

Milosevic & Aanklachten

Map 8C

Sagittarius

Van: "Sagittarius" <sagitar@hetnet.nl>
Aan: "Robin" <paperboy@home.nl>
Verzonden: maandag 24 april 2006 11:16
Bijlage: Nedmlei.dat
Onderwerp: Re: commotie in de gevangenis toen iemand anders per ongeluk Milosevic'voedsel kreeg
 Beste Robin,

Bedankt voor het toezenden van het boek.
 Zeer nuttig, deze uitgave !

Ik ben accoord met opname van mijn artikel als bijlage bij jouw boek, maar stuur hiervoor dan wel een hernieuwde, aangepaste en verder uitgewerkte versie.
 Laten we afpreken dat je die dan gebruikt.

vr. gr.

Nico Steijnen

— Original Message —

From: Robin
To: Sagittarius
Sent: Sunday, April 23, 2006 7:49 PM
Subject: Re: commotie in de gevangenis toen iemand anders per ongeluk Milosevic'voedsel kreeg uitgereikt.

Beste Nico,

Bedankt voor alles. Nog even een korte vraag. Je stuurde mij een brief **MOTIEF VOOR MOORD BESTOND ER GENOEG VOOR HET TRIBUNAAL**. Mag ik deze achter in het boek als bijlage plaatsen met vermelding van jouw naam?

het boek gaat deze week naar verschillende personen voor correcties. Ik stuur je het voor het naar de drukker gaat toe.

Het is behoorlijk heftig. Enkele personen hebben het al gelezen en verwachten. Misschien komt er wel een verbod. Ik weet het niet. Naar het schijnt moet men Milosevic zo spoedig mogelijk vergeten. Wel daar werk ik dus niet aan mee. De waarheid moet aan het licht worden gebracht. Niet alleen moet Milosevic recht gedaan worden, ook zijn veel vrienden van mij uit Beograd gesneuveld tijdens deze gruwelijke oorlog.

Groetjes,
 Robin

Heb je het Duiste boek over Milosevic ontvangen.

— Original Message —

From: Sagittarius
To: Robin
Sent: Sunday, April 23, 2006 7:39 PM
Subject: Re: commotie in de gevangenis toen iemand anders per ongeluk Milosevic'voedsel kreeg uitgereikt.

Prima zo, alleen is "wegens o.g.v." dubbel op, dus dat moet dan nog even attentie hebben.

vr. gr.

Nico Steijnen

— Original Message —

From: Robin
To: Sagittarius
Sent: Wednesday, April 19, 2006 10:11 PM

Sagittarius

Van: "Robin" <paperboy@home.nl>
Aan: "Sagittarius" <sagitar@hetnet.nl>
Verzonden: maandag 24 april 2006 12:19
Onderwerp: Re: commotie in de gevangenis toen iemand anders per ongeluk Milosevic'voedsel kreeg
 Beste Nico,

Ik zal de aangepaste versie als bijlage opnemen. Ik moet hem nog lezen maar weet bij voorbaat dat het goed is.

Het Duiste boek is door mijn Duits-Italiaanse uitgever uit gegeven. Enkel onderdelen zijn vertaald voor mijn Nederlandse uitgave.

Groetjes, Robin

— Original Message —

From: Sagittarius
To: Robin
Sent: Monday, April 24, 2006 12:28 PM
Subject: Re: commotie in de gevangenis toen iemand anders per ongeluk Milosevic'voedsel kreeg uitgereikt.

Beste Robin,

Bedankt voor het toezenden van het boek.
 Zeer nuttig, die Duitse uitgave !

Ik ben accoord met de opname van mijn artikel als bijlage bij jouw boek, maar stuur hiervoor dan wel een hernieuwde, aangepaste en verder uitgewerkte versie.
 laten we afspreken dat je die dan gebruikt.

vr. gr.

Nico Steijnen

— Original Message —

From: Robin
To: Sagittarius
Sent: Sunday, April 23, 2006 7:49 PM
Subject: Re: commotie in de gevangenis toen iemand anders per ongeluk Milosevic'voedsel kreeg uitgereikt.

Beste Nico,

Bedankt voor alles. Nog even een korte vraag. Je stuurde mij een brief **MOTIEF VOOR MOORD BESTOND ER GENOEG VOOR HET TRIBUNAAL**. Mag ik deze achter in het boek als bijlage plaatsen met vermelding van jouw naam?

het boek gaat deze week naar verschi

Sagittarius

Van: "R Despotovic" <despot@tiscali.nl>
Aan: "Jenny Ligtenberg" <jenny1@scarlet.nl>; "Sagittarius"
Verzonden: woensdag 26 april 2006 22:32
Onderwerp: Milosevic Lawyers Press for Unsealing of Records

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Tribunal Update
Briefly Noted

Milosevic Lawyers Press for Unsealing of Records

TU No 449, 21-Apr-06

The lawyers responsible for assisting Slobodan Milosevic with his defence case prior to his death in March have written to the president of the Hague tribunal as part of their ongoing efforts to have records of the court's dealings with him made public.

In the latest submission, Steven Kay and Gillian Higgins urge Judge Fausto Pocar to assign a chamber of judges to the task of considering whether the material in question can be unsealed.

The paperwork apparently consists of pleadings and medical records relating to the medical treatment the former Yugoslav president received in the court's detention unit and his efforts to secure a period of release to receive care in Moscow. Kay and Higgins say Milosevic told them before he died that he wanted the material made public.

The lawyers note that when they originally considered asking the chamber that had been hearing Milosevic's trial to release the material, they were informed by the court's registry that following his death, those judges no longer had anything to do with the case.

When they approached another set of judges – those responsible for deciding whether material from the proceedings could be made available for the purposes of an inquest and an internal inquiry – they were again told that they were speaking to the wrong people.

Kay and Higgins are currently in the process of appealing this decision.

In their simultaneous request for Judge Pocar to assign a chamber to resolve the issue, they argue that the matter is "particularly pertinent" given speculation regarding the circumstances of Milosevic's death.

Tests carried out on a blood sample taken from Milosevic earlier this year revealed the presence of a drug which was not prescribed to him by court doctors and which is known to counteract medicines he was taking for high blood pressure.

Following his death, it was revealed that Milosevic had written to the Russian authorities, expressing concern that he was being poisoned. The possibility has also been raised that Milosevic might have been taking the illicit medication in an effort to manipulate his own health and secure release from the tribunal's custody.

Sagittarius

Van: "Sagittarius" <sagitar@hetnet.nl>
Aan: "Robin" <mayrapublications@home.nl>
Verzonden: vrijdag 28 april 2006 13:06
Onderwerp: Re: commotie in de gevangenis toen iemand anders per ongeluk Milosevic'voedsel kreeg
Hoi Robin,

Voor een aparte uitgave lijkt het me wat mager; ik zou er dan de voorkeur aangeven te wachten tot er verdere aanvulling te plegen zijn. En die tijd komt zeker !

Maar met vertalingen in andere talen, en opname als bijlage, ben ik vanzelfsprekend accoord.
T.z.t. ontvang ik dan trouwens ook graag de vertaalde teksten !

groeten,

Nico

— Original Message —

From: Robin

To: Sagittarius

Sent: Monday, April 24, 2006 12:52 PM

Subject: Re: commotie in de gevangenis toen iemand anders per ongeluk Milosevic'voedsel kreeg uitgereikt.

Beste Nico,

Ik heb het doorgelezen. Excellent!!!!

Ik wil je vragen of we de tekst ook mogen vertalen, opnemen in mijn boek en via mijn uitgevers in het Spaans, Italiaans en Duits uit te geven. Misschien komt er binnenkort ook een Servische uitgave bij een uitgever in Montenegro.

We zitten ook te denken aan een kleine uitgave welke verwijst naar mijn reeds bestaande boeken. Wij kunnen het eventueel ook als een door jouw geschreven boekje uitgeven met een door mij geschreven voorwoord en verwijzing naar mijn bestaande uitgaven.



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Briefly Noted

Saga Continues Over Disclosure of Milosevic Files

TU No 450, 28-Apr-06

Tribunal president Judge Fausto Pocar has responded to the latest moves by the lawyers formerly responsible for assisting Slobodan Milosevic to unveil confidential records of their client's dealings with the court prior to his death in March.

Lawyers Steven Kay and Gillian Higgins say it was the former Yugoslav president's wish that pleadings and records relating to his medical treatment in The Hague and his efforts to secure temporary release to receive care in Moscow should be made public.

When they considered approaching the chamber that had been overseeing Milosevic's trial with their request, however, they were told by the court's registry that these judges no longer had anything to do with the case.

When they asked another set of judges - whose job it was to decide whether confidential documents could be released for the purposes of an inquest and inquiry - they were again told on April 6 that this particular issue was not their business.

Kay and Higgins' latest moves were to simultaneously appeal this latter decision and also request that Judge Pocar convene a trial chamber to decide whether the documents in question can be unsealed.

In his response, published on April 25, Judge Pocar said he didn't consider it appropriate to convene a trial chamber to address the matter while the defence lawyers' appeal against the April 6 decision was still outstanding.

He therefore stayed the defence counsels' request until after the appeals judges have issued their decision.

Tests carried out on a blood sample taken from Milosevic earlier this year revealed the presence of a drug which had not been prescribed to him by court doctors and which is known to counteract medicines he was taking for high blood pressure.

After Milosevic died, it was revealed that he had written to the Russian authorities suggesting that he was being poisoned. There has also been speculation that he may have been taking the illicit medicine in an effort to worsen his own health and improve his chances of being released for treatment in Moscow.

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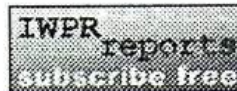
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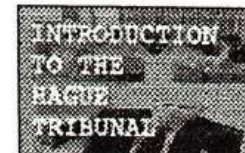


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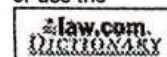
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Van: "Sagittarius" <sagitar@hetnet.nl>
Aan: "Patrick BARRIOT" <dr.barriot@free.fr>
Verzonden: vrijdag 28 april 2006 13:42
Onderwerp: Re: Envoi d'un message : LETTRE OUVERTE AU
Dear Mr. Barriot,

I welcome your intentions to co-operate in order to establish the truth, to force the tribunal to react and, finally, to take legal action against those who are responsible.

