

Date Set for First Mladic Witness

Author: [Rachel Irwin](#)

Judges downplay implications of failure to disclose documents and deems six-month delay unnecessary.

The first prosecution witness in the trial of former Bosnian Serb army commander Ratko Mladic will begin testifying on June 25, judges ruled this week, rejecting a request by his defence team to delay proceedings for six months.

Mladic's trial was adjourned on May 17 after two days of the prosecution's opening statements, because prosecutors had mistakenly failed to disclose thousands of documents to the defence. As a result of the disclosure error, the defence team asked for a six-month trial suspension. (See **Srebrenica Footage Shown at Mladic Trial.**)

In their ruling on May 24, judges announced that while the defence team might need more time to prepare, the failure to disclose evidence had very limited impact in some instances, and that a six-month postponement would not be granted.

The first prosecution witness had initially been scheduled to appear on May 29.

"[D]efence preparations to date have not been in vain and may need to be supplemented by additional searches and further review," the judges wrote. "All of this requires time. On the other hand, the effect of the disclosure failures is sometimes very small or even non-existent," they added.

For example, the judges said photo and video material "takes relatively little time to review".

They added that the non-disclosure of documents translated into English will place "a limited burden" on a defence team that was working primarily in the language of the accused.

Furthermore, the prosecution had gone beyond its obligations in assisting the defence and had, for example, "amended its order of witnesses so as to give the defence more time to prepare", the judges said.

They also stated that defence preparation is not conducted exclusively during the pre-trial stage.

"While the chamber finds that the postponement is justified, it does not consider that the requested amount of six months should be granted," they concluded.

Prosecutors allege that Mladic, the commander of the Bosnian Serb army from 1992 to 1996, planned and oversaw the 44-month siege of Sarajevo that ravaged the city and left nearly 12,000 people dead. Mladic's army is accused of deliberately sniping at and shelling the city's civilian population to "spread terror" among them.

He faces charges of genocide for his alleged role in the July 1995 Srebrenica massacre, during which more than 7,000 Bosniak men and boys were killed.

The indictment - which contains 11 counts in total - alleges that Mladic was responsible for crimes of genocide, persecution, extermination, murder and forcible transfer which "contributed to achieving the objective of the permanent removal of Bosnian Muslims and Bosnian Croats from Bosnian Serb-claimed territory."

After 16 years as a fugitive, Mladic was arrested in Serbia on May 26, 2011.

Rachel Irwin is an IWPR senior reporter in The Hague.

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