

REGIONAL REPORT: Milosevic Prosecutors in Race Against Time

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A secret document could help the prosecution firm up its case against Milosevic as a tribunal deadline looms

Former Serbian secret police head Jovica Stanisic is at the centre of a desperate prosecution attempt to gather evidence against Slobodan Milosevic.

Chief prosecution counsel Geoffrey Nice has until June 26 to finalise statements from witnesses of alleged crimes in Kosovo, but the cunning Stanisic, a key former Milosevic confidante, has so far cleverly avoided testifying against his old boss while ducking accusations of non-cooperation with The Hague.

Even if the trial chamber extends its July 26 deadline for the prosecution's case by a few days, to compensate for Milosevic's illness that has disrupted proceedings for two weeks, it may not be a great help to Nice who has yet to present crucial evidence of the former Yugoslav president's guilt over Kosovo.

This explains why Hague investigators in Belgrade have contacted prominent military and police officials from the Milosevic regime over the last few days.

To date investigators have made contact with Stanisic and taken statements from General Aleksandar Vasiljevic, deputy head of Yugoslav army intelligence from 1999 to 2001, and Rade Markovic, who took over as secret police chief after Stanisic's four years ago.

Stanisic was an influential and much-trusted adviser to the accused, and many analysts believe that the former secret police chief's dismissal was the beginning of the end for Milosevic, who began to make a series of misjudgements leading to his overthrow in October 2000.

A Serbian government source told IWPR that the prosecution had urged Stanisic to testify against Milosevic, but to no avail. The former has apparently not ruled out cooperation with Nice's team but does not want to give evidence against the ex-president directly.

However, he did alert investigators to a document that may seriously compromise the accused. This is a confidential decree dated April 21, 1997, which removed the Serbian government's responsibility for the secret police and placed it under the direct control of the president.

Stanisic had retained this document after he was sacked in 1998, although he was not authorised to do so.

If the decree could be shown to prove that paramilitary and state security units in Kosovo were directly subordinated to Milosevic, it would make him responsible for their alleged crimes.

Tribunal investigators requested and obtained a search warrant for Stanisic's house in the upmarket Belgrade district of Senjak on the same day that US war crimes envoy Pierre Richard Prosper visited the city to warn that the authorities were not doing enough to cooperate with The Hague.

Prosper was satisfied by the search warrant. So too was Hague prosecution spokesman Florence Hartmann, who described it as an "obvious expression of desire by the Yugoslav authorities to cooperate with the tribunal".

But Stanistic - who has close ties with the government and is a friend of Prime Minister Zoran Djindjic - was tipped off about the investigators' request and apparently took steps to remove the incriminating document from his property.

On the eve of the search, Stanistic returned the secret Milosevic decree to Serbian police archives, where its confidential status would render it untouchable.

When four investigators arrived at Stanistic's door with a search warrant, they were told the document's new location and, once that was confirmed, were obliged to leave without carrying out the search.

Several days later, the authorities removed the confidential status of the document and it was handed over to the prosecution.

This course of events meant that no one could reprimand Stanistic for not cooperating with The Hague, nor could anyone in Serbia accuse him of handing over prime evidence against Milosevic.

In addition to providing apparently valuable information about the chain of command during Kosovo conflict, the document reveals just how close Milosevic and Stanistic were, revealing that the former intended the latter to head a new national security council.

At the time the document was signed, Stanistic had lost much of his influence after a confrontation with Mira Markovic - his boss's powerful wife - when he urged Milosevic not to use force against anti-government demonstrators in the winter of 1996-97.

This is why the western press shows some sympathy for the man who once controlled paramilitary formations in the wars in Bosnia and Croatia, as he is credited in some quarters of the media for preventing Serbia's slide into absolute dictatorship.

His standing in Belgrade fell again in 1997, when he gained a bitter enemy in the new police minister Vljako Stojiljkovic, a Mira Markovic loyalist with hard line views on Kosovo Albanians. Indicted alongside his former president, Stojiljkovic has since committed suicide in protest at the Serb government's decision to extradict suspected war criminals.

Stanistic finally parted company with Milosevic after a heated confrontation with Stojiljkovic at a leadership meeting held to define government strategy on Kosovo on June 13, 1998. Under the influence of his wife, Milosevic backed the new police minister instead of his former ally, who was recommending a more subtle approach.

The president eventually abandoned the idea of a national security council and a year later the new Serbian president Milan Milutinovic annulled the contentious 1997 decree.

It is questionable, therefore, how useful Stanistic's document will be to the prosecution, as it deals with a time beyond that specified in Milosevic's Kosovo indictment, which covers the period from January to June 1999. However, some experts believe it will be useful, as it appears to lay the ground for what came after.

In spite their inability to get Stanistic to testify, the prosecution does not wish to give up on the ex-secret police chief, who is seen as a witness with more knowledge of Milosevic than any other. The tribunal also has power over him in the form of a possible indictment.

"I don't want to testify in The Hague," Stanistic told the Belgrade weekly NIN recently, "but if they indict me, I will surrender and go to the tribunal and prove my innocence."

Whether The Hague will have any more success with the other potential "insider witnesses" it has been negotiating with for the last two months is less clear.

Rade Markovic, Stanistic's successor as secret police chief, is on trial in Serbia for alleged political assassinations during the Milosevic era. The Hague investigators have visited him several times in jail, asking him to appear as a key witness against Milosevic.

His lawyer, Dusan Masic, told the Belgrade daily Blic that his client had no objections to appearing at the tribunal as a witness. "It makes no difference whether he will be summoned by the prosecution or by the defence, he will appear there and tell the truth," he said.

The most mysterious of the potential insiders is Vasiljevic, the former head of military security. At the end of May, he had talks with a tribunal prosecution team without first seeking government approval - something he was obliged to do as a member of the army.

Sources close to Vasiljevic say he has agreed to testify, but is believed to lack sufficient information to prove Milosevic's guilt. It remains a possibility that the former could yet play a key role in the trial.

However, time is running out and Nice has still to find his crucial witnesses. If the prosecution bases its hopes of delivering a knockout blow through Stanistic, Markovic or Vasiljevic, it may be taking a huge gamble.

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