Thank you for your report. I will also forward it to Mr. Rakic and Mr. Marko Milosevic. In order to inform them of both your intentions and this report.

best regards,

N. Steijnen

— Original Message —

From: Patrick BARRIOT
To: sagitar@hetnet.nl
Cc: grbic@wxs.nl
Sent: Friday, April 28, 2006 12:00 PM
Subject: Envoi d'un message : LETTRE OUVERTE AU TPIY

Dear Mr. N.M.P. Steijnen,

Here is an article written by Maître Jacques Vergès and myself about the death of President Milosevic. This article is based on 41 references to internal and confidential documents of the ICTY. We think it is very important to work together to establish the truth and to obtain a response from Carla Del Ponte.

Best regards,

Dr. Patrick Barriot.
dr.barriot@free.fr

Lettre ouverte à Madame Del Ponte, procureur au TPIY, Et aux médecins désignés par le TPIY

Maître Jacques Vergès et Docteur Patrick Barriot

Les médecins possèdent l'art de soigner et d'atténuer les souffrances de leurs patients au moyen de médicaments donc l'efficacité ne cesse de croître. Malheureusement ce pouvoir thérapeutique est parfois utilisé pour réduire au silence des prisonniers irréductibles.

Le cas du prisonnier IT.02.54.T

Slobodan Milosevic souffrait d'une hypertension artérielle sévère et mal équilibrée (pression artérielle systolique atteignant fréquemment 220 à 230 mmHg), aggravée par ses conditions de détention. Cette hypertension artérielle avait des répercussions cardiaques et cérébrales : hypertrophie ventriculaire gauche, troubles de la repolarisation dans les dérivations précordiales de l'électrocardiogramme pouvant faire évoquer une ischémie, athérosclérose des vaisseaux du cou (en particulier de la carotide droite) et des vaisseaux intracrâniens. Cette hypertension sévère justifiait un traitement lourd associant : un bêta-bloqueur (metoprolol : 200 mg), un inhibiteur calcique (amlodipine : 20 mg), un inhibiteur de l'enzyme de conversion (enalapril : 40 mg) et un diurétique (hydrochlorothiazide : 50 mg).

Au cours du deuxième semestre de l'année 2005, Slobodan Milosevic présenta également des signes de souffrance cochléo-vestibulaires, en particulier des signes auditifs, devenant progressivement invalidants : bourdonnements d'oreilles (acouphènes), diminution de l'acuité auditive de type surdité de perception prédominant à droite, douleurs auriculaires droites aggravées par le port des écouteurs, vertiges. Il s'agissait selon toute vraisemblance d'une atteinte de l'oreille interne d'origine vasculaire.

Une pathologie vasculaire aggravée par le stress

Les conditions de la détention de Slobodan Milosevic ont joué un rôle dans l'aggravation de sa pathologie vasculaire, en particulier le stress lié à l'isolement familial. Depuis son enlèvement et son incarcération à La Haye, soit depuis près de 5 ans, Slobodan Milosevic n'avait pas été autorisé à recevoir la visite des membres de sa famille. Il y a quelques mois, Slobodan Milosevic écrivait en français à monsieur Javier Solana, secrétaire général du Conseil de l'Union Européenne (UE) et Haut Représentant de l'UE pour la politique étrangère et de sécurité commune (PESC), la lettre suivante : « Monsieur

Solana. Vous savez bien que je dirigeais mon pays et ses forces armées au moment où vous avez déclenché les frappes contre la Yougoslavie et vous n'ignorez pas qu'à présent je me trouve dans votre prison de Scheveningen. La différence fondamentale entre ma personne et les autres détenus qui m'entourent ne réside pas seulement dans le fait que je suis le seul chef d'Etat emprisonné ici mais également dans le fait que je suis la seule personne qui se voit privée de la possibilité de voir sa famille. Je vous décris ma situation car je ne suis pas sûr que vous soyez informé des conditions de ma détention et je ne peux imaginer qu'un homme digne de respect puisse se rendre responsable d'une telle vilenie. Les mesures de rétorsion à l'encontre de l'épouse et des enfants d'un adversaire sont indignes d'un homme d'honneur. Au regard des hautes fonctions qui furent les vôtres et qui sont également les vôtres aujourd'hui, je ne peux douter que vous prendrez les mesures nécessaires afin que les membres de ma famille puissent se rendre et séjourner librement aux Pays-Bas pour me rendre visite. Slobodan Milošević. » A l'évidence ces mesures nécessaires n'ont jamais été prises.

Le stress lié à l'organisation de sa défense a également joué un rôle délétère de l'avis même du cardiologue hollandais nommé par le TPIY, peu suspect, nous le verrons, de compassion à l'égard de son « Accusé ». Dans une lettre datée du 23 novembre 2005, le Dr. P. Van Dijkman (service de cardiologie de l'hôpital Bronovo) écrit au Dr. P. Falke (médecin du Centre de détention) : « Au regard du programme de travail, il est normal que le patient se sente fatigué. Il participe à trois sessions par semaine et passe le reste du temps à les préparer, en interrogeant, entre autres, ses témoins. Cela ne laisse pas beaucoup de temps pour se reposer. Il est probable que la pression artérielle va augmenter à nouveau au cours de sessions génératrices de stress » (1).

L'expertise médicale du 4 novembre 2005

Trois médecins spécialistes indépendants ont examiné, à sa demande, Slobodan Milosevic le 4 novembre 2005 : le Dr. M. Shumilina, angéiologue, spécialiste de la circulation veineuse cérébrale à l'Institut de chirurgie cardiovasculaire Bakoulev de Moscou ; le Pr. V. Andric, oto-rhino-laryngologiste (service d'ORL, Hôpital général de Kosovska-Mitrovica) et le Pr. F. Leclercq, chef de service de cardiologie à l'hôpital Arnaud de Villeneuve (CHU de Montpellier).

Le Pr. F. Leclercq confirmait la présence de signes électrocardiographiques suspects et prescrivait des examens complémentaires (scanner coronaire, scintigraphie myocardique) afin de mieux évaluer la circulation coronaire (2). Peu après l'annonce du décès de Slobodan Milosevic, le Pr. F. Leclercq nous a adressé un message précisant : « Je suis triste que les

examens que nous avons demandés n'aient pas été réalisés ». En outre, le Pr. F. Leclercq insistait sur la nécessité d'une période de repos efficace: « Il est incontestable que le stress participe aux irrégularités de la pression artérielle et qu'une période de repos doit être prescrite ».

Le Dr. M. Shumilina et le Pr. V. Andric confirmaient l'origine vasculaire des signes cochléovestibulaires invalidants (3, 4). Au vu des examens réalisés, en particulier l'imagerie par résonance magnétique (IRM), le Dr. M. Shumilina mettait en évidence des anomalies vasculaires à plusieurs niveaux: tronc brachiocéphalique, artère carotide interne droite, artère vertébrale droite, artères coronaires. Il existait en outre, selon elle, des anomalies de la circulation veineuse cérébrale liées à un traitement inadéquat de la pathologie vasculaire dont souffrait Slobodan Milosevic. Le Dr. M. Shumilina et le Pr. V. Andric prescrivirent également des examens complémentaires (doppler des vaisseaux du cou, artériographie cérébrale).

Le point crucial de cette expertise indépendante est que les trois spécialistes établissaient un lien entre les signes cochléovestibulaires (en particulier la surdité de perception) et l'hypertension artérielle. Or ce lien a été vigoureusement nié par les médecins hollandais désignés par le TPIY, à l'exception du Dr. J. De Laat (Leiden University Medical Centre) qui écrit le 28 novembre 2005 au Dr. P. Falke: « Il est probable que l'état cardiovasculaire du patient joue un rôle dans cette atteinte auditive » (5). Mais son avis fut ignoré.

La conclusion du rapport des médecins indépendants était sans ambiguïté: « Compte tenu des résultats des examens médicaux consultés dans le dossier et réalisés lors de la visite du 4 novembre 2005, nous pouvons conclure que l'état de santé du patient n'est pas stabilisé et que des complications sont possibles. Son état nécessite la poursuite des explorations avec pour objectif de préciser l'origine des troubles présentés. Il est nécessaire de proposer au patient une période de repos, c'est-à-dire la cessation de toutes les activités physiques et de tous les efforts intellectuels pendant au moins 6 semaines » (6). Le rapport du groupe d'experts soulevait donc des problèmes non résolus, à la fois d'ordre diagnostique et thérapeutique. Il soulignait également la gravité et l'urgence de la situation. Il fut cité à l'appui d'une demande de mise en liberté provisoire en vue d'une hospitalisation à l'Institut Bakoulev de Moscou, la Russie offrant toutes les garanties de sécurité pour le retour de Slobodan Milosevic à La Haye, une fois le traitement effectué. L'Institut Bakoulev possède un plateau technique offrant à la fois les possibilités diagnostiques (coronarographie, artériographie cérébrale) et thérapeutiques (dilatation coronaire, endartériectomie carotidienne) requises, ainsi que des spécialistes du plus haut niveau sous la direction du Pr. L. Bockeria. Le Pr. L. Bockeria qualifiait l'état de Slobodan Milosevic de « critique » et prédisait une « catastrophe cardio-vasculaire » (7).

