



# HISTORY OVERSHADOWED BY TRIVIA II

Regional and International Media Coverage  
of the first year of Radovan Karadzic trial



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**Regional and International Media Coverage  
of the first year of Radovan Karadzic trial**

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## FOREWORD:

Given that the arrest of Radovan Karadzic was the most interesting event for the media in 2008, one wonders whether his trial before the International Criminal Tribunal for the Former Yugoslavia (ICTY) would continue to draw the same levels of attention from the media.

One year into the trial, BIRN Bosnia and Herzegovina has completed an analysis on how the media in Bosnia and Herzegovina, the region and the world have reported on the proceedings before the ICTY, on what has often been called "the trial of the century".

By reviewing the articles produced by daily and weekly publications as well as news agencies, BIRN Bosnia and Herzegovina found that media interest in the trial of the former President of Republika Srpska varied and depended on the assessment of what the media considered as interesting or important from the events in the courtroom.

The media included in this analysis for the period from October 2009 to October 2010 published some 1,000 articles regarding the Karadzic trial. Media in Republika Srpska published half of these articles, therefore this region showed the biggest interest in the trial.

The attention of the media mainly focused on questions regarding the indict-ee's preparation for the trial, his request to defend himself, as well as about his living conditions. In contrast, the testimonies of the victims attracted less attention.

According to the analysis, the Republika Srpska media focused more on the indict-ee's complaints of not having enough time to prepare his defence, while the media in the Federation of Bosnia and Herzegovina neglected the presumption of innocence, calling him "the butcher from Pale" and "a criminal" among other things.

Unlike the media in Bosnia and Herzegovina, their counterparts in Serbia, Croatia and Montenegro did not show as much interest in the trial of Karadzic, even though they repeatedly announced a possible start to the trial or speculated about its delay.

Journalists from the global media eagerly awaited the start of this sensitive process. Karadzic's boycott of the trial over claims that he had insufficient time to prepare his defence and the subsequent decision of the Trial Chamber to impose a counsel upon him caused numerous discussions in the media.

Partial or biased reporting was observed to a greater or lesser extent in many written texts and depended on which region the journalist was from. This again demonstrates the national and ideological divisions in society.

Because of the importance of this trial in contributing to better understanding and reconciling completely conflicting views of the recent past, objective reporting should come first because the media are the only connection between the trial and the public.

The lack of journalistic professionalism, which prevails both in Bosnia and Herzegovina and beyond, serves to create even more divisions in society and thus does not contribute to confronting the past. To highlight this problem, The Konrad Adenauer Foundation and BIRN Bosnia and Herzegovina decided to prepare this overview.

This publication is an important resource for journalists, historians and all those who are dealing with human rights and transitional justice. It shows how and in what way the journalists who are reporting from the courtroom can be subjective in their work because of political influences and social prejudices.

*Erna Mackic*



## The media and the Tribunal

*By Nerma Jelacic, Spokesperson of the International Criminal Tribunal for the former Yugoslavia*

Almost nineteen years ago, the footage of emaciated, scared and silenced detainees standing in the sweltering August heat behind the barbed wire in a camp in Trnopolje shocked the world. In the months leading up to and following Ed Vulliamy's and Penny Marshall's reports from Omarska and Trnopolje, other journalists – international and local – documented the widespread and systematic killing, wounding, torture and sexual abuse of civilians that was taking place throughout Croatia and Bosnia and Herzegovina at the time. The international community had to act. The establishment of the Tribunal, the first international war crimes court since the Nuremberg and Tokyo tribunals, was a direct response to those gruesome reports.

Since the establishment of the Tribunal in 1993, its treatment by the media war reflective of the polarized approach to the international justice and the wars in the former Yugoslavia. This dissected approach is symbolic of the complexities and obstacles societies must overcome when dealing with the past.

On one side, the media had been a great source of information on and about the crimes committed. Many journalists, international and from the former Yugoslavia, appeared as witnesses in trials before the Tribunal. At the same time, the media became the crucial bridge between the Tribunal and its most important audience – the people of the former Yugoslavia. Through reporting on its work, the journalists have brought the Tribunal closer to the communities of the former Yugoslavia and have considerably increased the visibility and understanding of its work and the facts established before it.

However, malicious and irresponsible reporting continues to be present in some regional media, albeit to a lesser extent than in the 90s. Such reports have a chilling echo of the ethnic divisions and mistrust present during the conflict, when political and military leaders used the media to further their aims. They feed directly into the nationalistic rhetoric. Such reporting does not attack the Tribunal alone, but all efforts to deal with the past, and all efforts to secure a viable peace and justice for the future.

There has been a trend for the media to follow cases before the Tribunal selectively. It is often the case that the media in one of the countries of the former Yugoslavia only follow those cases in which the accused belong to their own nation or ethnicity, while ignoring the cases which address the crimes committed over the victims from that country or nation. This is a very dangerous approach to journalism, as it paints an inaccurate picture and

gives the citizens an impression of selective justice. For the handful of cases that hold the attention of the media across the region, the reports often resemble those from a football game: whose side has scored more points on a given day? More often than not, in reporting on trials and the accused before the Tribunal, the media shun the facts and testimonies from the courtroom in favour of the banal and sensationalist speculations about non-case related developments.

It is the responsibility of the Tribunal to ensure its work is accessible and transparent, and to provide journalists with the best possible conditions to report on the proceedings before it. Few years after its establishment, it became obvious to the Tribunal that its work was poorly publicised in the region and that some governments were not helping their citizens gain accurate information about the trials going on in The Hague.

This misinformation coupled with the physical remoteness of the Tribunal and the fact that it operates in languages and procedural rules foreign to the countries of the former Yugoslavia, forced the Tribunal to recognise the fact that, whilst its primary goal is to determine the guilt or innocence of individuals charged with war crimes, it also had other roles to play in contributing to post conflict resolution and the advancement of peace. The Tribunal took a decision to take a step outside of the usual confines of a judicial institution: it started to actively explain its own work to the communities it serves in the region and also developed its communication activities to make its work more transparent and accessible to the media.

Court reporting is particularly labour-intensive and not all media agencies in the region have the resources to do so on a regular basis. Proceedings are also very complex, far more than national trials, and journalists need help in accessing documents and background information that will help them understand the Tribunal's rules and procedures.

There is however so much the Tribunal can do and ultimately, it is the journalists' responsibility, as the main opinion-shapers, to communicate and further disseminate the work of the Tribunal to the people across the region in a manner that is balanced, accurate and informed. Only then will the work of the Tribunal have a true impact in the region.

By holding individuals to account and conducting trials, the Tribunal has not only fought perceived and actual impunity from justice and consolidated the rule of law across the region, but also established facts on the conflicts. Facts are the mightiest weapon against denial and revisionist agendas. They contribute to the building of a healthy, stable and peaceful society.

It is therefore crucial that these facts are disseminated within the affected communities of the region so that they can feed into the debates on the past. Journalists have the responsibility to ensure that this happens. Only then will a healthy debate, and a stable society, thrive. This does not mean that the Tribunal is free from or above criticism – the Tribunal should be open to public scrutiny, but this should be done in a responsible manner rather than in a way that sustains mistrust and hostility between different nations.

## EDITOR'S WORD:

### **The power of the media to create and destroy**

If someone would draw the boundaries showing the views of the media in their daily reporting on the Karadzic trial, one would get, more or less, a map of an ethnically fragmented former Yugoslavia reminiscent of the one drawn by Milosevic, Tudjman, Karadzic...

*By Faida Rahmanovic, journalist at the Sense agency*

"The power of media to create and destroy human values comes with great responsibility," said the judges of the *International Criminal Tribunal for Rwanda*, when in 2003 they sentenced three journalists indicted for genocide, inciting hatred and killing. The punishments were strict: two were sentenced to life imprisonment, and the other to 27 years in prison.

By delving deeper into the past, we find another example of when the media were condemned for inciting hatred and intolerance. During the Nuremberg trials of Nazis, the editor and publisher of an anti-Semitic tabloid, *Der Stürmer*, was found guilty of inciting hatred against Jews. He was sentenced to death by hanging.

Hate speech and warmongering reports in the former Yugoslavia in the 1990s significantly contributed to stirring up the intolerance that led to the worst crimes in Europe since the Second World War. The media abused its power to "create and destroy" in the worst possible way. However for this brutal crime against the public, nobody, to date, has been punished.

The absence of clear, timely, and importantly, specific condemnation of the way the media reported during the wars in former Yugoslavia has left a deep mark in the media landscape across the region. Although hate speech in its original wartime sense has been substantially eliminated from daily reporting, it does unfortunately still persist in the media, in more or less disguised forms. The damage that such journalism inflicts to the countries of the former Yugoslavia is immense.

This analysis of the media coverage of the first year of the Radovan Karadzic trial by BIRN journalists is an illustrative example of the extent to which the media remains divided in the region. If someone would draw the boundaries showing the views of the media in their daily reporting on the trial of Radovan Karadzic, one would get, more or less, a map of an ethnically frag-

mented former Yugoslavia reminiscent of the one drawn by Milosevic, Tudjman, Karadzic...

Although BIRN's analysis did not include all the mainstream media in the region as well as the regional and global electronic media whose influence on public opinion is far stronger, it is nonetheless clear from the findings that journalists are generally inclined to the politics of the area in which they live.

The unnecessary addition of journalistic commentaries in the reports from the trial, which, when professionally presented, encourage the reader to make certain conclusions.

Commentaries related to the trial, in which reporters are allowed to express their personal opinions, lack quality arguments for the claims that they easily make. The reader, who does not have the basis to judge what the author is saying, often only has one option left: to believe the word of the journalist. Instead of serving the public's needs, the media actually underestimate the public. Intimate frustrations that we carry in ourselves are only ours and not of anybody else, and the public does not deserve them.

In addition to the inexplicable "irresistible urge" of journalists to give a personal touch to articles through the presentation of their views, there is also a characteristic lack of journalistic interest in the concrete indictments against Karadzic as well as the evidence, which has been used to support the allegations in the trial.

The analysis by BIRN journalists reveals that there was a sharp drop in media interest immediately after the start of the trial, the introductory comments in October 2009 and March 2010 and the testimony of the Prosecution's first witnesses. Since then, the gallery courtroom and the area around the Tribunal seems eerily deserted.

"Ignorance is always ready to admire itself," wrote French writer Nicolas Boileau-Despréaux. The experience of the 1990s teaches us that ignorance is an important determinant for intolerance, and an example can be seen in one analysed article, which referred to Karadzic as "the indicted war criminal."

If we assume that misinforming the public can stoke interethnic hatred, intolerance and crime, and I claim that it does so, the fact that the media have at their disposal the power to "create and destroy," means it cannot use ignorance as an excuse.

## Analysis

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# BOSNIA AND HERZEGOVINA

## FEDERATION OF BIH

### The shine of the spotlight

In the first year of the trial of Radovan Karadzic, the media in the Federation of Bosnia and Herzegovina that are subject of this analysis – the daily newspapers *Dnevni Avaz*, *Oslobodjenje* and *Dnevni list*; the weekly magazines *Slobodna Bosna* and *Dani*, wrote about the trial around 250 times between October 2009 and October 2010.

With the first concrete announcements of the date of the trial, the media began to report more frequently, repeatedly describing it as an “historic process”. At a crucial moment when the court in October 2009 debated whether to start proceedings or take a ten-month break, The Hague courtroom shone strongest under the spotlights of the journalists.

After that, media interest in “the biggest process in The Hague” slowly declined, and witnesses’ testimonies were followed sporadically, depending on how “interesting” the witnesses were as assessed by journalists. Many witnesses were presented in just a few sentences, so the public could not obtain an objective picture about the trial itself and the daily events in the courtroom.

The only exception was *Oslobodjenje*, which in the period from June to October 2010, intensively followed the trial, and published more detailed articles.

*Dnevni list* showed minimum interest in the trial and according to the press clippings collated by BIRN, published a total of four articles over the one year period.

When it comes to the weekly magazines, there were just few articles about the trial of Radovan Karadzic, and apart from one comprehensive analysis regarding the first year of the trial, the public was not provided with enough information about the proceedings.

### **Dnevni avaz – Karadzic’s “game” with the court**

Out of 102 articles written in the first year of the Karadzic trial, *Dnevni Avaz* published the biggest number of articles (19) before the start of the trial, in October 2009.

Avaz closely followed each of Karadzic's motions, the announcement that he will not appear in court at the beginning of the trial as well as every reaction of the Trial Chamber to his claims. During that period, the greatest attention was paid to the reactions of the public in Bosnia and Herzegovina regarding the conduct of the indictee. Space was also dedicated to speculation on the future course of action should the indictee refuse to appear in the courtroom and this is where the standpoints of anonymous sources "close to Avaz" were published.

Apart from their own reporter who was sent to The Hague Tribunal and reported daily about "the atmosphere in and around the Tribunal", *Dnevni Avaz* tried to convey to readers how the process on the whole is experienced in Bosnia and Herzegovina, especially in the homes of victims.

*Dnevni avaz* devoted an entire page to the beginning of the trial of Radovan Karadzic. In addition to interviews with victims, which were entitled "In the homes of the butcher's victims", an article from Almasa Hadzic, special correspondent from The Hague, took up the largest space.

Although designed as a classic journalistic report from the courtroom, this article, in fact its author, goes beyond the scope of objective reporting, and conveys personal dissatisfaction with the fact that the trial was postponed to the next day after the indictee failed to appear in court.

