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International
Criminal Tribunal
for the former
Yugoslavia

Tribunal Pénal
International pour
l'ex-Yougoslavie

STATEMENT

(Exclusively for the use of the media. Not an official document)

PRESIDENT

The Hague, 11 July 2015

Judge Theodor Meron
President, International Criminal Tribunal for the former Yugoslavia
President, Mechanism for International Criminal Tribunals

Srebrenica Commemoration
11 July 2015

More than a decade ago, I was privileged to preside over the appeal judgement of the International Criminal Tribunal for the former Yugoslavia in the case of Radislav Krstić—the first appeal judgement to judicially recognize crimes committed at Srebrenica in 1995 as genocide.

In remembrance of the thousands of husbands and brothers, fathers and sons, and all of the other victims of the horrific events at Srebrenica, I would like to read a passage from this judgement:

“Among the grievous crimes this Tribunal has the duty to punish, the crime of genocide is singled out for special condemnation and opprobrium. The crime is horrific in its scope; its perpetrators identify entire human groups for extinction. Those who devise and implement genocide seek to deprive humanity of the manifold richness its nationalities, races, ethnicities and religions provide. This is a crime against all of humankind, its harm being felt not only by the group targeted for destruction, but by all of humanity.

The gravity of genocide is reflected in the stringent requirements which must be satisfied before this conviction is imposed. [...] Where these requirements are satisfied, however, the law must not shy away from referring to the crime committed by its proper name.

By seeking to eliminate a part of the Bosnian Muslims, the Bosnian Serb forces committed genocide. They targeted for extinction the forty thousand Bosnian Muslims living in Srebrenica, a group which was emblematic of the Bosnian Muslims in general. They stripped all the male Muslim prisoners, military and civilian, elderly and young, of their personal belongings and identification, and deliberately and methodically killed them solely on the basis of their identity. The Bosnian Serb forces were aware, when they embarked on this genocidal venture, that the harm they caused would continue to plague the Bosnian Muslims.

The Appeals Chamber states unequivocally that the law condemns, in appropriate terms, the deep and lasting injury inflicted, and calls the massacre at Srebrenica by its proper

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*name: genocide. Those responsible will bear this stigma, and it will serve as a warning to those who may in future contemplate the commission of such a heinous act.”*¹

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The judgement in the Krstić case is one of scores of judgements rendered by the ICTY, each a testament to the international community’s commitment to accountability and the rule of law. We may all be proud of what the ICTY has achieved since its establishment in 1993.

But while it is vital that those who are believed to be responsible for committing crimes such as genocide be called to account through fair court proceedings, we must remember this: The judgements of a court alone cannot heal the deep wounds inflicted by crimes such as those at Srebrenica. Court rulings on their own cannot bring about reconciliation—and they cannot bring back those who were lost. For those of us who have seen so many of our loved ones perish—whether during the Holocaust or at Srebrenica—we know this all too well.

Instead, it often falls to members of the communities most impacted by a crime—to civic and religious leaders, to parents and teachers, and to individuals like the Mothers of Srebrenica and members of other victims’ groups—to find the strength and the means to rebuild their communities.

As we gather today to remember all those who lost their lives at Srebrenica, we must also pay tribute to the many men and women who have done so much since the terrible events of 1995 to help us move forward, while at the same time ensuring that we never forget our past.

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¹ *Prosecutor v. Radislav Krstić*, Case No. IT-98-33-A, Judgement, 19 April 2004, paras 36-37 (alterations in paragraph breaks added).