2025 Fact Pattern



THE PROSECUTOR

V.

RUPERT HENTZAU

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THE PROSECUTOR

v.

RUPERT HENTZAU

Rupert HENTZAU is charged with the following offence:

Statement of Offence

Crimes against Humanity, contrary to Article 7(1)(a) of the Statute of the World Criminal Court.

Particulars of Offence

Rupert HENTZAU, on 17 July YR-3, as part of a widespread or systematic attack against the civilian population and in the Republic of Elphberg, murdered Ferdinand Rilke.

CASE SUMMARY

1. BACKGROUND

1.1. The neighbouring states of Ruritania and Zenda are to be found between Austria and Bosnia. Both states, ruled over by hereditary Grand Dukes, had been part of the Austrian Empire since the 18th century. .

1.2. During the First World War, both States had joined with other Balkan countries to rid themselves of their Austrian masters. As a result of the Treaty of Versailles they found themselves united as the Kingdom of Elphberg. Grand Duke Michael of Zenda became King.

1.3. It was not the happiest of alliances. Ruritania was agrarian based whereas Zenda was largely industrial. Economic tensions were aggravated by religious divisions; Ruritanians were largely of the Jedi religion, whilst the majority of Zendars were largely of the Kashiri religion, although with a substantial Jediist minority. Although there was a certain amount of cross-border settling and inter-marriage, on the whole, the divides remained. However the language and surnames were very similar.

1.4. During the Second World War, Elphberg was invaded and occupied by the Germans. The King fled and a puppet government was installed, headed by a Ruritanian. By and large, Ruritanians accepted the situation; however, the Zendars did not and formed resistance groups. Any action taken by these groups was put down with extreme ferocity by the Germans aided by the Ruritanian army, which then took reprisals against civilians. The resistance gradually became co-ordinated by Communist partisans.

1.5. At the end of the war, the Kingdom of Elphberg was re-established. However, in 1953 the Communists seized power under the leadership of an ex-partisan named Colonel Stefan Sapt. It became the Republic of Elphberg and Sapt became president. By the use of authoritarian powers, Sapt was able to subdue all religious and economic tensions.

1.6. In YR-6, Sapt died. His successors were unable to exert the same control and gradually nationalist/religious sentiments took hold amongst the Kashiri majority in Zenda. In November YR-4, the leader of the Kashiri party in Zenda, the Zenda Democratic Party (ZDP), called for a vote in the Zenda Assembly as to whether independence should be sought. The vote was overwhelmingly in favour. A referendum was held on 18 December. Kashiri Zendars voted but most Jedi Zendars did not. The result was an 80% majority in favour of independence.

1.7. As a result, on 24 December YR-4, Zenda declared itself independent of Ruritania. The Jediist Zendars objected and asked the Republic Government of Elphberg to assist. In April YR-3, the Elphberg National Army ("ENA"), comprised largely of Ruritanians, was sent into Zenda. The Army was joined by the Jediist Zendars. Uprisings, instigated by members of the Jedi party, the Zenda Socialist Union (ZSU), took place in towns and areas with Jedi majorities. In places where these uprisings were successful, 'ethnic cleansing' took place. Kashiri inhabitants were removed, their houses were burned or occupied and many were sent to 'detention camps'. One such a town was Strelsau.

1.8. Conditions at these camps were intolerable. Detainees received insufficient food, lived in sub-standard conditions, were forced to work and were tortured and murdered on a regular basis by camp guards.

1.9. In August YR-3, a television crew from Great Britain was able to gain access to one of these camps at Lippiza. What they found there caused international

outrage. As a result, diplomatic pressure was brought to bear, to end the war. United Nations troops were sent in to keep the peace and the Security Council, (under its Chapter VII powers), referred investigation of the crimes to the World Criminal Court (WCC).

2. Allegations

2.1. Rupert HENTZAU was in charge of a shift ("shift commander") at Lippiza camp between May and August YR-3. He was a Jediist Zendar and until the conflict broke out, had been a police sergeant in the town of Strelsau.

2.2. HENTZAU, as shift commander, was responsible for the conduct of the prison guards towards those detained. However, it is the Prosecution's case that he himself carried out acts of brutality. In particular, it is alleged that on 17 July YR-3 beat a detainee, named Ferdinand Rilke, to death.

2.3. In January YR-2, HENTZAU fled to London. In May YR-2 an indictment & warrant of arrest was issued by the WCC. On 10th June YR-2 he was arrested by the British police and transferred to the seat of the WCC in The Hague. There he was interviewed. During the course of the interview he admitted being at Lippiza but denied that he had ever taken part in any ill treatment of detainees.