"Stand up please - said the court's duty officer, after four judges bowed to the ones who were inside, or to be more precise, bent their heads in front of the criminal and left the courtroom," wrote Almasa Hadzic in her article.

The article is followed by comprehensive details from and around the courtroom, criticisms of the Tribunal because Karadzic did not appear, and the article's headline itself, "The coward did not dare to appear before the judges," is derived from a statement of one of the disillusioned victims.

In ignoring the basic principles of journalism, *Dnevni avaz* journalists who were reporting on the trial did not allow readers to make up their own conclusions about the events but instead told them what they should believe. It is a trend which, as shown in this analysis, *Avaz* are consistent with in all their articles, especially those pertaining to Karadzic's boycott of the trial, in which claims that the indictee is playing with the Tribunal were a common feature.

After the Prosecution's introductory arguments and *Dnevni Avaz* awarded prosecutor Alan Tieger the title of "Person of the day" because he offered "compelling evidence against the butcher from Pale," the reporting turned back to speculation about how the process will continue in a variety of scenarios such as the continued absence of the indictee, if Karadzic is coerced into appearing before the court or if a counsel is imposed upon him.

The number of articles significantly decreased during this period (only six articles were published in November), and were generally the same details repeated day after day while the Trial Chamber's final decision on the issue was awaited.

"When the process against indicted war criminal Radovan Karadzic will continue depends on the decision of the Trial Chamber, which should be made by the end of this week," it was reported on November 5, 2009.



On the same day, the Trial Chamber decided to appoint an ex officio counsel to Karadzic and postponed the trial to March 2010 so the lawyer had time to acquaint himself with the case.

Two days later in *The Week*, a political supplement of *Dnevni Avaz*, Almasa Hadzic wrote a review of that decision in an article entitled "Patience for the criminal", citing how Karadzic "again got what he wanted and got another four months as a gift", calling it "a strategy of manipulation of the Tribunal and the judges."

"Radovan Karadzic, a specialist in working with the masses as shown in the 1990s, again succeeded in imposing his rules on his 'target group' - which is now the four-member Trial Chamber - by using his right to defend himself, and then neither he nor his counsel showed up in the courtroom, forcing judges up against the wall and obtaining the result he wanted," the article read. The journalist pointed out that the judges again met the demands of the "criminal" and thus "fell into another of his traps."

There was little reporting on the trial during the next three months (December 2009, January and February 2010). In that period, *Avaz* published a total of 20 articles that were primarily composed of two to three sentences. Under the "Quick and short" section, a brief report was published about the requirements that "the butcher of Pale" (as he was called on a daily basis) had submitted to the Court.

In that period, Karadzic challenged the legitimacy of The Hague Tribunal. He appealed the decision to appoint a counsel and requested a postponement of the trial in order to examine the evidence material.

*Avaz* mostly sourced these articles from the news agencies, and what is characteristic is that they were written correctly, if we exclude the headlines that almost always began with the words: "the butcher of Pale". It is also noticeable that that in these articles the crimes for which Karadzic is indicted were not mentioned, nor were any of the allegations from the indictment.

In March 2010, just before Karadzic's introductory arguments, *Avaz* published an article entitled, "Another parade for butcher Karadzic", in which journalist Hadzic said that "the world has rarely seen such a manipulator with the courtroom". In addition, the article mentioned basic information about the earlier proceedings.

The following day, Hadzic entitled the indictee's opening statement as "The butcher of Pale's fiddle play", and the next day featured a photograph of Karadzic with the caption, "Lie after lie". In the supplement *The Week*, the same author published an analysis of Karadzic's opening words and in reference to his defence strategy wrote, "the butcher is again ready to wallow in crime."

Besides stating that the indictee is "fumbling, lying, insulting," the journalist, commenting on Karadzic's introductory arguments, wrote among other things that he "vomited the last grams of his criminal rage in front of the world's public."

At the beginning of the Prosecution's evidence procedure when the questioning of witnesses began, interest in the trial sharply declined. There were no interviews with the victims and reactions about how the public in Bosnia and Herzegovina perceived the trial.

*Dnevni avaz* reported descriptively about the hearing of the first witnesses (victims) in the trial of Karadzic in April 2010, without any quotes from the victims, and again used the articles to channel personal views about the indictee, who, "in the absence of arguments was asking silly questions."

"By examining Zulic, Karadzic came face-to-face with a lot of unpleasant findings (...) The second day of the testimony only confirmed the intention of the butcher to present the crimes as a result of the defence of the Serb people," Almasa Hadzic wrote in her article.

This was followed by brief reports from the trial which did not mention in detail what witnesses said, and these were only published sporadically. For example, the testimony of Herbert Okun is mentioned in one article, and subsequently it was reported that "Okun's five-day testimony has ended."

Reports on Karadzic's trial were reduced to two to three sentences, and were placed in the "Quick and short" column. Here they usually presented just one point about which the witness spoke (for example, denying that the massacre at Markale was staged).

The interest of journalists rose again in July 2010, when Momcilo Mandic, the former Minister of Justice in Karadzic's government, who was tried and acquitted by the Court of Bosnia and Herzegovina for crimes committed in Sarajevo and Foca, sat on the bench for witnesses.

*Dnevni Avaz* devoted an entire page to Mandic's statement from July 8, 2010, but for the wrong reasons. The fact that at the trial the witness mentioned that Hilmo Selimovic is his friend, saw *Avaz* use this as a pretext to criticise one of its longtime rivals.

"Who Momcilo Mandic really is... this is perhaps answered best when one examines the moment when at the start of cross-examination criminal Karadzic carefully greeted him with 'Good morning, Mr. Minister' and expressed his regret for all he had to suffer while he was in hiding. Mandic smiled and replied with 'good day, Mr. President'. So now, Hilmo Selimovic, a friend of the one who whispers in front of the whole world to one of the world's greatest butchers, wishes to use his media shock workers to morally lecture Bosniaks and all the citizens of Bosnia and Herzegovina. It is simply disgusting," read an article by Faruk Vele, which is not marked as comment.

At the end of Mandic's testimony, Almasa Hadzic wrote that the witness "tried to free Karadzic with lies" and stated that *Dnevni Avaz* sources from the Tribunal claim that it is incomprehensible that the Prosecution called on him to testify. The article, which is also not marked as comment, stated the following:

"In order to help to criminal Karadzic, Momcilo Mandic lied convincingly and skillfully, as could the man who, while Karadzic was in charge and ordering terrible crimes on the territory under the control of his army, was one of his most loyal associates and who at the same time maintained regular contacts with the Bosniak scum in the Sarajevo authorities..."

After Mandic, Milan Mandilovic gave his testimony and claimed that Serb forces fired on Sarajevo. On July 21, 2010, *Avaz* awarded him with the title

“Person of the day” because he was “a real refreshment after several days of bestial lies and the servility of Momcilo Mandic towards ‘his president’”.

By the end of October 2010, *Dnevni Avaz* was again filled with short articles about the trial, brief details about the forthcoming witnesses and announcements of future hearings as well as news about the pleas that the indictee sent to the court. As in the previous period, testimonies were treated with two to three sentences in which the reports mostly focused on one event.

### **Ignoring the testimonies**

At the beginning of the trial, *Dnevni Avaz* provided a lot of quality and useful information about the process and what preceded it. The fact that the newspaper had its reporter in The Hague, who conveyed the atmosphere of the courtroom to the public, added depth to the reports.

Yet regardless of the extent to which the information was useful, it unfortunately lost its value because the facts were often merged with the personal views and remarks of journalists. The attitude prevalent in the articles of *Avaz* was that Karadzic is playing a game with the court and a dose of anger towards the accused is noticeable.

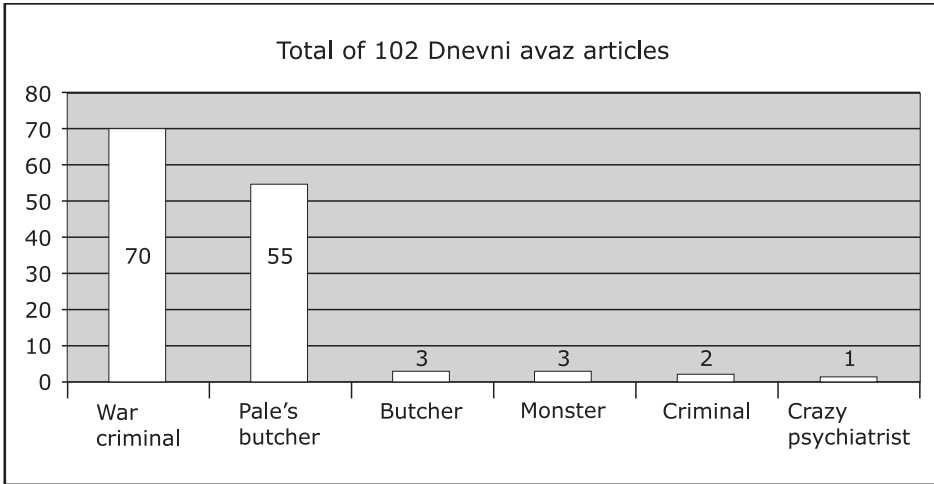
As mentioned earlier in this analysis, the reports in *Avaz* lacked the witnesses’ “spoken word” from the courtroom, as well as descriptions of a large number of events about which they spoke. The articles focused on only one aspect of the story, although witnesses testified frequently on a variety of events.

There is an obvious lack of continuity in monitoring the trial because testimonies that lasted several days were often mentioned in just one or two articles, depending on how much they were deemed of interest to the journalist. It is also notable that journalists in the articles often did not use allegations from Karadzic’s indictment, and some thirty articles consisted of just two or three sentences.

During the analysed period, Karadzic featured five times as the subject of “the commentary of the day”, a section in which *Dnevni Avaz* journalists wrote whatever they wanted on the indictee. Although commentary sections allow for a certain amount of freedom, *Avaz* journalists used it to present their personal negative attitudes towards Karadzic, and with descriptions such as “the indicted war criminal”, they showed ignorance regarding the topic they write about.

In the *Avaz* articles regarding Karadzic, there is a prevalence of hate speech and in several instances, the journalist’s personal remarks about the indictee were presented. In 102 published articles, Karadzic is referred to 134 times as “Pale’s butcher”, “the monster”, “the murderer”, “war criminal”...

Below is an overview of terms that were used to describe Radovan Karadzic and their frequency.



### **Oslobodjenje – The scattering rather than sparing of the indictment**

During the period covered by the analysis, *Oslobodjenje* wrote 117 times about Radovan Karadzic. Unlike *Avaz*, in the daily reports of *Oslobodjenje* Karadzic, though not always, is correctly referred to as the “leader of the Bosnian Serbs”, “the most famous Hague indictee” or “the former president of Republika Srpska”.

Just like *Dnevni Avaz*, *Oslobodjenje* published a large number of articles (although not the majority of them) in October 2009. In short reports, details about Karadzic’s pleas and the court’s responses ahead of the trial were conveyed.

This period is characterised by statements in which, except for information about current events in the process, allegations from the indictment of Karadzic were published. Unlike *Dnevni Avaz*, *Oslobodjenje* did not have its reporter in the courtroom, so along with the articles published on a daily basis ahead of the trial, it reported extensive parts of the indictment instead of impressions from The Hague.

After the first day of the trial when Karadzic failed to appear in the courtroom, Gordana Katana wrote a comment stating that the indictee “continues to stretch the mind” and calls him a “criminal”. In the supplement of *Oslobodjenje* called *Views*, Daniel Omeragic continues in the same tone, stating that “the court allowed Karadzic to lead it by the nose”.

In *Views*, the trial of Karadzic was the theme of the week, so an article of three full pages was published about him. In addition to an entire cross-section of the counts in the indictment described as “The chronicle of evil”, there was also a review of everything that had previously happened in the process – Karadzic’s arrest and transfer to The Hague, his plea hearing, delays to the trial, options for the trial’s continuation, preparation of the defence and so on.

*Oslobodjenje* tried to make up for the absence of its journalist at The Hague with other content, so in November 2009, before the continuation of introductory arguments by The Hague Tribunal, it published a two page-long article which reminded readers of previous testimonies before the Tribunal in which Karadzic is mentioned.

The text begins with ironic words: "Radovan Karadzic - a war criminal who now does not dare to stand before the judges...", and continues in the spirit of free comment, although that is not emphasised. "And how Karadzic's monsters acted 'in the spirit of the law', the tombstones at the Memorial Centre in Potocari speak best," writes *Oslobodjenje* journalist Samir Karic.

*Oslobodjenje* then wrote about the continuation of the Prosecution's introductory arguments, on how the trial was adjourned to 1 March 2010 and also that the court will appoint a lawyer for Karadzic.

Between December 2009 and until the presentation of the indictee's introductory arguments on March 1, 2010, *Oslobodjenje* published a number of short texts in which the public was informed about the different demands of the indictee and the subsequent decisions of the Trial Chamber.

*Oslobodjenje* conveyed Karadzic's introductory arguments in an objective and neutral tone. The basic lines of Karadzic's introductory statement were illustrated by quotes from the indictee. In addition, the article provided information on the indictment as well as basic information about the trial.

Below this text was the reaction of the "Young Muslims" Association to "Karadzic's charges that they are responsible for the war in Bosnia". In their reaction, the association described Karadzic as "the butcher of Pale". "Every citizen of Bosnia and Herzegovina, and so the Serbs, know very well who started the war: it was the SDS with Karadzic at the helm, and with mentors and logisticians from Serbia, i.e. from the Serbian political, military, intellectual and religious milieu", the statement, which was not published in other media, read.

