

Prosecution Opposes Karadzic Demand for Witness Notebooks

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Former member of Dutch contingent retells experiences at time of Srebrenica massacre.

Prosecutors at The Hague tribunal this week opposed a request by wartime Bosnian Serb president Radovan Karadzic to have the personal notebooks of a recent witness subpoenaed.

The prosecution witness, Colonel Johannes Rutten, was deployed as platoon commander and intelligence officer in the Netherlands battalion of UN peacekeepers, known as Dutchbat, in the Srebrenica enclave from January to July 1995.

Rutten, who has testified in two other trials at the Hague tribunal, was on the ground when the enclave, previously declared a UN safe area, fell to Bosnian Serb forces on July 11, 1995. Thousands of Bosniak civilians fled to the UN compound in nearby Potocari. (For more on his testimony, see **Dutchbat Soldier Recalls Mistreatment of Srebrenica Detainees.**)

In the days that followed, some 8,000 Bosniak men and boys were transferred to various sites around Srebrenica and killed. The massacre has been classified as genocide at both the Hague tribunal and at the International Court of Justice.

Rutten indicated during his testimony that he took personal notes as the events unfolded, but declined to hand them over to Karadzic. The accused requested a subpoena on November 30, arguing that the witness had observed “critical events” in July 1995 and had used the notes to “refresh his memory” before testifying.

The prosecution responded on December 14 by stating that a subpoena should only be issued when it was necessary and if it was “for the purposes of an investigation or in preparation for trial”.

“There is no necessity for the accused to be provided with Colonel Rutten’s personal notes,” prosecuting lawyer Hildegard Uertz-Retzlaff wrote.

Furthermore, the prosecution argued that Rutten had given a total of six statements that were “contemporaneous to the events” on which he testified. Four of these statements were recorded in July and early August 1995, right after the witness left Srebrenica. Another two were given in September and October of that year.

The matter is now in the hands of the bench.

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Topic: [International Criminal Tribunal for the former Yugoslavia](#)

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