

First ICTY Global Intern Makes Her Mark

Megan Barnett

By Megan Barnett

The ICTY was the first truly international criminal tribunal, established by the United Nations to prosecute those responsible for serious violations of international humanitarian law in the former Yugoslavia since 1991.

I was assigned to work on the case of *Milutinović et al*, which involves the prosecution of six of Serbia's highest ranking political and military leaders (on the rung of the ladder immediately below Federal Republic of Yugoslavia President Slobodan Milošević) for various crimes against humanity and violations of the laws or customs of war, including persecutions on political, racial or religious grounds and murder that allegedly occurred in various municipalities throughout Kosovo from 1998 up to the NATO air campaign in 1999.

My role

The work I got to do far exceeded my expectations. Under the excellent management of the Legal Officers of the team I was involved in, interns are recognised as an inherent and significant part of the legal staff of the Chamber. When my internship commenced the prosecution was presenting their case, and I was in court around once a fortnight, summarising witness testimony, checking exhibits had been appropriately admitted and attending Judges deliberations in which the credibility of witnesses was discussed. I was also very involved in the motion practice of the trial, especially that which had to do with the admission of documentary evidence, and drafted a large number of orders and decisions in relation to this area, which I am now proud to say will forever be on the judicial database and part of international criminal jurisprudence. When the prosecution case closed, I was involved in drafting a section of the 98bis decision, which is a decision handed down by the Bench in response to a motion for the acquittal of the accused, essentially alleging their client has no case to answer. I was also honoured to be given the opportunity to work on a draft section of the judgement, on the basis of my analysis of scores of both documentary and direct witness evidence. I was frequently assigned research assignments on areas of and issues in law,

and could be instructed either directly from the four Judges I essentially served, or the five Associate Legal Officers or two Legal Officers I worked with.

Reflections

Working at the ICTY was the most professionally satisfying experience I have ever had the pleasure of undertaking, and I would do it all again if I could. The work was challenging and demanded long hours (which could frequently run into weekends), and it could often be very emotionally draining, given the sensitivity of issues witnesses would testify about, and the horrific evidence one had to read and analyse as part of an international war crimes trial. But each day brought something new in the forever evolving realm of international law, and you really felt like you were contributing to an incredibly important process of reconciliation in the Balkans, and international justice generally.

Socially, the ICTY is a wonderful place to work. With employees from over 82 different countries around the world, each day you would meet another inspiring person from another part of the world, already armed with a fascinating and diverse background of experiences. The judges of the Chamber I worked for were particularly hospitable and as a team, we often had traditional dinner parties and other social occasions where we would learn more about one another's countries.

The internship offered through the Castan Centre is for 3 months, with the option to extend for 6. If I could leave you with one piece of advice, take the 6 month option. You will want the amazing experience which is an internship at the ICTY to last as long as possible.

The ICTY is primarily comprised of three organs: Chamber, the Office of the Prosecutor ("OTP") and the Registry. My internship was in Chambers, although anyone can apply directly to the ICTY for an internship in any of the organs (Registry internships can be non-legal) through the ICTY website (www.un.org/icty). There are also internships available working with Defense, though these are frequently arranged through US universities or personal contacts.



Megan in her robes at the ICTY.



The ICTY Building (obviously Megan didn't pick the right time of year).