*Oslobodjenje* poorly registered the testimony of the first witness, Ahmed Zulic, where the main events that the witness survived were paraphrased with just one short quote. Additionally the arguments of Karadzic's Defence and the indictee's announcement that he will question witnesses for hours were conveyed.

In the supplement *Views*, in which Karadzic's trial is marked as the event of the week, an unsigned article was published. It commented on the beginning of the presentation of evidence and the manner in which the indictee examined the first witnesses. The anonymous author sarcastically noted that "one does not even need a little stint in the first semester of law school to prove the crimes for which Karadzic is indicted."

In the following period, *Oslobodjenje* continuously reported on the trial, providing details about the witnesses' testimonies and also the remarks that the indictee presented during cross-examination. Hence it can be said that the coverage was informative and well-balanced.

However, in one of these texts, *Oslobodjenje* published a tendentious headline entitled, "Karadzic did not deny ethnic cleansing", although, as was explained in the text, it was only a witness that had answered "no" to the

prosecutor's question over whether any of the Bosnian Serbs said that the reports of ethnic cleansing were false. The headline suggests that Karadzic admitted that there was ethnic cleansing, which is not true. The witness spoke of "the representatives of Bosnian Serbs", which does not necessarily mean that Karadzic was among them. If the witness had mentioned Karadzic in this context, the journalist would have been right to emphasise it.

Although *Oslobodjenje* journalists tried to follow the Karadzic trial on a regular basis, as the process progressed, their attention declined. Therefore in their reports they only occasionally "throw" in the middle of witness statements whose testimonies lasted for several days.

In May 2010, the daily published an agency article beginning with the quote of one witness, after which only his last name is given. The article conveyed the cross-examination of the witness without any details on when the direct examination began and what the witness in that part of the testimony said.

Although reports from the trial in most cases were objective, *Oslobodjenje* journalists at one point could not resist the temptation to present their personal views about Karadzic and comment on his conduct in the courtroom.

Conveying the testimony of the former head of The European Monitoring Mission, who spoke about Ramiz Delalic Celic, journalist Jasna Fetahovic stated that the witness claimed he did not know that Delalic was Assistant Commander of the Ninth Mountain Brigade in Sarajevo, and adds in parentheses: "Which Delalic was not, Delalic was in the Third Mountain Brigade, only later in the Ninth Motorised Brigade but the facts are not important for Karadzic anyway; author's comment."

Besides this sarcastic remark, the rest of the article was objective and focused on what happened in the courtroom.

In the middle of the year, *Oslobodjenje* began to follow the Karadzic trial more intensively, and from June to October 2010 it published a total of 62 texts (*Dnevni Avaz* in that period published nearly 35 articles). During this period, articles in *Oslobodjenje* included numerous details from the testimonies of witnesses and give a picture of what they said at the trial.

Unlike many other media in Bosnia and Herzegovina, *Oslobodjenje* did not sensationalise Momcilo Mandic's testimony, and even the fact that Karadzic called him "Mr. Minister" while the witness called him "Mr. President" (which was condemned by many) was barely mentioned.

"Mandic repeated yesterday that he was accused of helping to hide Radovan Karadzic, and during his testimony, he called him Mr. President," it read in one of the articles.

The main objection to reporting of *Oslobodjenje* is that if we exclude the articles from the beginning of the trial, the majority of the other reports do not contain allegations from the indictment. Thus in announcing the continuation of the trial after the summer break, *Oslobodjenje*, in an article sourced from the news agency SRNA, stated that "the trial is scheduled for Tuesday, Wednesday, Thursday and Friday" but did not mention for what Karadzic is indicted.

In an article entitled, "Shells from Nedzarici killed the tobagganing children", it is not highlighted that during the war, Nedzarici was under the control of

the Army of Republika Srpska nor that this is one of the incidents for which Karadzic is indicted.

*Oslobodjenje* made a huge error by publishing a photograph of a protected witness. Dragan Miokovic, whose name was known to public, gave his testimony on October 30, 2010 but during the proceedings his face was protected (blurred images appeared on the monitor). *Oslobodjenje*, however, published a photograph of him along with an article about his testimony.

During the first year of the trial, *Oslobodjenje* had a reporter who wrote about trial of Radovan Karadzic but on several occasions it took reports from other sources, particularly SRNA or BIRN.

These articles generally discussed what the witnesses said regarding the Serb responsibility for the crimes in Sarajevo but Karadzic's defensive attitude during the cross-examination was equally conveyed. This is evident from the titles of the articles:

- "The shelling of Markale was fired from the Serb positions"
- "The corpses in Markale were puppets"
- "Serb forces sporadically shelled Sarajevo"
- "Karadzic: The Army of Bosnia and Herzegovina shelled Sarajevo"
- "The truth about the siege of Sarajevo"
- "Karadzic: We did not block Sarajevo!"
- "All the shells were fired from Serb positions"
- "Karadzic: The Muslims are shooting their civilians"
- "The Serb army randomly shelled residential buildings"
- "The Army of Republika Srpska did not shoot at civilians"

Several major themes regarding the Karadzic trial prevailed in the articles of *Oslobodjenje*, such as the two massacres at Sarajevo's Markale market, the indictee's claim that the crimes were staged or that Bosniaks "were shooting at themselves", stories of other shelling and sniping incidents in Sarajevo as well as about the suffering of Serbs in the city.

The main impression is that to a large extent, *Oslobodjenje* was balanced in its reporting, presenting the main charges in the indictment and giving space to the testimonies of the witnesses, but also to the indictee.

Hate speech was not registered in *Oslobodjenje*, and except for a few sarcastic comments in the news and the prejudice of guilt in a couple of texts through the use of the term "criminal" instead of "indictee", the reporting was mostly fair and impartial.

### **Dnevni list – Four articles for one year**

Out of all the analysed media, *Dnevni list* devoted the least attention to the trial of Radovan Karadzic. According to the resources available to BIRN, only four texts were published during the first year of the trial.

*Dnevni list* followed the beginning of the trial on October 27, 2009 and had its reporter at The Hague, who conveyed the impressions from the courtroom and protests by the victims over delays to the trial because of Karadzic's boycott.

The text was written in an objective and fair manner. However it provided little information given that their reporter was in The Hague. *Dnevni list*, among others, wrote about Karadzic's request to delay the trial, specifying the attitude of the Trial Chamber and the Prosecutor's Office regarding this, and included brief statements from a victim and a comment from a lawyer. The charges for which Karadzic is indicted were not specified.

The next day, *Dnevni list* wrote about the beginning of the Prosecution's introductory arguments and the fact that the indictee did not appear in court. Although the author presented the current situation in a very clear way and explained the reasons why Karadzic refused to appear at the trial, the article gave few details about the prosecutor's opening statement. It was summarised that the Prosecution pointed out that they will prove that Karadzic was responsible for the crimes and genocide in Bosnia and Herzegovina.

*Dnevni list* also wrote about the status conference held on November 4, 2009. In this report, the daily discussed the future course of the trial together with the indictee's remarks that he is not ready for the trial. Also included were the options considered by the Prosecution in continuing the trial.

In March 2010, an article about the first part of Radovan Karadzic's introductory arguments was published. Although *Dnevni list* no longer had its reporter in The Hague, the article satisfied the basic principles of journalism, and even details from the indictment were mentioned.

## **Slobodna Bosna- Proving Karadzic's liability**

Weekly magazine *Slobodna Bosna* published 16 articles during the first year of Radovan Karadzic's trial. In the issue dated October 15, 2009, on the eve of trial, an analysis on when the trial would start, its expectations and the strategy of the Defence was published.

In the article, "The senseless strategy of the war criminal", *Slobodna Bosna* wrote about the introductory remarks of the indictment, in which the indictee failed to appear, and detailed the basic case of the Prosecution as well as the situation in the former Yugoslavia and Bosnia and Herzegovina in the 1990s.

Before the start of the evidence procedure, *Slobodna Bosna* published articles on war crimes in certain areas of Bosnia and Herzegovina. In an article about crimes in the Drina valley, Muhamed Pargan examined previous court verdicts, guilty pleas in The Hague, statements of survivors and Karadzic's speeches, to conclude that in this part of Bosnia and Herzegovina horrible crimes "under the command of Radovan Karadzic, in a well-organised campaign by local butchers" were committed. As the author points out, these events "de facto erase any possibility that certain actions of the Republika Srpska leadership occurred by chance."

By "judging" Karadzic in this way, the journalist failed to acknowledge that readers - on the basis of the facts on the crimes committed, the earlier second instance verdicts of the Tribunal and on understanding the context of



the position that the indictee held at that time – can make their own conclusions about the role of former President of Republika Srpska and the Commander of the Army of Republika Srpska in these crimes.

*Slobodna Bosna* then wrote about the war diaries of Ratko Mladic, which The Hague Tribunal's Office of the Prosecutor proposed as evidence at Karadzic's trial. Abstracts of the diary were published in installments under the title, "Mladic's diaries at a glance."

Ratko Mladic's war diaries were found during a police search of his home in Belgrade and it consists of 3,500 pages in 18 notebooks.

Mladic's diaries contain notes from a number of meetings he held during the war with various officials. A large number of the entries are related to meetings which were also attended by Karadzic, and uncover, what *Slobodna Bosna* described as "hostility" between the two.

In October 2010, *Slobodna Bosna* published an analysis entitled, "The anniversary of the trial of Radovan Karadzic" in which journalist Nidzara Ahmetasevic summarised the trial to date, the evidence of The Hague Prosecution and the strategy of the Defence. This article provided a quality overview of what happened in the first year of the trial and information about the essence of the witnesses' testimonies was provided. It also pointed to Karadzic's attitude towards "the Prosecution's favourite witnesses" and the manner in which he tried to discredit them. Details regarding changes to the indictment were also explained as well as the witnesses scheduled for the forthcoming period.

In the first year of the trial, *Slobodna Bosna* published a solid number of articles on Karadzic, but in general they were not directly committed to the trial in terms of their coverage of the proceedings.

*Slobodna Bosna* mainly wrote about the trial of Karadzic through articles on crimes that occurred in Bosnia and Herzegovina and an analysis of the Tribunal's previous "failures in key cases". It finally focused on Ratko Mladic's war diaries and Karadzic's statements about the war in Bosnia and Herzegovina as well his intercepted conversations.

Among other texts in *Slobodna Bosna*, they also published a review of the *Al Jazeera* documentary called "The Secret Life of Radovan Karadzic" (the review article was entitled, "A frame for the picture of a war criminal", in which reporter Aida Ridjanovic called Karadzic "one of the greatest butchers of the 20th century").

Given that the themes which *Slobodna Bosna* discussed in its articles in general are related to points from Radovan Karadzic's indictment - and considering that the topic of BIRN's analysis is reporting about the process itself – the impression is that sufficient information from the courtroom was not provided, especially in terms of the testimonies and arguments of the parties about the crimes that were discussed in the previous course of the trial.

The exception was the analysis of the first year of the trial which summarised all the previous developments and offered a quality overview of the proceedings thus far. It should be added that Karadzic was often mentioned in the column of editor Senad Avdic who, when writing about the current situation in Bosnia and Herzegovina, often reflected on what happened in The Hague courtroom that week.

## Dani – Seven short articles

The weekly magazine *Dani*, according to press clippings gathered by BIRN between October 2009 and October 2010, published seven articles on the trial of Radovan Karadzic but neither exceeded one page in length.

Apart from reporting the shortening of the indictment and perspectives about when the trial could end, *Dani* articles were generally more inclined to commentaries. Writing about the Office of the Prosecutor's introductory arguments, journalist Dzenana Karup Krusko alleged that in the proceedings "it certainly should be expected that Karadzic would try anything".

"The fact is that the judges in this case are inexperienced and they lack practice, so they are the weakest link in the process...", the journalist wrote. In March 2010, the same journalist wrote about the indictee's introductory arguments but this time without personal comments.

In the week he presented his introductory arguments, Karadzic was "The personality in focus" in *Dani*. In that article, written by Ivan Lovrenovic, he assessed that the concept of Karadzic's defence is "unsophisticated, blatantly cynical and simple: deny everything."

Lovrenovic wrote about how the indictee initially said that he will not only defend himself but "the Serb people" too, at which point Lovrenovic claimed that, "all the misery of one truly vulgar, egomaniacal person with the morals of a cowardly nature" are reflected.

The last article analysed in this period was entitled "What are the authorities of Bosnia and Herzegovina hiding from The Hague Tribunal?" In that article, Dzenana Karup Krusko wrote about Karadzic's requirements that he should be provided with documents that prove that certain countries supplied Muslims with weapons in the war, and thus violated the embargo.

The journalist also wrote about the status conference on that issue, where the representatives of Bosnia and Herzegovina failed to appear but instead sent a "confidential report to the court". "Why does Bosnia and Herzegovina hide the evidence if it exists? Because of the weapons that the Army of Bosnia and Herzegovina possessed? Does the government of Bosnia and Herzegovina think that employees of the Tribunal did not know that the Army of Bosnia and Herzegovina had weapons or do they think that perhaps they fought with marbles?" the journalist asked in the article.

The reporting of *Dani* about the trial of Karadzic in the period of this analysis could not give a picture about the course of the proceedings, the evidence presented by the Prosecution and the arguments of the Defence. A small number of texts, which also happened to be very short (compared to *Slobodna Bosna* which did not spare any space), does not provide sufficient grounds for any other conclusion at the end of this analysis.

