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20 October 2008

To Whom It May Concern:

I am writing on behalf of my client, Mr. Slobodan Praljak, to ask you for your response to the published statements of the former Prosecutor of the International Criminal Tribunal for the former Yugoslavia ("ICTY"). Mr. Praljak stands accused before the ICTY, and is concerned that the atmosphere within the Office of the Prosecutor at the ICTY has been poisoned by inappropriate generalizations based on ethnicity. I share his concern. Her published remarks are not merely offensive; in my opinion, they breach applicable guidelines.[1]

Please find enclosed Mr. Praljak's letter, which describes his objections to the published statements of Ms. Del Ponte, the former ICTY Prosecutor. To these objections, I would like to add my general concern that there is no institutional check or oversight when evidence of ethnic bias within the Office of the Prosecutor at the ICTY comes to light. Ms. Del Ponte's statements, coupled with resounding silence on the part of the international community, damage the credibility of the ICTY. Rather than remaining silent, the international community is better served by making sure that officers within international tribunals pay a cost when they publicly endorse hateful statements. At present, Ms. Del Ponte pays no cost, and profits from the sale of her book.

I would greatly appreciate a response to my client's letter, particularly if you have any suggestion as to further steps that could be taken. He, and others who are outraged by Ms. Del Ponte's remarks, look to you to see whether high-level appointees of the United Nations and officers of the ICTY can make such statements with impunity.

Sincerely yours,

Božidar Kovačić

[1] *See*, *inter alia*, "Status, basic rights and duties of the United Nations staff members," 1 November 2002, ST/SGB/2002/13, Regulations 1.2 (a), 1.2 (e), 1.2 (f), 1.2 (g), and 101.2 (d); "Standards of conduct for the international civil service", 2001, Guiding Principles 3, 6, 9, 13, 14, and 16.

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