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for the former
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Tribunal Pénal
International pour
l'ex-Yougoslavie

STATEMENT

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PRESIDENT

The Hague, 11 July 2017

JUDGE CARMEL AGIUS

PRESIDENT

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

REMARKS DELIVERED AT SREBRENICA 22ND COMMEMORATION, 11 JULY 2017

Your Excellencies, families of the victims and survivors, Mothers of Srebrenica, ladies and gentlemen,

This is more of an emotional moment for me than it normally is. I find myself addressing you for the last time as President of the ICTY. I know that many of you are not happy that we will be closing in December. However, we have served international justice for almost a quarter of a century and must now let national courts finish the job.

Before I proceed any further I would like to bring to you the greetings of my colleague Judge Theodor Meron, President of the International Residual Mechanism for Criminal Tribunals. Unfortunately, he could not attend today's commemoration. While he is not present, he is very much with us in spirit and he joins me in conveying his deepest respects on this solemn occasion.

Today I stand before you feeling proud that, had it not been for the ICTY and its work these last 24 years, this place in my opinion would be much different and far more victims would probably still be buried elsewhere in unmarked and unidentified graves. When I first came here in 2001 or 2002 no memorial like this existed, but everywhere - inside what was then the very desolate town of Srebrenica, here in these massive constructions in Potočari that had witnessed so much cruelty and despair and in the fields opposite and behind - you could hear the desperate voices of the dead crying out for justice.

And justice finally came. The judgements of the ICTY were the first to establish what happened here in July 1995. Our judgements determined that men and boys were separated from women, children, and the elderly who were then forcibly transferred, that some persons were killed in cold blood here, that some women were abused here, and that numerous other men and boys were taken away and executed. The Tribunal also determined that many of the men and boys who fled Srebrenica hoping to rejoin their families in Tuzla were instead captured one after the other and mercilessly slaughtered in the countryside they called home. In all, thousands of Bosniak men and boys were brutally killed and thrown in mass graves. Some were later exhumed and buried a second time, even a third time, in other mass graves until we found out where they were. The perpetrators of these heinous crimes knew that what they had done was wrong and therefore did their best to hide their iniquities, their evil, their shame, forgetting that truth, like oil, will always in time rise to the surface.

And truth did rise to the surface. It came first from the ICTY, which determined once, twice, three times that what the population suffered here was genocide. The

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International Court of Justice too decided that what happened in this area in July 1995 was nothing less than genocide. As if this was not enough, the largest DNA-identification project in history provides unprecedented proof of the slaughter at Srebrenica and the places nearby.

Despite all this, as you have heard this morning, too many still deny the full scale of what this population experienced in July 1995.

As I prepare to close down the Tribunal, and as I leave you, I have three messages today. One is for those who believe that they stand to gain by denying the Srebrenica genocide. The second message is for the victims of the Srebrenica genocide, including their families, as well as the people of this town and of Bosnia and Herzegovina in general. And the last one, equally important, is to the leaders of this noble country.

Let me start with the deniers, the revisionists. The denial or distortion of history is an intentional assault on truth. Understanding the past is crucial to how people understand themselves, their society, and how to achieve their common goals. The Srebrenica genocide is unlike any other that happened before. It is so well documented, established by two UN international courts, including the International Court of Justice, and scientifically supported in even the minutest details. Dear revisionists, deniers, you will never succeed in hiding the true nature of this genocide. Your children, your grandchildren will one day realize that the truth of what happened here does not lie in the homes where it has been distorted but outside where it is readily available. They will discover the truth, the undistorted truth, and when they do, they will wonder what else you have hidden from their view.

As regards you, the victims of the July 1995 events - and this is my second message - I truly regret that revisionists continue to break your hearts. Make no mistake! Continued denial is often intended to destroy your group, both psychologically and culturally. It is also meant to divide this country by preventing wounds from healing, and biding time to spark old tensions. It is a trap: be wise and do not fall into it. History and time, as well as the international community, stand with you on the side of the truth. But you too must champion reconciliation when it is there and bury the hatred that may sometimes still engulf you. I am sure that the thousands of persons buried in this memorial want you to know how much they love you and that their hope is that you, the people of Bosnia and Herzegovina, should never fight and kill each other again. I am sure they would not like to see their surviving relatives and their descendants meet the same tragic end that they went through.

This brings me to my final message, which is directed to the leaders of this country. You have a very difficult, indeed a Herculean, task in trying to govern this country. There are still many divisions and open wounds, but also loud cries for justice that remain unheard and unheeded. Finding a balance is hard because memories are still fresh. I believe that securing and providing justice is the way forward. Many have said it before me and I repeat it in all humility: There is no peace without justice. Only this can be the road ahead. The future of this country, that has suffered too much already, is in your hands. You have been elected to deliver peace and progress, and you are responsible for ensuring that you can move ahead together.

We are standing on what I believe and consider to be sacred land commemorating a dark event in the history of this nation, of Europe, and of the entire world. What happened in Srebrenica and its surroundings in July 1995 cannot be allowed to be a source of division forever. Rather, the truth should serve as a catalyst uniting the people of Bosnia and Herzegovina in their shared goal of reconciliation. It is not easy but, with good will and determination, it is a goal that I know you can achieve together. I thank you all.
