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AMBASSADOR JOHN HENNESSEY-NILAND

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Ambassador (ret.) John Hennessey-Niland was born in Chicago, Illinois, and served most recently as U.S. Ambassador to Palau. He joined the U.S. Foreign Service in 1988 and served in various posts, including France, Pakistan, Ireland, and Australia, over the course of 35 years. Ambassador Hennessey-Niland also served at the White House at the National Security Council, as a War Crimes Criminal Investigator in the former Yugoslavia and Rwanda, and as a "POLAD," the foreign policy advisor to the Commander of the U.S. Marine Corps Forces Pacific (MARFORPAC). He is one of the most experienced "Pacific Hands" in the U.S. Foreign Service and was the first sitting U.S. Ambassador to visit Taiwan since 1979. Following his retirement from the U.S. Foreign Service Ambassador Hennessey-Niland joined Texas A&M University, the Bush School of Government and Public Service, where he is currently the Director of the Scowcroft Institute of International Affairs.

In the following conversation, Ambassador Hennessey-Niland and his former student Fran Leskovar, now the Dayton Project's Manager, discuss the Ambassador's involvement as a criminal investigator for the International Criminal Tribunal for Former Yugoslavia (ICTY) and involvement in the Balkans.

INTERVIEW

Q: Can you tell me a little bit about yourself? Where did you grow up? Where did you go to school?

HENNESSEY-NILAND: Sure. I was born in Chicago, Illinois. My father worked for Standard Oil of Indiana, which meant that I left the United States as a young kid, six, seven years old. And we moved around a lot during my childhood thanks to my dad's job. Finished up in Amsterdam, the Netherlands, of all places, for high school. I did my international baccalaureate there. And then, I moved by myself with my steamer trunk to Tufts University, just outside of Boston.

Why did I go to Tufts? Well, for a couple of reasons. One, it has a fantastic international relations program. And even then as a high school senior, having grown up overseas, I think I realized I wanted to do something that continued that international experience.

But, my act of rebellion against my father was that while I liked international affairs and the world that we were living in, I did not want to go into the private sector. So, my rebellion was to go into the public sector. I knew that is something I wanted to do even at the age of eighteen, which led me to apply to Tufts. And another benefit of Tufts, believe it or not, is that it has a wonderful soccer team. And growing up overseas, I played a lot of soccer. And so I was recruited by a number of schools to play at university, but I chose Tufts. Sight unseen, didn't actually go on a recruiting visit to Tufts because it's a D3, not a D1 program. But the large schools that I did visit weren't a great fit for me because I was coming from an international school in Amsterdam, where there were nineteen students in my graduating class—small! And so the smaller setting of Tufts University was a great fit. And I did my studies there and received my Bachelor of Arts, *Magna Cum Laude*, in three years thanks to the International Baccalaureate program. And then the obvious, you know, follow on was with Fletcher School being there on the same campus, having one more year of eligibility left to play soccer for the university, I applied and was accepted into Fletcher and received my MALD, my Masters of Arts in Law, and Diplomacy in 1987. And as I was wrapping up my days on the Hill, as we say, if you're a Jumbo, I applied for the U.S. Foreign Service, and somehow I was successful. But you know, things don't always necessarily line up perfectly.

I grew up overseas. Security vetting then—and I suppose now—takes a little bit longer if you lived overseas. So while I waited for all the various steps to be completed, I was also accepted as a Presidential Management Fellow (PMF). Back in the day, we were simply known as Presidential Management Interns. So, I did that at USIA, which was actually my home agency. Then, while I waited for all the steps to be completed, and I entered, I think it was the 41st A100 class in a cold wintery December or January at the old FSI in the high-rises there in Rosslyn, Virginia, and that's where I started my foreign service career.

Q: Wow. What was your thinking, you joining diplomacy? Was there a reason that sparked your interest in diplomacy?

HENNESSEY-NILAND: Yeah, you know, I've found—and maybe I'm not unique in this regard in any way, sometimes, when you grow up outside your own country, you are even more patriotic than the people who've lived their whole life at home. You see both the great things that the United States does. And you obviously hear some of the criticism of the United States overseas. And so I grew up in Europe at a time when there were significant anti-war protests. Amsterdam was a particular hub for protests against missile deployments and other U.S. military activity at the time. And so I saw all of that. I saw the consulate in Amsterdam having to close at times because of the protests and the violence. I was an American living through this. And I think it demonstrated to me the importance of diplomacy. I saw firsthand what Foreign Service officers were doing. I literally relied on the consulate to get my passport and things like that. So, I was exposed to the work of the foreign service. I saw the importance. I also obviously was aware of some of the challenges, you know, associated with that. So, it seemed both interesting and exciting and would allow me to continue my interest in international affairs and international relations. So, for me, I was pretty certain that's what I wanted to do. I know

that's not always the case. But in my instance, it was a good fit. It was a great fit over thirty-five years in my career. It was such a good fit. I usually would start by saying I enjoyed my career so much I would have done it for free. And then I typically follow up and say that's about what the State Department paid me. And that was realistic enough; coming out of Fletcher, you have options. A number of my colleagues went into the private sector and kudos to them. They've done extremely well. But I was committed to going into public service.

Q: May I ask you, do you remember what impressions of public service you had when you were going in, like when you were applying to get into the State Department and got into A100? What was sort of thinking in your head? Like, this is how it's going to look like?