2.4. The trial takes place in YR 0.

CHRONOLOGY OF EVENTS

YR-6	Death of President Sapt
December 18 YR-4	Referendum
December 24 YR-4	Declaration of Independence by Zenda
April 09 YR-3	ENA invades Zenda
April 25 YR-3	Establishment of Lippiza Camp
Beginning of May YR-3	Arrest of Ferdinand Rilke
May 31 YR-3	Arrest of Tarlenheim
August 06 YR-3	Galloway (British) TV visit to Lippiza
August 09 YR-3	Lippiza closed

WITNESS STATEMENT

Name: Margarita TARLENHEIM

Address: Probusgasse 10, Vienna, Austria

D.O.B.: 22nd March YR-30

Occupation: Secretary

Ethnic origin: Zendar

Religion: Kashiri

This statement consisting of 4 pages, each signed by me is true to the best of my knowledge and belief and I make it, knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false or do not believe to be true.

SIGNED DATED: 13 March YR-2

I was born and brought up in the town of Strelsau. After leaving school I got a job in the personnel department of a large store called "C&A". After that I worked for the chief buyer of a store called Reininghaus and Gosser. However, both these jobs were rather boring and in the second one I was working for a woman, with whom I did not get on.

In YR-5, I saw an advertisement for a job as personal assistant to Max Sholten, the deputy leader of the ZDP in Strelsau. I applied for the position as I thought it would be an opportunity to meet important and interesting people. I got the job, but it turned

out to be just as tedious as my earlier employment. I had to take the minutes of interminable political meetings and type letters about changes to tax regulations and the like, not to mention having to pick-up Sholten's dry cleaning. I did get to know some important people, such as the leader of the ZDP, Ferdinand Rilke, but he didn't seem very interested in me. In fact, when the war broke out, I had more or less decided to hand in my notice.

That same year, I met Rupert HENTZAU. He was a police officer. We met at a music festival – I believe "Florence and the Machine" were headlining. We started to talk, he asked me out for a drink after the concert and things just moved on from there. We went out for about 9 months, but it was not an easy relationship, for a number of reasons. He was a Jediist and I was Kashiri, so our families disapproved. Moreover, every now and again he would make bitter remarks about "Kashiris having the best jobs and houses" and that "Kashiris were liars and cheats". He also felt that he was not being promoted because he was Jediist. Rupert would tell me stories of how he had beaten people he had arrested, in order to persuade them to confess.

Eventually, although he was normally great fun to be with, I decided to end the relationship. He was quite unpleasant about it and called me all sorts of names. However, after some time had passed, he seemed to forget about that and if we saw each other by chance, he would be quite polite. I did hear that he was promoted.

Because of my work, I was aware of what was happening politically, but I didn't take very much interest. Like my family and friends, I voted in the referendum for independence from the Republic of Elphberg. I probably wouldn't have voted except everyone had to, by law. It never occurred to me that there would be a war.

After the Republican army invaded Zenda, life became very frightening in Strelsau. It wasn't safe to go out because there were checkpoints all over the place in both the Kashiri and Jediist areas of the town. There were snipers operating from buildings all over the place and even women and children were being shot.

Then at the beginning of May YR-3, there was fighting just outside Strelsau. The town was shelled and eventually with the help of the army, the Jediist Zendars took over the town. All the officials, including my boss and Mr. RILKE were arrested at the headquarters of the ZDP. They were taken to the police station and not seen thereafter. People were saying that there was a prison camp in the old mine complex at Lippiza. All Kashiri Zendars who worked in local government were told that they no longer had jobs.

Although I was out of work, I didn't think that I was in any particular danger until the deportations began. Whole families were being taken away and their houses were being destroyed or were being occupied by Jediists. I decided to try and leave in order to get across the border to Austria.

I left on 31st May. I was on my bicycle and decided to use the back streets to avoid the checkpoints. That day there was a new one and I was stopped. I was taken to the police station. I was interrogated and all my identity papers were taken from me. Then I was placed in a cell with 5 other women. The next day we were taken to Lippiza.

On arrival we were put into a room in a building which contained a canteen. The men came there once a day for a meal. I know that because part of the work I was made to do was to hand out the meals and wash–up. I also had to clean out the rooms upstairs, which were used for interrogation. We could hear the most awful noises coming from the rooms – sounds of blows, screams and when we were sent in to clean there was blood and all sorts of weapons on the floor.

