

## **International Justice/ICTY: Aug '08**

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IWPR project provides probing analysis of upcoming Karadzic trial.

As prosecutors gear up for the trial of former Bosnian Serb leader Radovan Karadzic, the tribunal project highlighted a number of important issues related to the case.

Karadzic was arrested in Belgrade on July 21 – 13 years after he was first indicted for war crimes and transferred to the Hague tribunal several days later.

As the second highest-level official to appear before the Hague tribunal after former Yugoslav president Slobodan Milosevic, Karadzic's trial is very important both for the Balkans region and for international justice.

On August 8, the project posted a special report entitled *What Will Karadzic Trial Draw From Milosevic Case?* by IWPR editor Caroline Tosh in London, which looked into lessons that prosecutors in the Karadzic case could learn from the trial of the former president.

Some observers see Karadzic's trial as a chance for the Hague tribunal to redeem itself after failing to secure a conviction against Milosevic, who was thought most responsible for sparking the wars in the Balkans in the Nineties. Milosevic died in March 2006, four years after his trial began.

Tribunal chief prosecutor Serge Brammertz has already indicated that Karadzic's trial will be "very complex", adding that his office was "fully aware of the importance of being efficient".

The tribunal project's special report – which was republished in full by Bosnian political magazine *Start* – looked into possible obstacles to an efficient trial, particularly Karadzic's intention to represent himself in court. Some fear he might use the trial as a platform for political speeches and for promoting his own views of the 1992-95 conflict in Bosnia.

On August 18, the project published another article which explored the world's fascination with Karadzic's secret life during his years on the run.

In *Karadzic's Secret Life Draws the Tourists*, published on August 18, IWPR contributor Iva Martinovic revealed that a Belgrade tourist agency was catering to this morbid interest by organising a trip around the sites in Belgrade frequented by former war crimes fugitive.

The article was republished by Geneva-based web magazine *Human Rights Tribune*, as well as *Sabah*, a Bosnian newspaper printed in the US.

Mirko Sagolj, a columnist with Bosnian daily *Oslobodjenje* and one of the most prominent journalists in the country, said the IWPR story has alerted him to the tour.

While he said he was appalled by the fact that tourist agencies are using Karadzic to make money, he also congratulated Martinovic on “a very professional, balanced and thought-provoking article”.

Another important issue highlighted by the project this month was a possible conflict of interest which could have arisen from the appointment of Judge Alphons Orie as a presiding judge in the Karadzic case.

When Karadzic was brought to The Hague, Judge Orie was assigned to this case as a pre-trial judge – a position which would very likely lead to his appointment as a presiding judge in this trial.

However, some observers expressed concern that Judge Orie’s involvement in past trials related to Karadzic’s case could have caused problems.

In the article published on August 18, *Conflict of Interest Concerns Hit Karadzic Trial*, by IWPR contributor and senior lecturer at the University of Sarajevo’s Faculty of Criminal Justice Sciences Edina Becirevic explored the issue in greater depth.

She looked into various reasons why it might be in the interests of justice to select judges who have no previous involvement in related cases, given the gravity of the Karadzic trial and its wide-reaching implications in the region and for international law.

Just three days after the article was published, president of the Hague tribunal Judge Fausto Pocar removed Judge Orie from the Karadzic case and appointed Judge Iain Bonomy as a new pre-trial judge.

Although Judge Pocar indicated that the decision to move the case to trial chamber three was not motivated by any potential conflict of interest, IWPR’s coverage of the potential conflict was timely.

Throughout August, news editors from the local media, such as Bosnian daily Avaz, political weekly Start and Federal TV, the country’s most popular television station, called the tribunal project to find out the latest info on the Karadzic case. They asked for the project team’s advice and guidance in covering this trial, which is arguably one of the most important cases in the history of international justice.

Apart from Karadzic’s case, an event which caused quite a stir worldwide in August was the indictment of Florence Hartmann, a former spokeswoman for the Hague tribunal’s chief prosecutor, for contempt of court.

In the article *Hague Tribunal Charges Former Spokeswoman With Contempt*, which was published on August 29, Simon Jennings reported on Hartmann’s indictment.

Hartmann was accused of revealing confidential information after leaving her post few years ago. She is charged on two counts relating to the disclosure of decisions made by the appeals chamber during the trial of Slobodan Milosevic, in 2005 and 2006.

Jennings managed to secure an interview with Hartmann, who told him that she had done nothing wrong

and acted in the public interest. She added that she would contest charges against her at a trial which has now been scheduled for October 13.

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