the rights of the accused or the fairness and impartiality of the tribunal. A participating victim will be able to make her views known during opening and closing arguments, witness examination, and sentencing. A group of victims may also participate in the trial through a designated legal representative. Under this regime, a victim or his attorney could have questioned Milosevic's witnesses, some who helped organize and carry out his plans that destroyed their lives.

As for reparations, the Court can order a convicted person to pay restitution, compensation and rehabilitation costs to a victim or the Victim's Trust Fund. The Court can also order fines and forfeitures and the freezing of an accused's assets. Like the ICTY, the permanent court has a Victims and Witnesses Unit with responsibility for assuring protection and counseling to victims who testify.

Whether the expanded role for victims in the ICC will meet victim needs remains to be seen. In trials for large scale atrocities, only a handful of victims or their representatives will ever be able to participate. And, as Julie Mertus has so eloquently written, there will continue to be inherent limitations to the judicial process in meeting victim needs to tell their stories in ways that are healing to them. I quote:

“Most survivors, however, do not see themselves reflected in the work of the tribunals. Their individual situations do not find a way into legal cases, either because there are too many crimes to try, or because their experiences, although horrible and morally reprehensible, do not constitute crimes under international law. There is no crime of destruction of souls, deprivation of childhood, erasure of dreams.

There are additional fora that exist or can be created to address victims’ needs to tell their stories and to confront those who harmed them, such as truth and reconciliation commissions on the South African or similar model, victim support groups and the gathering and publication of stories such as Julie Mertus has done in “The Suitcase,” her book about women refugees from the Bosnian war. An extra-judicial truth process can contribute to reconciliation or a tentative peace, but it cannot substitute for justice. It can provide a place for some survivors to tell their stories, but victims also require that their stories be heard and acknowledged with more than a sympathetic murmur. Acknowledgement requires something be done to restore the proper order of things – and that something is justice, bringing to account those most responsible for the suffering of their fellows, regardless of their once-powerful positions. International justice reasserts the rule of law over the rule of violence.

The great human rights activist, Aryeh Neier, wrote:

“Criminal trials even of a few archcriminals . . . serve two principal purposes. They constitute an acknowledgment, through proceedings with the requisite gravitas, of the suffering inflicted on the

victims. International prosecution and punishment are particularly significant—an unambiguous statement that the whole world has joined in the condemnation of those criminals. . . . The other purpose served by trials is to demonstrate that the most fundamental rules that make a civilized society possible may not be flouted with impunity and that even the highest leaders cannot be shielded.”

A Bosnian woman, Nusreta Sivac, spoke of the “immense feeling of pride” she felt on entering an ICTY courtroom, where she testified about the torture and horrible conditions she and other women endured in the Omarska detention camp. The two French journalists who interviewed her report,

“For victims of crimes against humanity, who have been degraded and reviled in an attempt to exclude them from the human community, giving evidence in a trial can sometimes restore the person’s sense of dignity.”

Recognizing that she had also spoken for those who could not speak, Nusreta confided to the journalists, “I have the feeling that I’ve done something important.” Our job is to help make it easier for victim witnesses to tell their stories so that they reach to the heart of judicial proceedings and never become peripheral to the process.

Finally, I want to briefly address the potential self harm of being involved in what Czech philosopher Jan Patočka calls “redeeming one’s share of the universal cruelty,” an endeavor in which everyone in this room is involved. You are all compassionate activists – lawyers, advocates, professionals, students, support staff, crisis workers and others. To be with you, inspires, reassures and relieves me, as this work can seem pretty lonely and the cruelty we work against as relentless and metastasizing as the worst cancer.

I want to say a few words about vicarious trauma because you are all needed so much. The work you do is precious and essential. We must take care of ourselves and each other. For there is risk in doing this work, in saying “yes” to Mr. Januzi and other victims and survivors, “yes, we want to hear what happened to you and yes, we will do our share to repair the shattered web of community.”

As I was reviewing testimony to write this speech, I repeatedly found myself facing a wall. Not the usual writer’s block, but something more intense and elemental. I did not want to revisit these stories one more time. I did not want to revisit the courtroom where a conscienceless man berated, intimidated and abused those who had the temerity to stand up to him. And I’m left to wonder how I would now answer that question put by Mr. Januzi and others, “Don’t you want to hear what happened to me?” At the time, I said “yes, I do. I will listen and I will tell others. You need not live with this horror alone. We cannot make it up to

you, we cannot change what happened, but we can respectfully listen and, in listening, pull you back into the human community – as far as you are able to come.” Since I returned from The Hague over a year ago, I have been trying to make peace with what I witnessed – the outer limits of human suffering and human evil. What can I do with the knowledge that human rights activists catalogued 63 different forms of torture used against prisoners in Bosnian Serb prison camps? How can I incorporate that into my worldview and hope to feel joy again?

As Jeri Laber, co-founder of Helsinki Watch, now Human Rights Watch, wrote in her inspiring memoir, describing the effects of torture on victims and those who listen to their stories,

“Torture is destructive to all of us—to the victims, to the torturers, to those who deny it is happening, and to those who are working to bring it to an end. It forces us to imagine things that should be unimaginable, to think thoughts that should be unthinkable, and to read words that should be unreadable. It forces us to acknowledge human evil and to question human good.”  
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When I give voice to the stories I carry, I feel like Typhoid Mary, dispensing shock and sadness. I am certainly dispensing dis-ease. I cannot make light of this. My counselor tells me that we lessen the impact of the horrors we carry by communalizing them. But where is the place to do that? Not over cappuccino at Starbucks, or on an afternoon at the beach, or during intermission at the symphony. Perhaps at a conference on victims rights, where the audience is composed of compassionate advocates in their own right.