It was on my second day there, that I saw Rupert. He came into the canteen whilst we were handing out the meals. He was in a camouflage uniform and was carrying a machine gun. He stalked round the room telling the men to hurry up with their meal. The language he was using was vile. Then he saw me behind the counter. He just laughed. Then he came over and said, "you should have stuck with me you Kashiri bitch".

I saw him quite often in the camp after that but he never spoke to me again. People were constantly being beaten and killed and Rupert was one of the most violent of the guards. He always carried a pistol and for no reason he would suddenly drag a prisoner from a line and start to beat him around the head. He would order other guards to beat prisoners with bits of wood and iron bars. I don't know what rank he held there, but he clearly had authority, I heard he was one of the most vicious interrogators.

I have been asked about 17 July YR-3. I clearly remember the events of that day. It was an extremely hot and humid day. Some of the men were being forced to dig a large pit. I don't know what it was for. I recognised one of them as the leader of the ZDP, Ferdinand Rilke. That was the first time I'd seen him in the camp. He looked to be in a terrible state. He was as thin as a rake; you could see his ribs. His hair seemed to have dried blood on it and his back was covered with bruises. He was digging very slowly and suddenly he collapsed. Although I was some way away, I could hear him begging for water.

Suddenly Rupert appeared. He was carrying his police baton. He went over to Mr. RILKE and took hold of him. Then Rupert really hammered him. I can't bring myself to describe the savagery of that attack. Two of the other prisoners tried to stop him, but other guards pulled them off. Rupert didn't stop until Mr. Rilke no longer moved. Then he walked off. I ran over, as did some other women. Mr. Rilke wasn't breathing. Someone tried to give him the kiss of life, but it didn't work. He was dead. The guards told other prisoners to take the body outside to one of the sheds. 10 minutes later a lorry arrived; the body was loaded on it and was driven away.

About 2 weeks later, the TV crew arrived. Everything had to be cleaned up for them in the areas they were going to see. They came into the canteen. Rupert was escorting them. I didn't dare talk to them, but the woman reporter came to the part of the counter where I was serving and I managed whilst showing her the food, (which for the

first time was meat), to pass her a note I had written telling her about conditions in the camp.

A few days later, we were told the camp was being closed. We were taken by bus to a camp on the Austrian border and two weeks later I was released.

Investigator William Reed has shown me a piece of paper marked Ex. WR/11. I confirm this is the note I gave to the woman reporter.

SIGNED

This statement was taken by Investigator William Reed on 13 March YR-2 at the home of the witness.

WITNESS STATEMENT

Name: Jane REEVE

Address: c/o Galloway Television plc.
Newton Stewart, Dumfries & Galloway

D.O.B. Over 21

Occupation: Journalist

This statement consisting of 4 pages, each signed by me is true to the best of my knowledge and belief and I make it, knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false or do not believe to be true.

SIGNED DATED: 27th September YR-2

I have been a journalist for 15 years. Upon leaving the University of Luton, I obtained employment as a reporter on the "Wigtownshire Free Press" a provincial newspaper in Scotland. After one year I decided to move to London and got a job there with the "Ealing Gazette", also a local newspaper but with a much higher profile. From there I moved to "The Herald", which is a national newspaper. There I worked on the general interest section.

In YR-8 I joined a TV company called Blackfriars TV to present a programme called "Behind the Scenes". This carried out in-depth investigations into current affairs and gradually the programme developed a bias towards foreign news items. Although to begin with I was merely a studio presenter, I was able to persuade the producer that I was being wasted in that role and should be allowed to carry out investigations and interviews at the scene.

As a result, I was able to break new ground by investigating such matters as the involvement of the CIA in drug smuggling into this country. I also covered some of the major incidents involving violence against the civilian populations during the past decade.

In YR-5, I was headhunted by Galloway TV to set up a very similar programme for them. The advantage for me was the independence to select my own investigations and having total editorial control. The programme was entitled "Roving Reeve".

In April YR-3 the conflict in Elphberg began. Some of the refugees came to Scotland and stories began to circulate that there were so-called detention camps in operation in Zenda, which were little better than Nazi concentration camps. Allegations of starvation, beatings and worse were being made.

I decided that this merited further investigation. Accordingly, we made contact with the Government of Elphberg, through their London embassy and sought permission to take a film crew to Zenda. The negotiations began at the end of June, but permission was only granted at the end of July and then only for certain areas. The excuse was the potential danger. We made a specific request to be allowed to go to the area of Strelsau as we had heard about a camp at a place called Lippiza.

