

Yugoslavia: Opposition grows to government collaboration with war crimes tribunal

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The Belgrade government has rushed through domestic legislation allowing for closer cooperation with The Hague war crimes tribunal. This was passed only under duress, as the country, devastated by NATO bombs and a decade of economic sanctions, was threatened by a fresh embargo by the United States and the European Union.

Adopted by the Yugoslav Parliament on April 11, the law will facilitate handing over more defendants to the International Criminal Tribunal for the former Yugoslavia (ICTY) and allow United Nations' court investigators access to Yugoslav and Serb military archives. The legislation was adopted by the federal parliament's upper house by 25 votes to 7 and a margin of 80 to 39 in the lower house.

Speaking during the debate, Deputy Prime Minister Miroslav Labus said the country must swallow its pride even though the ICTY may be applying "selective justice" to Serbs. "I agree completely that the law being adopted today is an insult to our nation's dignity," he added.

That this statement was applauded within the chamber is a measure of the prostration of the Democratic Opposition Serbia (DOS) government before the major powers. Only hours after its adoption, a serving MP—one of those amongst the priority group the government voted to extradite—shot himself through the head with a revolver in front of the federal Parliament building. Vlajko Stojiljkovic served as Interior Minister during the Kosovo conflict, holding the post from 1997 until October 2000, when the government of Slobodan Milosevic was ousted from power. The 64-year-old left behind a 15-page hand written letter describing his suicide as a "protest against all members of the puppet authorities."

Aside from such nationalist protests by members of the old regime, the strong-arm tactics being employed by the Western powers could galvanise broader opposition within Serbia. Surveys conducted during the initial stages of the ongoing trial of Milosevic at The Hague show a majority against it.

An opinion poll of 2,200 people conducted by the Strategic Marketing Agency reported that four fifths of respondents believed the trial to be biased. Another poll showed that 41.6 per cent of Serbs gave Milosevic five out of five for his performance. Large numbers of the population followed the trial proceedings on television at home and in cafes. Later on,

RTS (Serbian-Radio-Television) decided to pull the plug on live coverage from The Hague. The state broadcaster claimed that this was due to financial difficulties, even though ratings were high.

This decision was taken not long after the opening days of the hearings, during which Milosevic proved to be a capable defendant and to some extent able to turn the charges of war crimes and human rights violations back onto the NATO powers.

This was particularly compromising for Serb Prime Minister Zoran Djindjic, who had played the central role in Milosevic's abduction last year. In an interview published March 3 with Britain's *Observer* newspaper, Djindjic described the trial as having "low credibility", with witnesses "unprepared and confused." The article continued: "So far, said Djindjic, Milosevic's performance in the trial, which began on 12 February, had proved 'superior' and he now appeared to be playing the role of prosecutor and not that of defendant. Djindjic complained that before Milosevic's extradition to The Hague tribunal officials had assured him that they had 'enough proof of his personal responsibility' and 'would show this within days....'"

In an interview with the German magazine, *Der Spiegel*, the previous month, Djindjic was even more critical. He stated: "I am speechless when I see how much money has gone up in smoke to allow the court to take five years to unearth such insignificant witnesses.

"This circus has left both myself and my government facing an awkward dilemma. What arguments can I now use to convince other people to push for greater cooperation with the court?"

The Bush administration was not particularly interested in how Djindjic justified his cooperation, just so long as he did as he was told. In order for Yugoslavia to qualify for financial assistance, the US Congress demanded that it fulfill the criteria for cooperation. A deadline was set for March 31. The demands for ending the finance for the Bosnian Serb army and releasing all ethnic Albanian prisoners to the UN's Kosovo Administration were met. The issue of extraditing further named suspects to The Hague therefore became the sticking point. As the clock ticked away, the situation increasingly

resembled a hostage siege.

The Western media has attempted to dismiss all opposition to extradition to The Hague and US and the European Union interference in Yugoslavian affairs as purely the outpourings of Milosevic stalwarts or expressions of “a people in denial”. While there is no reason to deny the nationalist sentiment that often animates oppositional sentiment, the western media’s stance only exposes their own disregard for democratic concerns and the violation of national sovereignty by the major powers.

