

André Georgi
Tribunal

Thriller

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1

Her breath in tatters, pulse playing Bebop, the metronome at 220 – and we're off, Charlie.

Jasna is sweaty. She hates that. Her T-Shirt. Her pillow. The cover.

Far too often as of late, that's new, it's not like her.

She'd always been able to sleep, even two months ago in Albania. Lay down, turn off, and out.

Dreamless, relaxed. But over the last ten days she'd kept on having the same dreams. Over and over again something to do with death, with stink. Mostly running. Always losing.

She still needs a second to get rid of the dream, only then does she understand where she actually is.

Jasna stands up, opens one of the barred windows. The world outside a single smudge between dark- and dark-dark-grey. The North Sea murmuring and playing eternity. And down below, on the beach, seagulls crying over a shredded fish. 5:37 a.m. Good morning, Holland. Good morning, Scheveningen.

Outside someone – who's that? Right now it's probably Hilken – outside most likely Hilken is making his rounds about the summerhouse, submachine-gun slung over his shoulder. Orsekovič is sleeping next door, but Jasna doesn't want to know about his dreams. Does he even have any? That asshole probably sleeps better than I do. Two rooms over the dayshift sleeping on their field beds, Hilken's people. Ten men, ten submachine-guns. Here he's safe, Orsekovič, the key witness. At least until his grand appearance today in court, The Hague, Churchillplein 1, Room 3.112.

Jasna takes off her damp T-Shirt and pulls a sweater from out of the closet. Snatches her red bathrobe as well – one could do with at least a little color here.

Smokes too. Lighter. Then out.

The metronome now's at 180.

5:39 a.m. Charlie Parker's gradually calming down.

Everything's going to be okay, you'll see, Jasna thinks, it'll be all right. You brought Orsekovič here from Tirana, Albania, here to The Hague, the Netherlands. The price? Rings under your eyes, some sleepless nights – and? My life has been on track over the last few months. The price that I've had to pay isn't too high. It's been worth it. My life is on track.

170.

165.

Gradually Coleman Hawkins coming along too.

160.

It's all good. Stop trying to get yourself ready.

158.

I'll deliver him.

Jovan Orsekovič, the key witness.

Churchillplein 1.

Room 3.112.

Today at ten.

He'll testify and I'll have won. My life's on track.

Hilken coaxes all of morning's most treasured secrets from out of the dark. With night-vision goggles and a submachine-gun. He's in a bad mood because he's freezing his ass off and the

nightshift isn't over yet. Because he's over-tired and thinks that the 45° feels more like something below freezing and is a personal insult to boot. Far too cold for the season in any event, abnormal.

Jasna comes out of the summerhouse. Goes down to the water. In her red bathrobe, far too lightly dressed.

What's wrong with her? Hilken wonders as he watches her go. She's up much too early, departure's not planned until 8:30, what's she doing here already?

He goes back to the house. Gets a Thermos. A cover.

And follows her. He catches up with her on the beach against which the tide softly licks, three hundred feet from the discreetly screened summerhouse.

Hilken stands next to Jasna. Puts the cover over her shoulders.

Gets a smile to which he's not opposed. Jasna hands him a smoke. Thanks, he mumbles. She gives him a light. Puts one into her own mouth.

For almost two weeks they've been hanging around together. And for almost two weeks Jasna has been giving an impression of being ever more closed-off. Constantly tense, strained. Her trust in the world seeming to slowly chip away. Maybe she'd overdone it the last few months. But she'd done it all the same. She had managed to bring Orsekovič here. A job that had cost her seventeen months. Seventeen shitty months of my life – Jasna Brandič's exact words one week ago.

Do M'Penza and Peneguy really know how lucky they are to have her? Hilken wonders. And opens the Thermos. Pours her some coffee.

I have to get out of here, she says. Every night the same shit, I have to go.

Just a few more days, then you'll be rid of him, Hilken says.

Jasna drinks. And looks back to the house. Most of the windows are still dark. Only from the crew's room is there a light. And next to it. Orsekovič's room.

What's with him, Jasna asks, is he already awake too?

Since four.

Since four?

Jasna grinds the rest of her cigarette out into the sand. Why should Orsekovič be doing better than I am?

Hopefully he'll get the testimony right, she says. Hopefully he won't break down at the last minute.

Let's go inside, it's far too cold out here, Hilken says. We don't want *you* to break down!

Jasna follows Hilken back to the house and looks up at Orsekovič's window.

Seventeen shitty months for these two hours today, she thinks and notices the edginess crawling its way back toward her again.

They had planned Orsekovič's testimony to take two hours. By the early afternoon he'd be back.

The whole thing would cost about 20,000 Euros. Per day. But it's worth it to the court, bringing Kovač before his judges.

Orsekovič's got to do it.

Or it will all have been in vain.

