

Seselj Faces Contempt Charges

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Nationalist leader accused of revealing confidential information in book.

A Serbian politician on trial for war crimes in The Hague is now facing contempt of court charges after he allegedly revealed the names and personal details of protected witnesses in a book.

Vojislav Seselj, who remains the leader of the Serbian Radical Party, SRS, despite being imprisoned in The Hague for the last six years, is accused of revealing the identity of three witnesses who have testified against him at his trial.

The disclosures were allegedly made despite the judges having granted the witnesses protected status, including the use of pseudonyms and voice and image distortion while testifying.

“The tribunal regards the safety of witnesses and the integrity of confidential materials as essential elements in the rule of law,” the court said, in a January 22 statement released the day after Seselj was charged with contempt.

According to the judges, Seselj revealed the full name, profession and place of residence of one such witness. A second witness is also referred to in the book by his full name, as well as the pseudonym used for his testimony.

“[Judges have] reason to believe that Vojislav Seselj, the apparent author of the book, may be in contempt of the tribunal by virtue of the disclosure of information that might identify or lead to the identification of protected witnesses... in contravention of orders given by the trial chamber,” ruled the judges.

The judges have also ordered that the offending extracts be removed from the book, which they did not name.

Seselj admitted the book was written on his orders.

“That book was compiled absolutely pursuant to my strict instructions, instructions given from The Hague here to my associates, and everything that that book contains, I stand by the contents,” Seselj told judges in October.

The defendant also said he did not fear the contempt charges, which carry a maximum penalty of seven years’ imprisonment or a 100,000 euro fine, or both.

“You can’t make me afraid and intimidate me by saying I’ll be held in contempt of court in this trial where I might be sent to jail for years, for life, and now they say that I might get seven years for contempt of court,” he said.

“I will take great satisfaction in taking part in the proceedings and in showing exactly how things stand.”

According to Seselj’s co-counsel, Zoran Krasic, the contempt charge represents the prosecution’s “powerlessness” in the main trial.

“Within the 125 hearing days... they actually didn’t prove anything so far,” he told IWPR.

Seselj is on trial for war crimes and crimes against humanity committed during the Yugoslav war in a bid to create a Greater Serbia. The trial started in November 2007 and the charges against him include murder, torture and persecution as he allegedly sought to drive out non-Serbs from parts of Croatia and Bosnia between August 1991 and September 1993.

Although the request to instigate contempt charges was made by prosecutors in Seselj’s war crimes trial, judges have ordered that an amicus curiae, or friend of the court, be appointed to prosecute the charge.

Judge Jean-Claude Antonetti, who is presiding over the war crimes proceedings, has already withdrawn from the contempt proceedings in case they interfere with his judgment in the main case.

Seselj has also announced that he will not be calling any witnesses to defend him against the war crimes charges once the prosecution completes its case, which it is expected to do in coming weeks.

Krasic confirmed to IWPR that he is currently preparing Seselj’s closing statement.

Seselj’s unwillingness to present his case stems from the tribunal’s cancelling of privileged communication between him and his chosen advisers, as well as the court’s denial of financial aid, said Krasic.

“Dr Seselj wants to have his defence, but he has no [financial] means to do that,” Krasic said.

The tribunal cut off Seselj’s privileged telephone calls with certain members of his defence team, including Krasic, in September, following fears that he was using them to intimidate witnesses.

According to a court spokeswoman, the tribunal is still waiting for the defendant to provide it with the necessary information regarding his financial status before it awards him legal aid. Seselj has failed to make necessary disclosures, she said.

“[Defendants] can apply for funding in order to organise their defence so they can pay their investigators [and] legal advisers. But in order for [defendants] to be awarded these, they have to prove that they cannot pay for their own defence,” she said.

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