

## **Todorovic Case - S-For Refuses To Disclose Details Of Arrest**

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Defence lawyers for Todorovic, accused of persecuting Bosnian Croat, Muslim and other non-Serbs, claim their client was "kidnapped" on Mount Zlatibor inside Serbia and "unlawfully transported" over the Drina River before being handed over to S-For troops. The defence team have requested Todorovic be released and allowed to return to his "country of refuge," the Federal Republic of Yugoslavia, FRY.

In an attempt to prove the "illegality" of the arrest, the defence requested a court order demanding details from S-For about the arrest, a request accepted by the court.

S-For's written response, received last week, declared further factual disclosure unnecessary "because the accused would not be entitled to the relief he seeks -even if his allegations are accepted."

According to S-For's lawyers, there is no case, either domestic or international, which requires the Tribunal "to release the accused on the facts he alleges."

"No entity connected with this Tribunal was involved in the alleged abduction," the response said. Todorovic's request to be returned to his "country of refuge" was "shocking" the letter went on.

If the FRY were to fulfil its legal obligations under international law, S-For said, Todorovic would be arrested and returned to The Hague. S-For said many of those accused of war crimes view the FRY as a "refuge from the rule of law and from international justice."

This state of affairs "is hardly surprising" the letter said, given "[Yugoslav] President Slobodan Milosevic, is himself a person indicted for war crimes and the subject of an ICTY arrest warrant."

In such circumstances, a court decision which allows Todorovic to return to a "country of refuge" would, S-For argued, "in effect afford legal recognition of the FRY as a sanctuary for persons indicted for war crimes."

Such an outcome would render almost pointless arresting additional indictees, the letter said.

S-For also cited "compelling requirements of operational security" for not revealing further details. S-For must maintain "strict confidentiality about sources and methods for the acquisition of information regarding ICTY indictees and regarding SFOR activities related to support for efforts to detain indictees," the response said.

"In view of sensitivities implicated by further factual discovery in this case, and since the accused would not be entitled to the relief he seeks regardless of which version of facts is assumed... [S-For] respectfully urges the Trial Chamber not to order the disclosure of information by S-For," the letter concluded.

The new hearing on the circumstances of the arrest of Stevan Todorovic is scheduled for July 25, 2000. But

S-For, as indicted, will not send any representatives to the hearing.

**Location:** Serbia

**Focus:** International Criminal Tribunal for the former  
Yugoslavia

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