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Trading Genocide for Independence

By Anes Alic

A year of patience, denial and evasion on the part of Serbian authorities regarding the international community's demand that they turn over indicted war criminal Bosnian Serb General Ratko Mladic has finally paid off. After more than decade of sanctions, accusations and threats of stalled EU integration, Serbian leaders now hold the ace.

It is quite possible that the Serbs will trade Kosovo for the resumption of pre-membership talks with the EU, while the international community will in turn drop its demand to see Mladic at the UN's war crimes court in The Hague.

On Monday, the EU gave its clearest signal yet that it is ready to restart integration talks with Serbia, despite the fact that Belgrade has not made good on demands to hand over Mladic and other fugitives wanted by the international community.

Mladic is wanted for war crimes by the International Criminal Tribunal for the former Yugoslavia (ICTY), where he is charged with, among other things, genocide for the massacre of some 8,000 Bosniak (Bosnian Muslim) men and boys in Srebrenica in July 1995.

A statement released by EU foreign ministers on Monday said that the EU welcome mat was still laid down for Serbia and that the bloc would "restart talks if the new government in Belgrade takes concrete and effective action for full cooperation with the ICTY in The Hague." This time, the statement does not specifically mention the arrest of Mladic, who is believed to be hiding out in Serbia.

Some EU states—including Spain, Italy and Austria—favor resuming talks on a Stabilization and Association Agreement (SAA), the first step towards EU membership for Western Balkan nations, frozen last May, despite Belgrade's failure to bring key war crimes suspects to justice.

But there is always room for a deal, and the EU looks set to restart SAA talks in return for guarantees that Serbia and Russia will not block status talks on the future of Serbia's UN-administered province of Kosovo. Those talks are set to be concluded by the end of the month.

Belgian Foreign Minister Karel de Gucht confirmed the deal when he said that some EU members were seeking a compromise with Belgrade. "A lot of people are convinced that loosening the demands of the ICTY would be helpful with resolving Kosovo," news agencies quoted him as saying.

EU Enlargement Commissioner Olli Rehn stressed that Serbia's level of cooperation with The Hague had improved, and that it would be better to have a democratic rather than an isolated Serbia.

EU foreign policy chief Javier Solana said the SAA could be concluded within months, but insisted that the requirement to cooperate with the ICTY would not be relaxed. After all, the international community would not like to be seen overtly skirting the issue of war crimes as a means to a greater end.

Others, including Belgium and the Netherlands, say talks on the agreement should not resume until Serbia cooperates fully and hands over Mladic.

The loudest among the second group is chief UN war crimes prosecutor Carla Del Ponte, who appealed to the EU earlier this month not to restart talks with Belgrade before Mladic is behind bars, saying that Serbian authorities are sheltering him.

Indeed, Mladic was in the pay of the Serbian military for years after he was indicted for war crimes in 1995, receiving an official pension from Belgrade until 2001, at the time when current Serbian moderate president and EU favorite Boris Tadic was defense minister.

Del Ponte criticized the EU and NATO for allowing Serbia to get closer to membership, saying Belgrade has not cooperated at all with the ICTY. She also accused the international community of losing interest in arresting war criminals.

The EU ministers on Monday also gave their backing to a UN plan for the future of Kosovo that would set it on the road to independence. Final discussions are to begin on 21 February and conclude on 10 March. Ministers anonymously accepted a plan drawn up by international envoy Martti Ahtisaari, which calls for the UN and the EU to take over supervision of Kosovo for a transition period and the EU to deploy a police mission there. However, on Wednesday, Serbia's newly elected parliament overwhelmingly rejected the plan and the international community is concerned that the deal might not work.

It is also worried that any further delay of the Kosovo status issue could lead to an increase in ethnic violence in the province. Indeed, during recent demonstrations launched by Kosovo's ethnic Albanians two people were killed and some 100 injured.

Protesters were frustrated with the UN plan on Kosovo's future status, demanding full independence, while the Ahtisaari's plan calls for internationally supervised self-rule. The same atmosphere can be expected and on other side, as the Serb minority in Kosovo has already announced it would fight for the "homeland" if independence was granted.

Another sticking point as far as Belgrade is concerned is a genocide case filed by Bosnia against Serbia and Montenegro, for which a final verdict is expected just days after the Kosovo status talks.

Bosnia and Herzegovina filed the case at the International Court of Justice (ICJ) in 1993, seeking compensation for the loss of life and property during the 1992-1995 war, when an estimated 200,000 people were killed and entire Muslim and Croat towns and villages were devastated.

No figure was named, but Serbia and Montenegro could be obliged to pay billions of dollars if found guilty.

Bosniak officials are concerned that the court is also in on the Kosovo deal and could return a "not guilty" verdict in order to smoothe things over for Kosovo's independence.

This particular brand of wheeling and dealing is what makes politics, well, politics. And it would certainly not be the first time that international leaders have been willing to sacrifice something for what they consider to be the greater good, the bigger picture. This time it will mean burying the genocide that took place in Bosnia in the name of allowing Kosovo to become independent. Even the international community itself is divided about such a sacrifice, and it is a moral question that perhaps does not have a clear cut answer. But somehow it does not feel quite right, and one has to ask just how much it is appropriate to sacrifice for the greater good.

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