

Albanian Militants Portrayed as Criminals at Boskoski Trial

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Defence team for Macedonia's former interior minister challenge Albanian militants' claim to be resistance fighters.

Lawyers for a Macedonian official on trial for alleged war crimes this week sought to portray Albanian fighters his forces battled in 2001 as criminals funded by the mafia.

The defence tactic appears to be aimed at challenging the Albanian National Liberation Army's view of itself as an organised resistance movement.

Macedonia's former interior minister Ljube Boskovski is being tried for murder, wanton destruction and cruel treatment of ethnic Albanian civilians in the village of Ljuboten in 2001.

Proving that at the time of the attack on Ljuboten, Macedonia was in a state of armed conflict is the backbone of the prosecution case.

Since the beginning of the trial, the prosecutors have said that the organisation and structure of both sides in the conflict supported their argument. But this week, Boskoski's lawyers challenged that assertion.

According to the indictment against Boskoski, he knew or should have known about an attack by his forces on Ljuboten, which led to the killing of seven men, the intentional burning of at least 14 houses and the unlawful detention and harassment of more than 100 people.

The raid, which seems to have been in response to a landmine explosion that killed eight Macedonian soldiers the day before, was part of a conflict that lasted throughout 2001 between militants seeking more rights for Macedonia's Albanian minority and troops trying to regain control over villagers run by the rebels.

Boskoski's co-accused is his former bodyguard Johan Tarculoski, who's charged with personally leading the attack on Ljuboten.

They were the last two men to be indicted by the tribunal over war crimes committed in the former Yugoslavia and this is the only case from the Macedonian conflict before the court.

Boskoski was arrested by Croatian authorities on unrelated charges in August of 2004 and was transferred to the ICTY in March 2005, roughly two weeks after his indictment was made public. Tarculovski was arrested and transferred to the tribunal in March 2005.

The conflict, which lasted approximately six months, came to an end with a negotiated peace agreement mediated by the international community that gave ethnic Albanians greater local autonomy.

This week, the prosecution called military expert Viktor Bezruchenko to demonstrate Boskovski's knowledge of the Ljuboten attacks. But defence lawyer Guenael Mettraux accused the prosecution's witness of minimising the role of the then-president of Macedonia, and exaggerating the scale of the violence.

"What you sought to depict as an armed conflict was no more than a series of violent incidents," said Mettraux.

"In 2001 it was not a war. It was a series of violent incidents. ... Individual isolated events."

Bezruchenko conceded that the conflict in Macedonia was not a full-fledged civil war in 2001, but said it had the potential to develop into one.

"What I said in my report was that the NLA [the National Liberation Army] had hierarchical elements in a command structure which functioned," said the witness. "It was not a situation where they were fighting the government all of the time ... but there was always the potential for a higher intensity conflict such as a civil war."

Mettraux also suggested that Bezruchenko tried to diminish "the criminal and terrorist aspects" of the NLA, which, according to the lawyer, had ties to and was funded by the Albanian mafia in other countries.

"Any link to professional criminal activities ... is somewhat misguided," said Bezruchenko. "There were various rumours and allegations about the Albanian mafia and criminal activity, but this report does not really deal with that."

Mettraux accused Bezruchenko of undermining the role of then president Boris Trajkovski, and suggested Trajkovski directly ordered the 2001 attack on Ljuboten in retaliation for attacks by the NLA that killed a number of Macedonian soldiers and policemen.

Bezruchenko responded by saying that while he had seen documents suggesting Trajkovski had ordered the attack on Ljuboten, he had not found any orders signed by him or other documents directly tying him to the attack. Trajkovski died in 2004.

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