HENNESSEY-NILAND: If you're asking if I had any grand plan, no.

Q: Yeah, that's what I'm asking.

HENNESSEY-NILAND: I wanted to get through FSI and A100 successfully. You know, my perspective was pretty short-term, to be honest with you. If you were asking me, did I imagine I would become an ambassador one day? No.

Q: Did you?

HENNESSEY-NILAND: No. No. This is going to sound corny, and a lot of people tell me I'm corny, and I accept that. My inspiration, if you will, was sort of the citizen-servant model of public service. I didn't know I was going to be doing it for a career, but I felt it was important to do public service. And I'm now retired and teach at Texas A&M's Bush School of Government and Public Service and seek to continue to contribute in this manner.

I'm very happy if people are interested in becoming a Foreign Service Officer or working in the State Department as a civil servant, or in some capacity, but not exclusively. You know, my interest, my hope is that we can excite, you know, possibly inspire that's a big word, but perhaps help people become interested in a career in foreign affairs. I don't regard people here as students in my classes, I regard them as future colleagues. I hope they will at least consider working in public service for the greater good, for our community, whatever that is for people, at the local, state, federal level, or internationally.

My expertise after thirty-five years happens to be internationally, but not exclusively, at the State Department. I was fortunate enough to work a couple of times outside C Street, worked at the White House, at the National Security Council, had a Pearson fellowship that allowed me to work with the local organizing committee for the 1994 World Cup, and I was also with the United Nations as a team member of the International Criminal Tribunal for Yugoslavia and later Rwanda. I've also served as a foreign policy advisor with our military, with the U.S. Marine Corps Forces Pacific. So, I've benefited from experiences based on my State Department career, but not exclusively, always at State. And I think that's important. I've drunk the Kool-Aid, if you want to use that expression. I

am a believer in the interagency process. I think we achieve more when we aggregate, when we work together, rather than working to oppose each other. And so, to be frank, I've always preferred working overseas, in a country team setting, or going back to Washington in an interagency environment. I find that more positive and more effective. I know some colleagues are very political and spend a lot of time in Washington and are great at that Washington game. I wasn't so good, I suppose, at that. And my focus was really one step at a time. In the end, somehow, I was extremely fortunate and privileged to become an ambassador. But when I started all those years ago, you know, 1988 is ancient history. Think about it. President Reagan was in office, and Secretary Schultz was the secretary. That's a long time ago for most people. I'm a big believer in showing up is half the battle. And once you show up, step by step you eventually get moving forward. I didn't look too far ahead.

Q: Right. So, do you remember when you were growing up abroad, were you engaging in what we would call citizen diplomacy, explaining to your colleagues at school about America?

HENNESSEY-NILAND: I went to an international school. It wasn't an American school like in the Hague. I went to the International School of Amsterdam. So the American school in the Hague were our big rivals. ISA was much more international. Probably a minority were Americans there, mostly because the dads were working in business. Not the seat of government in The Hague, in Holland, not Amsterdam. And so yes, sometimes you're the only American in the room, even at sixteen or fifteen or younger. And as I said, sometimes you are put in a position to try to explain America or represent America even. Not that perhaps consciously you're aware of that, but it's probably helpful practice, training, immersion, I suppose, in that type of world where you do have to develop the ability to convey ideas and hopefully reach common positions or understanding at least. I had a great time at school. I was very lucky to be in a very warm and welcoming environment. And so there was a lot of discussion about current events and no doubt that continued to spark my interest in international affairs.

And then later in my career, I should mention, I was fortunate enough to go on an exchange followed by an assignment, a training position, if you will, to France's National School of Administration, ENA, which is sort of their finishing school for the very top of their government. And I stay in touch to this day with people I met there. But there, yeah, you were the American in the classroom. And you're speaking in French; you're trying to push back against points, perhaps from your Chinese colleague who's there from the Chinese Ministry of Foreign Affairs. So yeah, I think you're constantly a representative of America, even if you're not the ambassador and even when you're not formally in the Foreign Service.

Q: All right. Let me ask you. So, after A-100, what was your first assignment?

HENNESSEY-NILAND: Now, believe it or not, and some people hate me for this. I know it's unusual. My very first post was Paris.

Q: Wow.

HENNESSEY-NILAND: Yeah.

Q: Was that a shock? Hard for you to go to Paris?

HENNESSEY-NILAND: Everyone knows A-100, it is the way we train Foreign Service officers. Everyone knows the famous flag day where, toward the end of the class, if not very much on the last day of the course, you get your flag, and that shows where you're going. At least in theory, it should come as a complete surprise, right? Though, you know, you have some conversations with the officers who are running the orientation program for new officers. They have some idea of your background in terms of foreign language skills. But certainly, the list, you know, you can express preferences, but there's absolutely no guarantee where you're going to go. In my instance, it was a little different. I had good French language skills. I'd grown up overseas. Three of us from a class of only 50 went to Paris, which is unheard of. But there was a need, and I'll just leave it kind of like that. There was an immediate need for officers to get to Paris in a hurry. There was a gap in the consular line. Don't forget, at the time, we were charging France for visas, so there's a lot of work done on keeping track of that. We were doing third-country interviews in the afternoon. So it was a very busy and very large consular section at the time. And, of course, there's a sizable American community living in France, a sizable American business presence in France. And so it was a large consulate, actually physically just down the road from the main embassy at the Place de la Concorde. And so we rushed over there. I think I was given ConGen, consular training. Pretty much that was it. And then we scooted off to Paris.