The ICTY is a political show trial shot through with double standards. Its apologists boast that the ICTY’s broader significance regarding the universal applicability of human rights is that a former head of state is being brought to book. No one, therefore, can be considered above the law. The opposite is the case, however, and everyone knows it. Not only are the Western powers exempted from any possible charge of war crimes with regards to Yugoslavia, but the Bush administration has opposed the setting up of the permanent International Criminal Court (ICC) as a possible danger to its own national sovereignty, should there be either any possibility of US political leaders facing charges or any interference in America’s own right to try those who are deemed to have endangered its strategic interests. Its juridical model is not an extension of the ICTY, but of the military tribunals at Camp X-Ray.

The ICC finally came into existence in April this year, with 66 members of the United Nations having signed a ratification treaty. The treaty was signed by the Clinton administration, but was rejected by the US Senate in 1999. The Bush administration is on the verge of renouncing the treaty and withdrawing the signature of the US. According to the *International Herald Tribune*, the US Congress is even considering legislation that would impose sanctions on any country that collaborates with the court.

This only throws into sharp relief the bullying and unprincipled character of US efforts to enforce Yugoslavian cooperation with The Hague. On April 1, Serbian Minister for Justice Vladan Batic made an unscheduled appearance on national TV. Batic reminded the nation that it faced renewed international sanctions. Forty million dollars of US financial aid was due to be cut off automatically later that day and Secretary of State Powell had announced that he would defer submitting his report to the US Congress on whether the Belgrade regime was cooperating adequately. Powell’s say-so was required in order to unblock the \$40 million for this fiscal year.

The Belgrade government signaled its capitulation. Arrest warrants were issued for four men named by the ICTY as war crimes suspects—Serbian President Milan Milutinovic, former Deputy Prime Minister Nikola Sainovic, former Yugoslav Army Chief of Staff Dragoljub Ojdanic and the now deceased former interior minister.

Batic justified this on the grounds that the country faced

losing foreign investment from other countries, not only the US: “This means that America will vote against (Yugoslavia) in the IMF, the World Bank, and this would spread to the Paris Club, admission into the CoE [Council of Europe], the Partnership for Peace, and European integration.”

Pressure to collaborate with the ICTY has been the cause of friction within the DOS coalition government between Djindjic and President Vojislav Kostunica. Djindjic was directly responsible for passing the decree for Milosevic’s extradition last June, in defiance of a ruling by the Yugoslav Constitutional Court. While Djindjic was adamant throughout that further extradition would take place with or without the passing of domestic legislation, he was anxious to ensure that Kostunica shared responsibility.

The president’s oppositional stance was more show than substance. He came to power in a Western backed coup, but his political reputation was based on his advocacy of a form of Serbian nationalism essentially no different to that of Milosevic. Indeed he argued for Milosevic’s removal from power on the grounds that this was in the best interests of the Serbian people and not because of any opposition to the war against Croatian, Bosnian Muslim and ethnic Albanian separatists.

He went on record as opposing cooperation with The Hague and insisted that Milosevic stand trial in Yugoslavia. But he too is abandoning the pretense of opposition. Having told the Yugoslav media early last month that the ICTY “makes his stomach churn”, a week later he informed the *Reporter* newspaper that while the thought of the trial made him sick he had “in a way, digested” it.

Kostunica and Djindjic were reliant on the former allies of Milosevic in Montenegro in the Socialist People’s Party (SNP) to pass the latest legislation. The SNP switched sides following Milosevic’s ouster and have been part of the DOS coalition ever since.

Underlying the unease of both the prime minister and the president regarding their open collaboration with the Western powers is not only the discrediting of the ICTY in the period since last June, but the mounting opposition to the coalition government’s IMF inspired austerity measures. The last two months have seen significant strikes and protests involving a cross-section of the population, from bank workers to miners.



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