

Project:

**ICTY ORAL History - Documented by SENSE**

An Interview with

Jean-René Ruez

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MK: We'll start with your pre-ICTY career, what you did. You were an investigator, inspector in the French police.

JRR: Before the ICTY I was a police superintendent. After my law degree, maîtrise, I passed the competition to enter the police, the French police force, at the rank of superintendents. It is something that exists in France. One-third of the superintendents in France are coming directly from the university after this competition. I started working in Paris, in a judicial police substation in one of the worst districts of Paris in terms of crime rate. It was my choice because that is where the things are interesting. And I continued then in the Fourth division of the judicial police, it covers one third of Paris, in charge of what was named Research units. Special teams. We did not act on a crime that was committed or an offense committed but through a network of informers. We were anticipating the actions of these guys. So it was mainly in the field of drug rings, dismantling teams of drug dealers. It was the main activity. Then I left Paris for the south of France, for the Judicial Regional Service of Marseille, where I was deputy head of Banditism Repression Brigade. It's a brigade in charge of all that is related to armed attacks on banks, on armored vehicles carrying money, and also crimes committed among well-known gangsters of the south of France. And from there I took more or less the same position, but as a head of the service, in

Nice. It was Banditism Repression Group of this judicial police antenna in Nice, so, in charge of this type of criminals for the French Riviera. This is when in 1994 arrived an application request for the ICTY. At that time, the Tribunal was recruiting through requests that were made to the states and the states proposed to send one or two or maybe more investigators. So the French put the level quite high because they proposed the position only to superintendents, which is, in bracket, the highest rank of the French police. And this was in 1994. I had no news for months and months and months, until end of 1994 I was contacted by a French judge who was already within the team of the prosecution at the ICTY and who was then in charge of recruiting two French to join the Tribunal. So I had a meeting with him and he made his final decision and called in two persons, among which I was. And I arrived at the Tribunal in April 1995.

MK: What was your motivation to accept this change in your career?

JRR: In fact, it was an instant decision. I was very happy with my job and with the area where I was operating, the south of France is not the ugliest place to be, but as soon as I saw the telegram that was offering this position I immediately called my wife and asked her if she was ready to move as soon as possible to another sea, not the Mediterranean one but the north one. And she agreed also instantly. And then I waited for months, as I told you, to have the answer. The motivation? It's a bit difficult to explain, but I was, as everyone, following the war since 1992. Not as a specialist, I knew very little about the circumstances, the reasons and all these things, but I had the instinct that due to the level of crimes committed it was an absolute obligation that at one point, first of all, this war would end, that former Yugoslavia would be a part of Europe hundred percent, and that nothing of this

would be possible if at the final stage of this war there would not be a thorough investigation and a tribunal in the way of Nuremberg tribunal. And I had the feeling that I had, let's say, the tools to be able to deal with this in terms of professional capacity, in terms of enough will for adventure, if one can call it like this, accepting to put yourself in strange situations which are unusual in a normal police force. For example, I like to go traveling to some countries and to go to some places where not necessary even tourists would have pleasure to go, because it would be too risky. And I was speaking English, which was also something very important in that situation. I improved my English later on, but I had enough skills, I thought, to be able to work in this international environment.

MK: What did you find in The Hague at the beginning? When you came here did you expect more or less what you found? Did you find what you expected?

JRR: The arrival was a surprise. In my fantasy I thought that those recruited for the Tribunal would be the excellence, so I thought I would be, like we use to say in French, “a kid in short pants”, and would then learn a lot from all these other colleagues who were very advanced. And it's not that the capacity of this recruitment was a disappointment, but it was very strange because we were just a few in fact. At that time we were, if I remember well, approximately 30 people at the OTP, including the analysts. So, only, let's say, half of these 30 were professionals, police professionals. So that was a bit strange because we were unfolding the events, starting with crimes committed in 1992. Since the war was not over and was still ongoing, we didn't know how long it would last. So it was a bit strange not to act on ongoing situations, but having to return to old situations. As an example, I was quite astonished that there was no flying squad. I was wondering why there was not

permanently a team of three persons, with their bags ready, ready to go in case something hot would happen and requests immediate action in terms of investigation. So the few months were dedicated to learn the environment. And also, it might sound strange nowadays when everyone is using a computer, the computers were just a few in the French police force. In Nice we had just one computer for 18 persons. So I had also to learn how to use a laptop, which was kind of magic machine for us at that time. I used to type on these little laptops with two fingers. My American colleagues were laughing, they thought I would destroy the keyboard because I was hitting them like an old machine with five layers of carbon paper.

MK: Just a few months after your arrival in The Hague, a real emergency which deserved a flying squad happened in Srebrenica. When and how did you learn what was happening in Srebrenica at the beginning and when you went there as a part of the flying squad?

JRR: In fact, there was already one. Just a few weeks or a month or two before was the launching of two missiles on Zagreb. And on this situation, there was an immediate action taken by the ICTY to collect evidence immediately on the spot. But this put aside, the knowledge we had about the Srebrenica events was in the first days following the 11th of July through press articles in which the journalists who were already following the war since the early stages had the certainty that people who were missing had been killed, had been murdered, in their view. But that was their journalistic assumption, it was not based on hard evidence, as everyone can understand now. Since these claims were so heavy, the Tribunal decided to have a preliminary mission in order to check these rumors. I heard

about it through Jean-Pierre Getti, a French lawyer, an investigative judge at the Office of the Prosecutor, who told me that on his request I was sent to Tuzla in order to start checking these rumors.

MK: So, when did you find yourself in Tuzla?

JRR: I think it was around 20 July. We were two of us, leaving through Split and from Split we took a helicopter for Tuzla where we met two of our colleagues who were at the Sarajevo office, Matthew Hudes and Muhamed Sušić. Matthew was the head of office, and Muhamed was the support staff. And we ended up very quickly being four investigators on the spot, I mean three investigators and one analyst. And at that time the refugees had already all of them arrived in Tuzla and in the area, where they were put in the refugee centers. Approximately 16000 persons, if my recollection is ok. We had prepared the questionnaires to spread among this large crowd of refugees with basic questions, mainly in order to identify people who thought having been witness or victim of serious crimes. And we also made contact with the UN Civil Affairs because it had already also taken a few interviews of refugees upon arrival. This way of doing didn't bring a lot of results. The main sort of information that we could access was the work already prepared by AID – the Agency for Investigation and Documentation, in brackets, the so-called secret service of BiH. And also interviews taken by the War Crime Commission. So in total, there was already a reservoir of approximately 600 witness statements of one page, two pages, which we analyzed fairly quickly in order to re-interview the people we believed were the most representative of the situation. The goal being at that early stage to identify first what happened in Srebrenica itself, within the enclave area, what happened during the

deportation process towards Kladanj and also what happened to those who were taken prisoners. Quite quickly it was understandable that the most important witnesses were among those who were part of the group taken prisoners. And at that moment there was already one survivor who claimed having survived a massive execution at a place that we named at that time Lazete, which is now officially named Orahovac.

MK: What kind of stories did you hear from those refugees and survivors who were in the column?

JRR: Each story we were hearing was in itself terrible crimes reported, if we put them in the frame of what we could hear in a normal situation, in a normal country. All of these statements were quite compelling. Basically, now we had to say something about this, all the reports from what happened in the area of the enclave was mainly based on the terror inflicted by the Bosnian Serbs Army who terrorized the population in order to push them into this so-called voluntarily departure of the enclave, which was, for sure, for most of them voluntary, because they did not originate from there, they were refugees from other places, from Zvornik, from Vlasenica. So these ones had no reason to stay. But, so it was the description of people being separated, being taken in remote locations and indirectly witnessed as being murdered, because not so many were able to see what was happening. As you know at the end of all this, the most reliable witnesses are the Dutch personnel who saw dead bodies and even photographed some of them. Then the description of terrible scenes for those who were marching with the column leaving the area, some of these reports being also at some points later on unconfirmed or impossible to confirm based only on eye-witnessing. But for sure, what was the most compelling was the stories of those who

claimed having survived large-scale executions, because this was really something, even in the context of this war, hard to imagine due to the amount of the people the situations were involving.

MK: When for the first time did you become aware of the real proportion of the crime?