And there's a lovely story I like to tell, even though my wife doesn't appreciate it as much. We were dating at the time. I met her at graduate school – at the Fletcher School. She went off on the private international track and worked for AT&T. And we were able to do that for a number of assignments. So not a tandem in the official sense of both people working for the service, but she was able to transfer within AT&T when I received my assignments through the State Department, at least for a good while. Fortunately, AT&T is also a big presence globally. But we were dating at the time of A-100? Flag day comes, and you get your assignment. Back in the day, the only way you could have someone on your orders to go to your new post was if you were married, right? And so I had to ask, you know, “Hey Jules, you know, do you want to come to Paris?” And I think the obvious answer is “Yes,” typically. “Well, you know, that means you're going to have to get married to me.” And so I regarded it as a shotgun proposal. She fortunately said yes. But I like to say, and this is the point she doesn't really like, to this day, I don't know if she was saying yes more to Paris or yes for me. We've stuck it out. We've been together ever since, so it's been a long run.

And I'll be totally frank: it's so much easier for the officer. Spouses have a hard time. And I know the Department wants to be increasingly family-friendly, but it's difficult. And so I really do appreciate everything that Julie has done to support my career. Because, as I said in my testimony to the Senate Foreign Relations Committee at my hearing to be the

U.S. Ambassador to Palau, I would never have been able to do this without the support of my wife, or your partner, and the family's willingness to go along. We have two sons; they were both born overseas. I think they turned out more or less okay and that is thanks to their Mom. The young men are now gainfully employed, and I think they benefited from the international experience. But it's not a typical life.

Q: So what came after Paris? Where did you go next?

HENNESSEY-NILAND: Well, Paris, I had an interesting assignment. I started in the consulate section, worked there, mostly on the visa line, but also some experience in American citizen services. And then Paris is such a large post, the front office, the ambassador, always brings up a few aides on rotation, part of the growth and training and experience of working in the front office. So I was lucky enough to move up from, literally up from, what was the, I think, the barn of the former French palace there on the Place du Concord, way up to the ambassador's suite at the embassy itself. And I worked as a staff aide in the ambassador's office. And one of the benefits of serving in France, don't forget it, it has a number of departments and territories, *outré-mer*, outside of the metropole, outside of the metropolitan France.

And speaking of consular work, this was at a time when we were transitioning from requiring France to have visas and moving France into a visa waiver arrangement. That requires a lot of implementation. We had a number of consulates, not just the embassy in France, and there was a consulate in Martinique in Fort de France in the Caribbean, at the time, it's now closed, regrettably, but at that time they didn't have a consul. They didn't have an American at the time. And so volunteers were asked if anyone would be willing to go spend the summer in the Caribbean, in Martinique, helping with this. And I'm like, "Yeah, I'll do it. Happy Days." So Julie and I went off and spent the summer working with the consulate, working with the travel agencies. And you may think Martinique's not a huge destination for American visitors or anyone else, but actually, it's busier than you think because it's a port destination. So cruise ships are coming in all the time. And so I spent a lot of time working on that. And another thing I learned, which I hadn't expected, but was also in the end, I think, helpful, really, truly somewhat sad. It is usually older people who travel on cruises, generally speaking. Often, people pass away, unfortunately, on cruises. Because this was a French port, it had fairly good facilities, regrettably including a fairly modern morgue, and so ships would often wait until they arrived in Fort de France, and then these deceased American citizens would become the responsibility of the consulate in Port de France.

Q: Your responsibility?

HENNESSEY-NILAND: Yes, well, you're the only American at the consulate and the only consul there, you know, working with the morgue, working with the authorities, and then obviously having to make that very difficult call to family members. Often, your call is the first word they've heard of the demise, the death of usually a grandparent or possibly a parent. And we did that a lot, much more so than I anticipated. So, difficult, first tour officer, having to do this, reminded me again of the importance of this work,

even in a beautiful location. And the real service you're trying to provide to the American people, and it's a lesson I never forgot, that we're there to serve no matter what capacity. Represent, yes, of course, the United States, but also to serve its people. So I was on the phone a lot in difficult conversations, arranging what's a difficult issue. And we, as diplomats, often have to talk about or engage on difficult subjects. So that was my very first training in that. So, I had an interesting couple of years serving in France, not just in Paris.

And then, I had a very interesting follow-on assignment. And back in the day, typically your second assignment was to Washington. So, you had your overseas consular experience, training. We all had that shared background, and then typically, we would go to Washington and learn the ropes, you know, how the Department works and how Washington works. And I arrived as one of the staff aides to the Assistant Secretary of State for International Organization Affairs, a fellow that's fairly well known by the name of John Bolton. So that was my second assignment, my very first assignment in the Department and in Washington. And it was an eye-opener.

Q: So, what did you learn?

