

Milosevic Tightens Hold On Judiciary

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Twenty-one judges were dismissed last month by the Serbian parliament in the latest purge of dissident members of the judiciary.

Their only crime was to support the recently sacked district judge, Miroslav Todorovic, a member of the student resistance movement, OTPOR, dismissed two months ago for his anti-regime stance.

With the increasing politicisation of the judiciary, the few remaining independent-minded judges are finding it harder and harder to practice - some leaving the profession of their own accord.

Indeed, after the Todorovic sacking, several senior judges signalled their intention to leave the bench, saying they could no longer work under present conditions.

In an effort to stem the exodus, the authorities are believed to be planning to bar former judges from taking up work as lawyers.

"In Belgrade, the rumours are that we will be forbidden from practicing as lawyers by some government decision or other enactment," said Todorovic.

Once highly respected and prestigious, the judiciary's reputation has plummeted in recent years. - due largely to the politicisation of the profession and a slump in salaries.

When Communism was replaced by a multi-party system at the beginning of the nineties, Serbian judges were allowed to be independent for the first time in 45 years. While most had been members of the Communist Federation, many didn't bother transferring to the post-Communist Socialist Party of Serbia, SPS, now the ruling party.

"Most refused any party membership," said Todorovic, "except for several ambitious judges who were aiming for the Supreme Court."

But then, during the hyperinflation of 1993, when an entire salary bought a single matchbox, more than a third of judges went back to being lawyers.

Inexperienced and non-qualified members from the ruling party were recruited to take their place. Falling judicial standards were quickly evident, says Todorovic, from the length of trials to the poor quality of many judgements.

The extent to which the bench had been politicised stood out glaringly in 1996, when several judges close to the JUL, the Yugoslav Left, and the SPS annulled an opposition victory in local elections. After 88 days of opposition protests and international pressure, the results were restored.

At that point, the remaining independently-minded judges formed a professional body - the Association of Serbian Judges - which has since been a thorn in the side of the regime.

When JUL and the extremist Serbian Radical Party, SRS, entered government, the criteria for judge selection deteriorated even further. Court apprentices who had spent years waiting for promotion were ignored, while politicians handed jobs to men who had never set foot in a courtroom.

The Official Gazette of the Republic of Serbia, which publishes lists of selected candidates, revealed that most new 'judges' used to work on farms, in community centres, or in the special forces units of the Yugoslav Army.

Former District Court judge Zoran Stojkovic says the current abuses of the judicial system could never have occurred in Communist times. "The SRS's leader Vojislav Seselj openly demands to be able to select judges, on the grounds of the number of seats he holds in parliament!" he said.

Last year, when the bench began to protest over pay (in Serbia, a police officer gets paid more than a district judge), the regime intervened. The Supreme Court sent an order to the presidents of lower courts to put together lists of judges who were members of the Association of Serbian Judges.

"This could only mean expulsion from the judiciary. So most judges, whether they were members or not, signed a statement denying they were members," recalls Zoran Ivosevic, who was dismissed from the Supreme Court and from his post as president of the managing board of the judges association.

Slobodan Vucetic, a Constitutional Court judge, was also sacked, along with anyone else who spoke out about the state of the judiciary, like association member Radmila Dragicevic Dacic.

"Cases of particular importance for the state are now always presided over by the same judges," said Dacic "which has opened the door to serious abuses of justice - the only criterion for this job has become not what you know, but who you know."

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Location: Serbia

Focus: Balkans: Regional Reporting & Sustainable Training

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