3

There's a great circus going on outside the tribunal at Churchillplein 1, and The Hague's police are busy. Twenty patrol cars at the barrier. The police are wearing bulletproof vests, while among them walk a number of young members of the elite unit with submachine-guns. Behind the barrier a number of demonstrators have gathered with placards against Kovač and are keeping themselves warm with chants. No one had considered that this could happen. Firstly, because of the cold. Secondly, Kovač wouldn't be the first one to stand before the tribunal today. And no one had imagined that the demonstrations would escalate precisely on the fifty-third day of proceedings. And certainly not first thing in the morning!

Due to the ever more aggressive chants it finally becomes clear to Huysman that he's going to have to call for more personnel. And suddenly the barriers seem far too fragile. If the demonstrators wanted to break through, neither the little bit of fencing nor the concrete pillars would stop them.

And not my people either, Huysman thinks and hurries past the barriers to the command wagon from which he controls the operation.

He's angry with himself for having underestimated it all. Of course Huysman had been familiar with the demonstrators' demands – after all, the demonstration had been authorized – but he hadn't considered that they'd turn up in such numbers, a terrible mistake. Only last night as he looked at the demonstrators' Facebook page once again did he really get an idea of the scale today's demonstration would take. In a matter of hours the number of “likes” had increased tenfold as all of the sudden everything was linked to the demonstration's call to action.

At the very latest that's when I should have reacted, Huysman thinks.

For nine years the court had been going after a total of 161 former soldiers, members of paramilitary groups and politicians from the ex-Yugoslavia for war crimes – but no one, not even Milošević himself angered the people as much as Marko Kovać did.

There was nothing Huysman could do. He had a twenty-three year old daughter, Margret, studying chemistry in Amsterdam. The night before at dinner, as he was telling his wife about the blatant threats against Kovać, she asked him what he would do if Margret had been one of Kovać's victims? If Kovać had ordered his people to rape her? And if Huysman himself then had to stand there and watch Kovać run rings around the court for fifty-two days through various legal maneuvers? Why spend all of that money on a trial against someone who, if you were being honest, you'd rather simply stand up against a wall and shoot?

Is that really what I want? Huysman asks himself. To stand Kovać up against a wall?

He gets into the command wagon. Years ago he had already forbidden himself to think about the “why”. He was there to protect, he couldn't ask who or why or what he would do if he could. He was there to protect – no matter whom, no matter why – that was his job.

Huysman closes the door behind him and sits down at the small table where his tap-proof radio is standing. As he looks out the command wagon's tinted, bulletproof windows at the demonstrators he announces: it's shortly after eight. There are a lot more demonstrators than expected. We need

backup. Send someone. It doesn't matter to me from where, this is totally unexpected and I need more people!

Outside the wagon the demonstrators are pushing against the fencing. All of them dressed in black. In mourning. With placards written in Dutch, English, and Serbo-Croatian, in Latin and Cyrillic letters.

Huysman hangs up and looks at the photos of women and girls the demonstrators are holding. At the Photoshopped pictures of the bridge: Višegrad in the early summer of 1992 eleven pillars wading through a river of blood, the Drina. Too heavy-handed for Huysman's taste.

He thinks about Margret, his daughter, but can't afford to be distracted.

What will happen if the demonstrators break through? I have to extend the safety-zone. But how should I do that? In any event, I should strengthen the fencing. But that is exactly what would make the demonstrators aware of their power and instigate them to push through.

Is it already too late? Why didn't I react last night?

Do I have too much sympathy for these demonstrators? Would I stand Kovać up against a wall myself?

4

Two police officers check the room with bomb-sniffing dogs. Pure routine. The final check. Through the window they can hear the demonstrators' muffled calls. Other than the two of them there is no one else in room 3.112 as the dogs – Castor and Pollux – are not to be unnecessarily distracted.

Castor sniffs around the seats of the judge, the prosecutor, and the defense, Pollux around the ten rows of ten seats for the spectators. The last row is reserved for journalists, which means that only ninety will be left for the public, far too few given the explosive nature of the trial. Huysman however had been vehemently against allowing a greater number of people in.

Finally the two police officers lead their dogs to the front of the room, to the bulletproof cage that could withstand a salvo of machinegun bullets in which Kovać will sit. Here too the dogs find nothing. The room is clean.

We're done here, one of the police officers says into his radio and the two lead Castor and Pollux out to the wagon, which will bring them back to the barracks. A bailiff comes in to put up a sign: "Dr Peneguy. Prosecutor". Then the signs for Kovać and his lawyer.

There's not much time left. The security personnel with their bulletproof vests and pistols spread themselves throughout the room. Today evidence of Kovać's guilt is to finally be presented.

The charges: murder and incitement to murder in 3953 cases. Rape and incitement to rape girls and women between the ages of 12 and 72.