We arrived at Lippiza on Thursday 6 August YR-3 at about 11am. A camera crew of two, an official from the Foreign Ministry of Elphberg and an interpreter accompanied me. On our arrival I noticed that there were large barbed wire fences around the perimeter of the camp, which was being guarded by men in what appeared to be military uniform.

At the gate we were introduced to a man who was described as a "shift commander" i.e. in charge of the men on duty at that time. Through the interpreter he told us his name was Rupert HENTZAU. He was extremely polite and explained to us that this was a detention facility for Zendars who had been involved in the fighting against the

Republican Army or were being investigated for alleged terrorist offences. He told us that if the investigation showed that no offences had been committed, then the "detainees", as he described them, were released.

We asked to be shown round the camp and he agreed. Once in the compound area we noticed that both men and women appeared to be held there. All seemed excessively thin. I asked about the women and he told us that they were suspected of having committed offences such as harbouring insurgents or carrying weapons.

We were taken to what was said to be a dormitory for the men. It contained a number of bunk beds, but we saw no signs of occupation. Asked about sanitary arrangements, HENTZAU became evasive, saying that there had been flooding and the bathrooms were being repaired.

We then asked about nutrition and were told there was a canteen, which we asked to see. I should say that at this stage HENTZAU left us saying he had work to do, but that two of his men would show us the premises.

When we went into the canteen there were a number of men eating lunch. Armed guards patrolled the area. The food appeared to consist of some kind of soup containing meatballs and hunks of bread. No one spoke, all seemed to be concentrating on eating. All the men had the same emaciated look we had noticed before and some appeared to have injuries.

I tried to chat to some of the men but received monosyllabic responses. One of the men appeared to have a badly healed broken nose and bruises to his face. I asked him how he had come by his injuries and he told me he had received them whilst playing football.

We then went over to the serving counter which was staffed by women. One of them had rather brassy blonde hair. She insisted on showing me a plateful of food. Whilst I

examined the food, she took hold of my hand under the plate and inserted a piece of paper into it. Then she took the plate and moved away. I looked round but none of the guards seemed to be observing so I put the paper into my jeans pocket.

We then left the canteen. Noticing some stairs to an upper floor, we asked if we could see upstairs, but the guard to whom we spoke said he had no orders in respect of our request and we would need to speak to his commander. Accordingly, we spoke to HENTZAU who told us the rooms were structurally suspect and therefore he could not permit us to examine them. Despite our protests he was adamant in his refusal. I then said that there was no further point in remaining and we left the camp to continue our trip around the area.

That evening, back in the hotel, I examined the scrap of paper I had been given by the woman in the canteen. It had a note, written in English, which read as follows "please help, people are being starved, beaten & killed, saw leader of ZDP shot by a guard".

At the time I could do no more than attribute this allegation to an anonymous source when the programme was aired a week later. I felt it might endanger the woman's life were I to give details of the incident. However, I kept the note and when my company was asked to provide the film we had shot to investigators from the WCC, I also handed over the note.

I have to-day been shown a note marked Ex. WR/11. I can say that is the note which was given to me by the woman and which I handed to Mr. Reed in January.

I would prefer not to have to give evidence.

SIGNED DATED???

WITNESS STATEMENT

Name: William REED

Address: c/o WCC
The Hague

D.O.B.: Over 21

Occupation: Investigator

This statement consisting of 3 pages, each signed by me, is true to the best of my knowledge and belief and I make it, knowing that if it is tendered in evidence, I may be liable to prosecution if I have wilfully stated in it, anything which I know to be false or do not believe to be true.

SIGNED DATED: 11 November YR-2

From YR-19 to YR-3 I served with the New South Wales Police Service. In YR-3 when I took early retirement, I was a Det. Chief Inspector working in Sydney. In late YR-3 I was invited to join the WCC as an investigator with the specific task of taking charge of the investigation into the events in Zenda. As I believed my long experience with the NSW police could be of great value to the WCC, I accepted the position.

International realisation of what had been happening in Zenda was largely owing to a programme which had been shown on British TV called "Reeves Roving". Accordingly, in January YR-2, I visited the offices of Galloway TV (the company which had made the programme), and spoke to Ms. Jane Reeve. As a result of what she told me, I took possession of 10 discs and a piece of paper with writing thereon. I now produce these items as exhibits marked WR/1- 11

On 15 February YR-2, members of my team carried out a search and seizure raid on the premises of the municipal building in Strelsau. Amongst the documents seized were the

records of the Lippiza Detention Centre. At a later stage I examined these records with the assistance of an interpreter. I noted the following information namely:

- *That a Rupert HENTZAU had been employed as a shift commander at the camp between 1 May and 9 August YR-3 when the camp had been closed;*
- *That a detainee named Ferdinand RILKE (whom I knew to have been the ZDP leader in Strelsau), had been released on 17 July YR-3.*

Further investigation showed that RILKE had not been seen since that day, nor had made contact with any member of his family or friends.