JRR: In reality, this happened not during the summer 1995, because during this summer we were interviewing full time, I mean, during all the day time interviewing people. We were at the police station of Tuzla. We had organized a system so that these witnesses could be taken at their refugee center and brought to us. Depending on the story the person was reporting, we could allow ourselves to interview them during four, five hours in order to interview two persons a day. And for those who were considered as key witnesses surviving a mass execution we only had one day, which in reality is absolutely nothing. When you compare the time you take in a normal system to interview the person who is a witness of a severe crime, you have plenty of time in front of you. In that situation that was not the case. So, in a way, we were mentally overwhelmed by all what we were collecting in terms of information. And it's only once this first mission was over, I mean, over for this first part, so end of August, when I returned to The Hague, I started to do the analysis of all the data collected, knowing that there was no a specific team dedicated to Srebrenica. So I was left on my own with all the Bosniak victims. A few of our investigators in The Hague were continuing to interview members of the Dutchbat. And so doing what I call the chronology of events, which is also the base of the reconstruction of all these events, the chronology of the events is the base also of the first indictment of October 1995, this is



really when I realized the full scale of the situation, starting from the moment the people evacuated from the enclave, transported to Kladanj, and the fate all those who were left behind, based mainly on, at that time I'd think, five key witnesses of mass executions. It is really when the full scale, the full horror of this event emerged, really.

MK: In one of your testimonies at the ICTY you compared the investigation to the building of a house. Can you repeat those different stages of the investigation? Once you became fully aware of the scale of the crime, what did you do? A short definition of these four phases, and then we'll go phase by phase.

JRR: In order to explain the investigation I used the reference of the construction of the house because it's a multilayered investigation. The first aspect is the reconstruction of the events based on the interview of as many witnesses as available. Then the need is to confirm all these stories, confirm or make them appear as being false. On this point, I have to say that during the entire summer 1995 my main concern was that we do not fall into a propaganda trap. The war was still ongoing. Propaganda, as everyone knows, is a tool of war. It could had been a possibility that we would be intoxicated by false information, by fake witnesses. So the main concern was not to fall into this trap. Luckily, there was no trap as such. Even if some of the witnesses were not fully reliable it was not because of an organized process. So the need for confirmation is absolutely critical in any investigation. To do this, the problem is to access to the crime scenes. We could operate in Tuzla and the surroundings, but the crime scenes were in the territory of the Republika Srpska. At the end of the summer, although there was the bombing campaign, we still didn't know when all this would end. We knew it only once Dayton arrived and then the goal was to reach the

crime scenes. So the second layer is to approach crime scenes and collect as much evidence as possible that could confirm the events as described by the witnesses. So these are, what we could call, the walls of the house. Once this stage is reached, only then, and at the time, and during the summer, already accessing the crime scenes was close to a fantasy. We didn't know if we could do that in a time good enough for us to find evidence. Because the worst enemy of the evidence is time by natural causes of destruction or even by a sabotage of the investigation. The goal of all this is not only historical, it's to bring people to justice. So the roof is the identification of the main responsible ones, because that is the mandate of the Tribunal, knowing that whoever would appear as being part of this, what I named, extermination process would be worth being not only interviewed but also eventually prosecuted. So that was the third phase. All these is spreading on six years of the investigation. And I added one element on that house after the trial of general Krstić. It is the chimney on the top of the roof with the work of the judges providing sentences. That is the final stage of this house. Luckily, even if it took so long in this case, the entire house has been constructed. And obviously the house is quite solid because all the persons who have been charged by the prosecutor, who have been tried by the court, have all been declared guilty by a justice.

MK: So let's start with your first trip to the crime scene - when it was and what part of the Srebrenica crime scene did you visit?

JRR: The very first possibility to enter Republika Srpska was in fact due to the mission of John Shattuck, who was at that time undersecretary of States for human rights. And John Shattuck intended to go to RS in order to show to the press that the freedom of

movement, which was one part of the Dayton agreement, was in place. In reality, it was in place only for journalists, because no returnees were at the time willing to move to RS. So we went, myself and one American investigator, we went to Belgrade and with the team of John Shattuck we could go to the RS. So I had informed of our intention for sure. John Shattuck was totally aware of what we were going to do. His intention was to return to the Nova Kasaba football pitch, because the pictures of this football pitch had been shown by Madeleine Albright at the General Assembly of the UN some weeks, some months before, but he fully agreed that we could use this mission to begin to see with our own eyes some key places. So we started at the north because we entered close by Zvornik and we went to the Pilica school which was a detention center, the Orahovac crime scene. We couldn't approach the mass grave area, because everything was covered by snow. Despite the fact that one of the members of the Serb team denied us the access to school, we have borrowed a camera to AID, prior departure, because we had no video camera at the ICTY, we didn't bring any to the mission. And we could film the inside of the gym, which was not useless, because inside of this gym we could see blindfolds and pieces of cloth that we considered as blindfolds, and later on had to prove that indeed these ones were not only pieces of cloth but real blindfolds. So that was interesting because sometime later when we returned, these blindfolds had disappeared. So again, it's extremely important to be as quickly as possible on the crime scenes, even if it is to see a few things only. And then we continued south where we could, with the complicity, thanks to John Shattuck, enter the Kravica warehouse. We stopped in front of the Kravica warehouse. John Shattuck diluted the attention of the press by giving a short interview and together with Fred Buckley, the American investigator, we entered the warehouse and inside I could take a sample of some

product that was all over the walls in order to find out if it was blood, and if blood it was if it was animal or human. And we could also, after this, access Potočari, as well as Nova Kasaba. But the main crime scenes we could approach on that mission were the Grbavci area and especially the Kravica warehouse. It was very useful and interesting mission for the first one.

MK: Were the RS authorities aware of your presence there or you were undercover?

JRR: No, it was not secret that we were two members of the ICTY among the team entering the place. We also went to a mass grave nearby, which is the Glogova mass grave. We had been approached already by a team of journalists who filmed some bones on the surface. So it was no secret. For sure that was the moment when they started to understand that an investigation would happen.

MK: And that happened...?

JRR: This was in January 1996.

MK: Immediately after...

JRR: And from there we immediately began to build the next mission which we conducted in April. We always started the missions very early April, because it's the moment when snow has melted and most of the crime scenes we wanted to check were outdoor.

MK: So, the April mission - where were you and what did you find?

JRR: The first thing is to understand that, as strangely as it could be, in 1996 there

was no dedicated investigation team for Srebrenica. At that time I was an investigator embedded in the team in charge of the investigation for Sarajevo. So, one team leader, one interpreter, one analyst and I think four investigators, five investigators, were in this Sarajevo team, including myself. In October 1995 I left The Hague having finalized the chronology of events, having prepared together with Mark Harmon the indictment of November 1995 and I left with the Sarajevo team for three weeks in Sarajevo investigating the shelling, sniping and so on, all these events in Sarajevo town and conducting interviews with people who have been shelled, shoot at in trams and even in houses and so on. During that time absolutely no one was continuing the investigation on Srebrenica. Absolutely no one. Upon return, I immediately returned on the investigation of Srebrenica. So then happened this mission with John Shattuck in January and end of March 1996 I had a full mission plan ready in order to go on the ground and go to all the crime scenes that we needed to look at, which were designated by the witnesses, including some for which we had aerial imagery provided by Madeleine Albright in the summer 1995. So it was already a big mission-ready, but there was no one to go with me. So one member of the prosecution team asked others what do they have to do that is more important than coming together with me and a few guys volunteered. This is how we built the team. But it was a team for the mission, it was not a dedicated Srebrenica team. Once the mission was over and all the evidence collected, again the others returned in their investigation teams fulfilling the duties with their investigation teams, and again I end up "alone" coping with all the evidence collected, having to ERN them, doing the admin work, doing the secretary work. And to give you an idea, in the premises of the ICTY I had one table and half a file cabinet. I shared this file cabinet with the legal advisor of another team. So, the mission of April was

quite a big one, because the goal was to see all the places that we could have identified on map, on which we had already made request for aerial imagery in order to be able to find them on the ground, knowing that most of these places the witnesses themselves didn't know where they were. Most of the events happened during nighttime, people were blindfolded. The estimate of time was very variable for same crime scene. One witness surviving the same execution as another one, one would say that he was driven during five minutes, the other one would say he was driven 20 minutes. So there was always a question mark are they really talking about the same location and so on. Because the witnesses didn't have their watch, it was not their instinct to look at their watch in these moments. The very, very positive thing during this mission is that together with us was Bill Haglund, who had already worked for the UN conducting exhumations in Rwanda. So before leaving for this mission, we had meetings together and it was decided that he would go with us and that we would start digging in the places that we suspected being possible mass graves so that he could then very quickly launch an exhumation process. And this is exactly what happened. The fact is that in all the places we went and we considered suspect, we did immediately find what we were looking for. The most amazing thing was that all possible doubts that were still floating around were washed away after this mission. After this mission, we really knew that what we feared the most, the tremendous scale of all this, was a reality. And Bill was very impregnated by this and immediately started putting together an exhumation team and having a backhoe transported from the UN to the locations and he started the exhumations very, very quickly during the summer '95 ['96]

MK: Peter told me your team was called the Ghost team and you were Gabriel, or?

