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Milosevic Prosecutors Garner New Evidence

By MARLISE SIMONS

THE HAGUE, July 4 — Nearly eight years after the massacre of thousands of Bosnian Muslims at Srebrenica, the United Nations court on the war crimes in the former Yugoslavia now has several senior Serbian suspects in custody. But whether these men — and prosecutors under increasing pressure to wind up their investigations — will link Slobodan Milosevic to such crimes remains unclear.

Mr. Milosevic, the former Yugoslav president, who was sent to The Hague just over two years ago after his ouster in October 2000, is the most prominent of the 53 prisoners held by the tribunal.

The recent arrivals include Jovica Stanisic, who as security chief for much of Mr. Milosevic's 13 years in power was the man best acquainted with how Serbia used its police and military to foster and maintain the violent rebellions of Serbs in Croatia and Bosnia that ignited four and a half years of war.

In addition, two of the four Serbian military officers on trial on charges of taking part in the Srebrenica massacre on the night of July 11-12, 1995 have unexpectedly pleaded guilty and agreed to cooperate with the prosecution. That could produce the most complete picture yet of who ordered the massacre and to what extent Serbia itself was involved.

Men accused of a massacre outside the Croatian town of Vukovar in 1991 are finally arriving for trial. And just on July 2, prosecutors learned that Serbia — after stalling for more than a year — had approved handing over a large cache of classified documents that might prove vital in the trial of Mr. Milosevic.

If unexpurgated, this reported cache of some 6,000 pages will provide prosecutors with full transcripts of the meetings of Serbia's Supreme Defense Council from 1991 to 2000 — covering the crucial years of war in Croatia, Bosnia and then Kosovo. Mr. Milosevic himself usually presided over those meetings.

"We've not yet received the documents, but we have reasons to believe they will contain important evidence," said Jean-Daniel Ruch, a political adviser to Carla Del Ponte, the tribunal's chief prosecutor.

Of course, the two most wanted suspects — the Bosnian Serbs' military commander, Gen. Ratko Mladic, and their political leader, Radovan Karadzic — remain at large. The trial of Mr. Milosevic, already in its 17th month, is not even halfway completed, often delayed by Mr. Milosevic's illness and his considerable filibustering.

Mr. Milosevic, who is acting as his own lawyer, long ago abandoned his defiant outbursts but continues to be testy and often blunt.

He has suffered considerable personal setbacks. His supporters in Belgrade have lost power or access to official files, and he has not seen his wife, Mirjana Markovic, to whom he is very close. She fled Serbia for Russia months ago, and since the Belgrade police have issued a warrant for her arrest, she now perhaps fears extradition if she comes to the Netherlands.

Prosecutors, who are trying to prove 66 counts of crimes involving three wars, including charges of genocide, have zigzagged in the case, switching between crimes in Croatia and Bosnia after having completed dealing with Kosovo. More than 200 witnesses have already testified. But five other trials are going on; just this year a dozen new suspects have arrived, and the United Nations jail here is spilling over into a nearby Dutch cellblock.

"We are really coming of age," said Judge Theodor Meron, the tribunal's current president, a former professor of law at New York University. "We are working at full speed, with six trials every day, not to mention the appeals. This is a very exciting period at the tribunal."

Still, Western donors that provide much of its budget, in particular the United States, have pressed the tribunal to finish its investigations by 2004 and conclude its trials by 2008. By many accounts that target date sounds optimistic.

Legal experts and diplomats regularly visit the court or otherwise analyze its experiences and procedures now that other international tribunals are getting under way. Those include a new court for war crimes in Sierra Leone and the permanent International Criminal Court for large-scale human rights abuses that opened here last year.

The tribunal for the former Yugoslavia is doing more than setting precedents and passing judgment. Day after day, as victims, policemen, diplomats and politicians give their accounts, the proceedings are creating the most detailed record yet of the three wars that took more than 200,000 lives and drove more than two million people from their homes.

The present momentum, Judge Meron believes, results in part from continued pressure from the United States and European donors on Croatia and Serbia to arrest people wanted in The Hague.

In addition to Mr. Stanisic, long believed virtually untouchable, Col. Veselin Sljivancanin, found his Belgrade home surrounded by the police on June 12, just three days before Washington's latest deadline to determine its aid to Belgrade. After a tense 10-hour confrontation between his supporters and the police, the colonel was detained.

"There is definitely a new spirit of cooperation in Belgrade, just seeing the high ranks of the people who are arrested," Judge Meron said.

Court officials feared at first that the assassination in March of Zoran Djindjic, the pro-Western prime minister of Serbia, would complicate their task. But the crackdown in Serbia that followed the killing has yielded more, not fewer, detainees for The Hague.

Mr. Stanisic was among those arrested in Belgrade in the police sweep, as was Franko Simatovic, the feared head of special operations under Mr. Milosevic.

Their indictment alleges that those two men provided weapons, funds, training and direction to the secret paramilitary units and the Serbian militia that carried out much of the killing and infamous ethnic cleansing in Croatia and Bosnia.

Mr. Stanisic fell out with Mr. Milosevic, who fired him in 1998, and Mr. Simatovic switched his support to Mr. Djindjic and thus helped to oust Mr. Milosevic in the fall of 2000. Both men have pleaded not guilty to charges of war crimes and crimes against humanity.

The tale of their transfer to The Hague, as told by Ms. Del Ponte, offers an intriguing look behind the scenes. Serbian officials "called us for help," she said, some time after the arrest of both men in March, because they lacked sufficient evidence to indict the two men at home for links to organized crime. Yet the officials were reluctant to release them.

"They told us, 'We cannot keep these two persons in detention, so if you can come out with your indictments and arrest warrants, it would be great for us,' " Ms. Del Ponte recounted recently at a briefing. Although her own office was doing its own investigations, she said, they were far from complete. So, Ms. Del Ponte said, "I called my staff to accelerate the work."

Indictments in The Hague were issued several weeks later. Mr. Stanisic, who is said to be in poor health, arrived here in May. Mr. Simatovic, who had to undergo surgery, followed in June. He was first sent to recover at a Belgrade prison, but instead asked to go immediately to The Hague. His lawyer said Mr. Simatovic expected better medical treatment at the United Nations jail.