

The Milosevic trial

## Pro-western Bosnian Serb leader given exceptional treatment

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The favourable treatment given an indicted Bosnian Serb war criminal underscores the hypocrisy of western claims to be upholding standards of international justice at The Hague.

In 2000, the International Criminal Tribunal for the former Yugoslavia (ICTY) indicted former vice president of the Republika Srpska (RS) Biljana Plavsic for her role during the 1991-92 civil war in Bosnia-Herzegovina. The charges included “genocide and complicity in genocide; crimes against humanity (five counts: extermination; murder; persecution on political, racial and religious grounds; deportation and inhumane acts); a grave breach of the Geneva Convention (wilful killing) and violation of the laws or customs of war (murder).”

In December 2002 Plavsic pled guilty to the charge of political, racial and religious persecution and the remaining charges were dropped. Tribunal judges will issue a sentence this month. Defence lawyers are arguing for eight years imprisonment rather than the usual life sentence.

Several international politicians appeared in court as character witnesses for Plavsic, including Carl Bildt, former Swedish prime minister, co-chair of the Dayton Agreement (that ended the Bosnian civil war in 1995) and High Representative in Bosnia and the current pro-western RS Prime Minister Milorad Dodik.

More extraordinary was the appearance of Madeleine Albright, former US secretary of state, as a common witness (for the defence and prosecution) and US diplomat Robert Frowick, former head of the Bosnia mission of the Organisation for Security and Cooperation in Europe (OSCE), as a defence witness.

Albright told the hearing that Plavsic was “someone who changed tremendously for the good during the difficult history of Bosnia and Herzegovina. She clearly was a member of the Bosnian Serb leadership in the early days of the conflict. Over the months she not only broke with the others, but she also became instrumental in the implementation of the Dayton Agreement. It can be said unequivocally that without her support we would not have accomplished all that we did.”

The current US administration has refused to ratify the International Criminal Court and previously prevented US citizens from testifying at the ICTY (in the event a precedent is set for its own officials being charged with war crimes). It endorsed Albright’s appearance in this instance, however, because it is keen to bring the ICTY proceedings to a speedy end and prevent a full

exposure of America’s role in the Balkans conflagration.

Although Plavsic’s guilty plea has effectively blocked full details of her dealings with US officials from coming to light during the trial, there is no doubt she was a key asset.

In the 1970s Plavsic spent two years in the US on a Fulbright scholarship, mixing in Serb nationalist and Christian Orthodox émigré circles. On her return to Bosnia, she became dean of the Sarajevo University Faculty of Sciences and Mathematics—an usual post for someone who had refused to join the Yugoslav Communist Party.

Indeed Plavsic spoke openly of her anticommunist and pro-monarchist sentiments, praising Second World War Chetnik fascist leader Dragoljub Mihailovic for his efforts to “cleanse the future united Serb lands of all enemies of Serbdom and Orthodoxy, as well as of anti-national elements” (*Srbija*, September 1992).

Plavsic was a co-founder of the Serbian Democratic Party of Bosnia and Herzegovina (SDS) in 1990 and for the next two years—the period covered by the indictment—she was a member of the collective Presidency and served as president of the Council for Protection of the Constitutional Order overseeing the intelligence services.

During the disintegration of Yugoslavia along ethnic lines, the SDS campaigned for the creation of a separate Serb territory in Bosnia. In 1991 the SDS proclaimed a Serb Autonomous Region and four Serb Autonomous Districts—the “Serbian Republic of Bosnia and Herzegovina”—and set up a separate Bosnian Serb Assembly.

In May 1992 the Assembly formed an army commanded by Ratko Mladic, indicted for genocide by The Hague, and Plavsic regularly toured the frontlines during the Bosnian conflict hailing Mladic as a national hero. She has also described the former paramilitary leader Arkan, who committed some of the worst atrocities of the Bosnian civil war, as “a Serb hero. He’s a real Serb—that’s the kind of men we need” (*On*, November 1996).

Plavsic openly boasted of her extreme nationalism, deriding Muslims as “genetically deformed material that embraced Islam” (*Svet*, September 1993), and denouncing the then Yugoslav president Slobodan Milosevic as a traitor to the Serbs who had “surrendered Kosovo [to the Kosovar Albanians].” She also condemned Milosevic for trying to get her to sign the first Bosnian (Vance-Owen) peace plan and then because he signed the Dayton

Agreement.

At the time, Plavsic was the trusted ally of Radovan Karadzic—also wanted by The Hague—serving as the war-time Bosnian Serb leader's vice president until 1996 and then nominated by him as Republika Srpska president when he stood down.