JRR: No, no! Yes, I named it "The Ghost Team", indeed, not because we were trying to find ghosts, not at all, but because it was a non-existing team. It didn't exist on paper. In the organigram of the ICTY, the Srebrenica team did not exist. This is why. We had no team. During the entire year 1996, I was taking volunteers to go on missions. There was no dedicated team. It was always guys who volunteered to come with me, do the mission, and then return. So, it was a ghost team because it was a team that did not exist.

MK: How do you explain that? The biggest crime of all dealt by the ICTY and still until 1996 it was a ghost team?

JRR: Even until 1997, because what happened was that... I mean, in 1996 I was told that one investigator from now on would be working with me. Ok. His name was Asif Sayed from Pakistan. But nevertheless, there was no legal advisor, no secretary, no dedicated interpreters. I mean, these people were available but for short period of time. The legal advisor arrived at the end of the year 1996. It was Peter McCloskey. So I consider that we started becoming a team when there is one team leader, one legal advisor, a minimum of support staff and also investigators. Because, as I used to say, the problem is that one person is not supposed to do everything. A team leader is supposed to be a head of an orchestra, not an orchestra himself, you know, the little ape who is doing everything at the same time, playing the drums, harmonica and all the rest. It's not possible on the long run and it's not healthy in terms of the full independence of the process, also. So, unfortunately, yes, this happened. And the reality is that I was extremely angry with the situation. I was spending a lot of my time trying to convince people that this was not a very logical way of doing. But it was a fact. I needed others to say if it was normal or not normal, but this is the

situation I lived through during this one and half year of starting the investigation, which was again the most critical because this is the year during which we collected 90 percent of the ground evidence – the walls of the house, confirmation of the facts. An example of the difficulties time creates - the meadow of Sandići from which the prisoners were taken to the warehouse of Kravica. We searched this field during the summer 1996, collected a lot of elements that confirmed both the statements that we had from the victims and the witnesses, that could also highlight the areal imagery, which showed the gathering of the people on this meadow. Things without which imagery is unreliable. If you do not match the imagery with findings, observations on the ground, the imagery could be a perfect, either a perfect lie or fuzzy information from which you can say, more or less, whatever you wish. So the same field the following summer was a corn field. Had we had to mow the cornfield, what would we find? Probably nearly nothing. So that is an example how time is running against evidence, of the need of speed in these circumstances.

MK: On the same subject - I remember I was in Brussels and there was a huge pedophile affair, Dutroux. They had 330 investigators working on that case. At the same time, you were coordinating the team in the biggest criminal investigation in a huge area covering 2.800 square kilometers - with how many people?

JRR: The misery in terms of numbers of this non-existing investigation team, of this ghost team, was the misery of the numbers for the entire ICTY. Again in 1995, 30 investigators for the entire war, knowing that the Office of the prosecutor was split in three parts - one part investigating crimes committed against the Serbs, one part investigating crimes committed against the Croats and one part investigating crimes committed against



the Muslims. As you say, at the same moment in Belgium 300 investigators were dealing with the Dutroux case, the serial rapist. So if we look at the situation as such, it's totally ridiculous. But the prosecutor had to do with what he had. What I was angry against was not that. It was that the misery has to be shared. And unfortunately, this situation lasted in time. We were entering too many details that would harm my former institution, at one point there were nearly 11 persons investigating a crime I will not name, which is the slaughter of a few hundred people in a valley. Eleven investigators, a full team with everything in it. At that time, though we had a dedicated team, we were seven, let's say. The maximum men power that we had was at the full scale of the Krstić trial and we were probably 10 persons within the team.

MK: Let's go back to the missions. The first mission is in 1996. You were protected by IFOR or SFOR. Tell us something about this kind of protection. What was the environment? Was it very friendly or unfriendly? How did the local people look at you? Did you have contacts with the local people?

JRR: The first thing is that due to the scale of the events, the crime scene, which in normal circumstances is within an apartment, for example in the bathroom or the living room, in this situation was a piece of territory 70 km north-south and 40 km east-west, dotted with detention spots, execution sites, and exhumation sites. And all this area was a part of the Multinational Division North, which was a multinational division mainly Americans and for the north part Russian forces. So the first year it was mainly the Americans who were protecting us, but the following ones for all of the north part that were also the Russian units. At the very beginning, in the anecdote in a way, we were looked bit

strangely by these military who were under the influence of the local counterpart, the Bosnian Serbs Army, who during the few months they had been in contact told them very different story than the one we had in mind. And the very first stages were a bit tricky because they considered we were kind of human rights activists and that the situations we thought were criminal situations were just combat situations. So we explained them what we thought was the difference. And since very quickly each time we were using our shovels to dig the ground and found the bodies we made constantly the point to bring them to the grave and show them that the bodies, that we were not exhuming but just showing, as it was a very preliminary stage, were dressed in civilian clothes. Ok, one can consider that they are still combatant, but they had their hands tied with the wire at the backs, which is the strange way to conduct combat. So we were taken seriously very quickly and the level of threat was also considered as very high by these forces. So we were extremely well protected, I must say, with heavy forces, including helicopters. It was also for these forces a way to do live training, if one can say so, and show also their ability to their counterparts. So it was a kind of strange, very strange ambiance. We knew that we were digging in the garden of the criminals. Even if we had no names at that stage of who was really responsible or not, we knew very well we were doing this under their eyes and in their garden. The military personnel was the same, was unchanged. The political personnel was unchanged. The police personnel was unchanged. So what we did is that, due to the circumstances - and it's again a very big difference with what happens in normal situations where, once you have taken control of the crime scene, you can spend as much time as you need to search everything - I was naming these missions 'grab and run'. We entered, we did what we had to do and, as soon as we had finished, we left. So it's not to say that it was a

badly done job, but it's a significant difference in terms of working ambiance compared with normal situations. And the contact with the locals was also something, in a way, we could call it strange. We were constantly followed by a team of journalists, sometimes in fair amounts. And meanwhile, we were working on a site. I take the example of the school at Lazete. The journalists went talking with the locals and they all came with the same report. The locals were asking them: "What are you doing here? What are these people from ICTY doing here? Nothing ever happened here. Yes, it is a school. The school is used by our children. Nothing happened." No one ever came to say anything. There was a real omerta in the Sicilian way of the expression. No one would ever have dared saying anything about what happened in July 1995.

MK: That was the situation in 1996?

JRR: It continued like this in 1996. It continued like that in '97, '98, '99 in all the places where we went. We didn't even try later on to get any information from locals for the basic reason that we didn't want to put them in trouble. Someone would have seen them talking with us during half an hour, even if it was to say nothing or even protecting the interests of others, these people could have been framed as suspects because they have talked with us. So we didn't want to put anyone in trouble. We kept the interview part for those that we would frame as being suspects.

MK: Just to make it clear, you said that in the beginning you were protected by the American forces mainly, but that there was a suspicion from those protecting you about what you were doing there because they accepted the story of their counterparts. Was that Americans or only Russians?

JRR: At the beginning it was Americans, but this situation didn't last more than two days.

MK: And then you got serious support?

JRR: Full support, absolutely. I mean on all aspects. Only ... The support was absolutely very, very efficient, but it's also a fact that if we were so well protected on the ground during the mission, as soon as the mission was over and we were exiting the base we had zero protection. Later on in some instances, especially during the interview process, we had also protection by our UN guards of the ICTY that were coming on the ground to assist us.

MK: You told how you used Shattuck's visit to go to the crime scene. Once you flew with Madeleine Albright?

JRR: No, she came.

MK: She joined you?

JRR: In fact, Madeleine Albright came to the RS initially also with the intent to return to Nova Kasaba, but at that time we were looking for the Branjevo grave, trying to find the Branjevo grave. So by mixing information coming from two survivors with imagery request we could access to a very good quality imagery of the Branjevo farm. We could do this during the preparation of the visit of Madeleine Albright because it was a much more compelling place to be for her, and for us it was the opportunity to use the means of the US Army to go and find the location. We could succeed finding. It was two days before her arrival. And once on the spot, I requested these pictures to be offered to the press, to be

made public instantly. And that was done at the US Embassy in Sarajevo to a press panel.

MK: So only then you got the aerials from Branjevo? When was it?