No one prepared us for this in law school. Nor is it part of the journalism curriculum. And while the invisible entourage I carry with me consists of war's victims and survivors, I believe you who work with those who have been horribly treated at the hands of their fellows – victims of rape, child abuse, domestic violence, the secondary victims of murder – know what I'm talking about. You, too, have encountered the human capacity for evil and its dreadful results. What strategies have you learned that allow you to say yes to people like Mr. Januzi and yes to the eight year old child raped by his uncle without killing your emotional selves? We need to share these strategies, not pretend we are superhuman beings who courageously face all manner of evil unaffected by it.

We still live in a culture that lionizes those who function without feeling. But how can we prevent, or at least reduce the acting out of human evil if we do not allow ourselves to be affected by what victims tell us? War is a lot easier to wage if you only read the numbers killed and injured, not the story of a man like Agim Zeqiri who must find a way to go on living after 17 of the 18 members of his extended family were killed, including his wife, children, parents and grandparents.

Rarely, secondary witnesses of human evil, the notetakers, investigators and reporters, speak of the harm to themselves from taking in these stories. Perhaps we think it is unseemly in light of what the victims have suffered. But, as Ms. Laber wrote, we the listeners suffer, too. The ways we find to lessen the impact of these horrors may also carry danger for who we are and who we might become.

“Taking testimony from torture victims is incredibly difficult,” she writes. “I learned to deal with it by closing off my feelings and willing myself not to imagine the details. Although we don’t often discuss this at the office, I am sure my colleagues do the same. It is the only way we can do our work, but it nevertheless takes an unmeasurable [sic] toll, affecting our thoughts and dreams and forcing us to become tough in order to function.

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“In 1993 I sat with two colleagues in a Zagreb restaurant after a long day of interviewing refugees from Bosnia. We were discussing a particularly gruesome story that had been recounted to us by several people that day: A male prisoner in a detention camp was allegedly forced by guards to bite off the testicles of another prisoner. ‘Was this physically possible?’ ‘Did we interview anyone who actually saw it happen?’ All at once, at just the same time, we stopped talking, each aware of a gross incongruity—three people discussing such a beastly atrocity, calmly, over dinner.”

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I live in two worlds now, not fully alive in either. I live in Portland, Oregon with my partner of 14 years and 16 year old grandnephew. There is a mall down the street, selling a lifestyle that seems empty and meaningless to me, a movie theater with all the latest movies in English, most of them filled with senseless

violence as if we needed to create more. They fill my nephew's head and come out of his mouth as images I know too well. Images of torture and murder. But he is only joking, he says, when he repeats the slick, graphic phrases of threat and torture. "Don't you know all teenage boys talk that way, Auntie?" I tell him that's what scares me.

The other world I inhabit is one where, on any sunny day, bombs explode destroying busy marketplaces and schoolyards – tearing apart women, children, men, leaving only pools of blood and body parts. Where military tanks suddenly rumble into town, surround it and begin shelling and there is no longer any safe place. Part of the time, I live in this world which mirrors my nephew's entertainment. How does one make sense of this?

Some professionals call what I am experiencing Vicarious Trauma, Secondary Trauma or Compassion Fatigue. It is a normal, not a pathological, reaction to abnormal circumstances. According to Laurie Anne Pearlman, one of the experts in this new field, "anyone who engages empathically with trauma survivors is vulnerable to vicarious traumatization. . . . It can have an impact on a helper's sense of self, world view, spirituality . . . , [and ] interpersonal relationships. . . ."

Some of the signs of vicarious trauma include social isolation, sleep disturbances, intrusive imagery, hypervigilance – I have become the worst backseat driver in the world --, increased irritability, difficulty concentrating, pervasive sadness, and diminished interest in activities, among others. Listening to stories of such extreme cruelty challenges and can shatter one's basic view of life, whatever meaning we've found in it, our faith in



ourselves and in other human beings. The upside is it provides what the mental health profession calls a “growth opportunity.”

We must take seriously the effects stories of human depravity have on us. That does not mean we should not tell them. Just the opposite. Essential to preventing infection by these stories is to break silence and isolation, and to communalize them at appropriate times and places. The gap that needs to be filled is providing more appropriate places for this process.

I’m struggling to find this because I do not want to give up my work. Though it sounds appealing at times, working at Starbucks would probably not provide lifelong fulfillment for me. So I must find a way to do this work, to listen to these stories with compassion and yet, not come away harmed by them.

I address this very personal issue of self-harm because I don’t believe I am alone in experiencing vicarious trauma or compassion fatigue. Just as I want to be able to continue my work for those who have been so egregiously harmed, to help redeem my share of the universal cruelty, so I want all of you to be able to continue your work on behalf of those our fellows have harmed. Because the work is vital and there are not an endless number of people willing or able to do it with passion and compassion, skill and hard-won experience.

So, take a holiday. Make time for regular exercise and play. Stay connected to friends, family and a meaningful community. Attend to your spiritual selves, however you define them . Eat well. Sleep well. Laugh. Feed your souls with music, art, literature and beauty. See a counselor, if it suits you. Tell your

stories. Find or create appropriate forums, whether in your offices, professional associations or among friends.

Regrettably, there is so much work to be done. We must find ways to continue doing it with heart. We must support one another and recognize our own need for support. We must learn to live well with the joy and sorrow of our connections to survivors of humanity's capacity for evil.

As B. Hudnall Stamm, a mental health clinician and expert on vicarious trauma, writes, "It is naïve to hope for a cure for terror. Nonetheless, I think we have to get up each day and do something. Somehow we are existentially bound to go out and do business with the world."

May you all do it with heart, hope and deep appreciation for the hard and essential work you have chosen.

Thank you.