HENNESSEY-NILAND: Setting aside policy for a moment, but I think this type of position is still nonetheless substantive for people interested in the career and the Foreign Service. There were two staff aides in the Bureau at the time. We worked consecutive shifts. The assistant secretary and the senior staff, therefore, the principal deputy assistant secretary, colloquially known as the PDAS, and the other deputy assistant secretaries, made up the front office suite. They worked without a break. There were two of us there as staff aides and we had to keep up with people who were much more senior. I was impressed by the stamina and the capability of these people, irrespective of how you view them politically or in terms of policy. Long days, serious stuff. You know, people talk about no-fail, you know, no-fail missions. You know, we had to get it right as staff aides, and we're brand new, right? We make mistakes. We're still learning the ropes. So high level of stress. Then, you add some of the personalities. Yeah, it was, it was intense. Absolutely intense, even though I was very, very, very junior.

And then by coincidence, or just good luck or bad luck, depending on your point of view, in terms of my craft, it was a very interesting time because it was around the time of the first Gulf War. And the Bureau was extremely busy in coordinating a number of resolutions of the UN Security Council and the General Assembly, coordinating that coalition to push back against Iraq's invasion of Kuwait. So we were busy, very busy. And what were two shifts became around the clock, the assistant secretary brought in camp beds so that we could be around at all times. And while that was during the period of the actual conflicts being limited, we were working literally around the clock. I don't take any extra special credit for it. Everyone else was, too. But for a first assignment, wow, right? Dealing with our mission in the United Nations, the senior ambassador there, Ambassador Pickering, worked for the Bureau and the Assistant Secretary, understanding the vast reach of the International Organizations Bureau, even beyond the grand issues debated at the Security Council, the myriad of special and technical organizations that

were part of. I didn't know all the acronyms of IMO, ICAO, and the whole alphabet soup that is the UN family.

So I remember being tired a lot and stressed, but I guess that's part of the training, right? Finding your way in Washington in a large bureau at the time, which was really quite central to what was going on in terms of the key priorities of the United States. Learning as a junior officer, how to take a call, a foreign secretary trying to find your secretary or vice versa, you know, working with State ops, working with the Situation Room at the White House, heck, even working with SS, you know, the secretary's secretariat and secretary staff, you know, getting the right forms, the correct templates, the old cable from. This was also when we were using microfiche duplicates and little pink paper in between. Now, you really do know it was a long time ago. And if you mess up, it's not like today where I can just go back into the document and fix it and then reprint it. Uh-uh. I would have to do the whole thing again. So you learn to try to do it right the first time. Otherwise you're there for a long time. Fortunately, technology does help staff aides of today.

Q: Let me ask you, was that at the time when you had that interesting interaction with Kissinger?

HENNESSEY-NILAND: No, that came later, chronologically. You know, I moved out from a front office, into one of the line offices, if you want to use that term, IO/T, which was the office at the Bureau of International Organization Affairs responsible for the UN technical agencies. I just mentioned ICAO and IMO and things like that.

Q: Yeah, all the acronyms—

HENNESSEY-NILAND: But coming from the front office, even though I was relatively junior, I was fortunate enough to be given a fairly important position where I was the U.S. representative to the International Maritime Organization in London. So, I got that first interagency experience working with the U.S. Coast Guard. I also went up to meetings at ICAO, the International Civil Aviation Organization in Montreal. I started to work with the FAA and started to understand a little bit more about how Washington and the interagency actually works.

And that, well, you know, we at State like to think we are the, you know, the foreign affairs agency. There are a number of others who also believe they also have foreign affairs responsibilities. And that we're not necessarily unique or central. That was the beginning of that awareness that, well, actually, you know, the inter-agency process matters. But in that role, and having answered some phone calls in the front office on a myriad of issues before that assignment, with a sport related issue being one of those calls I handled, by the way, at the time, unlike today, there was no specific office responsible for international sports and sports diplomacy at State.

So an interesting story, I got involved in international sports and diplomacy when I was in IO [Internal Organization]. Not because of Kissinger initially. I got a phone call from the

Operator, trying to route a call to the correct office and probably they thought this was an international issue so IO could take the call. So it wasn't specifically for me, but I was a staff aide there late that night, and I was picking up the phones. The call was from folks with U.S. soccer. There was a U.S. youth team in Cuba, part of soft power, building bridges, sports; which I had no idea about nor did anyone at State apparently but it's great for folks to be doing this type of diplomacy. But a hurricane was headed that way, and parents were getting nervous and wondering what the U.S. government was gonna do about it. Up until that point, I didn't even know there was a U.S. youth team in Cuba, let alone what the U.S. government could do about a hurricane. But being the brash, cocky officer, staff aide thinking he's more important than he really is, I said "I'll take care of it." And I think in my head, probably thinking I'll find the right person, you know, to call back these people. But in the end, overnight, the weather moved, you know, hurricanes change direction. It avoided Cuba, the games were played, the youth's team was safe, parents were happy. And I don't recall if I called them back or if they called back to thank me. And I said, "See, I took care of it for you." And that kind of stuck, and that apparently was something folks remembered.

And then eventually, Kissinger reached out to State, he was the honorary chairman of U.S. soccer as we prepared to host the 1994 World Cup. He had a relationship with the Deputy Secretary at the time, Larry Eagleburger, and so he wrote a letter to Secretary Baker requesting assistance, and not just requesting assistance in the Kissinger Way, but essentially informing State who should come and be the Director of Government Affairs work with the U.S. soccer local organizing committee. And he had heard of me apparently and named me in the letter. I don't think the Deputy Secretary was too pleased, to be honest. I got a call demanding, in a rather gruff voice, "Why you? How did this happen?" You know, this sort of thing. And I'm like, "Sir, I didn't know the letter was coming." I have helped U.S. Soccer in the past and had thought I was doing the right thing. I wasn't gunning for the position even though I thought it would be fantastic. In the end, I did go as a Pearson. They found a way to do this. I think they also understood a lot goes into these things and the federal backstop to major international events is significant. Again, it does take a whole government effort to put these things out successfully.