JRR: The aerial imagery of Branjevo is very interesting because it shows the ground just before the massacre, but also at the moment it is getting filled with bodies. It's the only photograph we have that shows bodies on the ground, even if they can be seen only as dots. And also it's one of the examples where we can show the disturbance process when they returned and dig out the bodies. So it is the full picture of the different evolution of this crime scene.

MK: But those pictures were given to you only during the planning of the visit of Madeleine Albright, not before?

JRR: No, effectively, once we had found the place, the imagery request could be done and then she could provide the press with them.

MK: It's still not clear. When was Albright in this mission and when did you get it, before or after?

JRR: No, after. First, we found the place and immediately when we found the place, we made the request for the imagery. And once this request is made, it goes very quickly, because this imagery is pre-existing, it is in the database. But people believe that because it exists somewhere the Americans were aware of the situation, which is, unfortunately, absolutely untrue, because it's like finding a needle in a haystack. Within the picture, you need to zoom inside to find what you are looking for. If you do not know where you want to look...Yes, in theory, the imagery is there, but you do not have it, or you do not know where

to look. And we didn't find this site before, few days before the arrival of Madeleine Albright.

MK: This is also important: was that before or after Erdemović's story appeared publicly?

JRR: This was after Erdemović. It's also thanks to Erdemović that we could find the place. It's a mix of information from survivors, Erdemović... it's a compilation of leads that brought us to the farm.

MK: Let's talk about the videos from the time of the crime. That was an important part of your evidence. How did you get them? There are stories that some VRS officer sold you some videos.

JRR: We were looking for these videos for many years, trying various possibilities to find them, mainly using press people, trying to find them through press people. At the final stage, it didn't happen like this. The problem is that I don't know at this stage what is public or not regarding the way we obtained a copy of the tape. The journalist who filmed it had cut the main interesting pieces of it, but we knew the full tape was existing. But I don't know at this stage what is public or not on this issue.

MK: Let's start with the Bosnian Serb Army videos because its cameraman was following Mladić from the beginning.

JRR: Zoran Petrović.

MK: Sorry? No, Zoran Petrović is different, No, Piroćanac is a different part of the story.

JRR: Which one you are talking about?

MK: About Mladić entering Srebrenica, that was the 11th, the meetings in Bratunac, the meetings with the Dutchbat, with Karremans, the refugees. Then, Mladić in Potočari on the 12th, because Piroćanac came on the 13th.

JRR: Good question. I don't recall. I don't recall these ones, where we got them.

MK: But they didn't give you the full tape, they cut two pieces out of it.

JRR: Good question. I don't remember.

MK: Let's say, Mladić's statement in front of the...

JRR: This one was open source. This one was broadcast on Serb television, no?

MK: No, no. It's two parts. The first one was broadcast on the Serb television and the second on the Bosnian television. Because the part with the "revenge to the Turks" was not in the piece you got, it was cut. That's why it jumps, it's different colors, quality...

JRR: I don't remember.

MK: You remember much more on Piroćanac video? Everything is public about Piroćanac video...

JRR: About how the Tribunal obtained it from the source of one of the detainees of the Tribunal?

MK: What's his name... the guy who followed Piroćanac. Borovčanin! But you had it before.

JRR: Yes, I had it through Dutch people. I mean the first time I saw it, it's two Dutch journalists who came to visit me on the island where I was, in the Caribes.

MK: No, no...

JRR: The missing parts of the...

MK: Yes, the missing parts, but the whole video... I never miss the opportunity to say how important is for you, that you identified a lot of persons and events thanks to this video.

JRR: For sure it's important, because although it does not show crimes, I mean, all these videos showing Mladić, showing the Tenth sabotage elements in Potočari, although they do not show ongoing crimes, they fix the situation, they fix who is there, who is in charge, who is present, who is giving orders. And then these people who appear later on crime scenes, it's hard to imagine that they are disconnected from the ones who are giving orders, specifically general Mladić. One can see from these tapes that Mladić is in charge, really in charge of everything, like he always claims being. Wherever he goes he is the person in charge. So indeed in that respect, these videos are critical. Those other missing parts also they are very important. They do not change the global picture, but they implement a picture that is already quite clear. So the more elements confirm the global vision of the situation, the best it is, even if it wouldn't change totally the situation. If we didn't have the three or four seconds of the massacre in Kravica taking place, the trials could still have occurred for the Kravica warehouse, but the fact is it's much better to have also these few seconds. They do not change the face of the situation, but they confirm a lot of things. It's on this aspect that these videos are critical. And for people, it's always the



same. People have the tendency to believe only what they see, even if you bring in witnesses, even if you have evidence on the ground that confirms the situation, nothing is better than a video. In the video age that is what people want. They want to see with their own eyes.

MK: You already mentioned Erdemović. How important was his guilty plea? He wrote his own indictment by giving the interview to Le Figaro which was published and then he was arrested in Belgrade, Serbia, and put in jail there for a month. You said his story helped you find the Branjevo farm together with the stories of two...

JRR: Erdemović was very important on several aspects. The first aspect is that he confirmed a massive crime scene on which we already had two survivors. On the Branjevo farm massacre, we had two survivors. So we knew very well about this crime scene, but we knew it only through the eyes of these two survivors. So they had a very partial side of the story. Erdemović had a full story. He is the one who provided the details of the crime, the fact that it happened from 10 o'clock in the morning through 3 o'clock in the afternoon, who described the behavior of the murderers. And also, he is the first Bosnian Serb, even though he is half Croat, one member of the Bosnian Serb Army who was fully explaining his role and his involvement in such a criminal situation. That is aspect number one. But aspect number two is the chain of command. The fact that he explained what his unit was, who were those who assisted his unit, the members of volunteers of the Bratunac brigade. But the fact that he was from the 10th Sabotage Detachment is a very key thing because the 10th Sabotage Detachment is a unit directly attached to the Main Staff. So it's not a unit that can browse around at free will, like hooligans. They obey only from orders coming from the

highest level, the security branch of the Bosnian Serb Army. So the full chain. He is the one, also, who allowed later to identify colonel Popović as being the one who they met at the Zvornik Brigade and who led them to the Branjevo farm where they were supposed to kill all the prisoners who would arrive there. So he is the one who made the link between the massive crimes and the heads of the Bosnian Serb Army. On this aspect, he is absolutely fundamental. Having used this 10th Sabotage Unit in Potočari was, in fact, the worst mistake the Bosnian Serb Army could do at that moment. For the rest, they could invent whatever story about self-actions. With involvement of the 10th Sabotage this becomes totally impossible. The 10th Sabotage is linked directly to the Main Staff, to the intelligence branch. And not only this, but thanks to Erdemović we discovered one quite significant crime scene, the one which is the north of the north of the crime scene area, which is the Dom of culture at Pilica. Without Erdemović we would never have learned about this situation because never, ever a local had talked about it. It's a situation where absolutely no one have survived, at least no one ever claimed having survived from this place. It's crime scene that, according to lieutenant colonel Popović when he returned to Branjevo farm he said: "There are 500 people within this Dom of culture who are trying to escape, let's go and kill them". So the assessment of the number is coming directly from the mouth of the head of security of the Drina Corps. And this one thing without Erdemović we would never had a clue about it.

MK: You visited that crime scene and broke the door, the locker or something?

JRR: Absolutely. In fact, the locker was broken by the head of the Russian unit that was protecting us. He is the one who did it, but I thank him very much for that. We would

have done it anyhow. But the interesting thing with this locker is that there is a spider nest in between the two doors and it shows obviously that once the crime had been committed they cleaned the inside, they made a very sloppy cleaning, leaving a lot of shell casings, leaving the blood on the walls, leaving a lot of elements, plastic glove, things like this. We also had an aerial imagery showing a truck at the back of the Dom of culture. It is the door from where they took bodies on board of little trucks. We have an eyewitness who later saw trucks filled with bodies and blood still getting out of the truck, going to the direction of the Branjevo farm. We knew that the bodies taken out of the Pilica Dom were taken to be buried in the same grave as the Branjevo farm. So we had a full description of all this thanks again to the testimony of Erdemović.

MK: You had the driver of the truck who testified that he after every tour he went back to drink some rakija.

JRR: This witness was found after my departure, like many witnesses, because when I left the Tribunal the process of interviewing the Bosnian Serb Army personnel, the police personnel, was still ongoing. There was a large reservoir of potential witnesses still to be interviewed. This driver is among them.

MK: In 1996 you got access to the crime scene and you started the process of searching for documents, arms... When did you start that, what did it look like and what was the reception?

