

The Hague Tribunal destroys its last Claim to Legality

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Ramsey Clark, former US Attorney General and Co-Chairman of the [International Committee to Defend Slobodan Milosevic \(ICDSM\)](#) has made this afternoon the following statement::

Under International Law, every person accused of a crime has the right to represent himself in person in the court adjudicating his case. Slobodan Milosevic is no exception. The Trial Chamber of the International Criminal Tribunal for Former Yugoslavia has destroyed its last claim to legality by attempting to deprive the former President of Yugoslavia of this fundamental human right.

The appearance of President Milosevic representing himself alone during the prosecution case for over 2 years, nearly 300 trial days, cross examining nearly 300 prosecution witnesses, coping with 500,000 documents, and 30,000 pages of trial transcript then at the very beginning of his presentation of his own defense being silenced and lawyers he rejects placed in charge of his destiny, speaks of injustice.

President Milosevic vigorously presented his opening statement of his own defense in person for two days on August 31 and September 1, 2004 immediately before the Trial Chamber decided he "is not fit enough to represent himself". He was apparently "fit enough" to perform that task. If the time comes when credible doctors, including his own, find that a slower pace is required to protect his health, or that further effort by him at that time may impair his health, then the only permissible course is to follow a schedule that honors his right to defend himself in person and protects his ability to do so. Life, truth and justice are more important than the schedules of courts, or railroads.

The very lawyers appointed by the Trial Chamber have a direct conflict of interest. They have served by appointment of the court as "friends of the Court". You cannot serve two masters. Having served as friend of the Court, that same counsel selected by the Court to represent President Milosevic cannot ethically serve as his counsel.

No lawyer who might be appointed to represent President Milosevic has interviewed his witnesses, knows the testimony they can give, what questions to ask them, or what their answers might be. Professional preparation – and this is no ordinary case – would require months.

The Trial Chamber must abandon this travesty and do its duty consistent with the health of the accused to faithfully, competently, independently and impartially hear the evidence, find the facts and apply the law.

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