So yeah, so from a chance phone call late at night about something that I didn't really know too much about led to another assignment pretty soon thereafter as a Pearson fellow, which I highly recommend as a great opportunity to experience another part of foreign affairs as the State representative outside of main State. This led to my two years at the local organizing committee of the World Cup, which was also an eye-opener, absolutely fascinating and I've kept my hand in since then, in the world of diplomacy and sports. And I now teach a course here at the Bush School about sports and diplomacy and the use of soft power.

And that brings us up to 1994 when the U.S. hosted the World Cup. What a summer, And afterwards, I'd already had my assignment to be an economic officer in Gabon, in Africa. And then, of course, the conflict in the former Yugoslavia kicked off, and in the great terminology of the Department, that assignment was broken, and I was directed to a new responsibility.

Q: All right, today is April 11, 2025. This is part two with John Hennessy Niland. I know we talked last time about the things leading into the Balkan engagement. But let's begin with your story of traveling for the first time to the Balkans when you were in high school and how that might have influenced your understanding of the Balkans when you were going there as a diplomat.

HENNESSEY: Oh, you have a good memory. Wow, that takes me back a little bit. Sure, I went to high school in Amsterdam, proud graduate of the International School of Amsterdam, ISA, and there was always a senior trip. And the trip that I took part in, and this would have been 1982, so a while ago was pre-conflict in the former Yugoslavia. This was obviously a fairly inexpensive travel opportunity. And so our senior group went to Yugoslavia. We focused mostly on Southern Yugoslavia around what is Croatia today, Dubrovnik, and further south, e.g. closer to Albania.

You have to remember at that time, Tito led Yugoslavia, a fairly strict regime. You know, we were warned not to do this or that, even though we were high school seniors, you know, taking our senior trip. But one of the excursions, this was all organized travel back in the day, of course, was to have the opportunity to actually go into Albania, which was sort of a closed country at that time. And we were super excited. But we were coming from a high school in Amsterdam, the Netherlands, right? So people had longer hair, and some men had a lot of facial hair, and we thought we were so cool. But at the time, and I didn't know this, maybe it's just because it was our bus but they took exception to us.

We got there at the border, and it's communist, complicated, and there was a lot of waiting, paperwork, and stuff. We had approvals for this travel and tour and all that, but they were like, "If you're going to come into Albania, you're going to have to have your hair cut." Albania is a clean, organized, and proper place we were told. I didn't have the longest hair, never have, but some folks had to have a little bit of a trim, believe it or not, incredible as it may sound, to get into Albania, crazy days.

At the time, Albania was a different place than it is now, but there you go. And yes, that was my first trip ever to the area. I don't know if that's what led to me being assigned to the International Criminal Tribunal for Yugoslavia. But yes, it was the very first time I was in the region. But I wasn't actually assigned as an officer to the Tribunal until 1994.

If you recall the history, the International Criminal Tribunal for Yugoslavia, ICTY, was set up by UN resolutions in the middle of 1993, if I have my history right. I was about to head out to a different country, a different assignment. That would have been in '94, following a completely different type of job with the department. Obviously, the conflict occurred during Secretary of State Madeleine Albright's tenure as Secretary. She was pushing to get the United Nations engaged, particularly at a time when I think there was hesitancy to have official Americans travel and work in that area in the midst of a civil war. So, the United Nations established an international criminal tribunal for Yugoslavia

and sought contributions from member states to resource it. I was part of that small State Department team that was part of a slightly larger interagency group that was “directed” to go to the Hague and help set up the ICTY.

And so my original assignment, to Gabon, was broken. I was directed to proceed immediately to the Hague, where the tribunal was being established. And to be fair, it wasn't completely directed. The Department had asked for volunteers. I think they had actually looked at people's backgrounds. If I recall correctly, there was a form you were meant to fill in, maybe even back in A100 when we entered the Foreign Service, with your areas of expertise and interest.

I had studied public international law at the Fletcher School of Law and Diplomacy. So, I was asked if I'd be willing to go. I said, sure, not really knowing if it was ever going to eventuate. And I was preparing, as I said, to go to Africa, but I was tapped. Then, with a small group, we headed to the Hague. This was a priority, obviously, for the Department from the Secretary on down. John Shattuck was the legal advisor to the Department at the time and was very involved in this. Obviously, President Clinton was very engaged as well. David Scheffer was the U.S. Special Envoy or Ambassador at Large for War Crimes. I don't think we've had one since.

But there was a large effort, from what we call the Seventh Floor, the important people at the department to get the UN and the international community moving and to get the U.S. engaged. At the time, the only way we could do this was through the United Nations. There was no appetite to put boots on the ground. That would come later. But there was a real, sincere desire to find a way to bring the conflict to an end. One of those ways was to establish a tribunal and try to bring some justice to the victims and try to stop or at least mitigate some of the worst atrocities that were becoming evident in the conflict in the former Yugoslavia.

