

## **Seselj Trial Suspended at Prosecution Request**

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But the suspect firmly opposes another delay in his trial.

The war crimes trial of Serbian nationalist politician Vojislav Seselj was suspended this week after the prosecution moved to disqualify one member of the trial chamber hearing his case, Judge Frederik Harhoff.

Seselj, leader of the Serbian Radical Party, is on trial at the war crimes tribunal in The Hague for crimes against humanity including persecution, extermination, murder and torture carried out in Croatia, Bosnia and northern Serbia between 1991 and 1993.

The prosecution filed its motion for Judge Harhoff's disqualification based on the fact that he was a member of a human rights group which interviewed a certain Isak Gashi in 1993, as part of its own investigation into atrocities in the Balkans. Gashi has now been called upon by the prosecution to testify in the case.

According to the counsel for the prosecution, Christine Dahl, due to his activities back in 1993, Judge Harhoff had been "involved in the investigation" and "the independence of the judiciary [was] at stake".

Dahl also explained that she was not so much concerned about bias as the fact that "justice must be done and be seen to be done".

The defendant immediately opposed the motion, claiming that the prosecution was trying to delay the trial in order to gain time to make preparations.

"For almost five years I have been waiting for this trial and the prosecution is not ready. I have waited for too long and do not want to wait any longer," Seselj told the court.

He further argued that, rather than an actual judicial body, the group Judge Harhoff had been working for, the Danish Helsinki Committee, was a non-governmental organisation carrying out political surveys.

Gashi is a former member of the Yugoslav rowing team and was a refugee in Denmark when he spoke to the committee. He has already given evidence at the tribunal's trials of Dusko Tadic, Slobodan Milosevic and Momcilo Krajisnik.

He has previously made it known that he does not believe his "Danish statement" is an accurate record of what he told the Danish Helsinki Committee.

In response to the prosecution's motion, tribunal president Fausto Pocar appointed a three-member panel to consider Judge Harhoff's position. The panel will rule whether the judge's previous contact with Gashi is likely to compromise his independence and impartiality in the case.

If the prosecution's motion is upheld by the panel, whose ruling cannot be appealed, then Pocar will appoint another judge to hear the remainder of the case.

Simon Jennings is an IWPR reporter in The Hague.

**Location:** Balkans  
Macedonia  
Albania  
Serbia

**Topic:** Briefly Noted

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