JRR: In fact there is one step beyond, because at the end of 1996, something very weird happened that was reported by Newsweek under the title "Genocide Without Bodies." Thanks to Bill Haglund at the end of 1996 the major crime scenes were processed,

the main mass graves had been opened. And where we expected to find bodies by thousands, at the end of the process 500 bodies were discovered. But what was also discovered is that all these mass graves had been tampered with and that obviously they have been robbed of their content. And we didn't know at what extent they had been robbed. So the big question mark was then and the top priority was then -where are these bodies? The entire year that followed was dedicated to this search. The year 1997 was fully dedicated to the search of secondary mass graves. And this happened through various missions and mainly thanks to aerial imagery. We had no insiders. But I have to point that, though we talked about the omerta, thanks to one person of goodwill, a Serb, we were put on the track of the very first secondary grave. And due to that discovery, our imagery provider made a big effort to begin hunting these graves through technical means with aerial imagery. And each time I rebuilt a little team and we went on the ground to check the situation. Nearly every check was a positive hit. I have to point also that this was probably the most, I mean we were year 1996 and this year 1997, the most stressing part of the activity, because for normal reasons to hide these graves they were hidden in remote locations, destroyed by war, stuffed with landmines put by all sides in combat zones. And the main threat was certainly not an action against us, a targeted action, but the threat of these mines, because it was impossible to use mine sweeping teams to check the ground before we would check it. It would have taken ages. It would have taken years to go for all these sites and we did all of them nearly during one year. And that is also a moment when we could access the imagery and take it with us on the ground. Before that I could only take drawings of the pictures. But since every step was a threat to our legs, the decision was made that we could take the pictures with us on the ground, so that we would walk the

minimum on the grass and on these things. We didn't even know if there were not booby-traps waiting for us. We didn't know nothing about the mentality of the perpetrators at that moment.

MK: Regarding those drawings you made, according to my sources, you used the window. Can you describe that?

JRR: I was using the window of one room in the US embassy where I could access the imagery and make a precise copy of the main features on the ground that would be reference points in order to hit the target as quickly as possible.

MK: Once you showed to the Americans that those images are really effective in helping your work, they decided to give you the images to take them with you?

JRR: Yeah, even before that, because the sketching was in 1996. However in 1997, due to the amount of places we needed to check, we had to do all this quite quickly. And at the end of the year '97 there was an exhumation plan ready for, if I remember well, at that time a nearly all of them, so approximately 28 mass graves. And during that year, unfortunately, no exhumation on the other sites of Srebrenica related had happened. That was a blank year for exhumation. We then had to catch up during the year 1998. Because meanwhile the exhumation team was taken by other teams to try to find graves in other areas.

MK: You were very active in those exhumations. We have images of you digging the holes.

JRR: We never used the exhumation team in order to find the graves. We only used

the exhumation team to conduct exhumations. I considered that the finding part of the exercise was the investigation part, not the exhumation team. It was de-routing of the activity.

MK: How many investigations or findings of the graves did you participate in personally?

JRR: All of them. Absolutely all of them. I and the persons I was with were always the first ones digging in these places. It is why I am allowed to testify globally about all these crime scenes, for the basic reason that I have always been the link for the judicial aspect between all these sites. Having been always together with others but not always the same ones, I was the permanent element within the team going on the sites and making the first observations. The goal was always, on this type of crime scenes, to be able to assert that there were multiple bodies in this area. In order to be able to put it on the exhumation schedule we had to show multiple bodies, which we found in various conditions, depending on the soil, because here, again, time runs after evidence. In some places, many years after the burial you can find complete bodies, and in others only bones, depending on how the water flows in the soil, depending on the acidity of the soil. So again, this is another element where time is running against the evidence.

MK: We mentioned Erdemović. There were two more Bosnian Serb soldiers, officers. Did you meet them? How important is Momir Nikolić's and Dragan Obrenović's admission of guilt and the cooperation with you in the investigation and the prosecution later on?

JRR: The fact that two of the officers that we interviewed, and several of them indicted, pleaded guilty is indeed extremely important because through their admission

they erased the possibility for many people to say that we invent facts, we are under the influence of propaganda, we see things that do not exist. I mean, the propaganda is shredded by guilty pleas of quite high-level ranked officers of this type. But in terms of purely assisting the investigation, they don't bring so much. We already know about the events. They confirm the situations, which is extremely important, because they confirm not only what the witnesses say, the victims, but also what the investigators discover. They also sometimes add situations what we could show through the investigation. An example is the situation inside Bratunac on the 12th and the 13th, where the first people who were separated in Potočari were taken to Bratunac, and more or less offered to the revenge of the angry crowd and massacred on the football field of Bratunac, which is, in fact, the very first crime scene, except what happens in Potočari, but it's the very first crime scene. And this one, though we knew it most certainly happened, we couldn't connect it because we had no witnesses, we had no one to talk about it. So the story as told by Momir Nikolić, who even admitted having committed murders on this spot, is extremely important. It adds one crime scene to the global picture. Because although I believe, let's say, that we have unraveled 90 percent of what has happened... in terms of number of bodies we know that we have, more or less, everyone, every crime scene, but the scale of the event is so large that we will never be able to know exactly how much we have reconstructed of it. So in this respect, these guilty pleas also are extremely helpful.

MK: Did you have the opportunity to speak with some of them - Erdemović, Nikolić, Obrenović?

JRR: Sure, most of the time I was the first one conducting the interview, together

with legal advisors and other personnel who helped preparing these interviews. But on this aspect also, unfortunately, I should say, at least until my departure in 2001, because of these previous situations where there were not enough investigators within the team, at the early stages of these interviews I had to be the one conducting them together, especially, with Peter McCloskey. Because, in order to take something out of these people who do not want to talk, you need to know a lot, because their instinct, for sure, is to say the minimum, but sometimes we know nearly as much as they know, at least on the crime scene aspect. So even though they do not feel that they provide us with extremely important information, they do provide extremely important information. Even during the first interview. They believe when they leave the room that they have said nothing. In reality, they told us a lot because we have a clear view of the full picture, full picture that they personally do not have. All of them, except at the highest level, have only a little part of the picture.

MK: You interview them as suspects, not as accused who pleaded guilty?

JRR: The difference we make between the choice of how we call them in, suspect and witness, is indeed those that we believe those that we do believe we have information on them that would lead to the indictment, we have to consider them suspects. And they have all the rights attached to their position. Would we cheat and interview them as witnesses, knowing that in reality we want later to indict them, we would suffer from the legal consequence of this legal misbehavior. So we have to be very cautious on this and never tamper with the rights of these potential accused.

MK: You didn't speak with them after they pleaded guilty?

JRR: No.



MK: You know what they pleaded guilty for, so how do you compare what they said in the interview with you with what they admitted later on?

JRR: It's a hell of a difference, but it is normal. Except someone who comes forward and says: "Ok, I want to plead guilty because I want to make an arrangement with the prosecutor", and then he is supposed to tell everything, including facts that are very harmful for himself, you do not expect from these interviews to have admittances, to have very interesting information. But, as I said previously, without knowing that do, they did provide a lot of interesting information, during nearly all these interviews. There is not one interview from which we got out frustrated. For sure, they didn't admit, but they also prepare the future interviews. For some of them, it's always a first interview. We then re-interview them later, eventually later, and it is also because of this process that some probably understood that the more they would wait, at one point it is too late. So, the profound reasons why someone decides to plead guilty can be different, depending from one individual to another. For some, it can be a calculation to protect only themselves and for others, it can be different reasons.

MK: Let's go back to the searches. When did you start, where did you go, what did you find and what was the reception by the VRS personnel who was supposed to give you access to their documentation?

