

Legija Surrender Poses Test for Kostunica

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Opposition insists government wants to use testimony of key witness in Djindjic trial to discredit its rivals.

With the surrender of Milorad "Legija" Lukovic, Vojislav Kostunica's government faces a major test. If it tries to use his potentially explosive testimony to liquidate its Democratic Party, DS, rivals, it will undermine its claim to oppose political interference in the courts.

Legija, prime suspect for the killing of Serbia's ex-prime minister Zoran Djindjic and former leader of a special police force known as the Red Berets, surrendered on May 2 in front of his Belgrade house in the suburb of Cerak after more than a year in hiding.

His surrender came at a politically sensitive time - just before presidential elections in Serbia and two months after a new coalition dominated by Kostunica's nationalistic Democratic Party of Serbia, DSS, took over the government.

Many commentators believe Legija had a strong motive to surrender, as he nurses a grudge against the previous government led by Djindjic's DS and is therefore willing to strike a deal with Kostunica's administration to discredit them.

DS supporters claim the DSS hatched a deal with Legija to help it ruin Djindjic's reputation by connecting him with organised crime. They suspect the deal involves Legija gaining protected witness status in a series of ongoing trials against organised crime, and that he will get an amnesty in exchange for lodging accusations against DS members.

They also fear the long-term results will include the rehabilitation of the nationalism that flourished in Slobodan Milosevic's era and the arrest of former DS officials. They fear also that essential reforms, which the EU is insisting on as a precondition for membership negotiations, will be sacrificed.

Lukovic is certainly a man with experience of the Serbian underworld. As commander of the Red Berets from 1998 to 2001, he took part in the wars that raged throughout former Yugoslavia in the 1990s. At the same time, the Red Berets became a centre of state-controlled organised crime and were involved in numerous political and gangland assassinations.

After Milosevic's fall in October 2000, Lukovic and the Red Berets switched allegiance to the new government under Djindjic - a transfer of loyalty that was eased by the fact that the Red Berets refused to intervene on Milosevic's side just before his regime collapsed.

Though Lukovic affiliated himself with the new democratic order, that did not prevent him from forming close ties to the drug warlords of the Belgrade suburb of Zemun and with them organising the sale of large quantities of narcotics as well as kidnappings and street murders.

After the international community piled pressure on Djindjic to control Legija, the premier was killed on March 12, 2003. Lukovic - denounced as the principal organiser of the assassination - then disappeared and went into hiding for 14 months.

In addition to his suspected role in Djindjic's assassination, Legija was tried in absentia for other murders and kidnappings - including the killing in 2000 of the former president of Serbia Ivan Stambolic; the 1999 assassination of four officials of the then opposition party, the Serbian Renewal Movement, SPO, and a failed assassination attempt in 2000 on the SPO leader, Vuk Draskovic.

While the Djindjic killing and subsequent investigation ought to have remained strictly police business, in reality they have become a key weapon in the political struggle between the DSS and one part of the DS.

This was partly because after Djindjic's assassination, the government declared a state of emergency for a month and a half, during which not only were about 10,000 people arrested, the Zemun gang destroyed and the Red Berets disbanded but numerous human rights violations were reported. There were frequent complaints that as well as attacking organised crime, the DS-led government used the emergency powers to attack and harass its rivals in the DSS.

Kostunica associates were detained on suspicion of being a part of the plot to kill the ex-prime minister, for example. As no evidence was found to support these claims, they were released without charges.

Some of those who were detained during the state of emergency now hold high office. Rade Bulatovic, then a close Kostunica ally, now heads the country's state security body, the Security and Information Agency, BIA.

Kostunica's party from the start challenged the official version of Djindjic's assassination, which said he was killed by members of the Zemun gang and the Red Berets under Legija's command.

Public suspicions have also grown since the trial of Djindjic's suspected assassins started in February, as the proceedings have revealed discrepancies in the indictment. The indictment maintains two sniper bullets hit Djindjic. But his friend and bodyguard, Milan Veruovic, who was wounded in the assassination, claims three shots were fired - a claim he repeated recently in court.

Five other bodyguards who were present at the shooting have supported the claim that three bullets were fired. Experts hold that if three bullets were fired, they must have come from two snipers, not one, as the indictment says.

In another challenge to the official version, the Belgrade weekly magazine NIN last week disputed the authorities' claim that the police killed two other two suspects behind the assassination - the two leaders of the Zemun gang, Dusan Spasojevic and Mile Lukovic - while they were resisting arrest.

NIN has obtained documents about their autopsy that experts say show the two men were beaten before they were killed, shot at point blank range and at the moment of death were lying on the ground.

Other experts dispute NIN's conclusions. However, the magazine insists that the evidence indicates elements in the former government had a strong interest in silencing leaders of the Zemun gang.

Lawyers for the suspects in the Djindjic killing predict Legija's testimony will gravely embarrass ex-members of the Djindjic government who allegedly maintained close links with Lukovic and his underworld allies.

"Many politicians will have trouble sleeping," Slobodan Vukasovic, lawyer for Zvezdan Jovanovic, indicted

for the killing of Djindjic, told IWPR.

Legija's lawyer, Slobodan Milivojevic, raised similar expectations. "Lukovic is willing to reveal the truth about the March assassination and finally prove the official version is not correct," he told IWPR.

"Lukovic was encouraged by the performance of the new government, which has demonstrated the will to observe the law."

Such statements have fanned suspicions in the ranks of the DS that Legija has struck a deal with the government.

According to Zarko Korac, a DS deputy close to Djindjic, Legija surrendered once he concluded he could count on the sympathy of the new authorities. "There are now enough people in high places who will show a lot of understanding for him - to put it mildly," Korac said.

Rajko Danilovic, lawyer for the Djindjic family, put it in more starkly. Legija surrendered, he said, "after achieving an agreement with somebody who promised him something".

Supporters of this line say they want to know why the police did not arrest Legija before. They want to know where he was in hiding all those months and who helped him.

Sonja Biserko, director of the Helsinki Committee in Serbia, told IWPR it was crucial to find out if a deal had been hatched between Legija and the government. She voiced concern that the Djindjic trial could "turn into a trial against the previous government".

Legija's arrest would be "a huge challenge for the government", said Cedomir Jovanovic, Djindjic's closest associate and a leader of the hard-line anti-DSS section of the DS.

The DSS, for its part, has not commented officially on Legija's surrender. It maintains that the case is state business, is not a party affair, and that only the judicial authorities are in a position to make statements.

Close allies of Kostunica have privately insisted they were surprised by the news and have denied being party to negotiations. The police minister, Dragan Jovic, earlier this week insisted no talks with Legija had taken place.

One police source told IWPR that even Legija's wife and lawyers had no idea that he was going to surrender. The same source pointed out that at the time, Jovic was 300 kilometres from Belgrade on Kopaonik mountain.

"Don't you think the police minister would be sure to be present in Belgrade when the most important event in his career was about to take place?" the source asked.

Although the government has ruled out giving Legija protected witness status, the DS remains suspicious about the circumstances surrounding this extraordinary surrender. They still suspect that some kind of agreement was made - and that it shows the new government is just as bent on political manipulation of the courts as any of the former ones.

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