

## **Human Rights Watch – International Justice Program**

### **Terms of Reference**

**To:** Sara Darehshori, Senior Legal Counsel, International Justice Program,  
Human Rights Watch

**New School Consultant Team:** Julie Wilkinson, Nina Arron, Sri Peddu

**Date:** September 14, 2006

### **Background**

Human Rights Watch is an independent, nongovernmental organization dedicated to protecting the human rights of people around the world. As part of this goal Human Rights Watch is currently producing a document showing the importance and effects of the trial of Slobodan Milosevic by the International Criminal Tribunal for the Former Yugoslavia (ICTY) to demonstrate the necessity and value of the International Criminal Tribunals. The completed Human Rights Watch document will concentrate on how authorities financed the war, how weapons were transferred, and the administrative structures used. It will endeavor to establish how Milosevic's indictment and trial impacted Serbia and present lessons learned that the International Criminal Court can incorporate in future trials.

### **Objectives**

The New School Consultant Team will complete research and analysis consisting of two sections. Human Rights Watch will assess this research for relevance and possible inclusion in the final document described above.

The first section will examine how Slobodan Milosevic's indictment, arrest and prosecution impacted both popular opinion and the political power structure in Serbia.

The second section will seek to demonstrate the coordinated nature of attacks throughout the region by drawing on evidence of common attack patterns in Bosnia-Herzegovina, Croatia and Kosovo by various militias. The documentation produced will cite sources of evidence throughout both sections to enable its readers to make meaningful assessments of the conclusions presented in this research.

### **Methodology**

New School consultants will conduct the bulk of the research through reading online trial transcripts at <http://www.un.org/icty>. Other sources of research will include: the Humanitarian Law Center; B92 radio/television station; Institute for War and Peace Reporting; Crimes of War Project; and *Under Orders*, a book produced by Human Rights Watch. New School consultants will also conduct primary interviews if Human Rights Watch deems this a useful source of research.

In order to document the effects of Milosevic's indictment and trial on Serbia, New School consultants will produce a short document analyzing Serbian popular opinion and politics, in conjunction with press coverage of Milosevic both during and after his trial.

In examining the activities of Serb militias for evidence of high-level coordination, New School consultants will produce a short description of each militia group identified, and a chronology of its activities, together with evidence of higher level command or endorsement from government authorities, and details of its standard operating procedures. The first step to creating this chronology will be to examine trial transcripts of witnesses associated with militia activities, and use their testimony to map the time and place of specific operations. New School consultants will also use trial transcripts to search for evidence of command structures shared by militias as well as common operating procedures which may indicate militias received higher level training and coordination from government authorities. The final format of this section will be determined in consultation with Sara Darehshori, Human Rights Watch.

### **Timeline**

#### **Week One:** Sept 18 – 24

- Read documents from Sara Darehshori
- Research websites from Zorana Jelic
- Read biographies/overviews on ICTY
- Read the transcripts from Sara Darehshori
- Start taking notes on militias and impact on Serbia, keeping clear citations

#### **Week Two:** Sept 25 – Oct 1

- Send first progress email to HRW – October 25
- Decide how we are going to track militia data
- Start to pull together the documentation. Concentrate on impact on Serbia section.

#### **Week Three:** Oct 2 – 8

- Meet with HRW - Mon Oct 2 at 9 AM to discuss progress to date and the format of the draft report
- Continue research. Concentrate on militia section

#### **Week Four:** Oct 9 – 15

- Send second progress email to HRW – October 9
- Continue research – both sections
- Write draft report

#### **Week Five:** Oct 16 – 22

- Send draft report to HRW – Mon Oct 16
- Meet with HRW later in week for feedback on the draft report (time to be determined)
- Decide on format of the final report based on feedback from HRW
- Continue research – both sections

#### **Week Six:** Oct 23 – 29

- Send third progress email to HRW – October 23

- Continue research – both sections
- Start writing final report

**Week Seven:** Oct 30 – Nov 3

- Wrap up research
- Complete final report
- Deliver final report to HRW on November 3

**Deliverables**

- September 25 - First progress email
- October 2 - Meeting with Human Rights Watch at their offices
- October 9 – Second progress email
- October 13 - Deliver rough draft to Human Rights Watch outlining our findings concerning the impact of the Milosevic trial on Serbia, as well as on the evidence of government coordination of militias.
- October 23 – Third progress email
- November 3 - Final report