

## **Major Bosnian Croat Trial Set to Begin**

**Author:** [Goran Jungvirth](#)

Six Croats charged with war crimes in Bosnia will face trial by the end of the month but wrangling continues over how long the case will go on.

The biggest joint trial undertaken so far at the tribunal is set to begin on April 26 when six Croats charged with war crimes against Muslims in the Herceg-Bosna region will go on trial.

But even with the date set, bitter disputes continue over how long prosecutors will have to mount their case, which focuses on alleged expulsions of Muslims from Herceg-Bosna, which local Croat leaders declared independent from Bosnia and Hercegovina in 1993.

On trial are Jadranko Prlic, a former prime minister of Herceg-Bosna; Bruno Stojic, its defence minister; Valentin Coric, a military police commander in the Croatian Defence Council, HVO; Berislav Pusic, who was in charge of prisoner exchanges; and Slobodan Praljak and Milivoj Petkovic, both senior HVO commanders.

The six gave themselves up to the tribunal in April 2004, entered pleas of not guilty and were granted provisional release pending the start of the trial.

Concerns about the length of the trial that prosecutors hope to mount have been so serious that the tribunal's chief prosecutor Carla Del Ponte was due to attend this week's status conference, held on April 12, to address the matter in person. In the end, her appearance was cancelled because of a visit to the court by United Nations Secretary General Kofi Annan.

Judge Jean-Claude Antonetti, who is overseeing trial preparations, has said that plans by the prosecution to present testimony from some 400 witnesses and enter around 9,500 documents into evidence could mean the trial lasts more than three years.

Each of the defence teams has asked for the same amount of time as the entire time granted to prosecutors, arguing that their clients should be seen as individuals and not processed as a group.

The judge said if the defence lawyers get their wish, the case could drag on until 2012 or longer. A 2008 deadline has in the past been set for all first-instance proceedings to be completed, with the Hague court due to close its doors in 2010.

Judge Antonetti's exasperation about the case has been such that even the issue of the tribunal's closure has faded into the background. His most extreme estimate of how long the proceedings might drag on if allowed to do so was 18 years - by which point, he pointed out, "most of us won't be alive".

He said at the status conference this week - the last before the start of the trial - that he wants the case wrapped up in two years.

One way to accelerate the process that Judge Antonetti has suggested in the past would be if the prosecution agreed to cut down their indictment. Alternatively, he has raised the possibility of trial judges

being unusually active in the case, taking a lead role in examining witnesses.

The judge had been waiting for the conclusion of an investigation led by Judge Iain Bonomy into ways of speeding up trials at the tribunal. The issue came into particular focus after the court's most important accused, former Yugoslav president Slobodan Milosevic, died more than four years into his trial.

But by the time this week's status conference came around, Judge Antonetti had still not seen the results of this investigation.

Petkovic's defence lawyer Vesna Alaburic described efforts to reconcile the wishes of the prosecution, defence and judges in the case as like an argument about "how to pour one litre of water into a half-litre bottle."

She railed against the idea that plans to wind down the tribunal should interfere with the length of time given to the defence. While the court might be responsible to the UN Security Council, she said, "We are not responsible to them but to our clients."

Unable to resolve the issues regarding time at the status conference, the judge reiterated that he would like to hear suggestions from Del Ponte.

Much of the rest of the session was taken up with discussions about how the prosecution case is to be organised.

Prosecutor Kenneth Scott acknowledged Judge Antonetti's concern that the court would be faced with a "sea of documents" and proposed collecting them into dossiers dealing with particular instances of alleged war crimes.

Scott also promised that the prosecution would soon produce a list of the first witnesses due to testify. He announced that 125 of the scheduled witnesses would give evidence in the form of written statements, rather than appearing in person in court.

In response to an inquiry by Prlic's lawyer Michael Karnavas, Scott also confirmed that those testifying in the case will include Ivica Rajic, a Bosnian Croat who recently pleaded guilty in The Hague to war crimes and blamed the Bosnian Croat leadership for sparking conflict with the country's Muslim population.

Scott told the court that the prosecutor's opening statement would last for one to two days.

Five of the accused have waived their right to address the judges at the beginning of the trial. The only one who will do so is Praljak, an eccentric former theatre director known as "The Beard" for his bushy white facial hair.

Praljak's defence team have asked that he be granted the same amount of time as prosecutors get for their statement. Antonetti replied that Praljak should give his reasons for wanting so much time and warned that he would not be allowed to make political speeches.

Goran Jungvirth is an IWPR reporter in The Hague.

**Location:** Bosnia and  
Herzegovina

**Topic:** Courtside

**Focus:** International Criminal Tribunal for the former  
Yugoslavia

---

**Source URL:** <https://iwpr.net/global-voices/major-bosnian-croat-trial-set-begin>