Désaccords et controverses

Les conclusions du groupe d'experts indépendants furent contestées par les médecins hollandais assignés par l'autorité pénitentiaire et firent l'objet d'une double controverse. D'abord une controverse opposant le Pr. F. Leclercq au Dr. P. Van Dijkman. Dans un rapport adressé à H. Holthuis, greffier du TPIY, daté du 14 novembre 2005, le Dr. P. Falke déclare : « Contrairement à la conclusion commune des médecins examinateurs (V. Andric, F. Leclercq et M. Shumilina), le spécialiste traitant (P. Van Dijkman) conclut qu'il est peu probable que les anomalies vasculaires aient un lien direct avec les symptômes présentés. Le spécialiste traitant estime qu'une période de repos n'aura pas d'influence positive sur ces symptômes » (8, 9). Cet avis est confirmé quelques jours plus tard par une lettre du Dr. P. Van Dijkman, datée du 18 novembre 2005 et adressée au Dr. P. Falke. Voici ce que déclare dans cette lettre le Dr. P. Van Dijkman à propos des prescriptions du Pr. F. Leclercq (examens complémentaires et repos) : « Ce dernier point me semble quelque peu excessif au vu des examens déjà réalisés (...). A ce jour, je ne vois aucun argument pour modifier la procédure et, de mon point de vue, il n'y a pas d'élément d'ordre cardiologique pour modifier le déroulement actuel du procès » (10). Position réaffirmée quelques jours plus tard dans une lettre datée du 1er décembre 2005, adressée à nouveau par le Dr. P. Van Dijkman au Dr. P. Falke : « Dans mon courrier du 18 novembre 2005, je signalais que je ne voyais pas de raison de modifier la prise en charge et que, d'un point de vue cardiologique, il n'y avait pas de raison non plus de modifier le déroulement du procès (...). Les trois médecins étrangers qui ont examiné Mr. Milosevic recommandent qu'une période de repos de 6 semaines lui soit accordée immédiatement. Il s'agit d'une durée déterminée de façon arbitraire et à l'appui de laquelle, à mon avis, aucun argument solide n'est apporté » (11). Le Dr. P. Van Dijkman, nous le voyons, conteste de façon péremptoire l'avis d'un professeur de cardiologie. Il conteste à la fois la prescription d'examens complémentaires chargés de préciser le diagnostic et l'octroi d'une période de repos nécessaire au plan thérapeutique. Il se déclare néanmoins incompetent sur la pathologie cochléo-vestibulaire et il ne se prononce pas sur l'avis du Dr. M. Shumilina concernant les troubles vasculaires. Il aurait dû prendre en compte les avis de ses confrères ou demander l'avis d'un interniste. Trop sûr de lui, il semble plus à l'aise pour réduire le temps de repos d'un homme malade que pour établir un bon diagnostic. Il est important de préciser que, de l'avis même du Pr. J.H. Kingma (ancien Inspecteur-général de la Santé des Pays-Bas), le Dr. P. Van Dijkman aurait dû prendre l'avis d'un autre spécialiste : « Le Pr. Kingma estime qu'un avis spécialisé supplémentaire devrait être requis pour conseiller le Dr. P. Van Dijkman dans le traitement de l'Accusé. Un spécialiste en médecine interne serait probablement de bon conseil à ce stade parce que l'Accusé souffre

d'hypertension artérielle, affection qui touche tous les organes et pas seulement le cœur. Le Pr. Kingma propose de parler au Dr. P. Van Dijkman de la possibilité de demander un avis supplémentaire » (12, 13).

La deuxième controverse opposait le Dr. M. Shumilina au Dr. N. Aarts (neuroradiologue hollandais) sur le lien entre les symptômes cochléo-vestibulaires observés et l'hypertension artérielle mal traitée. Pour le Dr. M. Shumilina et le Pr. V. Andric, l'origine vasculaire des troubles sensoriels auditifs ne faisait pas de doute et ils contestaient l'interprétation du médecin hollandais (14). Un document du TPIY daté du 14 décembre 2006 précise sans la moindre ambiguïté : « Le Dr. N. Aarts, spécialiste agréé par le tribunal, estime que Mr. Milosevic ne présente aucune pathologie nécessitant un traitement » (15). Seul le Dr. J. De Laat, nous l'avons dit, a confirmé le lien entre la pathologie vasculaire et les signes cochléo-vestibulaires, mais son avis n'a pas été pris en considération.

L'assurance, l'arrogance dirons-nous, avec laquelle le Dr. P. Van Dijkman a contesté l'avis du Pr. F. Leclercq et l'arrogance avec laquelle le Dr. N. Aarts a contesté l'avis du Dr. M. Shumilina et du Pr. V. Andric sont suspectes. Ces « experts agréés par le TPIY » n'ont pas accordé la moindre place au doute diagnostique ni aux règles de déontologie, que ce soit à l'égard d'un homme malade, dont ils avaient en charge la santé, ou à l'égard de confrères, dont l'avis aurait dû être pris en compte au vu de leur expérience et de leur compétence. En réalité ces médecins ont été beaucoup plus influencés par les arguments du procureur que par ceux de leurs confrères. Notons à nouveau que la seule fois où un médecin désigné par le tribunal s'est déclaré incompetent et a confié le dossier à un autre collègue, ce dernier est allé dans le sens des experts indépendants. L'avis du Dr. J. De Laat avait été sollicité par le Dr. H. Spoelstra (service ORL de l'hôpital Bronovo) dans une lettre datée du 21 novembre 2005 car ce dernier, mandaté par le TPIY, estimait que certains troubles présentés par Slobodan Milosevic sortaient de son champ de compétence et il souhaitait l'avis d'une tierce personne (16).

Des accusations non fondées concernant la non-observance du traitement

Au mois de juillet et au mois d'août 2004, le Dr. P. Van Dijkman et le Pr. R. Tavernier ont adressé des rapports au TPIY exprimant des doutes sur le fait que l'« Accusé » prenait bien son traitement (17). Il est important de noter qu'à la suite de cette accusation médicale, plusieurs mémorandums confidentiels ont été rédigés par les autorités du centre de détention : mémorandum du 31 août 2004 signé T. McFadden, directeur du Centre de détention, mémorandum du 14 octobre 2004 signé T. McFadden, mémorandum du 26 octobre 2004 signé J. Hocking, greffier-adjoint du TPIY (18, 19, 20). Ces mémorandums accréditaient

la thèse des médecins et proposaient des mesures de rétorsion visant à empêcher Slobodan Milosevic d'assurer seul sa défense (21) et à supprimer les facilités qui lui avaient été accordées pour préparer ses témoins.

Fin 2005 et début 2006 une nouvelle série de mémorandums émanant des autorités du centre de détention visait une fois de plus à réduire les droits de la défense : mémorandum du 7 mars 2005 signé J. Hocking, mémorandums du 6 décembre et du 19 décembre 2005 signés T. McFadden, mémorandum du 20 décembre 2005 signé H. Holthuis, mémorandum du 6 janvier 2006 signé P. Falke, mémorandum du 1^{er} février 2006 signé F. Gilmour, directeur-adjoint du centre de détention, mémorandum du 13 février 2006 signé F. Gilmour (22, 23, 24, 25, 26, 27). Tous ces mémorandums accusaient à nouveau Slobodan Milosevic d'aggraver volontairement son état de santé en refusant d'absorber les médicaments prescrits par le Dr. P. Van Dijkman et en absorbant d'autres médicaments non prescrits. Ces mémorandums s'appuyaient sur des rapports médicaux précisant que les taux sanguins des médicaments prescrits étaient anormalement bas. De bonne foi, Slobodan Milosevic proposa alors de se soumettre à des examens sanguins, sous strict contrôle médical, afin de doser les médicaments prescrits et de rechercher d'éventuels médicaments non prescrits. L'examen le plus important fut réalisé le 12 janvier 2006 (28, 29, 30). Le rapport émis le 24 janvier 2006 par le Dr. D. Uges et le Dr. D. Touw (pharmacotoxicologues, experts en médecine légale) concluait qu'« il y a de solides arguments dans les données pharmacologiques issues de ces tests pour soutenir que l'« Accusé » ne prend pas ou prend de façon irrégulière son traitement, et qu'il semble évident que ce peut être la cause de l'hypertension artérielle persistante ». Ce rapport mettait, une fois de plus, en évidence des taux anormalement bas de médicaments prescrits, alors qu'ils avaient été absorbés sous strict contrôle médical dans le cadre d'examens sanguins librement acceptés, et même réclamés par Slobodan Milosevic. Notons par ailleurs que les toxicologues se sont limités au dosage du metoprolol et de l'amlodipine et qu'ils n'ont pas jugé utile de doser l'enalapril (élément pourtant essentiel du traitement) ni l'hydrochlorothiazide. Le rapport stipule clairement : « Nous avons décidé de ne pas doser l'enalapril ni l'hydrochlorothiazide ». En outre, la sensibilité des méthodes de mesures utilisées est sujette à caution, le laboratoire du Dr. D. Uges et celui du Dr. D. Touw n'utilisant pas les mêmes méthodes. Le Dr. D. Touw semble avoir utilisé une méthode de détection en chromatographie UV peu sensible et non une méthode séparative de chromatographie en phase liquide. Or l'interprétation des résultats diffère en fonction de la sensibilité des méthodes de mesure, une activité hémodynamique pouvant être observée à partir de 6 microgrammes par litre pour l'amlodipine et à partir de 20 microgrammes par litre pour le metoprolol.

Un point capital doit être souligné à propos de la prise de sang du 12 janvier 2006 : à aucun moment n'apparaît dans le bilan émis par le laboratoire au mois de janvier la mention de la découverte de rifampicine. En revanche, cet antibiotique, réputé pour son aptitude à déclencher un phénomène d'induction enzymatique, est cité dans la discussion visant à trouver une explication aux taux anormalement bas de metoprolol et d'amlodipine. Un taux sanguin abaissé peut en effet résulter, entre autres, d'une mauvaise absorption digestive, d'interactions médicamenteuses variées, d'un mécanisme d'induction enzymatique ou d'une métabolisation rapide par duplication génique (CYP2D6, CYP3A4). Il est écrit dans le rapport : « Dans la mesure où l'amlodipine est un substrat de l'enzyme CYP3A4, la concentration d'amlodipine peut baisser en cas d'induction enzymatique liée par exemple à une prise de rifampicine », et plus loin : « A ce stade, nous ne pouvons pas fournir d'explication satisfaisante pour ces taux bas de metoprolol et d'amlodipine ». En d'autres termes, lorsqu'ils rendent les résultats des tests sanguins, au mois de janvier 2006, les experts en toxicologie n'ont aucune certitude, seulement des suppositions. Ils évoquent la possibilité d'une induction enzymatique et ils citent « à titre d'exemple » un bon inducteur enzymatique : la rifampicine. Mais ils ne signalent à aucun moment la présence de rifampicine dans les échantillons de sang. Curieusement, deux mois plus tard, ils annoncent avoir découvert un taux élevé de rifampicine dans les prélèvements du 12 janvier, à savoir 0,8 mg/l de rifampicine et 1,1 mg/l de désacétyl-rifampicine, ce qui correspond selon eux à l'absorption d'une dose thérapeutique (environ 10 mg/kg/j soit 2 gélules de 300 mg en une seule prise pour un adulte). Or ce résultat, qui apparaît dans une lettre du Dr. D. Touw au Dr. P. Falke datée du 23 février 2006 (31), puis dans une lettre du Dr. P. Falke au greffier H. Holthuis datée du 3 mars 2006 (32), n'a été communiqué à Slobodan Milosevic que le 7 mars 2006.