## REPUBLIKA SRPSKA

### An interest in the trial

The mystery behind the hiding of Radovan Karadzic, the complexity of the proceedings against him in The Hague and the fact that he was a former President, were the factors that the world and domestic media paid special attention to this trial.

The largest amount of interest was shown by media in Bosnia and Herzegovina but most of all in Republika Srpska, where around 500 articles were published in the period from October 2009 to October 2010.

More than half of the reports were published by the SRNA news agency, which was the only agency to have its reporter based at the Tribunal. This agency's reports formed the majority of articles published in daily papers such as *Glas Srpske* and *Nezavisne novine*.

Daily newspapers mostly made some modifications to the reports of different agencies, including those from SRNA, and published them in an adapted format. Modifications were often in regard to length of the reports therefore the original reports by the agencies were shortened.

In the first year of the trial, *Glas Srpske* published around 150 articles and *Nezavisne novine* published less than 70. Based on the press clippings, the smallest number of articles were published in the weekly magazine *Novi Reporter*, which put out only three.

In June 2010, *Nezavisne novine* published not even one article, and in August and October of the same year it published one article per month. During the same period, SRNA published 91 reports.

The attention of the Republika Srpska media in this process obviously varied, and the number of published articles fluctuated from month to month, depending on their assessment of which events were interesting enough for the wider public.

The most articles were published in October 2009 when Karadzic's trial began. This period was the most productive for daily newspapers *Glas Srpske* and *Nezavisne novine*, which published 24 and 17 articles, respectively.

The interest of the daily newspapers in the main hearings, the most important part of the trial when witnesses delivered their testimonies and evidence was given, was detailed only to a certain degree and the number of articles was notably smaller.

The reports on the Prosecution witnesses' testimonies often lacked information and details of the criminal acts the indictee is accused of.

Furthermore a certain number of articles were biased, containing only parts of the testimonies, which supported Karadzic's statements. Such an approach did not provide readers with enough information, nor with an objective representation of this process.

Regardless of the large number of articles that failed to fulfill basic journalistic rules, there were a certain number of adequately written articles. Those reports were mostly in regard to different motions made by indictee during the first year of the trial, and were mostly produced by the SRNA news agency.

## **Beginning of the proceedings**

During October 2009, at the very beginning of the trial, the Republika Srpska media examined in this analysis, published 55 articles, mostly dedicated to Karadzic's motion to postpone the trial, the appointment of a backup defence attorney and the Prosecution's introductory arguments.

In order to give special attention to Karadzic's motions and the subsequent decisions of the Trial Chamber, SRNA published several articles during this period, which focused on the members of Karadzic's legal team and the different issues concerning the trial.

Just a few days before the trial, Goran Petronijevic, a member of Karadzic's defence legal team, spoke about Karadzic's intention not to attend the hearing where the Prosecution would make its introductory arguments. He also claimed that there was a possibility for the Trial Chamber to appoint a backup defence attorney "against the will of indictee."

Petronijevic then said that the Defence was asking for a delay to the trial in order to better prepare for the process, and the appointment of a backup defence attorney would be of great assistance. "Therefore it would take at least two years to study the documents, and we are asking only for a delay of ten months. So what is the problem - it seems that they have bad intentions and time is not an issue," Petronijevic told SRNA.

Aside from Petronijevic's opinion, this report failed to provide the opinions of the Prosecution or the Trial Chamber on the issues Petronijevic discussed. The same article also offered information on a number of criminal acts the indictee is accused of and comprehensive evidence documents, only then to point out the difficult position the Defence is in. This approach does not provide readers with a complete and objective representation of the process.

*Nezavisne novine* adopted a similar style in the article "Karadzic faces trial today", published on 26 October 2009, which emphasised that there was "not enough time for the defence."

Not one article offered details of the Trial Chamber's decision and the position of the Prosecution so that the readers could obtain an objective account of why Karadzic is complaining about the lack of time or whether this is justified.

In the same period, *Novi Reporter* published a lengthy article entitled, "The strongest card for the extension of Tribunal operations", by journalist Slobodan Durmanovic, where under two separate subheadings: "Intentions of

the Prosecution" and "Intentions of the Defence" he wrote on the alleged arguments of both the Prosecution and the Defence.

"... On the other hand, the Prosecution will have to make a great deal of effort to persuade the Trial Council that the alleged genocide in fact took place in Bratunac, Brcko, Foca, Kljuc, Kotor Varos, Prijedor, Sanski Most, Visegrad, Vlasenica and Zvornik. Such a conclusion the Prosecution have made from their own statement that between March 31 and the end of 1992, in the aforementioned municipalities, there was 'a campaign of the persecution of Muslims and/or Bosnian Croats' with a goal to allegedly 'destroy a significant part' of these nations," the article reported.

The article further adds: "the Prosecution literally claims that in the aforementioned municipalities 'the intention for these groups to be partially destroyed has been expressed at its extreme', which means that leading people from the Prosecution, Alan Tieger and Hildegard Erc-Reclaf, are convinced that they can resolve this issue, even though the representatives from Bosnia and Herzegovina failed to do so in the dispute with Serbia."

In 1993, Bosnia and Herzegovina filed a lawsuit before International Court of Justice against the Federal Republic of Yugoslavia, then consisting of Serbia and Montenegro, for genocide. The International Court of Justice delivered a verdict on February 26, 2007, which acquitted Serbia of any charges for genocide but declared that Belgrade was responsible for failing to prevent the genocide in Srebrenica as well as failing to punish or extradite persons responsible of such crimes to the Tribunal.

In this article, Durmanovic announced the beginning of the trial, and also published his own views on certain crimes. It is important to note that the role of the journalist is not to be biased when reporting, especially on the court's hearings, and in this report, this was not the case.

However most of the attention of the media was paid to the Prosecution's introductory arguments. Daily newspapers *Glas Srpske* and *Nezavisne novine* closely monitored this part of the process and published articles on a daily basis. The reports were almost similar - they offered partial information on the basic charges in the indictment and the crimes Karadzic is accused of.

On October 28, 2010 *Nezavisne novine* published an article entitled, "Karadzic trial begins without him" in which journalist Dejan Sajinovic mentioned only parts of the Prosecution's introductory arguments, and one part of the text was dedicated to events taking place outside of the courtroom.

"The building of the Tribunal is 'occupied' by vehicles of the correspondents, satellite television and radio equipment, and the courtroom hall and the gallery of the main courtroom are filled with more than a hundred reporters from all over the world."

Even though Sajinovic was trying to paint a picture of the immense media interest for his readers, this was, however, unnecessary in this particular article. The readers were provided with details that do not concern the substance of the trial rather than information on a process, which many have awaited for years.

Based on press clippings obtained by BIRN, SRNA's reporting focused on the fact that Karadzic did not appear before the court and on the problems the

Defence were facing, which was illustrated by quotes from different legal experts.

For example, Predrag Radulovic, an attorney from Banja Luka told SRNA that, "the Tribunal failed to correctly act towards Karadzic" since they did not give him additional time to study the indictment, while Petronijevic said: "The Prosecution has manipulated the Court Council."

"The goal of the Prosecution was a manipulation to lead the Court Council to force the Defence team into the courtroom unprepared and win the first round against Karadzic. This is like someone in a match having a sword and the other person being blindfolded," said Petronijevic in the report from October 27, 2009.

All of SRNA's articles emphasised that "Karadzic failed to appear in the courtroom because he had no time to prepare," but there were no arguments for such statements. From the agency's reports, readers could not conclude whether the Prosecution made its introductory arguments or what the Prosecution intended to prove during the trial, since these details were not mentioned at all. If there were no other media reporting from this hearing the public would not be able to conclude whether the trial had even begun.

Such an approach to reporting on the trial leaves room for manipulation and suggests that the agency has already adopted a position on the process itself, since it failed to offer details of the Prosecution's introductory arguments.

On the other hand, the media did write about Karadzic's introductory arguments made on March 1 and 2, 2010, in detail.

*Glas Srpske* published two lengthy articles fully dedicated to the indictee's introductory arguments and offered a summary of the crimes Karadzic is accused of, while *Nezavisne novine* followed up only the first day of his introductory arguments.

The most attention to the introductory arguments was paid by SRNA, which published four lengthy articles, although points from the indictment were only briefly mentioned in one report.

How the Republika Srpska media reported the introductory arguments of both the Prosecution and the Defence could be gauged by comparing the headlines.

The articles published in dailies regarding the Prosecution's introductory arguments at the end of October 2009 featured headlines such as: "The trial begins without Radovan Karadzic", "The trial has begun without Radovan Karadzic", "Radovan Karadzic failed to appear at the beginning of the trial" and "The trial of Radovan Karadzic has begun without him."

The only conclusion that readers could make was that the trial had begun without the indictee who failed to appear in the courtroom but readers did not have the opportunity to comprehend what the Prosecution is trying to prove during the process.

Karadzic's introductory arguments were, however, announced in a different tone in the headlines of the daily newspapers. "The aim of the Serbs in Bos-

nia and Herzegovina was to preserve Yugoslavia”, “The Serbs were defending their territories”, and “Karadzic: The Serb question was just and *sacred*” were some of the headlines which emphasised the position of the indictee on the causes of the war and why the roles of some of the participants were “justifiable”.

When the media coverage of the introductory arguments of both sides in the proceedings are examined, the Republika Srpska media were leaning towards the indictee because the articles from October 2009 “neglected” the crimes he was accused of, but in the reports published in March 2010, these crimes were briefly referred to.

The articles on the Prosecution’s introductory arguments mainly focused on the difficult position of the indictee who “did not have enough time to prepare the defence” while in articles about Karadzic’s introductory arguments, the position of the indictee is clearly stated.

### **“Obstructing the defence”**

In the period between the presentations of the introductory arguments by both sides, there was little reporting because the Court Council made a decision to appoint a backup defence attorney for the indictee and the trial was postponed to March 2010.

The most attention during this period was paid to the Karadzic’s motions for documents from different countries as well as problems concerning the financing of his defence.

Such articles also presented arguments from just one side of the process: the Defence, while the arguments of the Court Council and the Prosecution were “neglected”.

A SRNA article dated November 11, 2009 (which was also published by *Glas Srpske* the following day) entitled, “Termination of business since The Hague has not paid them”, accused the Trial Chamber and the Prosecution of “disabling the preparation of the defence”. SRNA’s only source in this article was Petronijevic, a member of Karadzic’s legal team, who called the late payments of the defence attorneys as “obstructing the defence”.

Both this and other articles from the agency did not substantiate the accusations made by Petronijevic and also they failed to provide additional information, which considered the issues in a detailed manner.

This trend was also noted in the article, “Harvey needs to read 10,000 pages per day” published by *Nezavisne novine* on November 24, 2009, and sourced from SRNA. “On many occasions, the Defence pointed out that the Prosecution handed over around a million pages of documents and therefore they asked for more time to prepare. Since the attorney Harvey has one hundred days to prepare himself, the daily amount of reading material is around 10,000 pages,” the article read.

According to the text, “the problems of the defence” were trying to be pointed out and there was emphasis on the argument that it is almost impossible for Richard Harvey, Karadzic’s backup defence attorney, to be fully prepared

for the continuation of the trial on March 1. The article did not offer information for readers to draw any other conclusion other than that the indictee has been convicted in advance and he will not be able to defend himself adequately.

### **On crimes which “never happened”**

During BIRN’s period of analysis, the most articles in the Republika Srpska media regarding the trial were published during the hearings of the Prosecution witnesses, in the period April-October 2010. During this period a total of 313 articles were published and most of these were by SRNA (more than 200).

*Nezavisne novine* showed the least interest in this part of the trial and according to the information gathered in the press clippings, published only 16 articles, while the weekly magazine *Reporter* published only two articles, none of them in the first ten months of 2010.

Even though the main hearings are the most important feature of the trial and deserve special attention since the both the Prosecution and the Defence presented their arguments, the Republika Srpska media did not take this phase of the proceedings seriously. Most of the witnesses’ testimonies were only covered to some extent and those reporting on the trial could not offer readers a complete picture of the proceedings.

The Prosecution’s first witness took the stand on April 13, 2010. Ahmet Zulic, a former convict from Sanski Most and a prisoner in the “Manjaca” concentration camp spoke about the torture he endured in 1992 and his imprisonment in different facilities.

SRNA published two reports on this hearing: the first was totally dedicated to the technical details of no crucial importance to the trial, while the second emphasised only parts of the testimony which could potentially be of assistance to the indictee.

*Dnevne novine*, *Glas Srpske* and *Nezavisne novine* took only the first report and informed their readers about the following: “the beginning of the process was 15 minutes late but there was no explanation why. Karadzic appeared in the courtroom on time as well as representatives of the Defence, and the Tribunal staff, right before the session, were checking the equipment on the Judge’s desks.”

The essence of Zulic’s testimony did not even reach the readers and most readers were probably unclear on why this witness was even called to the trial. It is interesting that the SRNA journalist with the initials L.J.G. and D.A. reported on the session starting late, which is not unusual, but did not report the witness’s testimony at the hearing.

SRNA also published the testimony given by the witness Bakir Nakas, former director of the Vojna bolnica (Military Hospital) in Sarajevo, in a brief manner. At the hearing on September 14, 2010, Nakas spoke about shelling of the hospital and Sarajevo during the four years of siege but SRNA published only two sentences from his four hour-long testimony:



"Bakir Nakas said that this hospital was in the most difficult position in the period 13-16 May 1992, when it was hit by 40 grenades. Nakas rejected Karadzic's claims that "the Magribija mosque was an ammunition warehouse for the Army of Bosnia and Herzegovina and that the Drzavna/Vojna bolnica (State/Military hospital) was not under fire."