So that's how I ended up as part of the prosecution staff and led an investigation team for ICTY. The first Chief Justice was Justice Goldstone from South Africa. I also worked with a multinational team when I arrived in the Hague. But I'll be honest with you, Fran. The very first things we were doing were opening cardboard boxes, setting up computers on desks, and trying to organize the actual office and structure. That was complicated enough. And then get into the field and support the international effort in terms of war crimes investigations.

Back in the day, it was described as a mission that no one wanted. If you think about it, no one is comfortable when war crimes investigators arrive. It was tough. Many in the UN system had other priorities. Many in the U.S. government probably thought the approach was not the most effective. Justice does take a long time. So we were one part of the effort to stop the conflict. Other parts of the government were proceeding along, hopefully, parallel but on separate tracks to try to achieve the same goals, the same end state. That's how I arrived at ICTY. We're talking, '94 and I played a small role in that effort to stop the war in the former Yugoslavia.

Q: Right. What did your day-to-day look like? What were you doing when you were investigating crimes? Did you guys travel from place to place?

HENNESSEY: Sure. No one knew how long the tribunal would exist. There was also a sense of urgency to try to find the most obvious cases in order to bring these cases to the Tribunal and to provide some justice to the victims. But, there was also a need to try to investigate the leaders behind these war crimes and this meant developing cases that were not so readily prosecutable. We knew a lot of what was going on thanks to information, public sources, and classified information, but there's a difference between intelligence and evidence.

And so I was part of the effort that focused on crimes against humanity and grave breaches of the Geneva Convention. What that means is that in any conflict, there has to be an identifiable military objective, but burning books, say, in the Sarajevo Library, or destroying a mosque on a hilltop in Bosnia, or blowing up a bridge that had no military traffic or protection or significance in Croatia – these are war crimes. We looked at what we thought would be clear examples, *prima facie* [term meaning a belief made on first impression, held until proven otherwise], of prosecutable war crimes. And that's where we started, right? Fortunately, often, these same examples were what was most publicly visible, evident, and had lots of visual evidence. Then we followed up. There's a lot of legwork involved in developing a case. I studied law, but I'm not a lawyer.

So, I was just part of that effort to gather the evidence and lead the teams out to the field to collect the witness statements and to investigate sites that were attacked. The teams rotated in and out of the Hague, right? So I always had to remember that the folks on the ground, particularly the people who were victimized, didn't have that luxury to get away. It was hard for many of them. They didn't want to relive what was being investigated. It was already terrible the first time. Imagine having to relive it a second time as you talk to an investigator or a prosecutor. Imagine the concern you might have that someone from the other side who doesn't want that story to be told, that evidence to be provided, will come around and possibly kill you or harm your family or do something very, very hurtful.

So I was, and I think the entire team was always very mindful of that. One of the issues in the former Yugoslavia was, unfortunately, the use of sexual assault as part of ethnic cleansing. It was always difficult to investigate those cases. This is traumatic, and trying to get people to testify, even if it's for a good cause, was hard because often these were women, and it was difficult for them to go through this and to eventually have to testify in a courtroom in the Hague where you came face to face with the perpetrators of these crimes. That took a toll on everybody, but most of all, the victims. But they were so essential to the prosecution of justice. And that strategic goal, if you want to move up a few levels, was to use the tribunal to try to stop the war and the conflict.

Command authority was the legal doctrine that we were developing and utilizing. These were the same individuals with whom other parts of the U.S. government were negotiating, right? That ultimately led to the Dayton Peace Accords. I think, at first blush,

that may seem contradictory. In hindsight, with a little more analysis and distance, I can appreciate that the U.S. government and other countries were using all the tools available to them to try to lead to that result, which was an end of conflict and some type of peace back in the former Yugoslavia. Though I'll be honest, at times, we were focused on what we were doing, others were focused on what they were doing. It didn't always seem that we were so coordinated. But, with hindsight, I appreciate more the totality of the USG effort, as well as the combined effort of like-minded nations to try to bring that conflict to an end.

Q: Right. Let me ask you, was it hard to do those interviews when you were meeting with the victims and when you were searching for those people? Was that draining, meaning hard? It probably had an impact on you, right?

HENNESSEY: This is before PTSD, right? So I don't know. You'd probably have to ask others if it's had an impact on me. But, as a diplomat, you're trained to be somewhat detached so that you can report accurately. That was important. It could affect you for sure. I think it did really traumatize some people who just found it too difficult to record or investigate and to go through with this, partly because, at times, it felt like we were making no progress. Justice takes a long time. The ICTY was perhaps a stepchild of the UN effort.

There were parts of governments that wanted nothing to do with us, absolutely nothing. Parts of the UN bureaucracy that really had very little interest in helping ICTY. So, I said that this was a mission. Some people thought no one wanted it, and I think that's possibly true. It certainly didn't get the headlines. But for me, I thought it was important, right? Early in your career, you take more risks and try to do the right thing. Perhaps what helped me was an understanding that, "Heck, I'm in the Hague, I'm doing investigations, I come and go, I'm leading a team, I'm not a victim, right? I haven't lived this, I haven't gone through this, I don't have to still be there, concerned about the threat coming back."

