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## **Yugoslavia: Milosevic must be transferred to The Hague**

*"Former President Slobodan Milosevic should be arrested and transferred to the custody of the International Criminal Tribunal for the former Yugoslavia (Tribunal), which has indicted him under international law for crimes against humanity", Amnesty International stated today.*

*"As a member of the United Nations, the FRY is obliged to surrender Slobodan Milosevic and all other people indicted by the Tribunal to its custody", the organization stressed.*

*On Wednesday 28 February Serbian authorities instructed the police to investigate crimes - including financial improprieties - allegedly committed by the former President.*

*In view of increasing reports from the Federal Republic of Yugoslavia (FRY) that former President Slobodan Milosevic may be arrested very soon, Amnesty International calls on President Vojislav Kostunica to recognize the primacy of the Tribunal, and the gravity of the crimes for which former President Milosevic has been indicted by the Tribunal.*

*Under the United Nations Security Council Resolution, which established the International Criminal Tribunal for the former Yugoslavia, all states are obliged to surrender a person indicted by the International Criminal Tribunal for the former Yugoslavia.*

Article 6 of UN SC Resolution 827, May 1993, states that the Tribunal does not require states to extradite their citizens to the Tribunal, but to transfer persons accused by the Tribunal - residing or remaining on their territory - to the Tribunal's jurisdiction.

## **Background**

Slobodan Milosevic was indicted with four other people who are former government officials on 24 May 1999 on charges of crimes against humanity and violations of the law and customs of war committed in Kosovo by Serbian and FRY forces acting under their command, with their encouragement and with their support. Co-indicted with the former president are Milan Milutinovic, President of Serbia until 25 January 2001, Nikola Sainovic, former Deputy Prime Minister, Dragoljub Odjanic, former Yugoslav Army Chief of Staff and Vljako Stojilkovic, former Serbian Minister of Internal Affairs.

According to reported statements of Serbian Interior Minister Dusan Mihajlovic the former leader has been placed under 24-hour surveillance since February. Serbian Prime Minister Zoran Djindic announced on 2 February in Washington that evidence was being gathered in preparation for the indictment of Slobodan Milosevic, suggesting that proceedings could be initiated before the end of the month. On 15 February, while visiting London, Zoran Djindic made a similar announcement.

Apparently there is a division amongst the FRY and Serbian leadership regarding the transfer of Slobodan Milosevic to The Hague. President Vojislav Kostunica has repeatedly stated that he will not transfer indicted suspects to the Hague. The Federal Prime Minister, Zoran Zizic, has reportedly remarked that Slobodan Milosevic will not be

handed over to the UN tribunal, stating: "As long as I am heading the federal government, extradition of Milosevic is out of the question," adding extradition would be "below the dignity of our state and the people."

Federal Justice Minister, Momcilo Grubac, who is currently drafting legislation to enable the FRY to cooperate more fully with the Tribunal, has reportedly stated that Slobodan Milosevic could be transferred to The Hague soon after the passing of a law on cooperation.

Amnesty International is concerned that many people indicted by the Tribunal for war crimes in Bosnia-Herzegovina and Croatia remain at liberty in the FRY including the so-called Vukovar Three -indicted for the mass killings of at least 200 people taken from Vukovar hospital; General Ratko Mladic - (indicted for genocide); and Predrag and Nenad Banovic, accused of crimes committed in the Keraterm detention camp.

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