

Courtside: Stakic Trial

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By Chris Stephen in The Hague (TU 308, 7-11 April 2003)

Milomir Stakic is accused of genocide because, as head of the Crisis Staff, an ad hoc local government for Prijedor, he had ultimate responsibility for the ethnic cleansing of the town and the running of concentration camps.

Prosecutors say he was the key man in a programme that saw tens of thousands of Muslims and Croats ethnically cleansed from the Prijedor region, with many killed, beaten and starved in the camps.

These camps, including Keraterm, Omarska and Trnopolje, saw some of the worst horrors of the Bosnian war.

Stakic, 41, is charged not just with supervising the camps, but with whipping up support for racial attacks and with overseeing the ethnic cleansing of the town in the summer of 1992.

Prosecutors say this is not just a war crime – it is also genocide because the aim was to destroy a group of people. “You don’t have tens of thousands of people killed with no attempt to stop it unless the authorities intended that result,” said prosecutor Nick Koumjian.

When hostilities broke out in April 1992, the cleansing began, and was accelerated after May 30 following an attack on Serb troops by a small group of armed Muslims.

The resulting reign of terror and deportations saw the town’s Muslim population fall from 49,000 to 6,000 in a few months.

Stakic is also charged with crimes against humanity and violation of the laws and customs of war.

Originally, he was indicted with two other men – former police chief Simo Drljaca, and Milan Kovacevic, who served with him in the town presidency. Both men were the targets of NATO commandos in 1997. The former was killed in a firefight during his arrest, and the latter committed suicide in prison.

Prosecutors maintain that the defendant must have known of the terrible crimes taking place under his nose – and that he had the power to stop them.

But the defence insists that Stakic – who pleaded not guilty – had nothing to do with the crimes and was in fact a man deeply dedicated to peace.

Defence attorney John Ostojic said Stakic must not be held responsible for the crimes of others. “There was no joint criminal enterprise, there was no joint criminal plan,” he said.

In January 1992, the defendant had called for unity between the main Muslim and Serb parties. In May of

that year, shortly after being made president of the municipality, he again called for peace on at least two occasions.

“Stakic did say on May 16 in front of thousands of people that Prijedor would be an oasis of peace and nothing ugly would happen there,” said Ostojic.

If so, say prosecutors, he was remarkably unsuccessful: As he sat in his office, one of the most terrible ethnic cleaning operations of the war swirled around him.

“The defence does not contest the tragedy that fell on Prijedor in 1992,” said Ostojic. “We do contest the prosecution motion to blame Stakic for these crimes.”

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Focus: International Criminal Tribunal for the former Yugoslavia

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