

Former Yugoslavia: Milosevic Put his Accusers on Trial

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Global Research, March 16, 2011

jungewelt.de 16 March 2011

Region: [Europe](#)

Theme: [Law and Justice](#)

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Five years ago Yugoslavia's president died in The Hague. The local UN tribunal denied him adequate medical treatment. A conversation with Catherine Schütz By Rüdiger Göbel, Junge Welt www.jungewelt.de

Cathrin Schütz, who holds a degree in political science and is a writer/analyst for Junge Welt, was a member of the defense team of Slobodan Milosevic before the International Criminal Tribunal for the Former Yugoslavia (ICTY) from 2002 on. Among her contributions was "The destruction of Yugoslavia - Slobodan Milosevic replies to his accusers," published by the Zambon-Verlag

On the occasion of the fifth anniversary of the death of Slobodan Milosevic, you will be protesting this Friday (March 11, 2011) at the Office of the United Nations in Vienna. Why not in The Hague where the former Yugoslav and Serbian president died in his cell during his trial before the Yugoslavia Tribunal (ICTY)?

The UN has created a monster with the ICTY and we're demanding to finally remove this monster from the world. The governments of the United States and Germany set up the ICTY in 1993 as the first ad hoc tribunal in the UN Security Council, although the SC has no legal authority for such a step. A UN body, which judges citizens of member states, is in fundamental contradiction to the UN Charter. At the illegal establishment in The Hague we see no one to discuss this with.

What interest did the U.S. and Germany pursue with the establishment of the ICTY?

Because Yugoslavia stood in the way of their drive to expand in Eastern Europe, they led the way to its destruction; both states share responsibility for the outbreak and escalation of secessionist civil wars. With full awareness of the results of their plans, they had already in 1993 by diplomatic and covert operations covered their hands with Balkan blood, and then invented a "court" that could be used as a weapon to pressure the warring parties. And it should judge the crimes committed in former Yugoslavia - in true NATO-style: bring the recalcitrant Serbs to their knees and acquit the NATO countries of their responsibility. With this in mind, protected by the ICTY, NATO conducted an aggressive war against Yugoslavia in 1999 without a UN mandate. Because of its financial resources and political connections NATO spokesman Jamie Shea had described the military alliance as a "friend of the ICTY" and thus proactively explained why there would be no charges brought for NATO's war crimes — crimes that have been certified by Amnesty International.

But there do exist international standards for fair trials.

In order to carry out the political mission, the ICTY had to disregard standards that normally apply. The Serbian opposition leader Vojislav Seselj has been held in custody for eight years. This is a clear breach of the European Convention on Human Rights. In any rule of law a defendant has a right to know what he is accused of. The ICTY has made basic changes in the particulars of the indictments several times, even after the trial had begun. It changed its own rules umpteen times and constantly violated them. Milosevic was refused his guaranteed right to defend himself. Radovan Karadzic is threatened with the same. The principle of giving equal treatment to prosecution and defense was violated every day. The prosecutor held weekly press conferences in the ICTY, and Richard Dicker of Human Rights Watch, a renowned producer of anti-Serb propaganda, rushed regularly to the foyer to attack Milosevic to the media. Meanwhile our colleague was ejected from the building when he distributed a handout to a journalist. The huge budget of the ICTY stood behind the accusers. The Milosevic-defense had to rely on donations alone. When the German government criminalized the fundraising campaign, froze our funds and also blocked my account, the ICTY refused us any support. This greatly limited our work.

You describe the ICTY as anti-Serb. But there were also Croats and Bosnian Muslims convicted...