The WCC prosecutors obtained confirmation of an indictment against HENTZAU. After making enquiries through Europol, I was able to establish that a man with a passport in the name of Rupert HENTZAU had entered the U.K. on 30 January YR-2, claiming refugee status. He had been given leave to remain whilst his case was investigated.

In the light of the information in our possession, application was made to a judge of the WCC for a warrant of arrest naming HENTZAU. The application was granted. The warrant was then transmitted to the Metropolitan police.

On Thursday 10 June YR-2, together with Det. Sgt. Donald King of the Metropolitan Police and Stephanie Upfield, an WCC investigator, I went to an address at 5, Montana Road London SW20. I was present when HENTZAU was arrested at that address. Whilst he was getting dressed, I spoke to the woman he had said was his wife. She was English and gave her name as Sharon. I told her the reason for her husband's arrest and that he would be taken to The Hague that day.

I then accompanied the accused to Wimbledon P.S. where he was booked in and then placed in a cell until transport was available to take us to London City Airport from where we took a flight to Rotterdam Airport and a car to The Hague. There I surrendered the accused to the Detention Unit.

On Monday 5 July YR-2, together with Investigator Upfield, I conducted an interview with HENTZAU at the premises of the WCC. The accused was represented by his lawyer and an interpreter was present.

The interview began at 9.30 am and concluded at 12.30pm. It was recorded on DVD. I produce the original DVD as Ex. WR/12. Subsequently I prepared a summary of what was said, which I now produce as Ex. WR/13

SIGNED DATED: 11th November YR-2

INTERVIEW SUMMARY – EX. WR/13

Introductions and Caution

Rupert HENTZAU (RH) gave an account of his background and career as a police officer in Strelsau.

He explained the political developments, which had taken, place in Zenda. RH said that as a Jediist he had voted against independence from Elphberg, but had been content to abide by the result of the referendum.

It was put to him that as a Jediist he harboured resentment against Kashiri Zendars, but this he denied, saying that at one time he'd had a Kashiri girlfriend. However he agreed that once Strelsau had been taken over by troops from the Republican army aided by Jediist members of the T.A., things had not been very pleasant for Kashiris. He said that the Kashiri members of the police had resigned and as a result he had been promoted to Inspector.

It was in this capacity that he was asked to go to Lippiza. He said that the camp had been set up by the army for captured prisoners and those suspected of committing offences, such as supplying weapons to the "rebels". The army was unable to devote sufficient manpower to the operation so the police were ordered to take charge.

RH said his duties were two-fold:

(a) to take charge of one of the shifts (which consisted of 40 men, mixed police and T.A.), and,

(b) to interrogate suspected offenders.

He stated that during the course of interrogations he had never used violence nor had anyone else in his presence. If detainees were found innocent of any crime then they were released. He denied that he had taken part in any beatings and had made sure

that the men under his command refrained from the use of unnecessary force. He said the only deaths of which he was aware were those who died from injuries received from their part in the fighting and some who had attempted to escape.

RH said that there may have been deaths as a result of violence by one or more of the guards, but if so they had taken place when he was not at the camp.

When the name of Ferdinand RILKE was put to him, RH said the first meant nothing to him but he knew the latter as the leader of the ZDP and remembered him as being in the camp but who had been released shortly before its closure.

He said he had gone to the U.K. in January because he'd had problems with the authorities. RH declined to elaborate on the nature of the problems.

EXHIBIT WR/11

(Typed Copy)*

“please help, people are being starved beaten & killed, saw leader of ZDP shot by guard”

* *The original document has disintegrated owing to the unsuitable conditions in which it was kept*.

NOTICE OF ALIBI

(Rule 79(1)(a) of the WCC rules of Evidence and Procedure)

The Defense for RUPERT HENTZAU (RH) hereby gives notice of its intent to raise the existence of an alibi.

At the time of the alleged murder of Ferdinand Rilke on 17 July YR-3, RH was not at Lippiza Camp. He spent the day on the Rudolphsberg.

Flavia Rassendyll (contact details supplied) will give evidence in support of this alibi.