Slobodan Milosevic n'a jamais absorbé de rifampicine dans le but d'aggraver son état de santé et il n'a pas absorbé le moindre antibiotique durant ses années de détention. Soulignons à nouveau que la pathologie cardiovasculaire dont souffrait Slobodan Milosevic ne constituait ni une contre-indication absolue ni même une contre-indication relative à la prise de cet antibiotique actif contre de nombreuses maladies bactériennes, pas seulement la tuberculose ou la lèpre. La rifampicine, en cas de prises répétées, est seulement capable de diminuer (et non d'annuler) l'efficacité de certains traitements par un mécanisme d'induction enzymatique. Plusieurs questions viennent naturellement à l'esprit concernant les méthodes des « experts toxicologues » : comment se fait-il que la présence de rifampicine n'ait pas été contrôlée sur différents échantillons de sang ? Comment peut-on affirmer qu'une prise occasionnelle de rifampicine peut annuler les effets d'une puissante association thérapeutique (diurétique, inhibiteur calcique, beta-bloqueur, inhibiteur de l'enzyme de conversion) ? Pourquoi ne pas avoir réalisé un bilan hépatique à la recherche

d'une augmentation des transaminases ? Pourquoi ne pas avoir dosé l'enalapril et l'hydrochlorothiazide ? Pourquoi ne pas avoir dosé les métabolites de ces médicaments ? Pourquoi ne pas avoir dosé les médicaments avec une méthode séparative plus sensible telle que la chromatographie en phase liquide ? Pourquoi avoir attendu le 7 mars pour rendre à l'intéressé les résultats d'une prise de sang remontant au 12 janvier ? Pourquoi la feuille informatisée attestant le dosage de rifampicine n'a-t-elle jamais été produite par le Dr. D. Uges ? On reste stupéfait devant tant de légèreté, de lacunes et d'incompétence.

Si Slobodan Milošević avait vraiment voulu diminuer l'efficacité de son traitement, il était plus facile de ne pas absorber le traitement que d'absorber à la fois son traitement antihypertenseur et un médicament non-prescrit (la rifampicine), difficile à se procurer, susceptible d'être découvert lors d'une fouille (comprimés généralement faciles à reconnaître et colorés en rouge), qui colore les urines en rouge et qui peut être facilement décelé par les examens sanguins. Rappelons également que, contrairement à ce qui a été publié, Slobodan Milošević ne pouvait recevoir de l'extérieur ni médicament ni alcool. Les médicaments étaient absorbés avec un verre d'eau, en présence d'un infirmier. Sa chambre était régulièrement fouillée en son absence, ce qui est illégal. Quant au taux de nordiazepam, métabolite actif de plusieurs benzodiazépines, découvert dans les échantillons de sang, il était trop bas pour avoir des effets pharmacodynamiques. Ces effets auraient été, de toute façon, plutôt bénéfiques sur l'hypertension. Les traces de nordiazepam correspondaient à des prescriptions anciennes de diazepam par le Dr. P. Falke.

L'Ordre du TPIY du 26 janvier 2006, citant en référence le mémorandum de H. Holthuis du 20 décembre 2005, revenait sur les accusations de 2004 : « L'accusé a volontairement manipulé le déroulement du procès et a volontairement manipulé son état de santé en ne prenant pas les médicaments qui lui avaient été prescrits et en prenant d'autres médicaments qui n'avaient pas été prescrits par des médecins désignés par le tribunal. L'Accusé a été trouvé en possession de quantités potentiellement mortelles de médicaments non-prescrits à deux reprises en 2004 (à l'occasion d'une fouille de son bureau au mois d'août et à l'occasion d'une inspection de sa cellule dans la semaine du 29 novembre. Les rapports médicaux établis après la découverte du mois d'août font mention de traces de médicaments non prescrits dans le sang de l'Accusé » (33).

Le traitement régulier de Slobodan Milošević comportait les médicaments antihypertenseurs que nous avons cités, un médicament traitant l'hypercholestérolémie (simvastatine : 40 mg), de petites quantités d'aspirine (ascal : 300 mg), un antihistaminique (cinnarazine : 25 mg), et à l'occasion du diazepam et du diclofenac. Quels sont donc ces médicaments « potentiellement mortels » que l'on a trouvés chez Slobodan Milošević ? Durant l'été 2004, les

gardiens du centre de détention ont trouvé dans son bureau une enveloppe marquée « Misha » contenant des comprimés de benzodiazépines (midazolam et prazepam). Il s'agissait d'une enveloppe appartenant à l'avocat Dragoslav Ogjanovic, que ce dernier avait oubliée dans le bureau de Slobodan Milosevic. En tout état de cause, ces médicaments étaient inoffensifs voire bénéfiques. Le 1^{er} février 2006, 21 comprimés d'un médicament antihypertenseur, le Prilazid Plus (association de cilazapril et d'hydrochlorothiazide), ont été découverts dans la cellule de Slobodan Milosevic. Cette découverte a fait l'objet d'un nouveau mémorandum le 2 février 2006 signé J. Hocking (34). En fait, ces comprimés, trouvés avec une notice écrite en cyrillique, étaient périmés depuis le mois de mars 2003. Il s'agissait de comprimés que Slobodan Milosevic avait dans sa poche lors de son enlèvement au mois de juin 2001 et qui avaient été confisqués à son arrivée au centre de détention. Curieusement, ces comprimés sont réapparus lors de la fouille du 1^{er} février 2006 pour étayer la thèse de la manipulation de son état de santé. Une fois de plus, il s'agissait de médicaments dont l'effet ne pouvait être que bénéfique pour un patient souffrant d'hypertension artérielle.

Le rapport médico-légal du Dr. W. Zwart Voorspuij, daté du 11 mars 2006, concerne la découverte du corps de Slobodan Milosevic dans la cellule E04 du centre de détention. Avant même de décrire la découverte du corps, le Dr. W. Zwart Voorspuij déclarait dans son rapport : « La non-observance du traitement et la prise de médicaments non-prescrits ont été signalées. Un bilan sanguin réalisé au mois de janvier 2006 révélait la présence de rifampicine (à un taux thérapeutique) et de diazepam. De plus, il prenait un médicament qui n'est pas disponible aux Pays-Bas (Vascase Plus, comparable au Co-Renitec). La rifampicine peut déclencher une induction enzymatique conduisant à une augmentation du métabolisme des autres médicaments. Certains des médicaments prescrits n'ont pas été retrouvés dans le sang ou ont été retrouvés à des taux anormalement bas. » (35). On peut s'étonner qu'un médecin chargé de constater le décès d'un détenu qu'il ne connaît absolument pas, reprenne en tête de son rapport des accusations non fondées suggérées par le TPIY. A ce stade des investigations, son rôle se limitait à constater les faits, seulement les faits. Le Dr. W. Zwart Voorspuij signale que Slobodan Milosevic prenait un médicament, le Vascase Plus, non disponible aux Pays-Bas. Or le Vascase Plus (association d'un inhibiteur de l'enzyme de conversion, le cilazapril, et d'un diurétique, l'hydrochlorothiazide) apparaît sur les fiches de prescription, en particulier celles du mois de juillet et du mois d'août 2002 (36). Comment un médicament, censé ne pas être disponible aux Pays-Bas, pouvait-il être prescrit dans le centre de détention ? Le Dr. W. Zwart Voorspuij a-t-il commis une erreur en citant le Vascase Plus ? Voulait-il parler du Prilazid Plus, évoqué précédemment, qui comporte également une association de cilazapril et d'hydrochlorothiazide ? Une telle confusion est grave dans un rapport de médecine légale. En tout état de

cause, il s'agissait d'un médicament ayant été prescrit à Slobodan Milosevic aussi bien à Belgrade, avant son enlèvement, que dans le centre de détention de Scheweningen. Notons enfin qu'aucun dosage d'inhibiteur de l'enzyme de conversion (qu'il s'agisse de Vascase, de Prilazid ou de Renitec...) ne semble avoir été réalisé par les « experts toxicologues ».

Des journalistes et des médecins « embedded » par le TPIY

Les accusations non fondées des médecins à l'encontre de Slobodan Milosevic ont permis au bureau du procureur de réduire les droits de sa défense. Comme d'ordinaire les thèses du Procureur ont été reprises et largement diffusées par les médias, en particulier par les médias français. En voici quelques exemples. L'hebdomadaire *Le Point* du 16 mars 2006 évoqua les « mélanges médicamenteux auxquels se livre le détenu en prison afin de réduire l'efficacité des traitements qu'on lui administre », allant jusqu'à affirmer qu'« à force d'ingérer des substances chimiques, le dictateur serbe aurait ainsi été pris à son propre piège ». Jacques Amalric écrivit dans *Libération* du 16 mars 2006 : « Milosevic en a profité pour se procurer des médicaments contre-indiqués dans l'espoir d'altérer son état de santé afin de favoriser sa demande de liberté provisoire pour se faire soigner à Moscou ». Cette thèse a également été développée par Stéphanie Maupas qui a suggéré dans les colonnes du *Monde* que Slobodan Milosevic absorbait des médicaments non prescrits pour fomenter son « évasion » vers la Russie. Stéphanie Maupas signalait des « traces de rifampicine, un médicament contre la tuberculose, annulant les effets du traitement prescrit contre les problèmes cardiovasculaires » (*Le Monde*, 19-20 mars).

Les soupçons d'empoisonnement.