SRNA was not alone in this kind of reporting since other media also did not pay adequate attention to the testimony of Nakas. According to the press clippings, SRNA was the only media in Republika Srpska that published details about the testimony of Nakas before The Hague Tribunal, even though a significant part of indictment regards events that took place in Sarajevo and the witness testified on this in court.

On the other hand, the most articles by the Republika Srpska media were published during the testimony of Momcilo Mandic, former Deputy Minister of Internal Affairs and later Minister of Justice in Republika Srpska. In these articles, readers were provided with detailed accounts of Mandic's testimony, which is in contrast to the brief reporting on other testimonies.

Articles published by *Glas Srpske* on July 17 and 18, 2010 gave their full attention to Mandic's testimony. The article "Mladic sent Ministers to feed the pigs" by an anonymous author, said that the indictee Karadzic completed the cross-examination of Mandic who had testified about "Ratko Mladic's autocracy" where Mladic had allegedly arrested ten ministers and sent them to "Han Pijesak to feed the pigs for ten days."

At the same hearing, the Prosecution heard the testimony of Milan Mandilovic, a physician stationed in the Vojna bolnica (Military Hospital) in Sarajevo, who spoke about the facility being under the fire. The *Glas Srpske* report about the witness's testimony stated, "On Friday afternoon, Karadzic completed the cross-examination of Mandic, and the Prosecutors subsequently took their next witness to the stand, Sarajevo physician, Milan Mandilovic."

Why Mandilovic was giving testimony and what he was testifying about, the article's readers were not informed. The article's author decided that details on Mladic's role in events that are not the subject of the indictment were more important than the witness's testimony about the events that implicate Karadzic.

The media also found it interesting to report on other events taking place in the courtroom during the testimonies of Momcilo Mandic and John Wilson, the former chief of the UN forces in Bosnia and Herzegovina.

In both cases, parts of the witness's testimony in the reports were overshadowed by details that were irrelevant to the trial, such as "the leisurely atmosphere" in the courtroom. SRNA journalists with the initials L.L.G. and V.J. reported on Mandic's testimony during the hearing on July 6, 2010, and described the conversation between the witness and Karadzic as follows:

"The former President of Republika Srpska, Radovan Karadzic, began the cross-examination of witness Momcilo Mandic before The Hague Tribunal by saying "Good afternoon Mr. Minister", and Mandic returned the greeting with "Good afternoon Mr. President."

A similar story was published by a journalist the with initials L.L.G. on June 23, 2010 when Wilson's testimony took place before The Hague Tribunal:

"Today, the former President of Republika Srpska, Radovan Karadzic completed his cross-examination of the Prosecution witness John Wilson, by forecasting that Serbia will win the soccer match with Australia tonight.

'Is it right it will be 3-0 for Serbia?', asked Karadzic.

'The Serbs will probably win', Wilson, the retired Australian army general, replied."

Journalists should focus on reporting more information from the trial and should have the capability to assess which information is more important for their reports and based on such an assessment use them in their articles. In any case, lighter information should not be in the first part of the article regardless of the journalist's assessment that readers would find this information interesting. They should keep in mind the relevance of information, for example, those details related to the trial itself.

In September and October 2010, most of the media's attention was paid to Karadzic's health.

When Mirza Sabljica, a forensic ballistics expert from the Security Service Centre (CSB) in Sarajevo took the stand, journalists with the initials L.J.G. and M.D.J. neglected the witness's testimony in their report on October 14, 2010 and only focused on the indictee: "Karadzic was looking tired, with difficulties with speaking, forgetting to turn on the microphone and repeatedly asking the witness the same questions."

Sabljica's testimony was described in SRNA reports as such: "A cross-examination of a CSB forensic ballistics expert from Sarajevo, Mirza Sabljica, was completed and the Prosecution is expected to bring another witness to the stand later. Sabljica took part in the investigations of more than sixty sharp-shooting incidents in Sarajevo as well as the investigation into the shelling of Markale on February 5, 1994."

In the article entitled, "Karadzic is ill" on October 1, 2010, *Glas Srpske* reported only on his health and only mentioned in passing that Sabljica's testimony took place the same day.

The health of the indictee should have been reported to the public but the journalist should have balanced the information in the article. In order to have a well-written report, it should contain relevant information on the topic of the sessions, whether the arguments and evidence of the Prosecution or Defence are in question or the article should feature a concrete account of the testimony of the witnesses.

## THE REGION (SERBIA, CROATIA AND MONTENEGRO)

### **Media indifference**

Unlike the media in Bosnia and Herzegovina, which reported on the Karadzic trial almost daily since its very beginning, the results of the BIRN analysis suggests that the regional media have shown significantly less interest.

Analysing regional media reports in the first year of the trial of Radovan Karadzic, the newspapers from Croatia, Serbia and Montenegro, which are the subject of this analysis, published a total of 95 articles between October 2009 and October 2010.

The Croatian daily newspapers that were analysed, *Vjesnik*, *Slobodna Dalmacija* and *Jutarnji list*, published 28 articles. The least interest in the trial of Radovan Karadzic was seen in Montenegro. *Vijesti*, *Dan* and *Pobjeda* published only 16 articles during the year, while the media in Serbia: *Politika*, *Blic* and *Vecernje novosti*, showed the most interest and published a total of 51 articles.

Based on the total number of published articles in the analysed newspapers, it seems that in the first year of the Karadzic trial, there was indifference towards reporting on the proceedings. In October 2009 and March 2010, media interest was not particularly significant when both sides made their introductory arguments.

The smallest number of articles was published in *Slobodna Dalmacija* (Croatia) and in *Vijesti* (Montenegro). Between October 2009 and October 2010 these newspapers published only two articles each. On the other hand, Serbia's *Vecernje novosti* reported a lot on Karadzic's trial and published 22 articles in one year. They also showed the most interest in the testimonies of the witnesses.

The largest number of articles was published in October 2009, just before the start of the trial.

The media from the region, hence, failed to report on the proceedings on a continued basis and therefore, the public were not provided with an opportunity to fully comprehend the arguments of the Prosecution nor the introductory arguments of the indictee. It seems that the regional media did not find the Prosecution's delivery of evidence interesting and they did not report on this stage of the trial or sometimes published very brief details.

## **‘The trial of the century’**

The most attention of the regional media was paid to the beginning of Karadzic’s trial, specifically on when the trial will start, whether the indictee will appear before the Trial Chamber, his absence in the Courtroom during the Prosecution’s introductory arguments, and the likelihood that a defence attorney will be imposed and other “technical” details related to the proceedings.

The daily newspapers published articles in more detail only when the trial started. The Montenegrin newspaper *Dan* in one of their articles referred to the Karadzic case as “the trial of the century.” However the focus of all the articles was on Karadzic not appearing before the judges hence journalists sought to answer how proceedings will continue and whether a defence attorney would be imposed on the indictee.

Out of all the regional newspapers subject to this analysis, Serbia’s *Vecernje novosti* published the greatest number of articles, a total of six in October 2009. Unlike the media in Croatia, and Montenegro’s *Dan*, which took a cheerleading approach on the courtroom events, *Vecernje novosti* reported on the beginning of the trial and the possibility that the indictee may not appear before judges without trying to impose any conclusions on its readers. The articles also did not feature comments from the authors.

Montenegro’s *Pobjeda* also published the largest number of articles at the beginning of the trial without any additional comments from the authors.

In October 2009, Serbia’s *Blic* published only one article featuring the Prosecution’s introductory arguments and this report was obtained from the *Tanjug* news agency. The article attempted to answer under which conditions the indictee would be present at the trial. The option to impose a defence attorney on Karadzic, was described as “unpopular by far.”

On October 27, 2009, *Jutarnji list* published an article about imposing a defence attorney on the indictee and also reported that Carl Bildt, the Swedish Minister of Foreign Affairs, was trying to be of some assistance to politicians in Bosnia and Herzegovina. This was supported by Bildt’s statement: “while the judges in The Hague are having a hard time judging Karadzic, the EU’s Ministry of Foreign Affairs are trying to find a way of assisting Bosnia and Herzegovina at their session in Luxembourg.”

Most of the articles published at the start of the Karadzic trial mentioned the arrival of the Association of Srebrenica Victims to The Hague. Yet only one article discussed the reactions of the general population in Bosnia and Herzegovina. This was Croatia’s *Vjesnik*, where their reporter in Sarajevo took a statement by members of the “Forgotten Victims” Association from BIRN-Justice Report.

Even though the media showed some interest in the trial at the beginning, reports mostly focused on the indictee’s absence before the Court rather than the content of introductory arguments by Prosecutor Alan Tieger, which was the essence of the indictment against Karadzic.

Unlike the Montenegrin media, which constantly used reports from the agencies (*Beta*, *SRNA*, *Tanjug*, *FoNet*) over the course of the year, *Vjesnik* and *Jutarnji list* had their own reporters in The Hague. However on the first day

of trial, the *Vjesnik* journalist commented more on Karadzic's actions, for example, his absence from the courtroom than reporting on what actually took place there.

Jurica Körbler, from *Vjesnik* explained "Karadzic's tactics": "He forgot to use this opportunity to announce that he will shed some light on the horrifying crimes he personally ordered, which is of course the essence when his trial is in question. As already seen at The Hague, Karadzic would like to politicise his case, he will try to talk about some phantom adaptation of history and the truth, all of it with the intent to accuse others, and free him and the criminal movement he represented."

*Jutarnji list*, in its subsequent article, reported on Karadzic's refusal to appear before the judges when the trial resumed and most of the reports were dedicated to the interior of the room in which the indictee was detained.

Describing Karadzic's room, the article's author said it is like "a five star hotel." He gave a detailed description of all the things at the indictee's disposal, like "a spacious towel closet", "a television with cable network", "an automatic and firm bed with an anatomic pillow", and explained that he even has at his disposal a "sports trainer" as well as "the possibility to learn foreign languages and computers."

Montenegrin media that reported on this part of the trial gave more details about the indictment against Karadzic and also published information on the time the Prosecution would need to present all the evidence.

In its articles published at the beginning of the trial, Montenegro's *Pobjeda* attempted to offer its readers more information. On October 27, a whole page article entitled, "The indictee failed to appear before the court" reported on the beginning of the trial, in which all the key information on preparing for the trial was given together with a comprehensive insight into the indictment.

### **"The Hague's business"**

After the completion of the Prosecution's introductory arguments and the decision of the Trial Chamber on Karadzic's defence awaited, media interest in the trial rapidly decreased. All of the analysed regional media published a total of 14 articles during November. Media interest only increased after the Tribunal Secretariat, under orders from the Trial Chamber, appointed Richard Harvey as Karadzic's defence attorney in November 2009.

In the period from the end of October to the appointment of Karadzic's defence attorney, the Croatian media published news mainly focusing on Karadzic's defence, the members of his legal team and the adjournment of his trial to March 1, 2010.

A similar focus in reporting was seen in the Montenegro media and in this period they mainly provided brief news taken from the agencies. In the same period, the analysed Serbian media published two just articles, one in *Politika* and the other in *Blic*.

The news of Richard Harvey's appointment as Karadzic's defence attorney was briefly reported in *Vjesnik* and *Jutarnji list* while the Montenegrin media failed to produce any reports on this decision.

Regarding the appointment of a defence attorney to Karadzic, *Vjesnik* added an explanation that the trial should resume in the following March. *Jutarnji list* journalist Snjezana Pavic, in her reporting on the Secretariat's decision to impose a defence attorney on Karadzic in the article, "The Hague's business", noted that the new defence attorney "is a Briton, who previously represented the commander of the Liberation Army of Kosovo, Lahi Brahimaj, before The Hague."

Lahi Brahimaj, Ramush Haradinaj and Idriz Balaj were prosecuted before The Hague Tribunal for crimes committed by the Liberation Army of Kosovo. Brahimaj was sentenced by a first instance verdict of the Trial Chamber to six years in prison while Haradinaj and Balaj were acquitted of all charges. However in July 2010, the Appellate Council ordered a partial resumption of the trial. The beginning of proceedings against Brahimaj, Haradinaj and Balaj were scheduled for August 18, 2011.

Regardless of the fact that the Serbian media failed to publish any details of Harvey's appointment as Karadzic's attorney or the reasons for such a decision, all of the analysed Serbian newspapers reported the indictee's inability to appeal the imposition of the defence attorney. Politika reported that Karadzic "will not be able to appeal The Hague court's decision to appoint a defence attorney since he had boycotted the judicial proceedings." *Blic* and *Vecernje novosti* also reported only on Karadzic's decision not to accept the defence attorney.

On December 28, 2009, *Vecernje novosti* published an interview with Karadzic who "is taking a break from preparations in the 'process of the century' and found time for the first time, after more than 13 years, to talk to the Serbian media." In this interview, the indictee spoke about his years of hiding, his false identity as Dr. Dragan Dabic, on his alleged agreement with Richard Holbrooke, on the Dayton Peace Accords, the potential of having averted war in Bosnia and Herzegovina, the preparations for his defence before The Hague Tribunal and his activities during detention.