DATED 1 July YR-1

STATEMENT TAKEN FROM FLAVIA RASSENDYLL

This statement consisting of 1 page, signed by me, is true to the best of my knowledge and belief and I make it, knowing that if it is tendered in evidence, I may be liable to prosecution if I have wilfully stated in it, anything which I know to be false or do not believe to be true.

SIGNED DATED: 4 October YR-1

I have been asked by Investigator Reed whether I know Rupert HENTZAU.

I do know him as I met him in YR-3, when I was in Strelsau, working for a charity called ROZ. We became friends. I understood that he worked for the Department of Justice in some kind of administrative position.

I have further been asked if I remember 17 July YR-3. I do remember that day as it was my birthday and Rupert took me to somewhere outside Strelsau for a picnic. I cannot now remember the name of the place, but it was in the mountains.

I have been asked if I remember when we left and when we returned. I cannot now remember the exact times but it took about 3 hours to drive there and we had lunch as soon as we arrived. We returned to Strelsau some time in the late afternoon/early evening.

PROOF OF EVIDENCE OF RUPERT HENTZAU

D.O.B. 29 August YR-33

I am a Ruritanian national, being born in the town of Miranda, which is situated just outside of Otranto, the capital of the Republic of Elphberg. I have 4 siblings. My parents were both lawyers and in YR-28, the family moved to Strelsau in the province of Zenda, as my father had obtained a job in the legal department of the Zenda Socialist Union (ZSU).

I went to school in Strelsau and then to university in Otranto. I took a law degree but did not wish to become a lawyer as I wanted a more "hands – on" job which offered more variety. Consequently, in YR- 12 I joined the police force in Strelsau.

To begin with the work was extremely interesting because it was so different from anything I had done before (during my period of compulsory military service, when I left school, I had been no more than a clerk). After 5 years however, the novelty had worn off – I seemed to spend a great deal of time arresting people for "drunk and disorder" offences or petty theft and violence and felt insufficiently stretched.

Accordingly, in YR-7 I applied to transfer to the plainclothes investigation division. My application was rejected by the Commander in charge thereof. I was told that I was considered to be too arrogant and that there had been adverse reports on some of my methods and was not therefore a suitable candidate. I was also informally told that unless my attitude changed, I was unlikely to be promoted.

I did not agree with this assessment and therefore appealed to the Commander in charge of my area. The process of appeal took nearly a year because of the bureaucratic processes, but it was eventually agreed that I could transfer. This was in April YR-6

After my period of initial training as an investigator, I was placed in a department which dealt with "political" offences e.g. the holding of unauthorised meetings (especially those espousing the cause of independence for Zenda), the distribution of subversive literature etc.

In YR- 4, I was promoted to Acting Inspector.

As I said in my interview, I was brought up as a Jediist, but had not practiced my religion for some years. Although it is right to say that a majority of the population in Strelsau was Kashiri, I had no strong feelings about Kashiris, one way or the other. Some of my best friends were Kashiris and I did indeed have a relationship with a Kashiri, the witness Margarita Tarlenheim (although as will be seen when I comment on the witness statements, I strongly dispute much of her evidence).

In the referendum of December YR-4, I voted against independence from the Republic, not for religious reasons, but because I felt it was not in anyone's interest.

Once the Zendan Assembly had made the declaration of independence the atmosphere in Strelsau became extremely unpleasant. Meetings became more frequent; there were outbreaks of violence between Jediist and Kashiri fanatics. Attitudes hardened, even within the police – many of my Jedist colleagues refused to obey the orders of their Kashiri superiors. I was not one of them.

When the Republican army entered Zenda on 9 April YR-3, the situation in Strelsau rapidly deteriorated. The municipal government ordered the T.A. to resist. Kashiri members responded, but not the Jediist ones (in fact many of them joined the Republic army). The police were ordered to form a battalion and join the T.A.

I, and all my Jediist colleagues, refused to do this. We were promptly suspended from duty. This was on 12 April YR-3. By the 14 April YR-3 the army was shelling Strelsau, fighting broke out in the streets and within 2 days the town had surrendered.

The municipal government resigned and was replaced by an emergency body called a "Crisis Staff", comprised of Jediist representatives of the T.A., the police and members of the ZSU.

I was immediately recalled to duty and found that I had been promoted to Inspector, because all my Kashiri colleagues had been removed. We were told that our main duty was to restore order to the town and to arrest all persons suspected of having taken part in opposing the Republican army and those who might have provided assistance in any form. Our duties proved onerous as there were still snipers operating in the town and there were daily incidents of violence and looting.

