

The Milosevic Trial: Key prosecution witness backs deposed Yugoslav president

Officials used threats to extract testimony, ex-spy chief says

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11 September 2002

Late July Radomir Markovic, a former Serbian spy chief, claimed he had been forced to appear as a prosecution witness in the trial of former Yugoslav President Slobodan Milosevic. And, in a dramatic reversal for the prosecution, Markovic denied that Milosevic ethnically cleansed the ethnic Albanians in Kosova and then tried to cover up the evidence.

Milosevic is on trial at the International Criminal Tribunal for the former Yugoslavia (ICTY) at The Hague for crimes against humanity. He faces five counts of war crimes in Kosova and has been indicted on another 61 counts of war crimes including genocide in Croatia and Bosnia.

The WSWS's opposition to the judicial travesty that constitutes the ICTY does not imply any political support for Milosevic and his Serbian nationalist policies. Nor does it imply complete exoneration of Milosevic for crimes that *were* committed against Kosova Albanians in the period leading up to the NATO attack on Yugoslavia in 1999.

But whether one accepts entirely Markovic's testimony about Milosevic's role in Kosovan events, his account of how Serbian officials attempted to coerce testimony from him damaging to the deposed president further exposes the ICTY as a politically motivated operation carried out at the behest of the Western powers in order to whitewash their brutal imperialist assault on Yugoslavia. The fact is that the prosecution has not been able to produce any evidence that Milosevic was directly responsible for war crimes.

Markovic was Head of State Security at the Interior Ministry from 1998 to 2000—the period covering a marked escalation of the civil war in Kosova, the bombing of Yugoslavia by NATO and the establishment of a United Nations protectorate.

His claim to the court that Serbian and ICTY officials had coerced him and/or misinterpreted his evidence about events during this period came as a complete surprise to the prosecution. They believed the appearance of Markovic—billed as a direct subordinate of Milosevic and a

key member of his inner circle—would be a vital trump card in their case against the former Yugoslav leader, enabling them finally to link the former president with specific atrocities in Bosnia, Croatia and Kosova.

Markovic's own journey to The Hague underscores the dubious and cynical nature of the trial itself. The ex-spy does not face any charges of war crimes himself but has been held in a Serbian prison for 17 months on charges of murdering four of Milosevic's political opponents.

During his evidence to The Hague, Markovic was first questioned by the prosecution lawyer Geoffrey Nice on a statement he had previously made to the ICTY. Nice tried to prove that Milosevic was head of a "chain of command", and had subordinated the police to military control and enrolled paramilitaries. Nice also asserted that once Milosevic became aware that NATO would win the war against Yugoslavia, he ordered murdered Kosovars to be exhumed and reburied (known as the "mopping-up" order) so that evidence could not be used by the ICTY. This had occurred with the case of the refrigerated truck full of decomposing bodies found submerged in the river Danube.

But during his cross-examination by Milosevic, Markovic recounted how he had been arrested in February 2001 by Serbian police and held in custody ever since. Markovic said that in prison he had been visited by "two committeees of the FRY (Federal Republic of Yugoslavia) Assembly". On one such visit Serbian Minister of the Interior Dusan Mihajlovic and head of police Goran Petrovic had arrived with a group of secret police, removed him from the jail—a direct infringement of Serbian law—and taken him to a private dinner. There they offered him a new identity and a new life if he testified against his old boss.

Markovic told the court, "They spoke to me about the difficult position I was in. They warned me against the possible consequences and offered me an option in the form of accusing Milosevic as the person who issued orders for those criminal offences, which would relieve me of liability

before a criminal court".

At this point Milosevic pointed out those extracting statements from detainees are guilty under the 1988 United Nations Treaty against Torture. Presiding Judge Richard May immediately stopped any further questioning along these lines, stating, "This doesn't appear to have any relevance. None at all. We're not about litigation in Yugoslavia or events when he was arrested. We're only interested in what happened in Kosova. Now move onto another topic".

Turning to the question of Milosevic's alleged plan for ethnic cleansing, Markovic, stated, "I have never heard of such a suggestion. I know of no such plan or design or instruction to expel Albanians from Kosova".

In fact, Markovic said, the overriding task was to protect Serb and Albanian civilians and prevent migrations. He told the court that he had seen many reports that police refused to fire on civilians even though known Kosova Liberation Army (KLA) fighters tried to hide amongst convoys of fleeing civilians. Whilst admitting that there were individual crimes committed by police and army personnel against civilians—over 400 were prosecuted—he insisted these were not the result of an organised campaign.

Markovic explained how the exodus from Kosova was a constant topic at Interior Ministry meetings and insisted there were constant efforts to reduce it. He said migrations occur in all wars and that armed KLA rebels and NATO bombs were also responsible for causing them. He claimed that many Albanian villages had actually sought the protection of the police from the KLA and that the current President of Kosova Ibrahim Rugova was himself protected by Yugoslav forces from KLA death threats.

Markovic also rejected Nice's suggestion that the paramilitary groups had been controlled by Milosevic or the Yugoslav army. Only those who were physically and psychologically fit were absorbed into the army, he claimed, and there they were dispersed into different units to prevent "gangs" forming.

Milosevic had told Arkan (or Zeljko Raznatovic, head of the notorious Tigers paramilitary group who was gunned down in Belgrade in January 2000) to stop the criminal activities that he claimed were to finance care of the wounded, Markovic continued.

The following exchange occurred:

Milosevic: "Did I tell you to tell Arkan that no illegal activities could be tolerated irrespective even if they were of a humanitarian nature and that he had to turn to legal operations only? Is that correct?"

Markovic: "That was your instruction."

Milosevic: "I did not say that he should legalise his crime [Nice had phrased it this way]. I said that no crime could be

tolerated. He could be involved in legal matters only. Is that correct?"

Markovic: "That is correct and that is what I said to The Hague Tribunal investigators."

Milosevic: "They usually twist things to suit themselves. That's why I want this to be quite accurate."

Judge May: "That's not a comment that's proper for you to make".

Milosevic then cross-examined Markovic about the prosecution's allegations of his ordering a "mopping-up" exercise to cover for ethnic cleansing crimes. Markovic denied that "mopping-up" meant reburying corpses in order to cover up atrocities as the prosecution suggested. It referred instead to a standard military procedure involving the clearance of mines and other explosives, infrastructure repair and the removal of corpses after a battle. Markovic said that he had not wanted his men involved in this activity, which is why he had called it an "abomination". He claimed that he had only heard about the discovery of the lorry in the Danube when he was in prison and neither he, nor anyone he knew, had any idea where it had come from.

For a long time the prosecution have complained about the length of the trial and their inability to produce an insider witness that would prove Milosevic's guilt. Nice had said that "cases like this would be easy to prove in a short time if there were one member of the accused's inner circle who was able to provide a fully accurate and acceptable testimony of everything that has happened". Markovic was to perform that function—delivering the fateful blow—but it backfired.

Despite the ramifications of his evidence for the entire trial, however, Markovic's claims were barely reported in the Western media.

Not to be deterred, Nice cynically suggested that for the future, another legal system might be more suitable for the tribunal. One in which a witness "whether they like it or not, would be hauled before the examining court and interrogated by the examining judge or by an advocate, accepting the bits that were acceptable and cross examining as to the balance".



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