### **Minimalist reporting**

While the period of the first three months from the beginning of the trial was characterised by low media interest, as the year went on, reporting dwindled to a minimum. In January and February 2010, the analysed regional media published just two articles on the Karadzic trial. Despite its adjournment to March 1, 2010, the indictee filed numerous motions to the Trial Chamber but the media failed to treat them as important enough for reporting.

One of the news published during this period was in *Vecernje novosti* regarding Karadzic's request to the Trial Chamber to issue an obligatory order to some countries, among them Bosnia and Herzegovina, to deliver him documents on "the arming of the Bosnian Muslims".

Another article was published in Montenegro's *Vijesti*, though not directly regarding the process itself but on a police raid on Karadzic's home and the confiscation of certain documents. It is important to mention that this was the first article published in the newspaper to refer to the Karadzic trial,

albeit in just one sentence. The sentence read that the trial of Radovan Karadzic before The Hague Tribunal should be over by 2014.

"Karadzic's introductory arguments in March 2010 led to an increase in media interest on the proceedings, and *Slobodna Dalmacija* during this period published two articles, even though they had not previously reported on Karadzic's trial, as was the same for *Vijesti*.

*Slobodna Dalmacija*, in an article published on March 2, 2010, reported on Karadzic's introductory arguments and described him as "an ironic felon", focusing on Karadzic's discussion of indictment points in which the Republic of Croatia is mentioned. The headline of the article was "Gratitude to Tudjman for assisting in the defence".

The following day, *Slobodna Dalmacija* published a report that the Tribunal has requested Croatia to submit documents regarding the smuggling weapons to Bosnia and Herzegovina via Croatia between 1992-1995. After publishing this brief article, *Slobodna Dalmacija* no longer reported on the Karadzic trial before The Hague Tribunal during the analysed period.

Other Croatian media focused in on the trial only when Karadzic mentioned in his introductory arguments either Franjo Tudjman or the role of Croatia during the 1992-1995 war. *Jutarnji list* journalist Snjezana Pavic reported that the indictee in addressing the Court "held a lecture on history, consequences and conspiracy theories."

On the same day, *Jutarnji list* published an article entitled, "Karadzic is the worst war criminal on the territory of former Yugoslavia". If the headline was not strong enough, the author, Davor Butkovic, went on to say in the article: if Slobodan Milosevic had not died in the Dutch prison, Radovan Karadzic would hold second place without any worthy rival."

In this case, the author neglected the presumption of innocence until proven guilty and called Karadzic a criminal before it has been proven in court. He continues: "Karadzic's defence should not be taken seriously: the evidence against this criminal is so obvious and strong that Karadzic simply has to be convicted with the worst possible sanctions The Hague Court has the power to impose (at the moment, we are truly sorry that The Hague court cannot impose the death penalty)". These are Butkovic's words when commenting on the strength of the Prosecution's evidence even though the Prosecution's evidence procedure had not even started.

The following day *Jutarnji list* reported that the indictee's introductory arguments have been completed, saying: "the trial has been adjourned again, at his (the indictee's) request", but there was no further reason on why there was a delay.

One of the most detailed articles published by *Jutarnji list* on the trial was printed on March 6, 2010 when journalist Zoran Kusovac paraphrased a conversation he had with Karadzic "over a glass of whiskey" during the war in Bosnia and Herzegovina. Kusovac described Karadzic at that time as a different and more approachable person than the rest of "the Pale leadership", a person of "extraordinary" mental capabilities, a poet, and an intellectual. Kusovac reported that, "Karadzic got up late. He played the poser and a bohemian, pouring whiskey for the journalists."

Unlike *Jutarnji list*, which published several articles in March 2010, *Vjesnik* published just two short news: one was on the start of the introductory arguments and the other on Karadzic's motion to the Republic of Croatia for the submission of certain documents.

*Vecernje novosti* provided a detailed report on Karadzic's introductory arguments, as well as *Blic*, which as well as reporting on what was said in the courtroom, discussed the arrest of Ejup Ganic at a London airport in the same article.

Ejup Ganic, a member of the wartime Presidency of Bosnia and Herzegovina, was arrested on March 1, 2010, in London "based on a preliminary request made by the Serbian Government", over suspicions that in May 1992 he participated in an attack on a column of the Yugoslav People's Army (JNA) in Dobrovoljacka street in Sarajevo. On July 27, 2010, a London Court rejected Serbia's request for Ganic's extradition.

*Pobjeda* and *Dan* did not report anything regarding the introductory arguments, while *Vijesti* published a report on the start of Karadzic's presentation. This report began with an explanation that Karadzic has rejected before the Tribunal "responsibility for some of the biggest brutalities committed in Europe since the Second World War".

### **Indifference for stories from the courtroom**

Apart from the fact that the regional media failed to continuously report on the process, and therefore failed to present a clear picture of the first part of the trial of Radovan Karadzic, a small number of published articles showed there was also little interest in following up "the trial of the century".

The analysed Croatian newspapers suddenly stopped monitoring the trial after Karadzic completed his introductory arguments and not even once did they write about other hearings.

Only on a couple of occasions was there some brief news on the confiscation of Ratko Mladic's diary and on a motion by the Tribunal to the Republic of Croatia to deliver documents concerning the smuggling of weapons during the war via Croatia.

In an article concerning the smuggling the weapons, the author reported that Croatia's reply to the indictee was that he could receive all the required documents but obviously "he is not in the mood to read them". This marked the end of the Croatian media's reporting on the first year of the Karadzic trial.

The only report that Montenegro's *Dan* published after the introductory arguments of both sides was regarding Karadzic's cross-examination of U.S. Ambassador, Herbert Okun.

Unlike the reporting in Croatia and Montenegro, the Serbian media gave more space to reporting the trial, even though they were only reporting Karadzic's cross-examination of the witnesses.

In its articles published from April 2010, *Blic* focused on topics such as resolving the issue regarding Karadzic's defence attorney, his motion for



recess in the trial and so on. Apart from one report on the hearing of a Prosecution witness, this daily did not report anything related to the testimonies.

With regards to the other analysed media in the region, *Politika* published the largest number of articles (13) after the witnesses' testimonies began at the trial. However like other media reporting in this period, the reporting of *Politika* was only based on parts of the cross-examination of witnesses.

For example, the report after the hearing of the first witness starts with Karadzic's denial of mass murders, which the witness testified about. Furthermore only the parts where Karadzic explained to the witness who he is, and who was, according to the indictee, to blame for the war in Bosnia and Herzegovina, were taken from Herbert Okun's testimony.

All the other articles were written similarly. They almost always contained allegations from the indictment, they reported only parts of the cross-examinations and in general, because of the sporadic reporting, by reading *Politika* it was hard to follow the trial in a satisfactory manner.

### **Missed opportunity**

It seems that for regional media, the trial of Radovan Karadzic was not important enough for them to report on the proceedings continually and adequately, even for those media that announced the start of the trial in spectacular fashion. The media gave most space to "the trial of the century" at the very beginning, after which they almost completely ceased to report on the process until Karadzic made his introductory arguments, and then most of the media "returned to the courtroom" again.

The small number of published articles can be explained by the fact that only some newspapers, and really only at the beginning of the trial, had correspondents at The Hague. All the other news was taken from the news agencies.

For example, the analysed Montenegrin newspapers took all their news from the news agencies and one article cited five press agencies as its source. Montenegrin newspapers sourced their news from agencies such as SRNA, *Beta* and *Tanjug*, while the Serbian media mainly took their reports from *Beta*. The sources used, however, could not be precisely determined, since one-third of the published articles did not mention their source.

Journalists from the media reporting directly from the courtroom had an opportunity to provide the public with more complete information but in most cases their commentaries excluded the possibility of offering objective and quality information.

In their reporting, the Croatian media appeared to show hostility towards the indictee, describing him as "a criminal". The terms mostly used to describe the indictee were: "an ironic felon", "war criminal", and leading the way in this was *Jutarnji list*.

In Serbia and Montenegro, Karadzic's name was connected with terms such as "the first President of Republika Srpska", "the former President of Republika Srpska" or "the wartime leader of Bosnian Serbs."

After the completion of the introductory arguments, the news published in all the analysed newspapers except *Politika* was mainly brief and often did not include the allegations in the indictment. In most cases, the sources were not mentioned and the articles did not name the author or featured only the journalist's initials.

The focus of reporting varied according to which country the newspaper was from. The Croatian media paid the most attention when Karadzic mentioned Franjo Tudjman or when he asked for the delivery of documents in possession of the Republic of Croatia.

On the other hand, the Serbian media neglected the main examination of the witnesses and their attention was directed towards Karadzic's arguments. *Politika* for example, published articles based on Karadzic's cross-examinations of the witnesses, while readers were deprived of information relating to the witnesses' testimonies.

The dailies mostly published news and reports, while over the year only one comment – which expressed regret that The Hague Tribunal cannot impose the death penalty on Karadzic - was published.

The main theme identified after the monitoring of the media's coverage of the first year of the Karadzic trial is that there was inadequate interest in the trial, a lack of continuity in the reporting and a selective focus on parts of the proceedings. In general, the media in Croatia, Serbia and Montenegro missed their chance to provide the public with the possibility to follow the Karadzic trial with greater understanding.

## THE WORLD (USA, EUROPE AND ASIA)

### **A test for the professionalism of the media**

Karadzic's trial before the International Criminal Tribunal for the Former Yugoslavia (ICTY), presents a tough test for the professionalism and impartiality of the media, both in Bosnia and Herzegovina and the region. Yet as became evident through this analysis, also a key test for the world media.

The global media eagerly awaited the start of this delicate process in October 2009 and over the course of the year, a large number of articles were written. Karadzic's boycott of the trial over claims that he had insufficient time to prepare his defence, and the decision of the Trial Chamber to impose a counsel upon him, sparked numerous discussions in the media.

The indictee's controversial statements presented in his opening statement in March 2010, particularly in relation to Srebrenica and Sarajevo's Markale market also led to debates worldwide.

In order to obtain a comprehensive analysis of the impact and importance of the trial in the world media, BIRN reviewed the most significant international newspapers, television stations, agencies and respected magazines, and identified 23 of the world's most important media. In the period between October 2009 and October 2010 they wrote about Karadzic's trial 161 times. The largest number of articles was published in U.S. daily *The New York Times* (NYT) and in Britain's *The Guardian*.

It is interesting to note that *The New York Times* in the first year of the trial published around 20 articles related to the procedure itself. During that period, *The Guardian* published just a few articles regarding the testimony and the trial, while other articles dealt with the political issues in Bosnia and Herzegovina associated with Karadzic's trial. *The Guardian* published several articles in which it compared Ejup Ganic's arrest in London in March 2010 to proceedings against Karadzic at The Hague.

In addition to these two newspapers, a comprehensive overview of the trial was provided by media outlets including CNN, BBC and *Al Jazeera* as well the news agencies *Reuters* and *United Press International* (UPI). Russia's *Pravda* entirely defended Karadzic by publishing four analyses where The Hague Tribunal was described as a "kangaroo court" and called Karadzic "a hero" who fought against the "terrorists".

The U.S. media, such as *Fox*, *The Wall Street Journal*, *The Washington Post*, ABC, CBS and *San Francisco Chronicle* also published several articles about the trial of Karadzic. It is interesting that they mainly deal with Karadzic's alleged immunity deal with U.S. diplomat Richard Holbrooke.

Holbrooke, one of the architects of the Dayton Peace Accords, which were signed in December 1995 and officially ended the war in Bosnia and Herzegovina, died in December 2010.

Germany's *Der Spiegel* and the English edition of *The China Daily* published a total of ten articles on the Karadzic trial.

Along with the daily reports which referred to events at the trial such as the introductory arguments and the examination of witnesses, a large number of analyses in the world media were devoted to the importance of international justice in which the trial of Radovan Karadzic is presented as the "final test for The Hague Tribunal", emphasising its importance for the future of the Balkans.

### **Boycott of the trial**

Out of 161 articles analysed by BIRN, the largest number were published in October 2009, when the Prosecution presented its introductory arguments amid Karadzic's boycott of the trial, as well as in March 2010, when the indtee presented his introductory arguments.

Out of a total of 20 articles published by *The New York Times* in this period, five referred to Karadzic's failure to appear in court on October 27, 2009, when Alan Tieger, the Chief Prosecutor in the case, presented the introductory arguments of the prosecution.

On the eve of the trial, on October 2, 3, 5, 11 and 12 2009, *The New York Times* published articles dealing with Karadzic's claims for additional time and his unpreparedness for the start of the trial. The articles were generally short and provided basic information, while legal experts provided quotes as well as members of Karadzic's defence team.

*The New York Times* article about the Prosecution's opening statement was entitled "Karadzic Trial Resumes Without Defendant", and began with the sentence, "It was a scene now familiar in modern war crimes cases: a former wartime leader, often used to wielding absolute power, trying even while imprisoned to dominate events in court." The commentary of October 26 reads: "Radovan Karadzic, accused of ordering some of the worst atrocities in Europe since World War II, is still tormenting his victims (...) after so many years of anguish, the relatives of the thousands of who were killed deserve a chance at justice".

Interestingly, out of the 18 articles published by Britain's *The Guardian*, not a single one was dedicated to Karadzic's boycott of the trial and the appointment of Richard Harvey as his counsel.

"Boycott" is the most common word found in the 161 headlines of the articles analysed by BIRN. In October and early November 2009, global media such as BBC, CNN and *Al Jazeera* regularly reported on Karadzic's absence at the beginning of the trial, maintaining a high level of professional standards. Their articles did not lack information about the Prosecution's introductory arguments, quotes from the courtroom, as well as the allegations from the indictment.