Slobodan Milosevic, dont l'état de santé ne cessait de se dégrader au début de l'année 2006, semblait convaincu que le tribunal voulait l'empoisonner. Le 11 novembre 2005, le Dr. P. Falke, constatant un état d'épuisement de Slobodan Milosevic, déclara qu'il était incapable d'assister à l'audience (37). Le 21 novembre 2005, le même Dr. P. Falke avertit H. Holthuis que Slobodan Milosevic souffrait d'une poussée hypertensive, que sa « pression artérielle était au-delà des paramètres acceptables » et qu'il ne pouvait pas assister à l'audience (38). Les signes auditifs étaient devenus invalidants. Pour Slobodan Milosevic, les soupçons d'empoisonnement étaient fondés en grande partie sur le fait que la découverte d'un taux efficace de rifampicine dans le bilan sanguin du 12 janvier ne lui avait été signalée que deux mois plus tard, le 7 mars 2006. Or il savait pertinemment qu'il n'avait jamais absorbé volontairement ce produit.

Il semble peu probable que le TPIY ait voulu aggraver l'état de santé de Slobodan Milosevic en lui administrant de la rifampicine pour réduire les effets de son traitement anti-hypertenseur. En effet, la rifampicine aurait dû être administrée régulièrement et à son insu. Il y a d'autres inducteurs enzymatiques plus faciles à manier et surtout, il y a des molécules bien plus efficaces et bien plus difficiles à dépister si l'on veut aggraver l'état cardiovasculaire d'un patient. Enfin, on comprend mal pourquoi le TPIY aurait demandé des recherches de médicaments non prescrits dans les bilans sanguins (en particulier celui du 12 janvier 2006), sachant que la rifampicine serait certainement découverte. En revanche le tribunal avait tout intérêt à « découvrir » de la rifampicine pour étayer la thèse de la non-observance et de la manipulation du traitement par Slobodan Milosevic. Pour le TPIY, dans la mesure où Slobodan Milosevic aggravait volontairement son état de santé, il ne méritait pas la moindre mesure de clémence et il devenait licite de réduire les droits de sa défense.

Le 24 février 2006, le tribunal a ainsi rejeté la demande d'hospitalisation qui aurait permis à Slobodan Milosevic d'être correctement soigné à Moscou. Slobodan Milosevic a adressé une ultime demande, sous la forme d'une lettre manuscrite datée du 8 mars, au ministre russe des Affaires étrangères, en vue d'une hospitalisation d'urgence dans l'Institut de chirurgie cardio-vasculaire Bakoulev de Moscou. Il est mort trois jours plus tard dans la cellule E04, le samedi 11 mars 2006. Sa mort survenait après celle de Slavko Dokmanovic, après celle de Milan Kovacevic et après celle de Milan Babic. L'autopsie réalisée par l'Institut de médecine légale hollandais a établi que Slobodan Milosevic était mort d'un infarctus du myocarde et qu'il n'y avait pas de trace de médicament toxique dans son sang. Il est clair que la mort subite de Slobodan Milosevic n'aurait jamais pu être mise sur le compte de l'évolution normale et prévisible de sa pathologie cardiovasculaire si cette dernière avait été correctement prise en charge. Il s'agit donc d'un « assassinat judiciaire » provoqué par des conditions de détention inhumaines et des soins médicaux approximatifs et inadaptés, « consentis » par des médecins aux ordres de l'autorité pénitentiaire.

Le suicide écarté sans l'ombre d'un doute

Contrairement à ce qui a pu être avancé hâtivement, Slobodan Milosevic ne s'est pas suicidé. D'une part, ceux qui le connaissaient bien savent à quel point il était résolu à se battre jusqu'à l'effondrement d'un TPIY qui échouait à apporter les preuves matérielles de sa culpabilité. Monsieur J. Bissett, ancien ambassadeur du Canada en Yougoslavie, qui témoignait fin février 2006 devant le TPIY, décrit Slobodan Milosevic toujours acharné au travail et faisant preuve d'un sens de l'humour inaltéré. Le jour précédant sa mort, Slobodan

Milosevic eut une conversation téléphonique avec Milorad Vucelic, du Parti socialiste serbe. Il lui déclara énergiquement : « Ne vous inquiétez pas. Ils ne me détruiront pas, ils ne me briseront pas. C'est moi qui les vaincrai ! ». De fait, le procureur G. Nice avait avoué quelques mois auparavant que le « projet de Grande Serbie », clef de voûte de l'accusation, ne reposait sur aucun fait établi. Il est donc stupide de prétendre qu'une prise de rifampicine ou de médicament non-prescrit ait pu être responsable d'une mort subite assimilable à une forme de suicide. La thèse du suicide peut être écartée sans l'ombre d'un doute, d'autant que l'autopsie de Slobodan Milosevic n'a pas révélé la présence de la moindre molécule suspecte.

L'assassinat judiciaire médicalement assisté

Les médecins n'ont pas une obligation de résultats mais ils ont une obligation de moyens et ils doivent dispenser des soins conformes aux données actuelles de la science. Or, les médecins du TPIY ont fait preuve d'une grande carence diagnostique et thérapeutique, assimilable à une non-assistance à personne en danger. Le seul diagnostic qu'ils ont évoqué, à savoir la manipulation de son traitement par Slobodan Milosevic, est celui qui fournissait un bon motif au procureur pour réduire les droits de la défense. Ils ne se sont pas comportés comme des praticiens responsables de la santé d'un « Patient » mais comme des fonctionnaires chargés de surveiller un « Accusé ». Les documents internes du TPIY montrent la parfaite collaboration entre les médecins hollandais, les procureurs et les responsables du centre de détention, dans le but accompli de réduire les droits de la défense. Ces médecins devraient être poursuivis pour non assistance à personne en danger dans la mesure où des spécialistes indépendants, dont la compétence et l'expérience ne pouvaient être mises en doute, avaient signalé la gravité de la situation et le risque de complications graves.

Les accusations sans fondement portées contre Slobodan Milosevic avaient pour but (et la plupart de ces buts ont été atteints) :

1. De lui interdire d'assurer lui-même sa défense et de lui assigner, contre sa volonté, des avocats chargés de le représenter (Steven Kay et Gillian Higgins).

2. De supprimer les facilités qui lui avaient été accordées pour préparer sa défense par l'« Order concerning the Preparation and Presentation of the Defence Case » du 17 septembre 2003.

3. De réduire le temps alloué à l'organisation de sa défense et d'augmenter le rythme des audiences avec passage à quatre ou cinq audiences par semaine au lieu de trois, de telle façon que Slobodan Milosevic n'ait pas les moyens matériels et physiques de préparer ses témoins, la fatigue et le stress devenant insupportables.

4. De rejeter sa demande d'hospitalisation d'urgence à l'Institut Bakoulev. Les médecins désignés par le TPIY ont accusé Slobodan Milosevic de ne pas suivre les prescriptions médicales pour lui faire porter l'entière responsabilité de la dégradation de son état de santé. Ce faisant, ils se dispensaient de rechercher la véritable cause des signes alarmants présentés par Slobodan Milosevic et ils justifiaient le refus d'une hospitalisation d'urgence à Moscou, puisque selon eux il suffisait à Slobodan Milosevic de prendre correctement son traitement pour que tout rentre dans l'ordre. Ils ont ainsi privé Slobodan Milosevic d'une mesure de clémence pour raison de santé accordée à d'autres détenus (V. Kovacevic, P. Strugar).

Dès le mois d'août 2004, le Dr. P. Van Dijkman et le Pr. R. Tavernier signalaient au tribunal que Slobodan Milosevic ne prenait probablement pas ses médicaments. Or il ne disposait d'aucune preuve pour étayer une telle accusation qui a porté gravement préjudice à Slobodan Milosevic et qui relevait plus de la délation que des obligations de soins. Par la suite, les médecins désignés par le TPIY ont repris cette accusation et ont privilégié ce seul « diagnostic » pour expliquer la dégradation de l'état de santé de Slobodan Milosevic. Le Dr. P. Falke affirmait que « L'Accusé mettait en jeu sa santé et sa vie en ne prenant pas correctement son traitement ». A plusieurs reprises ce médecin généraliste a rendu des avis péremptoires sur des sujets débordant son cadre de compétence (pharmacocinétique du diazepam, validité de la chromatographie UV, etc.). En outre, la fiabilité de ses prescriptions est loin d'être établie : des prescriptions occasionnelles ou « à la demande » n'ont pas notées sur les fiches de prescription. Nous avons également souligné les lacunes diagnostiques des autres médecins désignés par le TPIY, qu'ils soient ORL (Dr. H. Spoelstra), neuroradiologue (Dr. N. Aarts) ou toxicologues (Dr. D. Uges, Dr. D. Touw). L'analyse des documents internes du TPIY montre que les rapports des médecins (1, 8, 9, 10, 11, 17, 25, 28, 29, 30, 31, 32) précédaient voire généraient les mémorandums des autorités pénitentiaires (18, 19, 20, 22, 23, 24, 26, 27, 34) et les charges des procureurs (39). Ces médecins portent une lourde responsabilité dans la mort de Slobodan Milosevic par infarctus du myocarde. Il s'agit indéniablement d'un assassinat judiciaire avec la complicité de médecins, autrement dit d'un assassinat judiciaire médicalement assisté. Nous devons signaler que les avocats Steven Kay et Gillian Higgins, au cours du premier trimestre 2006, ont défendu les droits de Slobodan Milosevic en dénonçant un certain nombre des faits évoqués précédemment (40, 41).

Tels sont les faits, Madame le Procureur et Messieurs les médecins aux ordres du TPIY, et nous vous mettons au défi de les démentir et de nous poursuivre devant les tribunaux.

Les documents confidentiels cités en références nous ont été communiqués par des membres du Parquet indignés par le comportement de leur chef.

Références.