Contrary to Albright's testimony, Plavsic never changed her aim of a Greater Serbia. Rather she became convinced that this was only possible by cooperating with the US-brokered Dayton Accord that had partitioned the former Yugoslav republic into two ethnically based entities—that of the Federation of Bosnia-Herzegovina (the Moslem-Croat alliance), and the RS.

One of Albright's first acts as Clinton's newly appointed secretary of state was to meet Plavsic in June 1997, where she warned her that future economic aid and political backing to the RS depended upon full implementation of the accord. What they agreed has never been made public, but the events that followed have all the characteristics of a coup d'état encouraged by the high-level US representatives—including US Senator Joseph Biden and Special Envoys Richard Holbrooke and Robert Gelbard—who flocked to Bosnia in the following weeks to back Plavsic.

Within a month, Plavsic had launched an offensive against her former associates Karadzic and Momcilo Krajisnik, who opposed the Dayton Accord, using the pretext of a campaign against corruption. Plavsic suspended the Assembly and called for new elections. Acting on secret indictments from the ICTY, British special forces arrested Plavsic's opponents. The new High Representative Carlos Westendorp ordered NATO troops to replace police chiefs loyal to Karadzic and hand over pro-Karadzic TV stations to Plavsic's supporters. Rallies by Karadzic's supporters were banned and only OSCE-approved candidates were eligible to stand for election. Millions of dollars were given to municipalities loyal to Plavsic. The Western-backed Milorad Dodik was voted prime minister after opposition members had left, following the assembly's adjournment. NATO troops surrounded the assembly to ensure a "peaceful transition". Planned presidential elections were delayed.

David Binder in the *Washington Times* (August 29, 1997) was moved to point out, "Mrs. Plavsic could not possibly win Republika Srpska elections unless they were rigged by the United States; she has virtually no constituency and no party organisation."

In December 1997, Clinton also met with Plavsic. Clinton reported later that they had held "a very open discussion about the situation which she faces in Republic of Srpska and the importance that we place on her support and implementation of the Dayton process and the work that she is doing."

Soon thereafter media reports suggested that the ICTY had cancelled a warrant for Plavsic's arrest. The ICTY Prosecution issued "the clearest possible statement that Biljana Plavsic has never been indicted by this Tribunal nor has any warrant of arrest ever been issued by this Tribunal for her arrest" and rejected the suggestion that the Tribunal and its prosecutor were "influenced for political reasons to withdraw a warrant of arrest in respect of Biljana Plavsic."

Albright visited Bosnia again in August 1998 to give her support

to Plavsic's presidential election campaign. Again, candidates were disqualified by OSCE supervisors and bribes offered. Albright toured an electrical power station with Plavsic and Dodik reminding Bosnia's voters that they relied on electricity supplied by US aid and promised \$100 million more in aid if they voted the right way.

However, Plavsic suffered a resounding defeat in the elections by the Serbian Radical Party candidate Nikola Poplasen, and further defeats in local elections in April 2000 forced her resignation.

In January 2001, ICTY officials announced that Plavsic had voluntarily surrendered after receiving a "signal ... from United States and British diplomatic circles in Bosnia" that the tribunal had issued a secret warrant for her arrest the previous year. At her first appearance in The Hague Plavsic pled "not guilty on all counts".

Prosecutors stressed there had been "no negotiations, except over the technical and logistical details of surrender" and any deal such as plea-bargaining was not "an option open to them".. However, Plavsic left the United Nations detention unit in September 2001 after several closed court sessions and returned to Serbia on bail.

Plavsic's favourable treatment stands in sharp contrast to that handed out to Milosevic, despite their similar nationalist backgrounds. Although Plavsic had previously said she would not testify against Milosevic her statement in court in December implicated the former president in the central charge the prosecution have been trying to prove against him—that he masterminded the campaign of ethnic cleansing in the Balkans. Plavsic told the court that the "ethnic separation of the peoples in Bosnia and Herzegovina was planned and executed in cooperation with the authorities of Serbia by permanent and forced removal of non-Serbs, including numerous crimes, from the territories the Serbs considered their own."

Whilst blaming others for ordering such crimes, Plavsic admitted to the tribunal that she had known of the ethnic cleansing directed against non-Serbs, but "at the time I convinced myself that this [was] a matter of survival and self-defence".

Albright also told the tribunal that "obviously, she [Plavsic] was involved in horrendous things" during the Balkans conflict but praised her role in upholding the accord.

The Hague supported such reasoning. Announcing that it would drop the more serious charges against her, Judge Richard May remarked, "Very well. The position is this: Mrs. Plavsic, we're going to take a wholly exceptional course in your case because these are wholly exceptional circumstances."

When it comes to human rights abuses, exceptions are indeed made for those who have shown their willingness to act as loyal appendages of NATO foreign policy.



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