

Russia's Anthem in Belgrade

By Alexander Mezyaev

Nine years have passed on February 25 since the day the leader of Serbian Radical Party Vojislav Seselj, a professor of Belgrade University law faculty, came to the International Tribunal for the former Yugoslavia of his own will to disclaim charges of committing international crimes brought against him. What has happened during this period of time is startling in a lot of ways.

No matter Seselj faced the most expensive international judicial body in the world (25% of the UN budget), not a single charge has been proven. Seselj defended himself in court but was actually destitute of all procedural rights: a right to reasonable conduct of judicial proceedings, a right to temporary freedom, a right to privileged communication with a lawyer, and even...a right to notification of reasons for arrest!

Vojislav Seselj is the only accused by the International Criminal Tribunal for the former Yugoslavia who is refused his right to defense funding! Nobody, including top government officials of former Yugoslavia, like Radovan Karadzic, President of Republika Srpska, Serbian President Milan Milutinovich or Yugoslav President Slobodan Milosevic, was refused this right. Nobody but Seselj. Lawlessness triumphed: the defensive part of court proceedings was disrupted, the defendant was destitute of one more right – a right to defend himself. It's interesting that no contemporary international legal act says a person is entitled to legal defense. The provisions envisaging enough time for preparation of defense, enough time for defense itself are enshrined but the very right to defend is not included. Obviously it never came to the heads of the authors that an accused could be destitute of this right itself. But nowadays, in the XXI century the destitution of a right to defend is a reality of "great democratic Western civilization!" The world must know it.

Vojislav Seselj is destitute of not procedural only but also of common human rights, like a right to adequate medical care. An independent medical commission said the therapy prescribed is not only inadequate, but rather ruinous for his health! Family members or any person coming to see Seselj behind bars is forbidden to talk about the state of his health! A question comes up: why the spouse of Seselj has no right to tell that her husband is gravely ill and doesn't receive necessary medical care? Who gave the Hague prosecutors a right to demand such "non-disclosure obligation"? Do not these demands serve as an evidence of criminal intent? It has just been discovered someone tried to give Seselj an unknown medicine mixed with others in January. The International Criminal Tribunal officials keep silent about it! But it won't work under the circumstances. Any normal tribunal has an obligation to investigate the case. Absence of investigation itself is an evidence of criminal intent.

The most startling about it is that the West has failed to eliminate the Serbian Radical Party during these years, it still remains one of leading political forces confronting globalism. And not in the Balkans only. The grandiose meeting that took place in Belgrade on February 25 was a clear evidence it's true.

Not once I happened to take part in the meetings of Serbian political parties. Before they could boast about five thousand participants, this time the Serbian Radical Party gathered twenty five thousand to fill the Belgrade "Arena". It lasted over four hours, the party leadership, Seselj's legal advisors, historians, military, lawyers and cultural workers were among the speakers. The witnesses for the International Criminal Tribunal prosecution spoke too (including those who were threatened by the Tribunal's prosecutors, they told publicly about it). The speakers demanded Seselj be immediately and unconditionally released. The ambassadors of many countries were present. They didn't speak out but the very fact of their presence indicates what stance their respective countries take. Representatives of the Russian Public Committee in defense of Vojislav Seselj, Sergey Baburin, the Committee's chairman and chancellor of the Russian State University of Trade and Economics, Elena Guskova, head of the Balkan Crisis Study Centre and the author of this article were greeted with special emotions. It's worth to note the meeting started with Russian anthem.

Even the anthem of Serbia was played afterwards. The music was constantly accompanied by applause, the people chanted “Rusija!” every time the very name of Russian state was mentioned.

I’d like to believe Russia would say its word while presenting a really impartial assessment of the International Criminal Tribunal for former Yugoslavia. The matter is some cases may “flow away” to a new International Tribunal called International Residual Mechanism for Criminal Tribunals. (MomUt). Though it is to start its activities only next year, it can be said now: ”Wow, familiar faces all around!”. The composition of the Tribunal will be almost the same as the one of the International Criminal Tribunal for former Yugoslavia. The International Criminal Tribunal for former Yugoslavia report to the UN Security Council says the Hague Tribunal will consider the Seselj’s case till 2016! It means if acquitted by Court’s Chamber he would have spent four years more behind bars – the period of time defined by Hague judges as necessary for consideration of the appeal launched by prosecutor's office!

The date of nine years that Seselj spent in jail in Hague and the 25 February meeting are contradictory events. One the one hand there was the date of a nine years old crime against the leader of the Serbian Radical party, let’s emphasize it – a crime committed under the UN aegis. On the other hand all could see the Serbian Radical party headed by V. Seselj has become stronger and ready for new gains. It has special importance for mobilization of all Serbian patriotic forces before the coming May 2012 parliamentary elections.

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