1. Lettre du Dr. P. Van Dijkman datée du 23 novembre 2005 et adressée au Dr. P. Falke, IT-02-54-T, pages 45804-45805.
2. Rapport du Pr. F. Leclercq daté du 4 novembre 2005, IT-02-54-T, pages 45840-45842.
3. Rapport du Dr. M. Shumilina daté du 4 novembre 2005, IT-02-54-T, pages 45845-45846.
4. Rapport du Pr. V. Andric daté du 4 novembre 2005, IT-02-54-T, pages 45843-45844.
5. Lettre du Dr. J. De Laat datée du 28 novembre 2005 et adressée au Dr. P. Falke, IT-02-54-T, pages 45800-45801.
6. Conclusion collective (Pr. F. Leclercq, Dr. M. Shumilina, Pr. V. Andric) datée du 4 novembre 2005, IT-02-54-T, page 45839.
7. Lettre du Pr. L. Bockeria datée du 14 décembre 2005 et adressée à Fausto Pocar, président du TPIY, IT-02-54-T, pages 45765-45766.
8. Rapport du Dr. P. Falke daté du 14 novembre 2005 et adressé au greffier H. Holthuis, IT-02-54-T, pages 45822- 45823.
9. Rapport du Dr. P. Falke daté du 14 novembre 2005 et adressé au greffier H. Holthuis, IT-02-54-T, page 45820.
10. Lettre du Dr. P. Van Dijkman datée du 18 novembre 2005 et adressée au Dr. P. Falke, IT-02-54-T, pages 45813-45814.
11. Lettre du Dr. P. Van Dijkman datée du 1^{er} décembre 2005 et adressée au Dr. P. Falke, IT-02-54-T, page 45667 et page 45791.
12. Avis du Pr. J.H. Kingma, ancien Inspecteur-général de la Santé des Pays-Bas, IT-02-54-T, page 45515.
13. Geoffrey Nice, *The Prosecutor v. Slobodan Milosevic*, 28 février 2006, pages 45514-45517.
14. Rapport du Dr. M. Shumilina daté du 14 décembre 2005, IT-02-54-T, page 45787.
15. *The Prosecutor v. Slobodan Milosevic*, 2 mars 2006, IT-02-54-T, page 45667.
16. Lettre du Dr. H. Spoelstra datée du 21 novembre 2005 et adressée au Dr. P. Falke, IT-02-54-T, page 45807.
17. Rapport du Dr. P. Van Dijkman daté du 18 août 2004, IT-02-54-T, pages 37641-37643.
18. Mémoire interne du 31 août 2004 signé T. McFadden, IT-02-54-T, pages 45642- 45644.
19. Mémoire interne du 14 octobre 2004 signé T. McFadden, IT-02-54-T, pages 45645- 45647.

20. Mémoire interne daté du 26 octobre 2004 signé J. Hocking, IT-02-54-T, page 45648.
21. Ordre du 22 septembre 2004 « Reasons for Decision on Assignment of Defence Counsel. » assignant Steven Kay et Gillian Higgins.
22. Mémoire interne du 7 mars 2005 signé J. Hocking, IT-02-54-T, page 45508.
23. Mémoire interne du 19 décembre 2005 signé T. McFadden, IT-02-54-T, page 45640.
24. Mémoire interne du 20 décembre 2005 signé H. Holthuis, IT-02-54-T, page 45641.
25. Rapport du 6 janvier 2006, adressé par le Dr. P. Falke au greffier H. Holthuis, IT-02-54-T, page 45634.
26. Mémoire interne du 1^{er} février 2006 signé F. Gilmour, IT-02-54-T, page 45613.
27. Mémoire interne du 13 février 2006 signé F. Gilmour, IT-02-54-T, pages 45542-45546.
28. Rapports du Dr. D. Touw datés du 16 et du 20 janvier 2006 et adressés au greffier H. Holthuis, IT-02-54-T, pages 45583-45588.
29. Rapport du Dr. D. Uges daté du 24 janvier 2006 et adressé au greffier H. Holthuis, IT-02-54-T, pages 45623-45627.
30. Résultats des analyses toxicologiques adressés le 20 janvier 2006 au TPIY par le Dr. D. Touw, IT-02-54-T, pages 45558-45566.
31. Lettre du Dr. D. Touw datée du 23 février 2006 et adressée au Dr. P. Falke, IT-02-54-T, page 45506.
32. Lettre du Dr. P. Falke datée du 3 mars 2006 et adressée au greffier H. Holthuis, IT-02-54-T, page 45507.
33. Ordre du 26 janvier 2006, « Submissions following trial chamber's order du 26 janvier 2006 », IT-02-54-T, page 45619, paragraphe 6.
34. Mémoire interne du 2 février 2006 signé J. Hocking, IT-02-54-T, page 45611.
35. Rapport médico-légal du Dr. W.A. Zwart Voorspuij daté du 11 mars 2006, IT-02-54-T, page 45470.
36. Fiches de prescriptions médicales faisant apparaître le médicament anti-hypertenseur « Vascase Plus », IT-02-54-T, pages 45522- 45525.
37. Rapport du Dr. P. Falke daté du 11 novembre 2005 et adressé au greffier H. Holthuis, IT-02-54-T, page 45827.
38. Rapport du Dr. P. Falke daté du 21 novembre 2005 et adressé au greffier H. Holthuis, IT-02-54-T, pages 45811.
39. Geoffrey Nice, The Prosecutor v. Slobodan Milosevic, le 6 février 2006, IT-02-54-T, pages 45576-45578.
40. Arguments de Steven Kay et Gillian Higgins pour la défense de Slobodan Milosevic, 20 février 2006, IT-02-54-T, pages 45527-45539.

Sagittarius

Van: "Mick" <cirqueminime@club-
Aan: "Mick" <cirqueminime@club-
Verzonden: woensdag 3 mei 2006 9:42
Bijlage: smlink.gif
Onderwerp: Attaque des dinosaure en France!
 CirqueMinime/Paris

 ☐

URL: <http://cirqueminime.blogcollective.com/blog>

PETER HANDKE est victime d'une attaque par les dinosaures français—article par Patrick Barriot et Eve Crépin

http://cirqueminime.blogcollective.com/blog/_archives/2006/5/3/1929441.html

[Depuis longtemps considéré comme un dinosaure ou au moins comme une espèce de théâtre ringard voire nul, la Comédie-Française, avec le clown Bozonnet en tête, remonte son ignorance totale d'histoire contemporaine en déprogrammant la pièce de Peter Handke, « Voyage au pays sonore ou l'Art de la question », à cause de la présence à Belgrade de l'auteur autrichien aux obsèques du feu président serbe/yougoslave, Slobodan Milosevic, assassiné dans son cellule au centre de détention de Scheveningen à la Hayes par les iatrogénocidaires de l'OTAN et leur viles collabos de l'ONU. Le reportage de Nouvel Obs serait marrant, carrément risible, s'il n'avait pas été aussi typique du complexe d'infériorité hystérique vers les événements aux Balkans comme en Rwanda dont la culture française subi depuis elle se donnait en tout servilité au minable maquereau ami-requin. Mais laissons Patrick Barriot et Eve Crépin mettre au point cette histoire. – mc]

Peter Handke frappé d'une nouvelle forme d'ostracisme :
 Le Nouvel Obstracisme.

Patrick Barriot et Eve Crépin

L'administrateur de la Comédie-Française, Marcel Bozonnet, vient de déprogrammer la pièce de Peter Handke « Voyage au pays sonore ou l'Art de la question », qui devait être mise en scène début 2007 au Vieux-Colombier. Cette sanction fait suite à un article de Ruth Valentini paru dans Le Nouvel Observateur du 6 avril 2006 (1). A vrai dire, il ne s'agit pas d'un article mais d'un libelle ne comportant pas plus de six phrases venimeuses, en bord gauche de la page 102, dans la rubrique « sifflets ». Ruth Valentini « siffle » donc Peter Handke pour avoir participé aux obsèques de Slobodan Milosevic le samedi 18 mars à Pozarevac. Elle insulte le dramaturge autrichien en affirmant, avec des accents bien connus de procureure, qu'il est « fidèle au Boucher des Balkans et à sa propre position révisionniste », qu'il « approuve le massacre de Srebrenica et autres crimes commis au nom de la purification » et qu'« avec son hommage au despote, le poète a définitivement creusé la tombe de son honneur perdu ». Dans cette brève philippique, la journaliste du Nouvel Observateur décrit Handke « brandissant le drapeau serbe, se pressant pour toucher le corbillard et y déposer sa rose rouge ». Or à aucun moment, et nous pouvons l'affirmer car nous étions à ses côtés le 18 mars, Peter Handke n'a brandi le drapeau serbe ni déposé la moindre rose rouge sur le cercueil de l'ex-président serbe. Peter Handke était dans la foule et c'est à la demande des représentants de la famille qu'il a prononcé quelques phrases en langue serbe. La journaliste du Nouvel Observateur était-elle à Pozarevac le samedi 18 mars ? Si oui, elle affabule. Si non, elle rapporte des ragots. Dans les deux cas, sa crédibilité de

L'administrateur de la Comédie-Française, dont « le sang n'a fait qu'un tour » quand il a lu l'article du *Nouvel Observateur*, a donc décidé de punir Peter Handke pour sa présence aux obsèques de Slobodan Milosevic. Marcel Bozonnet a déclaré : « Aller à l'enterrement était un geste très fort. J'étais stupéfait. J'ai lu ensuite la traduction de ses déclarations publiées par l'hebdomadaire allemand *Focus*, qui sont édifiantes. Ça plus tout le reste, que je n'avais pas lu avant : il y a de quoi grimper au rideau » (2). Nous aimerions savoir ce que M. Bozonnet entend par ces « déclarations édifiantes » qui font « grimper au rideau » et ce qui se cache derrière « tout le reste ». Il s'agit de vagues sous-entendus destinés uniquement à jeter l'anathème sur Peter Handke. Quand on se présente à la fois sous les traits d'un enquêteur, d'un procureur et d'un juge d'application des peines, il convient de citer des témoins à charge qui ont réellement vu les faits, des traductions fidèles et un acte d'accusation moins fantaisiste. Nous mettons au défi M. Bozonnet de citer clairement et publiquement les propos auxquels il fait référence (traduits du serbe en allemand puis de l'allemand en français par des individus dont on peut apprécier l'objectivité et la rigueur). Les accusations portées sont suffisamment graves et lourdes de conséquences pour que l'on exige des précisions. Nous avons noté, mot à mot, en langue serbe, la déclaration très courte faite par Peter Handke le 18 mars à Pozarevac. Un juge impartial pourrait constater que rien dans les propos de Peter Handke n'est susceptible de « faire grimper au rideau » un administrateur de la Comédie-Française, à moins que ce dernier n'y soit prédisposé par un quelconque don de la nature. Pour M. Bozonnet, « La présence de Peter Handke aux obsèques de Milosevic est un outrage aux victimes » et « Il y a dans la position de Handke un tel déni de l'Histoire, des faits, de la justice internationale... Comme si pour lui, plus rien n'avait d'existence ». On demeure atterrés devant de tels raccourcis. Sur quoi reposent les accusations de « déni de l'Histoire, des faits, de la justice internationale » ?