JRR: Again, it's a step-by-step process and unfortunately, because of this situation that I described already in terms of men power and internal organization, we had to deal with the top priorities. Top priority in 1996 collect the information and then 1997... 1995, sorry, collect the information; 1996 hit the crime scenes and find the evidence; 1997 find

the secondary mass graves because no genocide without bodies. And all of the aspects of finding the perpetrators was at that stage secondary. First of all the events. Just the events took two and a half years. We cannot do everything at the same time. So it's only in 1998 that we could start focusing on the perpetrators, knowing that all the rest was still ongoing. We are still continuing to identify key witnesses, we are still continuing to search the ground, conduct exhumation, and so on. So in 1998, the top priority was to find documentation. We knew since always that we would certainly not find 'the silver bullet', the written orders, that most certainly there was none, and that if ever it existed it was destroyed and that all the documentation related to the July 1995 events would probably be destroyed. But again, military are not mafia gang members. They are not used to be under investigation. They do not know what we are looking for. They do not know our means. They never discussed the situation among themselves, because the omerta on the population was certainly the same within those who were part of it. The less they talked, the best everyone felt. And so, top priority - the HQ of the main brigades we knew were involved in the scenario. It was the Bratunac brigade and the Zvornik brigade. So we organized in two teams simultaneous search of these two facilities, through a process that is, I mean, search warrant that is then forwarded to the Ministry of Defense. In fact, practically, we are with the armed forces in front of the military facilities and meanwhile, the telephone is ringing, the documents are brought to the Ministry of Defense, and those in the base they wait until they receive the order "Ok, let them enter". So it's a, let's say, small time of confrontation, but we are in a winning game in this situation. And time has run, also, psychology has changed, no? So, through these documentation indeed a lot of things were extremely useful things that do not seem dangerous for those who kept them, but ended up

being extremely important for us. I will take one example found at the headquarters of the Zvornik Brigade, which is a document which is listing the movements of the security officers of the Drina Corps with the consumption of fuel and the names of the places where they went during July 13. July 13 is the day where those who had the order to kill them all had to find locations, as far away as possible from where the UN were. So, far away from the Bratunac area, the south, but at the north of the Drina Corps area of responsibility. And we had always the question mark: did we find all these places, all these detention sites, execution sites...Thanks to this document we realized we had them all, because all those places that we knew about they were on the list, sometimes with a different name. What we called Pilica school was Luke school. Then we changed a bit our names but the places are exactly the same. So something like this is absolutely critical. Not talking about the fact that, you mentioned a driver, this enabled us also to identify drivers. The interview process for us was the opportunity to interview everyone from the top general to the cleaning lady. Everyone is of importance in this process because it's these bits and pieces of information that one has that even the other one does not have that then builds a picture of serious information. And again, some would talk about things believing it's totally harmless but in reality for us it's a missing piece of the puzzle. That's why in order to conduct these interviews they have to be well prepared with a military analyst and a criminal analyst and a legal advisor. When I was conducting, for example, these first interviews I was the voice of all the other team members who prepared these interviews with a lot of very precise and important questions embedded with a flow of harmless questions, I mean, normal techniques, logical, common sense investigative process.

MK: You were very successful with the documents but not as much with the

weapons. You could not find the weapons used for the executions.

JRR: The weapon thing is indeed interesting, for two reasons. The moment we decided to do this we knew very well that a lot of water had run through the Drina bridge, that a chance to find things like this was finding a needle in a haystack. We wanted to match weapons that were used on crime scenes. Technically it's simple – the people are shot with automatic rifles, the shell casings are spread all over, the bodies are exhumed, some stay on the surface, the bodies are taken to secondary graves, these shell casings leave extraction marks and then you can match the shell casings each with another. This was, let's say, interest number one – connect the primary mass graves to the secondary mass graves in order to calculate where they are coming from, how many bodies when you add them do a full crime scene. The other thing was then to possibly identify weapons from precise units. Though the chance of success is weak because these weapons have been moved during three years, they don't necessarily stay within the brigade. So we knew they had moved them. Thanks to the assistance of US officers, who were also in charge of the control of these brigades and their activities, we knew that many of these weapons had been refurbished and moved around. But nevertheless, it was worth doing it for another reason which was purely psychological. We were entering the process of interviewing VRS personnel. Until that date, aside changing their names - the Drina Corps becoming the Fifth Corps, a little bit of cosmetic change – the rest was equal. The force was, in a way, still on their side. So it was psychologically extremely important to show them that this was no longer the case. So for these two reasons it was worth making this effort although we had plenty of other things to do and the process was heavy. In total, we took weapons from the Bratunac brigade, the Zvornik brigade, the former Drina Wolves brigade, and another

special unit brigade. And in total that was approximately three thousand weapons. We created a firing range at WMND North. There was a firing of two bullets for each of these weapons: one for analysis, one as a sample for counter expertise if needed. All this was sent for analysis with dedicated machine specialized in this type of work. It's a huge effort involving a lot of support from both the MND North but also from the UN police of Sarajevo, the carabinieri etc. A huge effort. But unfortunately the final result was zero. We did not match one weapon with one crime scene. It's no desperation, no remorse and no regret because I think it totally changed the mentality. When we were then requesting people for interview, they knew we meant business. It was a serious thing going on. When in a brigade even the guy who is guarding the facility has to put his gun on his backpack and you go away with the gun and this is it, they know very well that if we have to go to other extreme situations, we have the power to do so. And that changed the relationship really big-time for the interview process that was already ongoing and that would continue on the long run. So on this aspect, it was a very positive thing to do. It's not the normal way to conduct an investigation but in extreme and unusual circumstances one has to adapt and do with whatever tool is available.

MK: One more question about the searches. You found a lot of UN equipment, helmets in the Bosnian Serb Army barracks?

JRR: That was the very first search which we did in 1996. One important thing in the story that we reconstructed was the fact that on the way of the column along the road Bratunac to Konjević Polje UN equipment was used, stolen from the UN battalion in the enclave, and that through megaphones calls were made giving false security guaranties to

the people, guys shouting “Surrender, the UN is here, the Red Cross is here! You will be reunited with your families! Come down to the Serbs, we’ll protect you!” And those shouting these things were wearing blue helmets. We also had a piece of footage showing, I don’t know if we had it at the very first stage but we found it later, where among the people that we found out later were part of this special police brigade one guy was wearing a blue helmet, but he was a Serb soldier in a Serb uniform. So, through information that we got from an intelligence officer of the UN operating in the area, we learned that there were blue helmets in a container at the Bratunac brigade. So again, every piece of evidence that can match the rest we have to go. And it was also the first opportunity to show to the Bratunac brigade that if we want to enter we enter. So, after some discussion and negotiation, we entered. Indeed we found these helmets with the Dutch names inside. Meanwhile, they had been repainted in gray. There were also flak jackets of the Dutch inside, and so on. So, it was the very first search conducted there. In a legal frame, to be honest with you, at that time it was also a little bit fuzzy. I used an article of the Statute of the Tribunal, authorizing the Tribunal, the prosecutor to conduct investigations on the territory of former Yugoslavia. So, this includes also searches, even if it is not specified.

MK: So you said you were not very certain about the right to search, but also there was some uncertainty about the right to summon witnesses, the people who don't want to testify. So those videos and other methods and documents help us to identify interesting individuals who participated in some way in the operation. When did you start to summon the VRS personnel for the interviews? It was in Banja Luka?

JRR: Yes, it was in Banja Luka, in 1998, if I remember well... The first witnesses and

suspects summoned by the ICTY was in 1998 if my recollection is ok. And indeed, there was no possibility to force the people to come. So each time we were providing the Ministry of Defense, if it was military personnel, with a list of approximately 20 persons to interview for a process that would last a week, or ten days approximately, length of the missions, and we knew that not all of them would appear. My assessment is that, at least at the beginning, half of them showed up for the interviews. But, then the more we entered the process the more people would appear for interviews, especially once general Krstić was arrested. That was the main starting point to dig hard into the responsibility aspect of others. Krstić was obviously the first target, being the general who had absolutely all these crime scenes in his area of responsibility. The question was also prior to his indictment, a critical element was the date of his taking over the command, since he followed general Živanović, but luckily for general Živanović, he retired on 13 July. Aside the aspect of the truth of the events was also the question mark regarding who was at the head of the situation, at least the local situation, and this was clearly, obviously general Krstić. But we knew very well that under him many others had a huge part of responsibility, but that the highest responsibility was on those above general Krstić. These ones were the main target in reality. But the idea was to leave no rank aside. The mandate of the Tribunal was to run after the main responsible persons, but we were here in a situation where we had enough precise information at some stage to be able to indict people from the soldier who was pulling the trigger on the crime scene to the head of state or the head of the army, with more less every rank represented in the middle.

MK: On Krstić trial witnesses were almost exclusively the survivors or Bosniak eyewitnesses and internationals. But later on, we have seen a lot of unwilling witnesses for

the prosecution, the VRS personnel, soldiers, officers, drivers and so on. That was the result of these interviews. What was your approach? How did you succeed to extract from them those little elements important to prove that they have unwillingly or willingly participated in some greater scheme?

JRR: The main base of information was from the work of the analysts, criminal analysts, and military analysts, based on the documentation that was collected during the searches we already talked about, knowing that there was no need for a written order to be able to identify people in the chain of command who had a role linked with the crime scenes. The drivers are a perfect example. For example, at the Zvornik brigade if all the binders of the month of July had been destroyed or erased one part of it linked with the engineer unit was still there. They didn't think about dealing with this aspect and this enabled to prosecutor to have in hand very interesting documents, connecting equipment sent to crime scenes, Branjevo farm for example, digging holes and a wall. Later on, they tried to say it was to dig trenches for the soldiers. Our information was tough enough to show that it was absolutely not the case. And on these documents names appear. And again the truth doesn't come necessarily from the top guys but through small executioners and those who participated unwillingly or half willingly, and these ones always provide very sincere and clear information because many times they don't believe that they have something to hide or that what they would say is really a small thing compared with what the topic of investigation is about. All of these witnesses are very important and all of them nearly could be identified through the documentation left behind by the perpetrators.