On 25 April YR-3 the Crisis Staff ordered that a detention facility be established at an old mine complex at Lippiza. We were told by the Crisis Staff to send all suspected offenders to that camp, which was staffed by a mixture of police and members of the T.A.

On 30 April YR-3, I was sent to the camp to take charge of a duty shift and to assist with the questioning of suspects. I remained in that position until the facility closed in August YR-3.

The conditions in the facility were spartan, but adequate. From time to time there was some overcrowding and this in its turn provoked some incidents of violence, instigated by some of the more fanatical detainees.

These outbreaks were controlled, at any rate when I was in charge without undue force being used by my men. The only deaths I recall occurred as a result of injuries received during the conflict or attempted escape. I never personally engaged in unnecessary force.

As a shift commander, I would organise the rotas for the men in my shift, check the daily routine for the detainees and deal with any trouble that arose. I reported directly

to the camp Commander, a man by the name of Strakencz. There were 3 shifts per day; 6am-2pm, 2pm-10pm, 10pm-6am. We alternated the shifts on a weekly basis.

As well as being responsible for the shift, I was one of the persons tasked with the questioning of suspects i.e. those who might have taken part in the fighting, those who were involved in terrorist or harbouring criminals. Over the period I was at the camp, I must have questioned a large number of suspects. If I were satisfied of their innocence, I would recommend their release (I had no power to order their release). I can say that I was responsible for the release of many Kashiri detainees.

At no time did I ever use gratuitous violence during the course of an interrogation.

The camp was closed on 9 August YR-3 and I returned to my duties in Strelsau. However, it became apparent that there was no future for me there, especially after the U.N. intervention. Accordingly, I decided to leave to start a new life abroad. I chose to go to the U.K., as they appeared to have a lenient immigration policy and also I had a contact there.

I was allowed to enter as a refugee and was given temporary leave to remain, but on condition I did not seek or obtain employment. In March YR-2, I married an English girl named Sharon Pilling, who works as a hairdresser and who had a flat in Wimbledon. It was there I was arrested.

I will now comment upon the prosecution statements.

Margarita Tarlenheim

I agree with what she has to say about our meeting I was actually on duty at the concert. We did go out for a period of about 9 months, but at no stage did I make the remarks she attributes to me about Kashiris (I would hardly have said such things to a Kashiri), nor did I ever say that I had "beaten" people I arrested.

I strongly dispute her version, of how our relationship came to an end. I ended the relationship for 2 reasons:

(i) my family were putting a great deal of pressure on me to end the relationship; and

(ii) I discovered she was having an affair with her boss, Max Sholten.

She refused to accept that our relationship was over. She 'phoned and wrote incessantly'. She called at my place of work and made a scene if I wouldn't see her. Eventually I had to get a court injunction to stop her pestering me. She was extremely bitter about the whole thing.

I discovered that she had been arrested and brought to Lippiza. I remember being told that she had been caught smuggling arms to Kashiri extremists. However, I kept well out of her way. I certainly never spoke to her in the canteen in the way she describes.

It is quite clear that her allegation that she saw me beat a man to death is motivated purely by her desire for revenge. There is no evidence other than her word that such an incident ever took place. How can she be so certain of the date?

Moreover, the fact that she is lying can be demonstrated by the note she (if it is her), gave to Ms. Reeve. It says the ZDP leader was "shot by a guard", not beaten to death by me.

Moreover, although the date 17 July YR-3 meant nothing to me at the time I was arrested, I have had a long time to think about things and I now remember that I was not even on duty at Lippiza that day, I had taken the day off.

*In late June YR-3, I had met an English girl named FLAVIA RASSENDYLL, who was working for a charity agency called ROZ (**R**elief **o**f **Z**enda). I had met her by chance when driving back home from Lippiza after my shift, I saw her sitting in a land – rover*

which had broken down. I assisted her and then guided her to the H.Q. of ROZ, which was in a village called Illyria, just outside Strelsau.

We saw each other on a regular basis, until she returned to the U.K. at the end of July YR-3. I never told her what my job was, as there were already scurrilous rumours circulating about the camp.

17 July YR-3 was Flavia's birthday. She said that the one thing she wanted to do was to get away from all the devastation and problems of displaced persons. So I arranged with one of my colleagues that he would – unofficially – take my place at the camp that day and I took Flavia for a picnic in the Rudolphsberg hills, which lie close to the Austrian border. I never went to work at all that day.

When Flavia left, she gave me her address in London and that was the reason I chose to go to the U.K. in January YR-2. She agreed to act as a referee when I applied to remain in the country.

