

Concerns Over March Date for Gotovina Trial

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Defence team say they may not have enough time to prepare their case.

The trial of Ante Gotovina, Ivan Cermak and Mladen Markac, indicted for crimes committed against Serb civilians in 1995, is expected to open on March 11, trial judge Alphons Orié announced this week.

The start date might change depending on the availability of judges and court rooms, he said.

The timing of the delivery of the judgment in the case of former Kosovo prime minister Ramush Haradinaj, over which Judge Orié is currently presiding, may also have a bearing.

If the current schedule is adhered to, the pre-trial conference will take place on March 10.

The trial will continue through the next week, take a three-week break and then resume on April 7.

Cermak and Markac's respective defence teams – both appointed late last year – expressed concern over the short time left for them to prepare. The former defence lawyers of the two accused were removed from the case due to conflicts of interest.

The prosecutors, who will present their case first, echoed their concern.

Senior trial attorney for the prosecution Alan Tieger estimated that he would need 11 months to present his case.

The judge urged him to considerably reduce the amount of evidence presented and number of witnesses called. Orié also asked the prosecution to present their case within 200 hours, significantly less than the 500 requested.

The judge suggested to the prosecution that they ready their first witness for the week of 11 to 14 March in case the defence elects to delay their opening statements until they present their case, a common practice at the tribunal.

While Orié, a Dutch judge, will serve at the trial, the two other members of the bench have not yet been selected.

The charges against the three defendants stem from their alleged involvement in the deportation, murder and inhumane treatment of Serbs and the theft of both public and private property during a Croat military offensive – called Operation Storm, August to November 1995 – to reclaim parts of Croatia held by the Serbs.

Gotovina, who led Operation Storm, was arrested in Spain in 2005 after a period on the run. Cermak, the military captain in Knin, and Markac, a commander of a police unit in the Croatian military, gave themselves up to the tribunal.

The trial is expected to last no more than 14 months.

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