The scene of the crime: Višegrad on the Drina, on the border between Serbia and Bosnia-Herzegovina. More precisely: the bridge over the Drina and the Vilina Vlas Hotel in which Kovać's "wolves" had stayed for a few months. From the bridal suite – Kovać's accommodations – one had the best view over the bridge, the bridge where Kovać and his "wolves" executed 3953, mostly male, Muslims and threw them into the Drina. Eleven pillars wading through a river of blood.

The time: early summer to autumn 1992.

Up until now, Peneguy, the state prosecutor, has been unsuccessful at demonstrating that Kovać had been the head of the chain of command. Today, however, after fifty-two days of trial he would be able to do so – so long as Oreskovič, the key witness, didn't mess things up. Today he would repeat his testimony before the tribunal and answer both Kovać's lawyer's questions as well as Kovać's own. The air already vibrated with tension.

Four security men sit down around the similarly bulletproof glass of the key witness's stand. Oreskovič is highly endangered, as he's not just anyone. He was – according to Branko – Kovać's proxy in the "wolves" hierarchy. During the Bosnian War, Oreskovič intimately knew about many of Kovać's decisions.

The security officer-in-charge checks the room one final time. His men are spread throughout it. The key witness's stand is secure. Earlier that morning at the last minute Huysman had doubled the security detail. We're ready, the security officer-in-charge says over the radio to one of his colleagues in the hall downstairs who has been waiting to let public in. Journalists first, please.

5

In the end Peneguy could've rented himself any old room any old place in The Hague because it does not matter to him where he sleeps. He's always in the office.

But today Peneguy is running too far behind. Yesterday he couldn't sleep. Around two in the morning he had begun to get upset with himself. Today was the day they had been working toward for months and he couldn't sleep. A whiskey – he had gotten it as a gift from M'Penza on his forty-second birthday. Another one. And then one more. And a sleeping pill to top it off. Then it was two-thirty. Now that goddamn sleeping pill is still sloshing about in my head and blocking my cortex, or whatever it's called. There, the seat of your thinking. Precisely where I need it to be today.

His hands are covered in shaving cream. He rubs it in. Looks in the mirror. Come on, son, he says to himself to gather up his courage. Get it together. You're not going to blow it. 70 percent of it's all documents. You're on the safe side. Or are you afraid of Kovać? Bullshit, you know Kovać through and through. But the question is, what will Kovać get up to with Oreskovič?

Peneguy knows that Kovać has a propensity to question witnesses himself when he's under pressure. And he had every right to do so as he was representing himself. Furthermore, Kovać was precisely what one might call "charismatic". Even tucked away in his glass cage, even as the accused, he managed to intimidate his witnesses. And mock them in an extremely clever fashion so that no one could call him on it. And "no one" in this case, Peneguy thinks, means me.

You know?

There was a knocking at the bathroom door.

We have to start getting ready to go, Caflish said from behind the door.

Yeah.

Peneguy swallows an aspirin. Keeps shaving.

Cuts himself of course. The blood mixes with the shaving cream.

Idiot. How can you be some dumb, man? Pull yourself together.

I'm sorry, Sir, Caflish says. He has to, it's his job. I really have to ask you to please hurry up.

And Peneguy yells at him through the door that he should at least leave him alone for a moment while he's in the john.

And then: Sorry. I'm working on it. Two minutes. Then I'll be ready.

The blood on his cheek does its best to look theatrical.

Peneguy loves solving certain problems by simply ignoring them. Which is understandable when one sees his desk. He washes his razor off. Runs water over it. Looks. Only a small cut, a piece of toilet paper would do the trick.

Caflish knocks. You yourself asked me to, Sir.

Yeah, yeah, yeah.

Kovać is not going to win. We've never had someone like Oresković on the witness stand before.

His testimony will break Kovać's neck. That's how we'll get him.

Sir?

Peneguy is aware of the fact that he loves to be in the limelight. When he has to perform later in front of Kovać, the judge, the press and the public, he'll feel secure. He'll know just what face to use, and the effect it will have. And when you add to that the adrenalin – what could go wrong? I just have to let myself go so that it will work, as it always works. You know yourself in the meantime, son.

Five minutes, Peneguy calls toward the door. Please put a coffee on for me.

No, he wouldn't be intimidated by Kovać.

Peneguy looks at himself one more time in the slightly shaded mirror of his luxury bathroom in the luxury hotel room in the middle of The Hague that he can afford because he needs a refuge and his

refuge is luxury. A quirk that he had inherited from his father, a tax lawyer from New York with a house in the Hamptons. Peneguy longs to get back to New York, but before that he has ordered himself a sabbatical. He has given the court five years to get something into motion.

And me? Have I put anything into motion?

The mirror is concerned. At the moment it seems as if Peneguy is most definitely not ready for the limelight. His smile looks like that of a loser. And the tiny wound bleeds through the toilet paper. Only a couple of red drops, but enough for Kovać to know the score. There are reasons why Kovać made it to being the head of the “wolves”.

Kovać can read people.

And Peneguy feels exactly like an open book.

Fuck.