En résumé, six phrases de calomnie dans *Le Nouvel Observateur* suffisent pour que l'administrateur de la Comédie-Française déprogramme la pièce de l'un des plus grands dramaturges de notre époque. Espérons que *Le Nouvel Observateur* n'écrira pas six phrases contre Harold Pinter dont les déclarations en faveur de Slobodan Milosevic sont sans ambiguïté : son prix Nobel pourrait lui être retiré ! Dans la Grèce antique les proscriptions étaient inscrites sur des morceaux de terre cuite, aujourd'hui elles sont inscrites dans les pages du *Nouvel Observateur*. A ce jour aucun écrivain dans la patrie de Voltaire, aucun dramaturge, aucun chroniqueur, aucun rédacteur de bloc-notes hebdomadaire n'a pris la défense de Peter Handke aussi injustement attaqué. Par un curieux hasard, l'annonce de l'ostracisme de Handke, publiée en première page du *Monde* le 28 avril, côtoyait une publicité en couleur pour le livre de Cesare Battisti *Ma Cavale*, publié par les éditions Grasset avec une préface de Bernard-Henri Lévy et une postface de Fred Vargas. Rappelons que Cesare Battisti a été condamné à perpétuité par un tribunal italien pour des crimes de sang qu'il n'a pas le courage d'assumer. Dans sa préface, Bernard-Henri Lévy estime que le dossier d'accusation est fragile et il défend le criminel-écrivain au nom de « l'Etat de droit ». A l'évidence Peter Handke ne mérite pas le moindre soutien des « intellectuels » français. Il est vrai que son crime est imprescriptible : il a assisté à l'enterrement de Slobodan Milosevic !

- (1). Sifflets : Peter Handke à Pozarevac. Article de Ruth Valentini, *Le Nouvel Observateur*, semaine du 6 avril 2006, page 102.
- (2). Peter Handke censuré pour un voyage de trop. Article de René Solis, *Libération*, samedi 29 et dimanche 30 avril 2006, page 37.
- (3). Peter Handke est interdit de Comédie-Française. Article de Brigitte Salino, *Le Monde*, 28 avril 2006, page 27.
- (4). *Ma Cavale* de Cesare Battisti, préface de Bernard-Henri Lévy, post-face de Fred Vargas, Grasset/Rivages, 378 pages.

Sagittarius

Van: "Sagittarius" <sagitar@hetnet.nl>
Aan: "donald duck" <kucadragic@yahoo.com>
CC: "Branko Rakic" <brankorakic@yahoo.com>; <ztoanovic@yahoo.com>;
 <lawofficetomanovic@yahoo.com>; "Zdenko Tomanovic" <zdenkot@eunet.yu>
Verzonden: maandag 8 mei 2006 11:12
Bijlage: smlink.gif
Onderwerp: Fw: OPEN LETTER to Carla Del Ponte from Jacques Vergès and Dr. Patrick Barriot--version ami-requin

Dear Mr. Milosevic,

I am still awaiting your vision regarding the issue which officials and physicians we have to focus upon with respect to legal undertakings.

As you know, to my opinion we may take legal action against the tribunal's officials (based upon the Anti-Torture Convention), as well as against the doctors involved (medical negligence, culpable homicide).

To my opinion we should do both, they are joint culprits. It really was 'a joint criminal enterprise'.

So I wait for your further ideas which respect to this.

best regards,

Nico Steijnen

— Original Message —

From: Patrick BARRIOT
To: Sagittarius
Sent: Saturday, May 06, 2006 8:37 PM
Subject: Fw: OPEN LETTER to Carla Del Ponte from Jacques Vergès and Dr. Patrick Barriot--version ami-requin

Dear Mr. Steijnen,

Here is the english translation of our text. Please could you transmit this version to the family of the President ?

Best regards and warmest feelings, Dr. Patrick Barriot.

— Original Message —

From: minja m.
To: 01 minja m.
Sent: Friday, May 05, 2006 5:53 AM
Subject: OPEN LETTER to Carla Del Ponte from Jacques Vergès and Dr. Patrick Barriot--version ami-requin

URL: <http://cirqueminime.blogcollective.com/blog>

http://cirqueminime.blogcollective.com/blog/_archives/2006/5/3/1930975.html

OPEN LETTER to Madame Carla Del Ponte, ICTY Prosecutor, and the Doctors assigned by The Hague Tribunal--by Maitre Jacques Vergès and Dr. Patrick Barriot

[Here is the English language version of the open letter to Carla Del Ponte and the iatrogenocidaires on staff at the ICTY/Scheveningen UN death camp. Jacques Vergès is right up there with my all-time favorite shysters: Sam Liebowitz, KO Hallinan, Clarence Darrow--I was going to say he's my own personal Johnny Cochran, but the Junk Yard Dog

what he used to be--and not just because he's dead, either. Maitre Vergès and his Baker sidekick (whom I don't know) lay out a murder mystery worthy of Hercule Poirot, the original Holmes-boy, or Jimbo Rockford. In fact, doing this translation made me feel like I was working on a Quincy rewrite--or, for the young 'uns out there, a CSI-Miami script. Only problem here is, it's obvious from the jump who done it. They've been doing it and will probably keep doing it until a lot of coats get pulled as to just how deadly shitty it is to live in a false world, with a consciousness founded almost entirely on lies and house music. But I'll shuddup here. Dig it. --mc]

Open Letter to Madame Del Ponte, ICTY prosecutor, and to the Doctors assigned by The Hague Tribunal

Maître Jacques Vergès and Docteur Patrick Barriot

Doctors possess the art of treating and relieving the suffering of their patients by the use of medicines, and their effectiveness never stops growing. Unfortunately, this power is sometimes used to silence those prisoners who won't be broken.

The Case of Prisoner IT.02.54.T

Slobodan Milosevic suffered from severe and unstable high blood pressure (malignant hyper-tension with systolic readings frequently at 220 and 230), aggravated by the conditions of his detention. This high blood pressure had grave repercussions, both with his heart and his brain: left ventricular hypertrophy, troubles with repolarization of the precordial flow evident on EKGs suggest obstruction, arterial sclerosis of vessels in the neck (particularly the right carotid) and of intracranial blood vessels. This malignant hypertension required a heavy treatment consisting of: a beta-blocker (metoprolol: 200 mg), a calcic inhibitor (amlodipine: 20 mg), a conversion enzyme inhibitor (enalapril: 40 mg) and a diuretic (hydrochlorothiazide: 50 mg).

Sagittarius

Van: "Sagittarius" <sagitar@hetnet.nl>
Aan: "Patrick BARRIOT" <dr.barriot@free.fr>
Verzonden: maandag 8 mei 2006 10:43
Onderwerp: Re: OPEN LETTER to Carla Del Ponte from Jacques Vergès and Dr. Patrick Barriot–version ami-requin

Dear Mr. Barriot,

I certainly will do that.

Thank you for the English translation, I was already familiar with this version.

best regards,

Nico Steijnen

— Original Message —

From: Patrick BARRIOT

To: Sagittarius

Sent: Saturday, May 06, 2006 8:37 PM

Subject: Fw: OPEN LETTER to Carla Del Ponte from Jacques Vergès and Dr. Patrick Barriot–version ami-requin

Dear Mr. Steijnen,

Here is the english translation of our text. Please could you transmit this version to the family of the President ?

Best regards and warmest feelings, Dr. Patrick Barriot.

— Original Message —

From: minja m.

To: 01 minja m.

Sent: Friday, May 05, 2006 5:53 AM

Subject: OPEN LETTER to Carla Del Ponte from Jacques Vergès and Dr. Patrick Barriot–version ami-requin

URL: <http://cirqueminime.blogcollective.com/blog>

<http://cirqueminime.blogcollective.com/blog/> ar

Sagittarius

Van: "donald duck"
Aan: <sagitar@hetnet.nl>
Verzonden: maandag 8 mei 2006 12:14
Onderwerp: Marko

Dear Mr. Steijnen,

I've read your previous letter, but unfortunately over the mobile phone and therefore wasn't able to respond in time.

Generally, regarding the raise of immunity and the charges against the medical staff, my position would be that we should by now divide the cases although they represent "joint culprits" in which I absolutely agree. But, criminal case against the Dutch doctors is a foolproof and shouldn't be hard to prove and win. In that sense, I'm ready to authorise the POA in the name of the family and get going with the case. Concerning the lift of immunity of all the involved UN officials, there are few different attitudes of how to do it and how to succeed. I'm still elaborating the issue of addressing the Secretary General in relation of torture and some additional acceses to their criminal behavior and responsibility for my father's death.

I believe that you realise that the complete trial, including the murdering of my father are both, judicial and political abuses and violations, affecting everything from international laws, human rights and finally, the justice itself. Because of that, i treat all those issues, especialy the ones concerning UN very delicately.

I expect to have some concrete decisions during this week and will contact you untill friday.

I thank you for your support in any sense for all those bitter years and wish all the best to you and your family.

Marko Milosevic

Blab-away for as little as 1¢/min. Make [PC-to-Phone Calls](#) using Yahoo! Messenger with Voice.

Sagittarius

Van: "Sagittarius" <sagitar@hetnet.nl>
Aan: "donald duck"
Verzonden: dinsdag 9 mei 2006 14:44
Onderwerp: Re: Marko
 Dear Mr. Milosevic,

Of course I subscribe to your view that we should separate the different cases. In the sense that cases against the doctors involved will need appropriate legal steps before appropriate (domestic) judicial bodies, different from (domestic) judicial bodies which are appropriate in order to deal with possible legal action against tribunal officials.

However, unfortunately I cannot share your optimism that a case against the Dutch doctors shouldn't be hard to win. On this level - the level of challenging the 'impeccability' of the tribunal, which is simply no less than an 'icon' in the Western world - don't exist cases which are not hard to win. No matter the evidence which will be available.

So if you are looking for a case simply to win I must disappoint you, they don't exist in this field. Moreover, except in cases like direct murder or homicide, there doesn't exist in the Netherlands a clear legal practice to start direct criminal proceedings against physicians who may be culpable for the death of their patients. First you have to address the Disciplinary Board for Physicians, filing complaints against their acting, which complaints may, ultimately, result in denying their license to practise.