MK: Do you have the impression that with time they are readier to talk, to spill the



beans?

JRR: Honestly, I have no idea about this, because I left the Tribunal in 2001. After my departure the investigation continued, it didn't stop in 2001. There was no main situation to be unraveled. Already known situation needed to be enforced, mainly through this process of continuing to interview these witnesses from the Serb side.

MK: One important subject - survivors from the execution sites. We didn't talk about them yet. How did you find them? You said that at the beginning in Tuzla, during your first mission, you had two of them already. All in all there were 12 or 14, can you tell us?

JRR: Regarding the survivors, indeed, at the very early stage there were two, and then they were three, four. More or less all of them were known at the end of 1995. But we had to wait until March 1996 to be sure about the fact that the missing persons were not, at least for part of them, in detention. So we had to wait until the end of the process of the exchange of prisoners. Among these prisoners one was a survivor of the execution at the Kravica warehouse, but who, after having survived the execution, fled to Žepa. He was caught in Žepa. Luckily for him, he was not identified as coming from the Srebrenica enclave and was later exchanged. So this was one for the Kravica warehouse. Also some situations, later on, we could find, for example, the Kozluk execution site, for which we had absolutely no survivor. Jan Kushevski, who was one investigator of the team, a Norwegian colleague, through a channel of information that led him to go to a refugee center in Germany could collect very precise information that the person in Germany had from former neighbors living in Kozluk and who had precise information about what happened there. And this enabled us to narrow down a potential crime scene area. And again thanks

to aerial imagery we could compare the situation on the ground before the event, after the event, and this orientated us to the mass grave site of Kozluk. It's only later on that through the interview process that occurred after my departure the prosecutor could identify Bosnian Serb soldiers who were guarding these prisoners at the school in Ročević, which at that time we had not been able to pinpoint as a detention center, though each time we were passing by the school along the road leading to Zvornik, the thought was always: "But, why didn't they use this school which is on the way north." Because we knew that they filled these facilities going from south to north. Indeed, Ročević school was used. So, it is to say that although we did have the key witnesses, let's say the hard core of these key witnesses, quite soon, the unraveling of the situation lasted for many years. What I talked about the construction of the house, we were continuing to build the floor, meanwhile we were building the roof.

MK: Some of the survivors led you to the execution sites. Can you describe that? It was not always easy to find.

JRR: What we did is that we found these crime scenes thanks to the information provided by the witnesses, but in the early stages we couldn't bring the witnesses back to these areas. As an example, the Orahovac execution site, the main feature there was a railroad line. So during the summer 1995, we tried to find an area roughly nearby Zvornik with this railroad, but we had no map showing the railroad line. We could find one, and thanks to this map and narrowing down an area surrounding the school, aerial imagery brought us on the spot. When several years later, in 1998, we brought back the witnesses who survived there, had we had only them to find the place we would never have found it,

because those who survived, survived the first step of execution which was behind this elevation, which is approximately three meters high, behind the railroad. So from the road, they could not see anything. We would have passed by and they would see absolutely nothing. Again, because it happened by night because they were on board of little trucks and they were blindfolded. So bringing the witness back on the area, would on many instances not had been sufficient to find the area. It is really the mix of everything. The interesting point by bringing back the witnesses on the sites is that by your natural recollection process they end up adding details that we couldn't collect at the primary stage. Since, as I told you, the initial interview was maximum one day, approximately eight hours, and during eight hours, with the translation which takes time, you divide the time at least by two, you can get the story but you do not enter all the details. And some of them can be of relevance, even later.

MK: Did they show any emotions while visiting the site?

JRR: I would have a hard time talking about the emotions that these people have. I have nothing to say about that. I leave it to them. All of them have an extremely decent attitude in all this. I've never heard anyone of them blaming, aside the main responsible ones, having any bad word on the ethnicity and entering this game. Talking about this, the thing is that the older they are, the better they coped with their horrible experience.

MK: Did some of them fear to go back to Republika Srpska?

JRR: In the initial stages, yes. This is also why we didn't push them to return to the area. We did that once the situation was more secured on the ground. But yes, returning to the area was for some of them, at least at very beginning, a tough step to make.

MK: You didn't give me the final number of survivors. Do you know if it is 12 or 14?

JRR: Everything depends on who we count as a survivor. In the terminology, let's say, for me and the investigation, we talk only about survivors of massive executions.

MK: Yes, yes.

JRR: My count of these is approximately ten. Ten that we know, that we interviewed.

MK: One important subject - intercepts. How did you get them and how did you check their authenticity? Since almost all of them are just transcripts, not voice recordings.

JRR: The problem with the intercepts, with what we call the intercepts, is only the written aspect of these intercepts, because at that time those who were conducting these intercepts didn't have the technical means to keep these tapes. So they were in fact taping what they could record, then they were making transcripts of these, and once the tape was full they restarted the tape at zero. So, all this was written in little notebooks, school books for children. And though we didn't have the original tapes, there was a validation process put in place by the prosecutor, by Peter McCloskey, and with the interview of all those who were involved in this process, mainly those who did listen to the conversation and writing them. So all of these was thoroughly explained by Stephanie Frease, who was the person in charge of taking this chunk of the investigation, how it was explained by her and all these witnesses who showed up in the court, and I do not think that the seriousness and the validity of these intercepts is nowadays at stake. But indeed, it's an additional aspect of this layer of information that, like pieces of a puzzle, create a global picture. The investigation could have been successful without them, but it's an important layer.

MK: Reading those transcripts you have the impression that the Bosnian Serb Army officers were not very careful when speaking with each other. They discovered a lot of confidential details there.

JRR: The fact is that for these type of security measures what often happens is that those who give the orders don't comply with their own orders. Because they are ranked they feel maybe that they are immune of these security measures that are for the lower ranks. So, indeed, there are some aspects of them very interesting. The thing is also that, you know, in the police work when you are trained to listen to taped conversation, which is the basic tool in the judicial police, the drug dealers would talk about CDs, about ten CDs. Here they were talking about packets, packets being prisoners. The first one who gave the sense of this code name - which was for us quite obvious, because talking about the Kravica warehouse and emptying the packets, we knew it was not food or equipment - was Miroslav Deronjić, who, unfortunately, died and we could never put upfront the large amount of information that Miroslav Deronjić ended up giving to the prosecution.

MK: There was also one intercept that says: "I have 500 or 1000 people, oops, packages". Which intercepts are especially important for your part of the job?... Beara - Krstić?

JRR: Sure. There are several. For example, the ones connected with the Branjevo farm are extremely compelling. The ones where Popović explains that the job is done: "Yeah, it was horrible, but it deserves A rate". Things like this. Those talking about fuel. "I need 200 litres of D2 diesel to be taken to the farm". All these things fix both the chain of command and also enforces the reality of the events. So again, it's a puzzle where all the

pieces are of importance, alone they would be of little meaning, but added all together they create a picture that, honestly, I do not think anyone can challenge. This is the reason these intercepts are of critical importance, as critical as everything. It makes the cake.

MK: In spite of what you said, a lot of people are challenging a lot of your conclusions and what the prosecution claims are the facts about Srebrenica events.

JRR: My role is not to feed those who believe that we are creating a story.

MK: What kind of cooperation did you have on the ground gathering the material, to the requests, from the RS authorities at that time? Biljana Plavšić was still the president and she was cooperative with the international community.