So I was privileged, fortunate to be in that role, even if it touched me or I saw things that I would never want to see again. So I don't know if I had PTSD. I certainly didn't think that at the time. I just focused on the mission. I think the goal of trying to seek justice is an important one, but I also was a diplomat. I'm now a little bit more senior and seasoned, and I appreciate some of the constraints and some of the difficulties, particularly in a wartime environment, more now than I did then. But, at the end of the day, I still continue to think that it was necessary. It was valuable. We helped people, we put away some bad guys, some bad dudes. That process put pressure on leaders to come to the table in Dayton. If you're Mladić or Slobodan, and you're facing either long jail time or possibly a peace agreement that enables you to have some type of future. We may have been helpful in pushing people to the negotiating table because of the reality that they may wind up in a UN cell in prison in Scheveningen in the Netherlands. So I think overall, it had some positive impact, but limited, and I fully accept that.

Q: Were you afraid when you were investigating? When you were on the ground— were you interacting— because I heard stories— American diplomats being shot at, trying to

get to Sarajevo going in, going out— like there was always a fear that he might be killed.

HENNESSEY: I mean, it was always there. I had the great fortune to escort the Geographer of the Department and other senior State Department officials while I served at ICTY. You never forget your first visit to war torn Sarajevo, and that was dangerous, wearing a blue helmet and flak vest and corkscrewing down, staying at the famous Holiday Inn. I don't know if it's just me; but suddenly, it heightens your senses, right? You're acutely aware of where you are. You're no longer in zone white, where you're not paying any attention to anything. But I don't want to sound like I'm some type of Rambo. I'm not. I'm fairly risk-averse. But I don't know. I don't think I was afraid. No. I think sometimes that's just a waste of emotion anyway.

We had a job to do, limited time, right? And I realized other people were in much worse situations than me, right? So no, I don't think I was afraid. Even when we had difficulties with various authorities, I was more afraid for the victims, for the people we needed for prosecution, always worrying that if they perished, not to be too detached, but there goes the case, right? So we even brought key witnesses out of Yugoslavia to safer places to protect them, but most importantly, we protected their testimony and future testimony because it was sometimes just crucial to a successful prosecution. They had a real reason to be afraid.

Q: So, how did you do those interviews? Did you interview them in their own houses, or, as you said, did you bring them out because as soon as you walked in, that house was probably marked that the investigator was? —

HENNESSEY: Right. It varied, and key witnesses were essential; we did try to work with member nations of the United Nations to bring them out of the conflict. That gets complicated, of course, because usually they want to come with their family and everything else. Sometimes, we would try to arrange meetings in places that perhaps were not their home or UN building just to try to have some distance. We tried everything to be honest.

We were very aware that a witness could be marked. We were very aware that any time a UN team rolled into a town or a village, people were peeking behind the curtains, this sort of thing. But everything was tried to get the testimony. One of the challenges for the court was that most people who may have had international law backgrounds, some regional specialists, were drafted in. But at the time, and I would say probably today too, there were not a lot of Serbo-Croatian speakers in the Department of State or across the USG. So we really had to rely on local assistance in that regard.

And you know, that got complicated too, because you wouldn't want to use a Bosnian interviewing a Serbian or vice versa. But we were always mindful of that. In terms of leaks, we would hate to have someone working for us, but also for someone else. So, a lot of thought was given to how to get information that we could use safely that wasn't tainted or misinformation to lead us up the proverbial garden path and then in a completely different direction.

I've also talked about some of the difficulties of getting testimony. It's a different type of interview where you're trying to get information from possibly a perpetrator of a war crime, they are in no mood to share that with you. They have a home-field advantage in many ways. So, there are different ways we approached interviews. The most important thing back in the Hague, as part of the prosecution team, was to work with the lawyers to find out what was useful, what could be used, and what we had to forgo. And don't forget, we were getting lots of information, not all of it that we could use, even though we knew it was accurate. And that was a big time frustration because there was a lot of effort across the USG at the time focused on the former Yugoslavia. But because of the rules of the court and that sort of firewall between intelligence information and public or privileged, client-protected information, we had to work out ways to proceed.

I would argue that moving on from interviews just to information, the tribunal was one of the very first places or times where we did seek to use intelligence information in a public or at least a closed court setting, which today is happening more and more with the declassification of information regarding key issues. Maybe we were part of that very fledgling effort way back in the 1990s. So that may have also had a positive effect that continues to have a consequence today and may actually prevent — I won't say anything as grandiose as preventing war, but provided important information to the public and decision-makers. I don't know if we started it, but we certainly moved that process along during the time of ICTY.

Q: So how was working with other nationalities, Russians primarily, I guess, given that it changed pretty quickly? But how was that? Was it easy? Was it hard? Was there a consensus?

HENNESSEY: Well, you know, the old expression, right? When you're operating alone, it is fast and smooth; you add more people, and it's less. The UN context is complicated. I think we had a good *esprit de corps*. You had a hard mission that brought people together at ICTY. But sure, I already said that some people did not want this to take place, right? Some people did not support the mission at all. There were people on the ground who literally opposed it. And I'm not talking from the warring parties. I'm talking about people in various militaries or working for the UN or other member states. So yeah, it was complicated.