During that period, *China Daily* and *Reuters* published several reports about the appointment of Richard Harvey as the reserve counsel and the postponement of the trial to March 2010. In short, they were professional and brief.

In contrast, Germany's *Der Spiegel*, Britain's *Sky* and the *United Press International*, as well as U.S. media *Fox*, *CBS* and *The Wall Street Journal*, interpreted Karadzic's demand for additional time as "a retraction of the court" and "an insult to the victims".

On October 28, 2009, *Der Spiegel* published an article titled "Karadzic Is Playing with the Dignity of His Victims", stating that Karadzic's behaviour is reminiscent of "Milosevic (who) also obstructed proceedings to buy time and gain concessions from the court".

Similar claims about Milosevic were presented in reports of the *United Press International* and *The Wall Street Journal*, which barely mentioned the Prosecution's introductory arguments but stressed the importance of Karadzic's "boycott". On 26 and 27 October, *The Wall Street Journal* published an article stating: "The Hague Tribunal will endeavour to avoid a protracted process similar as in the case of Milosevic". Among other things, it states that "the former leader of Bosnian Serbs stole this tactic from Milosevic's textbook."

In late October 2009, Britain's *Sky News* published a commentary entitled "'The Bosnian beast' boycotts trial for genocide", in which it states that Karadzic was indicted "along with his military butcher Ratko Mladic, for crimes committed in Sarajevo".

On the other hand, *Pravda* published a comment by Hans Vogel entitled, "Karadzic, another victim of NATO's Hague Kangaroo Court", which criticises the western media's coverage of the beginning of the trial, while emphasising that Karadzic cannot expect a fair trial before The Hague Tribunal.

"The ICTY is in fact a classic kangaroo court. It was created, funded and staffed by NATO, that is the U.S. and its European vassal states. The very countries that destroyed Yugoslavia and that are therefore mainly responsible for the ensuing wars and violence, have created the ICTY in order to cover up their own crimes and put the blame on a small group of defenceless people: mainly Serbs and a handful of Croats," Vogel emphasised on October 28, 2009, disregarding the Prosecutor's introductory arguments in the case of Karadzic.

Following the ex officio appointment of Karadzic's counsel in November 2009 and the delay of the trial to March 2010 so British lawyer Richard Harvey could have time to familiarise himself with the case, there was an absence in news regarding the trial in the global media.

Harvey's appointment as defence counsel for Karadzic was covered by almost all of the analysed media. CNN, *Al Jazeera* and UPI in their headlines: "The court imposes a counsel", "The UN Court appoints a counsel to Karadzic" and "After installing the counsel, the trial has been postponed to March 2010", provided basic information on the person appointed as the defence counsel and the circumstances which led to the counsel being imposed.

In the pause that followed the trial, the international media published only a few articles on the topic. They were mainly related to the indictee's chal-

allenges to the appointment of Harvey. On December 4, 2009, in an article entitled, "The refusal of a lawyer", *Al Jazeera* wrote that Karadzic requested "a lawyer from the Balkans".

*The Wall Street Journal* in an article published after the approval of the break, criticised The Hague Tribunal for "lenience towards the indictee" asking "Can the UN court prevent the war criminal turning a tragedy into a farce". "The question is whether a deterioration in the process can be prevented, or, as is often the case before this Court, it will turn into a farce".

### **"Holy" struggle of the Serbs**

It is worthwhile to point out that several international media outlets had their correspondents at The Hague during the introductory arguments of the Prosecution and the Defence, therefore some of the articles published in October 2009 and March 2010 featured descriptions of the courtroom itself, as well as of the indictee Karadzic.

In the text about the status conference before the start of the trial, the BBC describes Karadzic as "vital", while in a report from the same period, CNN states that Karadzic was "aggressive" when he made his request that more time should be given to him in order to prepare.

On November 4, 2009, *The Wall Street Journal* reported with regards to Karadzic's request for additional time that, "Dressed in a dark blue suit and pink shirt, his white hair swept back as it was during the war years, the former psychiatrist appeared relaxed and stressed several times his respect for the court".

After four months of standstill during which the international media neglected the Karadzic story, the indictee's introductory arguments on March 1 and 2, 2010, attracted great attention.

*The Guardian* and the BBC had their reporters in the courtroom, and in their articles they conveyed Karadzic's introductory arguments in detail, complete with details from the courtroom as well as descriptions of Karadzic's attitude and posture.

In a report from *The Guardian* dated March 2, numerous quotes from Karadzic's introductory arguments were reported. In his article, Ed Vulliamy gave special attention to Karadzic's insistence that the massacre at Markale was "staged". "In a dark suit and white shirt, playing professorially with his spectacles and constantly rummaging through his shock of silver hair, he was confident and combative", says the author. Although the article was not marked as comment, the author allowed himself to assess Karadzic's introductory arguments as "waffle".

On March 2, *The Guardian* published another article in which Vulliamy said: "Listening to Karadzic as he describes his war against the Bosnian Muslims as "a holy one", it is easy to think that he told a bad joke or that he is trying to confuse the judges". On the same day, *Reuters* evaluated Karadzic's introductory words more moderately, describing them as "too broad".

In a BBC article dated March 1, Karadzic was described as "relaxed and moderate". Karadzic was quoted several times in the report with special empha-

sis on his observations regarding the alleged “staged” shelling of the Markale market. “Karadzic was laughing and joking with his legal team, throwing his head back with its silver mane of hair, as he laughed”.

Reporting on the indictee’s introductory arguments, Barnaby Phillips, the *Al Jazeera* correspondent at The Hague, described Karadzic as “implacable, proud and at times prone to sarcasm”. Between 1 and 5 March, *Al Jazeera* published three articles concerning Karadzic’s introductory arguments, each of which was written very professionally. They directly conveyed Karadzic’s words and paraphrased the essence of his presentation.

On March 3, CNN published a comment by correspondent Nic Robertson, who recalled a meeting with Karadzic during the war, and found that during the opening statements the indictee was “confident and reluctant to repent”, just like during the war. “When you listen to Karadzic’s description of the situation in Bosnia during this period, it is hard to believe that the Bosnian Serbs ethnically cleansed people from the towns”, adds Robertson.

On March 1, Russia’s *Pravda* went to the other extreme and published an article entitled, “Bin Laden is Bosnian and Karadzic is in the dock” The essence of the article is that the notorious Osama Bin Laden was on the side of the Army of Bosnia and Herzegovina along with foreign fighters, and that Karadzic is in fact “a fighter against terrorism”.

“As the Defence presents its introductory arguments, we see the utter injustice of the International Criminal Court, a NATO instrument of kidnapping, illegal detention and laundering of NATO war crimes. After all, Radovan Karadzic was fighting international terrorism. (...)Why then did Dr. Radovan Karadzic not have enough time to prepare himself, given that the prosecution has submitted 415,000 pages to the trial since October? Who can read 2,766 pages a day and adequately prepare their defence? Given this, the case is void,” the strongly biased article in *Pravda* claimed.

U.S. dailies *The New York Times* and *San Francisco Chronicle*, CBS, news agency *United Press International*, and *The China Daily* provided extensive news in which they conveyed the essence of Karadzic’s presentation, as well as the parts of the indictment.

Marlise Simmons wrote for *The New York Times* that Karadzic “mixed magniloquence with claims of innocence,” highlighting the indictee’s views on the Markale incident, while on March 2, *CBS News* published an article entitled, “Karadzic Calls the Srebrenica Massacre a ‘Myth’”, saying that, “during seven hours of presentation, Karadzic gave a uniquely Serb view of the events in the war”.

“His account stood in glaring contrast to news reports and television footage at the time and also contradicted the verdicts against Bosnian Serb political leaders and military commanders who are already serving long sentences for war crimes,” concluded CBS.

*The Economist* linked Karadzic’s introductory statement from March 4, 2010, directly to political events and the arrest of a former member of the Presidency of Bosnia and Herzegovina, Ejup Ganic in London. “Karadzic’s evidence was a blast from the past. The Bosnian Serb cause had been just and holy, he said. There was no massacre at Srebrenica, or even a siege of

Sarajevo. Such madcap denial could perhaps be shrugged off were it not for the simultaneous arrest of Mr. Ganic," writes *The Economist*.

### **Interest in the witnesses' testimonies**

On April 13, 2010, after much anticipation and twenty months on from Karadzic's arrest in Belgrade, the delivery of evidence by The Hague Tribunal's Office of the Prosecutor began with an examination of witness Ahmet Zulic.

To a greater or lesser extent, his statement was published by a large number of foreign media, including *The Guardian*, *The New York Times*, *United Press International* as well as CNN, *Al Jazeera* and *Sky News*.

UPI and *Al Jazeera* reported the testimony of the first witness in a very professional manner, with no needless details. It was briefly described what Zulic had experienced during the war and basic information was provided about the indictment against Karadzic, and the trial itself. CNN reported on the testimony of the first witness in a similar way.

On the other hand, *The Guardian*, BBC, *Sky News* and *The New York Times*, in addition to the information about the testimony and the trial, reported on the atmosphere in the courtroom, describing Karadzic and the witness, their relationship in court and offered an assessment of the evidence itself.

In an article entitled, "Radovan Karadzic trial hears first prosecution witness", *The Guardian*, in addition to details of Zulic's testimony, reported that Karadzic was "wearing a dark grey suit and tie and stared at the witness over his reading glasses."

In an extensive article on the same day, the BBC pointed out that during the cross-examination Zulic and Karadzic had several "tense exchanges", while Alex Rossi, a reporter for *Sky News*, brought personal comments into the report by saying that "Zulic's testimony illustrates the brutality of Karadzic's campaign during the early part of the 1992-95 Balkan War as he and his henchmen attempted to carve out an ethnically pure Serbian mini-state".

In *The New York Times*, Marlise Simmons gave her personal standpoints by describing Zulic as "a man disabled from the nightly beatings by his Serb captors" who during his testimony "never looked at Karadzic in the dock".

The international media quickly lost interest in the trial and this is seen in the reporting of the testimony of the Prosecution's second witness. The testimony of Sulejman Crncalo could only be found in reports of the BBC and UPI. Both articles were very professional, including quotes from the witness, which were linked to the allegations from the indictment.

On April 14, 2010, the BBC published an article entitled, "Karadzic 'called for Muslim homes to be attacked'", where it was correctly reported that the indictee "expressed his condolences to Mr. Crncalo, because of the loss of his wife but told the witness that he would show 'who you can blame for it'".

Other than the first two witnesses, the attention of media also focused on the testimonies of Richard Mole, the former UN observer in Sarajevo, and Michael Rose, Commander of the UN peacekeepers in Bosnia and Herzegovina.



Among several witnesses who spoke about the siege of Sarajevo, in a lengthy article the BBC chose to report the testimony of Richard Mole. Mole was the first witness to appear in the trial after the summer break and the BBC professionally conveyed his testimony, although without the details of Karadzic's cross-examination.

On the other hand, the testimony of British General Michael Rose led to great interest in the U.S. media. *Fox News*, *ABC News* and *The Washington Post* published an article by Mike Corder, entitled "Karadzic Faces off With an Old Adversary in the courtroom".

Corder's article notes the essence of Rose's testimony and the author goes on to claim, albeit with few arguments, that Rose will "be the key for proving that Karadzic had complete control over troops and was responsible for the most bloody atrocities".

"Rose and Karadzic, who held frequent meetings in Bosnia during the war, barely glanced at one another throughout Tuesday's testimony. Karadzic gazed intently at a computer screen while Rose was led into the courtroom, while Rose looked across at judges", wrote Corder adding that in an interview from 2008, Rose described Karadzic as "a consummate liar, inherently paranoid and a heavy drinker who plainly verged on alcoholism".

### **The trial and daily political issues**

During the first year of the trial, international media outlets published a number of interviews and articles about the proceedings against Karadzic before the International Criminal Tribunal for the Former Yugoslavia in the context of daily political issues.

CNN published an interview with Richard Goldstein, a former prosecutor of the court, who, speaking about the importance of Radovan Karadzic's trial evaluated the process as "the key to lasting peace in the Balkans".

Peter Robinson, a U.S. lawyer who works in Radovan Karadzic's defence team, gave two interviews in the trial's first year to media outlets that are included in this analysis, in which he sought to improve Karadzic's public image.

In December 2009, in an interview given to *Al Jazeera*, Robinson said that he "likes to work with Karadzic" and presented him as "a night owl, because he works to up to four or five in the morning". Seven months later he told *Reuters* that Karadzic is "very intelligent and very fast".

"He works a lot and has a great sense of humor; it is very pleasant to spend time with him. I think that in another context he could be very successful in any country, in any field he chooses," Robinson told *Reuters*.

In July 2009, *Der Spiegel* published an interview with Christoph Flügge, a Tribunal judge. The interview was not about the process itself but he spoke in general about the importance of international justice and trials which aims to prevent future war crimes.

In addition to several interviews, several commentaries were also published, including comments by Vadim Trukhachev in Russia's *Pravda*, and Marko Pr-

elec in Britain's *The Independent*, who, by presenting diametrically opposing views, showed how the trial of Karadzic is controversial.

In a commentary published in September 2009 entitled, "Radovan Karadzic: Hero or criminal?", Trukhachev discussed and answered this question by offering readers a glorious account of Karadzic's accomplishments and described him as "a poet, and righteous fighter for the equality of Serbs".

