

The Milosevic Trial at the Hague Tribunal: Interview with former Canadian Ambassador to Yugoslavia

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Global Research, September 30, 2004
29 June 2005

Region: [Europe](#)

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THE HAGUE TRIBUNAL: CHARGES AGAINST MILOSEVIC PURE FANTASY

[Excerpts from the interview with the former Canadian Ambassador to Yugoslavia, James Bissett, September 27, 2004]

Stalled by reluctant witnesses and an uncooperative defendant, judges in Slobodan Milosevic's war crimes trial adjourned the proceedings for a month Wednesday (15. September 2004) to give the former Yugoslav president's court-appointed lawyers time to prepare their case. At least 20 of Milosevic's witnesses, including high-level foreign politicians, have refused to show up since the court limited Milosevic's ability to mount his own defense. Milosevic faces 66 counts of war crimes for his alleged criminal role in atrocities committed during the violent breakup of the former Yugoslavia in the 1990s. Those are very serious charges with potential consequences for the whole Serbian nation.

Mr. James Bissett, former Canadian ambassador to Yugoslavia is one of foreign politicians who refused to go to The Hague to testify. His refusal to testify has prompted the media at home and abroad to ask him to explain why he made this decision?

One of the fundamental principles of law is that if you are accused of something that you have right to defend yourself. That is enshrined in law and has been for many centuries. It is one of the core principles of the law. Even the Constitution of the Tribunal itself makes it clear that all of the defendants have right to defend themselves if they choose to do so, including Mr. Milosevic.

Yet the Tribunal has now decided to take that right away from him. This decision served to confirm my early suspicions that the Tribunal was really a political court. It was the final straw that convinced me I did not want to be a witness at the trial. It was my own decision. I was surprised, but pleased, to see that most of the other witnesses agreed not to appear.

Judges citing medical reports that Milosevic was unfit to take charge of his defense. Is this right?

Anyone who reads Tribunal's transcripts will see that Milosevic is more than able to defend himself. His cross examinations have destroyed many of the witnesses who have come before him. I think the Tribunal is using health reasons simple as an excuse to prevent him from defending himself. [The prosecution] came up with this fantasy theory that he, Karadzic and the Serb leader in Croatia entered into criminal conspiracy to ethnically cleans all non Serbs out of Bosnia and Croatia. This is pure fantasy. The prosecution is having a very difficult time of proving all this. It is pretty clear that they got to try to keep him off the

stand. If he is on the stand, he is going to destroy their arguments.

You have always been a defender of the rule of law and you believed in the UN charters. Given what we have seen so far at The Hague, have you changed your mind about the UN court and the justice the UN is capable to administer?

I am afraid to have to say yes. From the outset the legitimacy of the Tribunal has been in question. The UN Security Council established it yet there is nothing in the United Nations Charter that gives the Security Council the authority to establish a Tribunal or Court. Nevertheless the Tribunal did get the blessing of the UN Security Council and the UN Secretary General. Therefore one could argue that despite its dubious origin it has taken on a quasi-legal position. Mr. Milosevic has been accused of some of the most serious crimes since the Nazi leaders were on trial at Nuremberg. It was therefore incumbent upon Tribunal to get it right. By that I mean - to ensure there was fairness, to ensure there was a presumption of innocence on the part of the accused and to follow the other basic principles of law. This the Tribunal has not done.

We also know that the Tribunal was financed by George Soros and by some of the Arab states. This in itself calls into question the impartiality of the Tribunal. The court has been dominated and managed by the United States. It is in the interests of the USA to continue the pretence that Milosevic is solely responsible for everything that went wrong in the former Yugoslavia. I am convinced that the Tribunal was established to make Milosevic and the Serbs guilty of all the crimes committed in the Balkans. His guilt is essential if the Germans and the Americans who played such a critical role in causing much of the bloodshed and the violence in the Balkans are to be let off the hook.

What is the biggest misconception of the war in the former Yugoslavia that people in the West have?

The US led NATO powers have done a masterful job through manipulation of the popular media of blaming the Serbs and Milosevic for everything that happened since the breakup of Yugoslavia. They have been able to convince the people in the West that Milosevic and the Serbs not only broke up Yugoslavia, but also are responsible for all the killings and ethnic cleansing. This is a very scary thing. It shows how easy public opinion can be manipulated. That is why it is important for the truth to come out.

Already we see that people have forgotten Kosovo. It is no longer a subject of interest to the media. Over 2000 Serbs have been murdered in Kosovo since NATO and the UN took over and not one person has been charged. Almost all the non-Albanian population has been forced to leave Kosovo. Yet, not a word of complaint about ethnic cleansing. Albanians have burned or blasted down over 150 Christian churches, some of them treasures from the 12th and 13th centuries. Not a word of protest from Christian leaders in the USA and Canada. How can this be explained?

We are dealing here with double standard and the manipulation of western public opinion. It is shocking and frightening. This is why the Tribunal in The Hague must be discredited because if it is not - its files and testimonies will form an important part of the historical record. Unfortunately it seems obvious that Milosevic's guilt has already been ordained by the Americans. And they represent as we know the most powerful nation in the world.

Mr. James Bissett was Canadian ambassador to Yugoslavia in 1992.

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