

Regional Report: Serbs' Role in War Still Taboo

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Forum intended to enable Serbia to face up to its role in the war is broken up.

Belgrade's truth and reconciliation commission was disbanded this month - before getting around to hearing its first case.

Blank pages on its internet website are all the state-run forum has to show for two years of failing to get to grips with its mission.

And now new arrangements following the creation of the new state of Serbia and Montenegro have seen the commission, set up in 2001, disbanded with no firm plans for when it will re-emerge.

It was set up soon after the fall of Slobodan Milosevic, and was intended to follow in the footsteps of the South Africa commission, set up with the demise of apartheid.

The body works on a simple premise: former protagonists, whether they are leaders, policemen, torturers or guerrillas, are given immunity from prosecution if they give a full account of their activities, in public.

In the case of South Africa, this has seen a massive opening-up of the activities of the former white-led state, and also of some of tactics used against it.

In Serbia's case, however, some saw the arrival of the commission as having a darker purpose - namely, to lessen the need for The Hague tribunal, whose wanted list is dominated by Serbs.

"The commission was set up to divert attention from cooperation with The Hague," said Natasa Kandic, director of the Humanitarian Law Fund and one of the country's leading human rights officials.

"Cooperation with the tribunal has become one of the most serious and most important obligations of the state, while the commission has displayed only partiality and bias."

Some observers say the commission suffered, at its inception, from the refusal of many here to acknowledge the full horror inflicted by Serb fighters in the Balkan wars.

It's also suffered from the fact that it was founded by the former Yugoslav president Vojislav Kostunica, a nationalist and staunch opponent of the The Hague.

The commission's charter is seen by many as focusing far too much on an assessment of the causes of wars, rather than the crimes of individuals.

Instead of hearing witnesses, particularly victims, Olga Popovic-Obradovic, Belgrade University Law School professor, said the body seemed preoccupied with "delving into the state crisis and social conflicts which led to war".

Under such circumstances, it's hardly surprising that over the two years of its existence most independent observers have concluded that the commission has achieved very little.

During this period, it has had one round table event and a panel discussion on the slaughter at Srebrenica, which concluded that the death toll, put at 7,000 by the Red Cross, was in fact 2,000.

"Then it became clear that the commission is incapable of establishing its legitimacy," said Kandic.

Serbian prime minister Zoran Djindjic, in one of his fierce verbal exchanges with Kostunica, made a point of singling out the forum's failure. "What has Kostunica's commission achieved for the past two years? Nothing!" he said.

This has left human rights workers - and some Hague officials - wondering if Serbia is ready to face up to its war record.

The fact remains that, whatever the reasons, excuses or underlying causes, Serb soldiers inflicted the most suffering during the Balkan wars.

This is reflected in the charges brought by The Hague and should be reflected by any truth commission.

Biljana Kovacevic-Vuco, the head of the Yugoslav Committee of Lawyers, said it was fatal that the forum included none of human rights activists who opposed the wars of the Nineties.

Whether the commission will ever come back to life is unknown.

Officially, there is a plan: the outgoing Yugoslav foreign affairs minister, Goran Svilanovic, who was also chairman of the country's committee for cooperation with The Hague, said a new body will be formed at some point.

But academic Nebojsa Popov said it is also bound to fail if the people who led the war remain in control of parts of the government. "How could it operate if those who have perpetrated the atrocities are still in power?" he said.

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