On the other hand, in a commentary published in April 2010, Prelec, an expert from the International Crisis Group, said that "there is no doubt Mr. Karadzic bears – together with the still-missing general Ratko Mladic – heaviest responsibility for the murder of tens of thousands, and the terrorising and expulsion of over a million Bosniak and Croat civilians in Bosnia's war."

In November 2009, the *San Francisco Chronicle* published a comment by Jamie Rowen, a legal expert from Berkley University in the United States, in which she expressed her dissatisfaction with Karadzic's "tactics of delay".

Significant moments in the first year of the Karadzic trial came in December 2008 and February 2010, with the discovery of evidence material in the apartment of Ratko Mladic, who was at the time a fugitive but is now in custody. *Der Spiegel* and *The Economist* reported on this as did *Reuters*, whose report was taken by *The New York Times*.

Marlise Simmons, in an article published by *Reuters* and *The New York Times*, said "that 18 notebooks from General Mladic's wartime military diaries" provided "some of the most compelling evidence yet of the close, top-level coordination of the Bosnian Serb Army and Serbia", and pointed out how this evidence would have a significant impact on the Karadzic trial. In *Der Spiegel*, Renate Flottau argued that, "the diaries left no doubt that Mladic made a deal with Milosevic".

It is interesting to note the reporting of the British media on Ejup Ganic's arrest in London and his time in Britain, until a decision by a British court to refuse his extradition to Serbia. Ganic was arrested on March 1, 2010, the day Karadzic began presenting his introductory arguments, so certain media made a connection between the two events. In a commentary written by Sanela Jenkins in *The Independent*, she gave her "support to the Bosnians", and describes Karadzic as a villain while Ganic is described as a victim.

The U.S. media devoted a lot of space to the alleged agreement on immunity from prosecution, which Karadzic claims he made with U.S. diplomat Richard Holbrooke. Before the trial, Karadzic often referred to this agreement under which, he claims, it was promised that he would not be prosecuted if he disappeared from public life.

Writing about the alleged agreement, *The New York Times* and *International Herald Tribune* pointed out several times that Holbrooke was a "special representative of the administration of U.S. President Barack Obama", while they gave little space to the Karadzic trial.

In July 2009, the Trial Chamber ruled that an immunity agreement, even if it does exist, is not binding to the Tribunal because there is no evidence that the UN Security Council had anything to do with it. In this case, Karadzic's complaint regarding the jurisdiction of the Tribunal was dismissed.

In the reports regarding the Tribunal's verdict for seven former officers of the Republika Srpska Army charged with genocide in Srebrenica in July 1995, *The Guardian* and *Der Spiegel* mentioned Karadzic. While *Der Spiegel* described Karadzic as "the architect of the crime", *The Guardian* pointed out that with this verdict, "it seems inconceivable that the Bosnian Serb leader can avoid the same fate."

Finally in an article dated March 6, 2010 entitled, "A new threat to Bosnia: No bombs, but referendums", the *San Francisco Chronicle* made a very interesting connection. The report linked Karadzic's opening statement at the trial in which he talked about "the just struggle for the Serb people", to the efforts of Milorad Dodik, the current President of Republika Srpska to hold a referendum on this entity's secession from Bosnia and Herzegovina.

## Conclusion

The majority of 161 articles published by the 23 international media outlets that were the subject of this analysis were published in the dailies, *The New York Times* and *The Guardian*. BBC, CNN and *Al Jazeera* also closely followed the trial, since they also reported on the process quite frequently and professionally during the course of the trial.

The dominant theme in the articles at the beginning of trial was the indict-ee's boycott and the imposition of the defence attorney Richard Harvey. This situation, just like the trial itself, was presented as a kind of "final test" for the International Criminal Tribunal for the Former Yugoslavia, in a number of the analysed articles.

The reports, as we have illustrated here, showed mild forms of bias at times while some articles were "coloured" by personal views, which do not help readers make independent conclusions about the facts.

The lack of continuous monitoring of the trial was obvious, although key information, especially at the beginning of the trial and during the presentations of introductory arguments was conveyed to the public. In reports about the trial and the introductory arguments, large space was given both to the Office of the Prosecution and Karadzic's Defence.

Bearing in mind that there was a break of four months between the introductory arguments of the Prosecution and the Defence, it is understandable why there was a relatively small number of reports in the first year of the Karadzic trial. However the sporadic reporting of only certain "interesting" statements by the witnesses and a lack of interest in the evidence presented in court will ultimately affect the ability of most readers to correctly understand the trial and make the appropriate conclusions.

The analysis showed that after the completion of the presentation of the parties' introductory statements and the testimonies of the Prosecution's first witnesses, media interest unfortunately dropped sharply. As time went on, the almost euphoric announcement of the trial eventually degenerated into sporadic coverage of "the interesting witnesses".

Finally it should be mentioned that political influences could be seen through the writings of certain media. That might explain the interest of U.S. media outlets regarding the alleged agreement with Holbrooke and the extremely biased reporting of Russia's *Pravda*.

# INTERVIEW WITH RADOVAN KARADZIC

## **Vehicle for establishment of truth**

Wartime Bosnian Serb leader Radovan Karadzic says his trial is a “vehicle for the establishment of truth” and if it is fair and uncovers the truth, will serve as a step towards reconciliation.

In an interview given to BIRN-Justice Report, Radovan Karadzic speaks about war crimes suspect and Hague fugitive Ratko Mladic, as well as his refusal to accept verdicts of American courts rendered between 1996 and 2005 which found him guilty for crimes against civilians.

Karadzic is on trial in The Hague on charges of genocide, crimes against humanity and violation of the laws and customs of war between 1992 and 1995.

The Karadzic trial started more than a year ago, and the Prosecution is currently presenting its case. Karadzic was arrested in July 2008 in Belgrade, after being on the run for more than a decade.

## **JR: Do you feel you have adequate time to prepare for witnesses, considering you often ask the Trial chamber for additional time?**

I am grateful to my Trial Chamber for giving me a month to study the new material we recently received. The fairness of my trial has been impaired by the lack of time I have had to even look at the two million pages of material, which have been disclosed to me by the prosecution. The imbalance between the preparation time and resources that the prosecution has and the time and resources allocated to the defence is immense. As for the time I take for cross-examination, I apologise that the Judges have to listen to an amateur when they expect to hear a big orchestra, but I am doing my best to bring out the truth about what happened in Bosnia, and the form is suffering a bit.

## **JR: Are you satisfied with the resources at your disposal, such as investigators, legal assistants, etc?**

I estimate that the resources provided to my defence are about 10 per cent of what the prosecution has in my case. How can I be satisfied with such conditions? However, I am grateful to the many law professors and law students who have volunteered to work on my case on a pro bono basis and without whose help I could not survive. My investigators in the Balkans are helped by many friends on a pro bono basis too.

**JR: Often during your cross-examination of witnesses you go beyond the scope of the Prosecution's direct examination. What is the purpose of this?**

I am proving my case through the testimony of the prosecution's own witnesses. The rules specifically provide for this, since it would be wasteful and inconvenient to require a witness to come back again during the defence case.

**JR: Do you feel that the evidence found recently in apartments in Belgrade will be important in the trial?**

It is too early to say; we are still studying the material. However, our preliminary analysis shows that there are many useful documents among those seized.

**JR: During the pretrial period, you often talked about an agreement with Richard Holbrooke. However, there has been no talk about this issue recently. Does that mean you have abandoned this line of defence, or will you raise this issue again during the Defence evidence phase?**

I have not at all abandoned my insistence that I was guaranteed by Ambassador Holbrooke that I would not be prosecuted. The Trial Chamber ruled that this was relevant to the case and I may ask them to invite Mr. Holbrooke and some of his chiefs to give their versions of those events during my defence case. This is a big case about a big event, and many very prominent people must appear and testify so that we can close this page of history.

[Author's note: this interview was conducted prior to the death of Richard Holbrooke, one of the drafters of the Dayton Peace Agreement, which was signed in December 1995 and ended the war in Bosnia and Herzegovina.]

**JR: Your family has only visited you a few times. Are they facing financial problems, and do they receive help from the Republika Srpska government?**

My family receives no financial support from Republika Srpska. They do not come often to The Hague because it is expensive.

**JR: Do you believe Ratko Mladic will be arrested before long? Can you comment on Mladic's prolonged flight from justice?**

I do not know where General Mladic is, so I cannot know if he will be arrested. I suppose he is acting different than me and is more cautious and less hazardous than me.

**JR: How do you feel about the Prosecution recently aligning your indictment with that of Mladic? Is there a chance the trials will be connected if Mladic is arrested?**

It appears that my process has now advanced too far for it to be joined with that of General Mladic should he be arrested.

**JR: You often speak of truth and reconciliation of peoples, yet many claim if that were your motive you would not have hidden from the Tribunal for so long. Can you comment on this?**

I was ready to come to The Hague in 1997, but I saw that the prosecution had no intention of fairly investigating my case and I estimated that I would not receive a fair trial. My trial is now a vehicle for the establishment of the truth and if I can have a fair trial and bring out the truth, it will be a step towards reconciliation. I don't see how there can be reconciliation while the Muslims suspect us of acts for which we were not the perpetrators. On the other hand, nobody is dealing with the Serb victims and massive sufferings-as if there were not a single case.

The rhetoric is the same as if we hadn't made peace. But the main question of the truth and reconciliation is: why did we fight? For what did we fight? The Muslim politicians are further humiliating their own victims and their families by paying tribute to them as if they "defended Bosnia". Against whom did they defend Bosnia? This kind of Bosnia, the Lisbon or Dayton kind of Bosnia was never contested by the Serbs. That was our minimum, a bottom line if we leave Yugoslavia, and it was proposed by the European Community, and finally in Dayton.

From our standpoint our fight was not in vain, although it would have been possible to avoid the war. From the standpoint of the "defenders" of Bosnia, all of it was completely in vain, unnecessary and criminal of the greatest proportions. Instead of blaming the Serbs, the creators of our tragedy, at least those from Bosnia and Herzegovina, should explain to the victims' families why their dearest died, while we could have had what we have now without any victims.

That is the essence of the truth, and after that reconciliation could be possible, particularly since the Serbs and Muslims are the most similar among the South Slavs, if one would not like to hear that they are the same people, i.e. Serbs, as I believe.

**JR: Between 1996 and 2005 US courts rendered several verdicts which find you guilty of crimes against civilians, and there have been several attempts to launch lawsuits to provide compensation to the victims. Can you comment on this?**

I don't accept those verdicts because they were not the product of trials in jurisdictions where I could participate in the process. Those are a civil litigations and no conclusion on my liability could be drawn. I have no money, so such lawsuits are a waste of time.

***The interview was published on December 20<sup>th</sup> 2010, and was conducted by Denis Dzidic, a journalist with BIRN – Justice Report.***





## THE LIFE OF RADOVAN KARADZIC

Radovan Karadzic was born on June 25, 1945 in the village of Petnjica, in the Savnik municipality of Montenegro. He completed elementary school in Montenegro and then moved to Sarajevo, Bosnia and Herzegovina, where he finished medical high school and university, and became a specialist in neuropsychiatric medicine.

He worked in several Sarajevo hospitals and clinics, and for a period in Belgrade. In the mid-1980s, he spent 11 months in detention, charged with fraud, but was discharged for lack of evidence. In the late-1980s, he began involving himself intensively in politics in Bosnia and in 1990 participated in the founding of the Serbian Democratic Party, SDS, and became its first president.

The party joined the so-called "anti-communist coalition" with the Party of Democratic Action and the Croatian Democratic Union, which won Bosnia's first multi-party elections in November 1990. Karadzic became notorious for a speech delivered in October 1991 to

Bosnia's parliament, warning that Muslim Bosniaks faced annihilation if they attempted secession from Yugoslavia.

"Do not think that you will not take Bosnia and Herzegovina to hell, and the Muslim population towards disappearance, because the Muslim people cannot defend themselves if war happens here," he said. After declaring the independence of the Bosnian Serb Republic of Bosnia and Herzegovina, later renamed Republika Srpska, on January 9, 1992, Karadzic became its first president.

From December 17, 1992 to July 19, 1996, when he resigned, Karadzic was the sole president of Republika Srpska, and, as such, the commander of the Army of Republika Srpska.

The Hague tribunal prosecution raised its first indictment against the leader of the Bosnian Serbs on July 1995, which was expanded in November 1995 to include charges of genocide in Srebrenica. In April 2000, the then-chief prosecutor, Carla Del Ponte, merged the two indictments, which had a total of 36 points, into one with 11 points.

Karadzic withdrew from political and public life in 1996, shortly after an international warrant for his arrest was issued. However, he was not arrested until July 21, 2008 in Serbia, where it was discovered that he had been working as a practitioner of alternative medicine under the name of Dragan Dabic.

The Hague prosecution modified the indictment on September 22, 2008, adding charges for genocide in Srebrenica and ten other municipalities in Bosnia and Herzegovina. He is also charged with various crimes in a total of 27 municipalities, as well as for the terror and murder of civilians during the siege of Sarajevo. "From October 1991 until November 1995, Radovan Karadzic participated in comprehensive crimes with the goal of the permanent eviction of Bosnians and Croats from the territory of Bosnia and Herzegovina," the indictment reads.

Prosecutors at The Hague maintain that Bosnian Serb forces under his control and command committed these grave crimes, and that he also failed to take any measures either to prevent such actions from occurring in the first place, or to punish such crimes after they had happened.

Radovan Karadzic is married with two children and has also published five books of poetry and a novel.