I have been in touch with her and she is willing to give evidence.

Jane Reeve

I remember the visit of the British reporter. We had been warned a few days earlier by the municipal government that permission had been given for the visit.

I agree that she has correctly recorded our conversations. What I told her was true; there had been flooding and the bathrooms were being repaired. I did decline to allow her access to the rooms above the canteen. This was not because there was anything to hide. These were old mine buildings in a state of disrepair, and I was responsible for the safety of these people.

Investigator Reed

He and the other officers did come to my home on 10 June YR-2. However, they didn't ring the doorbell – they smashed in the door with one of those machines and came charging up to the bedroom. They were armed with some kind of pistols. They pulled both Sharon and myself out of bed and then bundled Sharon out of the room.

They were extremely abusive, calling me "a fucking foreign wanker" amongst other things (though my English is not very fluent I had come across those expressions). At no stage did they show me their warrant cards and only after I got dressed did they tell me I was under arrest. They never told me why I was being arrested even when I asked.

I have been told what the words are of an English caution. This was certainly never said to me – even if it had been I doubt I'd have understood what it meant

On the journey back to The Hague, he kept telling me that I should be sensible and confess to what I had done. He said that they had very good evidence that I was responsible for at least a dozen deaths of detainees in Lippiza and that they would call dozens of witnesses who would testify to my cruelty. He said that the Judges were passing sentences of at least 45 years on people of my sort, but if I pleaded guilty I would receive credit for my plea.

I kept telling him that I had done nothing wrong and that this must be a case of mistaken identity but he wouldn't listen.

He didn't take a statement from Reeve until after my arrest. Why not? How did Tarlenheim get the date of 17 July YR-3?

SIGNED DATED 13 May YR-1

PROOF OF EVIDENCE OF FLAVIA RASSENDYLL

D.O.B: 17 July YR-23

Address: 29, Eaton Square, London S.W.1.

Occupation: Self-employed

I left St. Mary's School, Ascot, with "A" level grades which meant I was unable to get into university. I therefore took a number of temporary jobs, including two seasons as a chalet girl in Val d'Isere and St. Anton. As a result, I speak some French and German.

I was in St. Anton between November YR-4 and April YR-3. Whilst out there I met a student at Vienna University called Siegmund Bielansky. He was working as a "plongeur" in a local hotel to earn himself enough money to ski. We became friends on a purely platonic basis.

Just before the season ended, we were talking one evening and I said I wasn't sure what I was going to do next. He then told me about a charity called ROZ who were taking supplies to Zenda and asked if I'd like to help. I thought about it for a few days and then agreed.

As a result, I went to Vienna to meet the organisers of the charity and within a couple of weeks had started work. My trip to Zenda took place in the middle of June YR-3. It was a nightmare. We got lost, we were hassled by officials who said no aid was necessary and eventually the land rover we were driving broke down. I should have said that I was with Siegmund.

It was dark by then, but luckily a car stopped and Rupert got out. He was extremely kind and helpful, fixed the engine and then guided us to where the ROZ office had been set up.

The next day he called round to see if we were alright. After chatting for some time (in a mixture of English and German) he asked me out to dinner and as I had already discovered that we were expected to live on tinned food, I agreed.

From thereon we saw each other at least twice a week. He was charming, attentive and amusing and to some extent I think I was in love with him.

When I asked him what he did, he said he worked in an administrative position in the Department of Justice. He distracted me from the horrors I kept seeing when handing out food or trying to give people, who'd been thrown out of their homes, some kind of shelter. I asked Rupert how human beings could behave like this and he said that some people were hell-bent on taking revenge for what they had suffered in the past at the hands of those who had misused their position of authority i.e. the Kashiri Zendars.

July 17 YR-3 was my birthday. Rupert knew this and asked if I would like to leave the area of Strelsau for the day. I said that would be fantastic and he said we could take a picnic to the Rudolphsberg. That is exactly what we did. We left at about 8am and returned about 6pm.

I only saw Rupert on one further occasion before I went back to England. I went back because I found the atmosphere was actually making me physically ill. Before I left, I gave Rupert my address in London.

When I got back, I watched a programme called "Reeve's Rovings" about a camp called Lippiza. Although we had heard rumours about it, none of us had realised how bad it was. I was appalled when I suddenly saw Rupert there in a uniform. However, I

was sure he couldn't have been involved in any of the ill-treatment. Accordingly, when he contacted me and asked for my help to remain in the U.K., I agreed.

SIGNED DATED 31 May YR-1

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