JRR: In terms of cooperation, the only one that I could pinpoint is complying with the request, the summons to bring in whoever we wanted to interview and who had an official position in the RS, mainly military but also police personnel, also let's say, politicians, like Miroslav Deronjić. But Miroslav Deronjić was acting on his own, he was not waiting for orders or no orders. He was playing his personal saving game, let's say. But yes, the only assistance, if one can call it like this, is the non-blockade. I would not call this something positive, just that they couldn't be obstructive. And at that point also the evolution of the situation, mainly the military situation, was such that it was a bit difficult for many both political reasons and the reasons on the ground to impeach the Tribunal to conduct its activities within the Srebrenica investigation, but also the other investigations that were framing Serb responsibility. But I would not call this, at my level as investigator, a positive assistance. It was non-obstructive, or at least, non-visible obstruction. Though, we could pinpoint at least one example which we could call a little bit obstruction. There was a letter

of the minister of defense whose name I cannot recall that was supposed to be an internal letter but it leaked immediately all around, where the minister accused us, the team of investigators conducting the interviews in Banja Luka, of the worst behavior - threatening the people with arrest, not providing them with food or water during the interview, insulting their national dignity, their religious integrity and God knows what other fantasies he was putting up front, which was a clear way to say to everyone: "These people are evil, anti-Serb... do not cooperate with them". That's how I took the letter. Adding to this that it was like putting us a cross in the back. I wrote the answer that was signed by the prosecutor, saying the reality - everything we do is recorded, the lawyers can listen to everything what happens in the room, we were eating in the same restaurant, we were drinking the same drinks, and we were paying the bill. And as I told, interviewing a survivor of a mass execution we had no longer than eight hours. We didn't have more for these people as well. So this process was extremely decent. I don't think that any one of them would honestly be able to say anything wrong about the way we dealt with them, we treated them.

MK: Did you get any answer to that letter?

JRR: I don't think so.

MK: Looking back now, it's been some 15 years since those events, what, according to you, were the key moments of the investigation? I suppose every investigation must have some key moments? Can you recall some of them?

JRR: Yes. The key moment was the mission of April 1996 when we started digging in what we believed were the main execution sites. This is when we had for the first time the

hard evidence in our hands. Meaning, the dead bodies with very conclusive things - the hands attached in the back, something that cannot create any doubt about the way these people died. After Madeline Albright showed the photographs of possible mass graves at Nova Kasaba, I remember that at that time Mladić went public saying that if there are graves in this area it's combat casualties of the dead soldiers that had to be buried for sanitarian reasons. Again, when bodies have their hands tied in the back with wire, this type of claim becomes total nonsense. So in terms of a big momentum in the investigation, for sure this is one. I have to be very selective. This would be the first one. Hitting the first secondary mass grave would be the second one. Because if not, again, no one was talking about the genocide at that time, but the article in Newsweek was putting the frame "Genocide Without Bodies", 500 bodies among the 8000 people missing, we cannot call that a positive result. So when we did find the first secondary grave, and not through imagery but through other means, it was a very, very important step. Because the rest came after that. It's thanks to this lonely discovery, we would say, without external assistance that the rest happened in a speedy way, in my view. The third one would be the arrest of general Krstić. And between the moment his secret indictment arrived on the desk of the general in charge of the SFOR at the time, it was, if I don't say nonsense, about ten days, it took only ten days for him to be arrested, even less maybe. So this shows how serious all this was taken, even by the SFOR on the ground.

MK: Just to clarify, the only secondary grave you found without the imagery was the grave told by some Serb?

JRR: Yes.



MK: We were talking about denials. Now, let's talk about conspiracy theories. There are many around Srebrenica. One says that Clinton said to Izetbegović: "I need 5000 dead people in Srebrenica so that I can justify a military intervention there". It was claimed by many, even one Bosniak wrote a book about that.

JRR: What is this theory? I heard about a certain number but...

MK: The theory is that... Clinton said: "I need 5000 dead, massacred there, to justify a military intervention against the Serbs".

JRR: So, that would mean that the Bosniaks killed themselves to...

MK: No, they were not killed. That some of them were killed in the fight and then the number was blown up to 5000.

JRR: The only answer I can bring to whatever conspiracy theory is the reconstruction of the events. Because we can reconstruct the destiny of these people from the moment they are under arrest of the Bosnian Serb Army, the moment they are becoming prisoners, with the obligation of security, that the security branch has to make sure that these people are treated according to the Geneva Conventions, so the people under the command of colonel Beara, the security branch of the Intelligence Security Main Staff of the VRS. We can reconstruct their destiny through the location they have been taken to, the area nearby where they have been shot, then the place where the bodies have been taken to be reburied. All this with scientific methods. Then we have DNA analysis now which leads, if I'm not wrong at this point, to something like six thousand six hundred or seven hundred persons identified by name. All this is on the map. We know also the main

dates, with maybe possible mistakes for one crime scene in the south of Valley of Cerska, where the date is possibly a bit fuzzy. But for the real organized extermination process, we can reconstruct it more or less hour by hour, during the four days process. So, just the analysis of all this, to me, in terms how the facts happened shreds any conspiracy theory. Now, theories about why has it happened, what's the reason, and so on, that's another topic. It would be good that those who know the best about it would talk about it. The main person who would be able to talk about it would be general Mladić. Why all this?

MK: There was another conspiracy theory, the French connection. Nothing to do with you, but with one Bosnian Serb officer who was in the Foreign Legion in France before and then was arrested in Belgrade in 1999, during the NATO bombing. They came with a theory that the French Intelligence organized and paid the 10th diversant unit..., that they were paid to do that so that they can blame Serbs.

JRR: Being French, I am in a difficult position to contradict this theory, if we can call it as such, but if I remember well, the alleged expert who came with this theory testified during the trial of general Krstić and was cross-examined by the prosecution and ended up on his own by saying that this is not his conclusion. He was asked to put this in his report and it's more or less the end of the game. I prefer not to say what I personally think about such a theory, which is so extraordinary and out of any kind of possible reality. For me, it's total nonsense but I would leave it to others to conclude that or not. For me, that's one of these theories that fly around.

MK: It's interesting that you said a minute ago something which we heard from Butler in his interview: "We know what happened, we don't know why it happened."

Butler's exact words. So, your investigation was not able to discover the reasons behind this?

JRR: No, it couldn't unravel the reasons for the simple reason that this reason is only known by the main heads of this, and mainly this reality is in the head of the person I believe is the top responsible of everything that happened there - it's general Mladić. So if general Mladić doesn't want to explain the reason why the door is open for whatever. There are possible explanations about the reasons why but it's not the investigation that can bring them on the table.

MK: But does the finding of genocide give us the reason why, because it's a very precise definition of intent, which is why. And we have findings of genocide so far.

JRR: Yes, ok. On the legal aspect for sure. But, in my view it's not enough. I deeply regret that this general does not come upfront to explain why he made the decision because someone made the decision. And those who were part of the case, we all believe, and that's what Prosecution tries to bring to the court, that the main responsible person in this is general Mladić. Who else could give orders to the Intelligence security branch of the Main Staff in order to have all this security branch running around in the countryside to find detentions sites and execution sites? Then to decide to unbury by the thousands all these bodies and to dump them into minimum 28 secondary sites. It's an operation as big as the killing operation. All this can only be done through orders coming from the top level. So I push aside the political level, focus on the military aspect, since it's the Army who did all this, and all the truth of how and why, in my view, is in the head of general Mladić. And it's pitiful he does not explain the reason why. Because there is a history in the area which is

also specific comparing with all the rest. So for sure, the trials that conclude to a genocide provide a big part of the answer. But in such a specific situation which is, sorry for the phrasing, but the cherry on top of the cake in terms of horrors, it's the final act of the entire war, it's so specific that I think it needs an explanation of its own and the person who should give this explanation is, unfortunately, obviously unwilling to go through the process, but it is general Ratko Mladić.

MK: A lot of people call this the biggest criminal investigation in Europe in the 20th century. Do you agree? Having in mind the huge area of the crime scene, a huge number of victims and perpetrators.

JRR: In a way, yes. First of all, because it's a major crime, so it's extremely massive, we know for sure. But I never use the number of 8000 as being the number. During the last 18 years, if I had to talk about it publicly I always use the minimum figure. At the beginning, the minimum figure in my eyes was 6000. Nowadays we know it's more because we have more than 6000 DNA identifications, but I never use the 8000 number for example, because I knew from the investigation that people were killed during combat, that people died in minefields, that some committed suicide, and so on. So, an assassination of more than 6000 prisoners in the period of time of four days it's an extremely massive event. So, the biggest investigation, yes, also, but why? Because before that in Europe history there was no investigation on such events. I mean, the only investigation, if one can call it as such, is the presentation of Nazi atrocities during Nuremberg, based mainly on things provided by Russian Army and also American Army. Which didn't need an investigation, the facts were there, so it's not really what one could call an investigation. Since then, though there have

been crimes committed during a lot of wars between 1945 and 1995, these situations were not under investigation because the system in place couldn't allow it. So, is it the biggest investigation or not, probably yes, but for these reasons, because it's a huge crime and it's the first time the system enabled to conduct this investigation. But then we have to realize also, as I said at the beginning, it was done by a very, very small group of persons, though the surroundings and the situation enabled to do huge amount of things even without having an army of investigators available.