Although this was a three-sided civil war, about 80 percent of all defendants are Serbs, including many top politicians and senior military. Not so with the Croats and Bosnian Muslims. The Croatian General Ante Gotovina was indeed found responsible for notorious "ethnic cleansing of Krajina," which removed hundreds of thousands of Serbs, but not his superior officers. The same applies to the Bosnian Muslim Naser Oric. Although he boasted during the war to the Western press with the severed heads of Serbs, the ICTY says that no one can prove he is responsible for the attacks of his soldiers on the Serbs around Srebrenica. The U.S. journalists, who were the first to see his human war trophies, were never called to testify by the ICTY. The pseudo trials against non-Serbs are meant to demonstrate to the outside world the impartiality of the ICTY.

Former ICTY chief prosecutor Carla del Ponte will now render a judgment in the case of organ trafficking by the Albanian Kosovar mafia. Serbs from Kosovo were deported to Albania and were systematically eviscerated.

Del Ponte has demonstrated in her autobiography the information needed to expose the organ trade, which led to the investigation and the report of the Special Rapporteur of the Council of Europe, Dick Marty. But I wonder if she in her current involvement wants to cover up a bigger scandal. Marty has namely discovered that under Del Ponte 2003 the ICTY destroyed evidence of organ harvesting by the criminal gangs in Kosovo!

The majority of the local media [in Berlin] then described Slobodan Milosevic as they describe Muammar al Gadhafi today. Take your pick: Either he was a megalomaniac, evil, genocidal, yes, even a new Hitler. You were part of his defense team. What was it like?

Lord David Owen, former EU Special Envoy for the Balkans, described Milosevic as a "Yugoslav" who was anything but an ideologue for a Greater Serbia or promoter of "ethnic cleansing." I agree with Owen. Milosevic often took Croats and Bosnian Muslims under his

protection, and he stressed how they were used by the West and misled. He also mentioned in his defense the support of the Bosnian Muslim forces by foreign mujahideen. However, he was opposed to any overestimation of the “Islamic terror.” He stressed instead that the U.S. was responsible for the importation of Islamic fighters. It was no coincidence that the non-Serbs facing charges also respected him.

I was impressed by the reports of the defense witnesses, with whom I had close contact. They were Western politicians, diplomats, military officers, journalists who, in one way or another, witnessed the war. And all of their statements they confirmed that the allegations against Milosevic were as false as everything else that has been reported about Yugoslavia.

How did Milosevic experience his imprisonment and trial?

He probably never believed that the presumption of innocence would apply to him was that he would experience a legitimate trial. But he held his head high and put his accusers on trial. He made no compromise, no deal that would bring him privileges. He was free inside, as he himself observed. He could not help but see the ICTY as a repressive political instrument that was used to punish political leaders like him who refused to unconditionally surrender to imperialism. More and more harassment was used in order to weaken his defense. Finally the Tribunal in early 2006 refused to allow him treatment at a heart clinic in Moscow, which assured that he would not survive the Tribunal.

During the wars in former Yugoslavia, most of the media were uncritically anti-Serb. How did you find the journalists at the trial?

The press was never interested in the content of the trial. When it became clear that the prosecutors couldn't prove their allegations, and on the other hand Milosevic could expose the arming of Croatian and Bosnian Muslim sides and later the Kosovo-Albanian side by Germany and the United States, the trial was hushed up. They did not allow the image of Serbia as the aggressor to falter. The German media did not even report it when a German witness was clearly shaken at the Kosovo portion of the trial. Ex-army officer Dietmar Hartwig was head of European observers in Kosovo and on the spot until the beginning of the NATO attack. He experienced terror, not from Serbs, but from the Kosovo Liberation Army (KLA). And Bo Adam of the Berliner Zeitung newspaper was told by local Albanians, that the “innocent Kosovars” at Racak* were really combat deaths.

Usually no journalists were there, with the exception of Germinal Civikov, whose reports provide valuable evidence.

**In January 1999, casualties from a battle between KLA commandos and Serb police and army in Racak, Kosovo, were disguised as civilian deaths and Western politicians and media used the incident to promote anti-Serb propaganda leading to the war.-Translator*

Published in Junge Welt, March 11, 2011. Translated from the German by John Catalinotto.

The original source of this article is jungewelt.de

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