

Karadzic Bid to Stay Proceedings Rejected

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Trial judges say they remained “unconvinced” by his submission and that he had “merely repeated” previous arguments.

Judges at the Hague tribunal this week rejected former Bosnian Serb president Radovan Karadzic’s request to stay the proceedings against him.

On April 1, Karadzic submitted a motion stating that the judges had taken notice of over 1,000 “adjudicated facts” – or facts that have been established in previous trials. He also argued that judges had admitted statements and previous testimony from 141 witnesses who he would not have the opportunity to cross-examine.

Karadzic contended that “the cumulative effect of taking judicial notice of thousands of adjudicated facts, and admitting hundreds of prior statements, does operate to turn the trial upside down”.

Karadzic further states that he has been “buried ... in an avalanche of incriminating evidence before the trial has even started. [I] stand at the starting line while the prosecution has been propelled by these devices to within millimeters of the finish line.”

“There is simply no way Dr Karadzic can receive a fair trial under these circumstances.”

Karadzic noted that while appeals judges have “upheld the validity of admission of prior statements and testimony” they have not yet dealt with the “cumulative effect” of this practice.

Trial judges disagreed, writing on April 8 that they remained “unconvinced” by Karadzic’s submission and that he had “merely repeated” previous arguments.

They also state that Karadzic will have “ample opportunity to rebut those adjudicated facts” during the trial.

Karadzic had also argued that the final judgement will be based, to a “decisive extent” on a substantial amount of “untested evidence”.

Judges wrote that this claim is “wholly unfounded”.

“Until the final judgment is issued in this case, the parties can only speculate as to what evidence the chamber will admit, how that evidence will be evaluated, and what conclusions will be drawn from it,” the judges stated.

“Should the chamber base any conviction of the accused solely on witness evidence that has not been subject to cross-examination, it will be for the accused to raise that issue on appeal at the appropriate time.”

Karadzic’s request to stay the proceedings came one day after appeals judges rejected his bid to postpone the trial until June.

The trial is now scheduled to resume on the afternoon of April 13. The first prosecution witness will be Ahmet Zulfikarpašić, who was held in Bosnian Serb-run detention camps in northwestern Bosnia.

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Location: [Balkans](#)

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