But heck, at least those of us from the State Department, and I would say most of the colleagues from the interagency, we knew that, right? We were there early to put some impetus behind this to get it moving forward. The American "Can Do" attitude helped. However, we also have to acknowledge that it was an international effort and that we had key contributions from other countries. Did language and culture and differences, work style, and all of that have an impact? Yes. You can't sugarcoat it, but at least those of us from State were meant to be diplomats, right? So I think we were more effective. We brought some skills that hopefully helped the tribunal, and we learned a lot as well about being diplomats in a conflict zone. That hopefully helped us in our future careers with the Department. But yeah, was it frustrating at times? Heck yes, heck yes.

Sometimes I felt we were spending ninety percent of our time preparing for the ten percent that I would have described as substantive. I can't tell you how many interviews were canceled, called off, how much information was gathered that we couldn't use? How many trips were planned that didn't proceed? Oh, yes. I'm not a lawyer, right? I imagine that similar frustration exists in the judicial process typically but then multiply it many times. Yeah, it was complicated and frustrating. But I think there are 150 plus indictments, a number of senior figures prosecuted and convicted within the lifetime of the tribunal. I think that's, you know, proof that despite some of the frustrations and frictions, a lot was accomplished.

Q: Right. And you operated not only in Bosnia but also in Croatia, right? And probably Montenegro —

HENNESSEY: We operated all across the whole of the former Yugoslavia. Our mandate was extensive. Heck, they even added Rwanda to it at the end. So, yeah, we traveled a lot. I still probably have somewhere— my blue UN laissez-passer, right? That allows me to cross borders anywhere. Let me tell you a funny story, though. We were seconded, that was the technical term, from the department to the UN. So we were experts *en mission*, right? And you get this nice little blue pass thing. But you're not meant to be American, and you're not meant to be German; you're working for the UN. But unfortunately, I suppose just like a passport, they list where you're born. Right. I was born in the great city of Chicago, Illinois, USA. Right. Now, for some borders, it's not a problem. Oh, for some other borders, say Serbia, they'd be like, "Oh, you're American."

I'm like, I am. I'm here, though, working for the UN. Sometimes it caused some complications for people who had American identification, even if they were there as the UN. So, yeah, we talked about complications, right? Sometimes, I think there were frustrations when the justices and the head of the prosecution teams were trying to organize different teams, and I tried to be mindful of that. But also, we didn't want that to prescribe or to prohibit who should be on these teams. So you had to accept some frustration because of the principle of we're all there with the United Nations. So you rolled with it. Sometimes, that led to less successful or less efficient missions, but that was all part of the deal. Yeah.

Q: Let me ask you, so is it fair to say that your efforts contributed to the shuttle diplomacy? Heading into Dayton? You said, leading to Dayton, but that was basically the beginning. You were producing a lot of resources that the administration might have —was reading.

HENNESSEY: I hope so. Don't forget, I was a mid-level officer. My perspective was pretty ground-level. And I was not in Main State. I was out in the field a lot of the time. So, I trust that John Shattuck, Dave Scheffer, the Secretary, and the counterparts across the interagency were taking all of this in, right? I think probably so, yes. I don't want to take too much credit, particularly for my small role. But did it have an effect beyond just

creating cases that were successfully prosecuted? I believe so, yes.

I think history will agree with this assessment once we can declassify a lot of this information. But it was a pressure point, right? The ICTY. It was a pressure point, not just to get some of these figures to the negotiating table. It was a pressure point on our own governments, right, to force them, shame them, guilt them, to do a lot of diplomacy, shuttle diplomacy, on the way to the talks. Dayton may not have happened if people or the information about some of the worst crimes wasn't there, right?

We talk about public pressure. Yes. I think there would have been less impetus on governments outside and leaders of the warring parties inside Yugoslavia to come to working out a *modus operandi* to have a process that led to peace talks if there hadn't been the irritating ICTY reminding the world that war crimes are being committed, and this should not be tolerated. So, not that we were the conscience of the international community, but I do think our work pushed people more than might otherwise have been the case to find a way to end the conflict.

Q: So what are some general lessons learned from this whole experience that can be applied later on?

HENNESSEY: Like most things, a mixed bag. Certainly a lesson in the constraints and limits of U.S. power and U.S. diplomacy. But on the flip side, a lesson as we talked about in terms of the great capability when we apply all of the tools of statecraft and the interagency, the whole of government, to large challenges. Even if from your little foxhole or ground level position, you don't see the big picture.

And maybe I'm giving too much credit to us, us being the U.S. and USG, but as I said, a mixed bag. I think there are lessons to be learned about keeping people safe, which is a basic mission of the government. The world failed in Yugoslavia to prevent terrible suffering. However, our efforts that led to the Dayton Peace Accords have kept the peace more or less since. So again, mixed. It took huge, I think, very, very significant war crimes to really compel the governments to take action, even at a time when perhaps it would have been easier to just look away.

HENNESSEY: The ICTY was created to try to bring justice and sought to prevent even worse war crimes from occurring in the conflict in Yugoslavia. I believe it may also have had some positive impact globally and for the longer term. Because people are aware, in the back of their mind, if not in the front of their mind, that they may wind up in a tribunal and facing jail time someplace if they commit war crimes. So, I think there's a residual and positive legacy but limited. I don't want to over sell it. I don't think international tribunals are going to end all wars or anything like that. But if they bring some justice and prevent some atrocities, then that is partially successful. So mixed, right? But that's real life, as you know, sometimes you never resolve issues. All the best you can do is try to manage them. That's probably how I would sum it up.

End of interview