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International
Criminal Tribunal
for the former
Yugoslavia

Tribunal Pénal
International pour
l'ex-Yougoslavie

ADDRESS

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PRESIDENT

The Hague, 11 July 2016
CS/PR1667e

JUDGE CARMEL AGIUS
PRESIDENT

U.N. INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

Your Excellencies, families of the victims and survivors, and all those who are here today to share in this occasion of deep sorrow and painful remembrance. I am honoured to be with you. The pain of your loss is unspeakable and your grief immeasurable, but you have the admiration of everyone for your vital role and perseverance in ensuring that the awful events of July 1995 are never forgotten, and that they serve as a living memorial to the cruelty and barbarity that human beings can at times inflict on each other.

In 2003, when I was presiding over the Brđanin case, I visited Srebrenica and Potočari for the first time. The Potočari Memorial Cemetery had just been opened. I remember the depressing atmosphere all around and the manifest lack of any measure of reconciliation. In my opinion, there has been some improvement in the last few years, thanks to the work of dedicated individuals who want this country to move ahead while remembering the horrors of the past.

Recently, the 100th anniversary of the start of the Battle of the Somme was solemnly commemorated, and the 20,000 British soldiers who were slaughtered on the very first day of the battle were remembered. Of course the circumstances are completely different because there, soldiers died in battle, while here innocent civilians were targeted because of their ethnicity. Still, I was thinking of those in Bosnia and Herzegovina as I followed the commemoration on TV. It is true that this senseless slaughter in 1916 did not stop the main European powers from engaging in an even greater World War less than 30 years later, but today, these once bitter foes have become allies, and live together in peace and prosperity, honouring each other's dead. For me, this is important proof that reconciliation is possible and, once achieved, will be of benefit to all.

A fundamental part of any reconciliation process is justice, which of course is where the ICTY directly plays a role. However, justice alone is not enough. Equally important are the processes of coming together - all three ethnicities of this country - and acknowledging the past; grieving together; communicating with open hearts and minds; engaging in real dialogue; looking to the future; and committing yourselves to ensuring that what happened here 21 years ago will never happen again. You have to want it, and you have to work for it - at home, in schools, in places of worship, and of course, at government level. All of these things will take time, effort, and goodwill, because the wounds are still open and, for those who lived those tragic events, moving ahead is admittedly not easy. But I have faith that it is possible. This is what I believe should be the way forward, if today's commemoration, and others that follow for scores of years to come, are to be meaningful in any way.

The ICTY, of which I am now President, has in the past 23 years struggled to unearth the truth of what happened in ex-Yugoslavia in the 1990s, and in particular to establish the events of Srebrenica, during that infamous week in July 1995 that scarred South East Europe and its great people, and also shamed the international community, which failed you and your loved ones. I stand before you proud that the ICTY has incontrovertibly established that genocide did occur here, in Srebrenica, in July 1995, and that it has prosecuted and

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convicted a number of key figures responsible for it. I am also proud that this finding by the ICTY has been affirmed and adopted by the International Court of Justice.

In the past years, you have heard from my predecessors that the mandate of the ICTY is limited in scope. Indeed, it is very limited. Its purpose, as a criminal court, is to try persons accused of the crimes within its jurisdiction. This notwithstanding, our contribution has also been pivotal in uncovering the truth, and in providing you with the information necessary to unite in an emphatic rejection of those who try to deny what happened and those who support them. The contribution of the ICTY also helps you all to redouble your determination never to forget, and your efforts to strive for peace and reconciliation.

In preparing this speech a few days ago, I closed my eyes and momentarily transported myself to the grounds of this Memorial Cemetery where, in the quiet of the night, under a sky covered with almost 8000 shining stars, I could hear the choral voice of the thousands of boys and men who 21 years ago had their lives torn away from them. They were telling me that they will only find peace when they know they have not been forgotten; that their cruel and untimely death has somehow served to foster and secure a peaceful coexistence among all ethnic groups of this great country; that justice has been done; and that there is a commitment never to have another Srebrenica again. They want us all to remember, and to understand, that only by fully acknowledging the past can we achieve a future of true and lasting reconciliation.

History will one day judge us all: those who acknowledge what happened here as evil, as genocide, and those who continue to avoid calling evil by its name. I remain hopeful, and I encourage you to be likewise, because the politics of hope ultimately prevails over those of division.

It is a tragic reality that nobody can undo what happened here 21 years ago. But please, let me assure you that today the ICTY mourns with you, and as its President, I feel humbled to be with you and to pay homage to your loved ones. May their souls rest in peace and may you all find a just and peaceful way forward.
