

THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA

CASE No. IT-95-5/18-T

THE PRESIDENT

Before: Judge Theodor Meron

Registrar: Mr. John Hocking

Date: 8 June 2015

THE PROSECUTOR

v.

RADOVAN KARADZIC

Public

LETTER TO THE PRESIDENT

The Office of the Prosecutor:
Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

The Accused:
Radovan Karadzic

Radovan Karadzic
International Criminal Tribunal for
the former Yugoslavia

8 June 2015

The Honorable Theodor Meron
ICTY President

Re: Comments of United States of America at UN Security Council

Dear President Meron,

I read with interest your remarks before the United Nations Security Council on 3 June 2015 during what is said to be your last appearance before that body as ICTY President. As usual, your remarks were balanced and judicious, and I respect and thank you for that.

However, I was astounded to read what the representative of the United States, David Pressman, said in your presence. According to the official minutes of the meeting, Mr. Pressman said:

We await judgement this year in the trial of Radovan Karadzic. Together with Ratko Mladic, Karadzic stands accused of crimes that include responsibly for the Srebrenica massacre, the twentieth anniversary of which falls on 11 July. Srebrenica, of course, was the single worst crime committed in Europe since the Second World War. **It is hoped that the victims and survivors of Srebrenica will have an outcome that can help bring closure to that most disturbing and painful chapter in the history of the former Yugoslavia.** (emphasis added)

I find these remarks made in your presence highly improper. It is nothing short of calling upon the Tribunal to convict me. Mr. Pressman, as a lawyer and a member of the New York Bar, ought to know better than to try to influence the outcome of a criminal case through public statements. I am sure that you were very uncomfortable in that room when you heard those remarks.

This is not the first time the United States has attempted to interfere in the work of the Tribunal and has brought the Tribunal into disrepute. As you know from cables of the U.S. State Department disclosed by *Wikileaks*, officials of the United States government obtained confidential information about President Slobodan Milosevic's privileged communications with his wife and legal associates from the Commander of the ICTY's Detention Unit,¹ and obtained President Milosevic's confidential witness list from ICTY

¹ *Prosecutor v Milosevic*, No. IT-02-54-Misc.6, *Decision on the Initiation of Contempt Investigations* (18 July 2011)

The Honorable Theodor Meron

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President Carla del Ponte.² Blatant efforts like those to interfere with the administration of justice at this Tribunal, and the remarks of Mr. Pressman at the Security Council, denigrate the reputation of the Tribunal and call into question its impartiality.

I am requesting that you write to the United States government and affirmatively disavow, on behalf of this Tribunal, its efforts to improperly influence the judgement in my case. Your words will also have the salutary effect of dissuading the United States and other States from further politicising the work of the Tribunal in their public statements and will assure me and the public that the judgements of the Tribunal will not be affected by such improper influence.

Thank you for your consideration of this matter.

Respectfully submitted,



Radovan Karadzic

cc: U.S. Ambassador Timothy Broas

² *Prosecutor v Karadzic*, No. MICT-13-55-R90.1, *Decision on Karadzic Requests to Appoint an Amicus Curiae Prosecutor and to Investigate Contempt Allegations against former ICTY Prosecutor Carla Del Ponte* (27 November 2013)