

Karadzic Says Prosecution Broke Rules

He asks judges to dismiss prosecutors' request to alter indictment, saying it is too long.

By Simon Jennings in The Hague (TU No 575, 31-Oct-08)

Former Bosnian Serb president Radovan Karadzic has called on judges at the Hague tribunal to reject the prosecution's application to amend the charges against him.

In a motion to judges on October 30, the accused pointed out that the document submitted by prosecutors exceeded the maximum word limit allowed. Under tribunal guidelines governing court filings, the limit for submissions to judges is 3,000 words and permission to exceed this must be sought in advance.

The prosecution's motion to amend the indictment stretches to 4,077 words and no prior permission to go over the limit was sought. The accused, who is representing himself in the trial, said that prosecutors should be made to adhere to the rules as he himself has been.

"The prosecution should not be allowed to flagrantly disregard the rules, while at the same time, the trial chamber continually reminds the self-represented accused that he will be held to obey them," Karadzic told judges.

Prosecutors filed their request to amend the indictment on September 22. They contend that their proposed amendments have clarified what they allege to be the accused's legal responsibility for atrocities in the Bosnian war and say the changes will also contribute to a more expedient trial.

The prosecution responded to Karadzic's motion on October 31 stating that its original proposal "caused no prejudice to the accused and does not justify the relief he is seeking". It explained that it did not realise it would exceed the word limit until shortly before submitting the document, so sought permission to do so in the document itself.

The office of the prosecutor also contends that the excessive length of the filing was for the benefit of both Karadzic and the judges.

"The lengthier filing was required in order to provide the trial chamber and the accused with a sufficiently comprehensive description and explanation of the proposed amendments, and thereby facilitate review of the proposed amendments," it said in its response.

Karadzic has requested that judges reject the proposed amendments and ask prosecutors to resubmit their proposal, having sought permission to extend the word limit in advance.

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