

Journalist fights for right to silence

A former war correspondent appearing before the international war crimes tribunal at The Hague is fighting for the right to protect his sources' confidentiality.

Jonathon Randal (69), a veteran war reporter with the Washington Post, refused to testify on a point of principle when summoned by the tribunal earlier this year. His argument, which has the support of several leading media organisations, is that a journalist relies on trust for gathering information in difficult circumstances such as war, and that trust would be threatened if a reporter can be subpoenaed by an international court. For this reason he refused to give evidence in the trial against former Bosnian Serb deputy prime minister Radoslav Brdjanin and army chief Momir Talic, accused of the persecution and expulsion of more than 100 000 non-Serbs from northwestern Bosnia during the 1992-95 war. In 1993 Brdjanin advocated the expulsion of non-Serbs in an interview conducted by Randal.

Randal's lawyers believe that the tribunal should set strict guidelines for journalists, similar to those that govern the practices of Red Cross officials, state officials, interpreters and defence lawyers, all of whom are not forced to betray confidentiality.

Arguments on Randal's behalf from major media groups like the New York Times, the Associated Press, CNN, the BBC and news organisations from the former Yugoslavia will be presented at the one-day hearing. International media watchdog, Reporters Sans Frontières, will be lending their weight to Randal's case. SaRSF head, Robert Menard, "If people start thinking that behind every reporter stands an international judge that will be the end of our profession."

Whatever the ruling of the court, it is likely to be seen as a legal precedent with direct bearing on the functioning of the International Criminal Court that's also been newly established in The Hague.

Source: [Mail & Guardian](#)