

## **Jelavic Case: New Challenge For Tribunal's Old Acquaintance**

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On several occasions the judges invited him to appear before the Tribunal and explain in person his refusal to heed their subpoena and binding orders, but Minister Jelavic has repeatedly refused.

Jelavic has subsequently been promoted to the position of President of the Croatian Democratic Association (HDZ) - the Bosnian chapter of Croatian ruling party of the same name - and elected a member of the three-member Presidency of Bosnia-Herzegovina.

Speaking from that newly-acquired high position, Jelavic sent a new challenge to the Tribunal during his speech delivered on 21 November at the Croatian University in Mostar. He accused the Tribunal of "trying to impose a hypothesis of collective responsibility of the Croat people for the crimes committed during the war in the Bosnia-Herzegovina", adding that "the Tribunal is a serious obstacle to the process of reconciliation.

" The attitude of the Tribunal and "its slowness and unreadiness to equally treat crimes against the Croats carried out by the Serbs and the Bosniaks... is astonishing and insulting," Jelavic concluded.

The Tribunal, which several times over the last two years appeared to be on the brink of finding Jelavic in contempt of court (Rule 77), due to his persistent disregard of their subpoena and binding orders, did not accept this latest challenge quietly.

In response to Jelavic's statement, the Tribunal announced that his comments - particularly the allegation of imposition of collective responsibility - "... show that [Jelavic] lacks even the most basic grasp of the concepts behind the establishment of the Tribunal."

In actual fact, The Hague statement went on, "the opposite is true. The International Tribunal has been established to hold individuals responsible for specific crimes, not whole groups of people. The International Tribunal has no special agenda against Serbs, Croats or Bosniaks, but is determined to bring the architects and perpetrators of the horrific crimes committed during the war to justice. It is this that will lay the foundation for true reconciliation, and not comments by Mr. Jelavic that are designed to maintain ethnic division and mistrust."

**Location:** [Bosnia and Herzegovina](#)

**Focus:** [International Criminal Tribunal for the former Yugoslavia](#)

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