Decisions of the Disciplinary Board for Physicians may be appealed at the Court of Discipline for Physicians. So we must take in to account that, if we will address the Disciplinary Board, we will have to face proceedings in two instances.

Then, after finishing such disciplinary proceedings, when there is gathered in this proceedings sufficient evidence that it certainly may be argued that there was a situation of culpable homicide, still, as the next step, a demand could be addressed to the public criminal prosecutor to start also criminal prosecution against the doctor(s) involved. Aiming at a criminal verdict against the physician(s) concerned

At any rate, this is the normal course of proceedings.

However, we are not completely bound to follow this course.

We, nevertheless, MIGHT take the position that your father's death yet represents so evidently direct homicide by the doctor(s) involved, that we could break through this legal routine and directly demand criminal prosecution of the doctor(s). Which certainly would give more commotion and publicity, but, on the other hand, will augment the chance to loose.

All this as far as possible legal steps against the doctor(s) are concerned.

I already have uttered as my opinion that we, separately, also should take legal steps against the tribunal's officials at the ICTY and UNDU.

I think that you are familiar with the ongoing efforts by Kay and Higgings in order to force disclosure of the medical documents preceding to your father's death, till now frustrated by procedural impediments by the ICTY.

If the tribunal, ultimately, may succeed in its obstruction as regards the disclosure of these medical documents, this MIGHT be a good starting moment for initiating public hearings in court of Dutch officials - even also physicians who have played a role till now - in order to establish relevant legal facts.

For this public hearings in court we could summon persons from the Netherlands and outside the country. In the first place persons (doctors) who are prepared to testify, in public, of their own free will.

In this way we might gather material for a strong criminal case against tribunal officials, based upon the Anti-Torture Convention.

But of course there remains also, independently, the possibility of addressing international human rights bodies and UN-officials.

best regards,

Nico Steijnen

Sagittarius

Van: "Sagittarius" <sagitar@hetnet.nl>
Aan: "donald duck"
Verzonden: dinsdag 9 mei 2006 13:57
Onderwerp: Re: Marko
 Dear Mr. Milosevic,

Of course I subscribe to your view that we should separate the different cases. In the sense that cases against the doctors involved will need appropriate legal steps before appropriate (domestic) judicial bodies, different from (domestic) judicial bodies which are appropriate in order to deal with possible legal action against tribunal officials.

However, unfortunately I cannot share your optimism that a case against the Dutch doctors shouldn't be hard to win. On this level - the level of challenging the impeccability of the tribunal, which is simply no less than an 'icon' in the Western world - don't exist cases which are not hard to win. No matter the evidence which will be available.

So if you are looking for a case simply to win I must disappoint you, they don't exist in this field. Moreover, except in cases like direct murder or homicide, there doesn't exist in the Netherlands the legal possibility to start direct criminal proceedings against physicians who may be culpable for the death of their patients. First you have to address the Disciplinary Board for Physicians, filing complaints against their acting, which complaints may, ultimately, result in denying their license to practise.

Then, after finishing such disciplinary proceedings, when there is gathered in this proceedings sufficient evidence that it certainly may be argued that there was a situation of culpable homicide, still, as the next step, a demand could be addressed to the public criminal prosecutor to start also criminal prosecution against the doctor involved.

Decisions of the Disciplinary Board for Physicians may be appealed at the Court of Discipline for Physicians. So we must take into account that, if we will address the Disciplinary Board, we will have to face proceedings in two instances.

At any rate, this is the normal course of proceedings.

However, we are not completely bound to follow this course.

We, nevertheless, MIGHT take the position that your father's death is so evidently direct homicide, that

— Original Message —

From: donald duck
To: sagitar@hetnet.nl
Sent: Monday, May 08, 2006 12:14 PM
Subject: Marko

Dear Mr. Steijnen,

I've read your previous letter, but unfortunately over the mobile phone and therefore wasn't able to respond in time.

Generally, regarding the raise of immunity and the charges against the medical stuff, my position would be that we should by now divide the cases although they represent "joint culprits" in which I absolutely agree. But, criminal case against the Dutch doctors is a foolproof and shouldn't be hard to prove and win. In that sense, I'm ready to authorise the POA in the name of the family and get going with the case. Concerning the lift of immunity of all the involved UN officials, there are few different attitudes of how to do it and how to succeed. I'm still elaborating the issue of addressing the Secretary General in relation of torture and some additional acceses to their criminal behavior and responsibility for my father's death.

I believe that you realise that the complete trial, including the murdering of my father are both, judicial and political abuses and violations, affecting everything from international laws, human rights and finally, the justice itself. Because of that, i treat all those issues, especialy the ones concerning UN very delicately.

I expect to have some concrete decisions during this week and will contact you untill friday.

I thank you for your support in any sense for all those bitter years and wish all the best to you and your family.

Marko Milosevic

**Sagittarius**

Van: "Robin de Ruiters" <paperboy@home.nl>
Aan: "Sagittarius" <sagitar@hetnet.nl>
Verzonden: maandag 15 mei 2006 16:00
Bijlage: PROPAGANDA Juni 2006.pdf
Onderwerp: Re: commotie in de gevangenis toen iemand anders per ongeluk Milosevic'voedsel kreeg
 Beste Nico,

Het boek is klaar en ligt bij de drukker. Het verschijnt in de eerste week van juni.

Ik stuur je wel een doos met exemplaren op.

Ik heb Monica van Targets gevraagd een advertentie te plaatsen in Targets (tegen betaling natuurlijk), maar heb niets meer van haar vernomen. een advertentie in Targets is natuurlijk wel belangrijk voor de verspreiding van het boek.

Er komen ook reclame campagnes in Nieuwsbladen en tijdschriften. O.A. in de RAILS, het tijdschrift van de NS. Dit magazine ligt gedurende zes weken ter inzage in de treinen.

Ik houd je op de hoogte.

groetjes,

Robin

— Original Message —

From: [Sagittarius](#)
To: [Robin](#)
Sent: Monday, May 01, 2006 11:57 AM
Subject: Re: commotie in de gevangenis toen iemand anders per ongeluk Milosevic'voedsel kreeg uitgereikt.

Sukses !

Nico S.

— Original Message —

From: [Robin](#)
To: [Sagittarius](#)
Sent: Friday, April 28, 2006 10:29 PM
Subject: Re: commotie in de gevangenis toen iemand anders per ongeluk Milosevic'voedsel kreeg uitgereikt.

Hallo Nico,

Bedankt voor je email. Het boek verschijnt over vier weken. Ik stuur je wel een doos met exemplaren toe. Ik ben erg tevreden met deze publicatie. Volgende week komt er waarschijnlijk een interview met mij op televisie (TV-OOST). Ik zal hierin ook melding maken over het Milosevic-boek.

Zodra ik meer weet over vertalingen en buitenlandse publicaties laat ik het weten. Ik heb in Duitsland twee geïnteresseerde uitgevers. Voor deze buitenlandse publicaties is meer en nieuwe informatie natuurlijk welkom.

In de Nederlandse editie heb ik jouw tekst in een laatste hoofdstuk opgenomen met de verwijzing: **door N.M.P Steijnen**

Groetjes,
Robin

----- Original Message -----

From: [Sagittarius](#)
To: [Robin](#)
Sent: Friday, April 28, 2006 1:06 PM
Subject: Re: commotie in de gevangenis toen iemand anders per ongeluk Milosevic'voedsel kreeg uitgereikt.

Hoi Robin,

Voor een aparte uitgave lijkt het me wat mager; ik zou er dan de voorkeur aangeven te wachten tot er verdere aanvulling te plegen zijn. En die tijd komt zeker !

Maar met vertalingen in andere talen, en opname als bijlage, ben ik vanzelfsprekend accoord.
T.z.t. ontvang ik dan trouwens ook graag de vertaalde teksten !

groeten,

Nico

— Original Message —

From: Robin

To: Sagittarius

Sent: Monday, April 24, 2006 12:52 PM

Subject: Re: commotie in de gevangenis toen iemand anders per ongeluk Milosevic'voedsel kreeg uitgereikt.

Beste Nico,

Ik heb het doorgelezen. Excellent!!!!

Ik wil je vragen of we de tekst ook mogen vertalen, opnemen in mijn boek en via mijn uitgevers in het Spaans, Italiaans en Duits uit te geven. Misschien komt er binnenkort ook een Servische uitgave bij een uitgever in Montenegro.

We zitten ook te denken aan een kleine uitgave welke verwijst naar mijn reeds bestaande boeken. Wij kunnen het eventueel ook als een door jouw geschreven boekje uitgeven met een door mij geschreven voorwoord en verwijzing naar mijn bestaande uitgaven.

Na jouw toestemming ga ik in overleg met mijn uitgevers.

Groetjes,

Robin

----- Original Message -----

From: Sagittarius

To: Robin

Sent: Monday, April 24, 2006 12:28 PM

Subject: Re: commotie in de gevangenis toen iemand anders per ongeluk Milosevic'voedsel kreeg uitgereikt.

Beste Robin,

Bedankt voor het toezenden van het boek.
Zeer nuttig, die Duitse uitgave !

Ik ben accoord met de opname van mijn artikel als bijlage bij jouw boek, maar stuur hiervoor dan wel een hernieuwde, aangepaste en verder uitgewerkte versie.
laten we afspreken dat je die dan gebruikt.

vr. gr.

Nico Steijnen

— Original Message —

From: Robin

To: Sagittarius

Van: "Ian Johnson" <i-
 Aan: <Undisclosed-Recipient:>
 Verzonden: maandag 22 mei 2006 16:48
 Onderwerp: CDSM: Full speed ahead with the Truth
 Two articles if interest.

Swans Commentary » [swans.com](http://www.swans.com)

<http://www.swans.com/library/art12/doram01.html>

Open Letter To Democracy Now!

Milosevic's Trial and Death

by Dimitri Oram

(Swans - May 22, 2006) I sent the following letter to Democracy Now! (DN!) two months ago following their piece on Milosevic's trial and death on March 13, 2006. I never received an answer from DN! and more importantly they have not, as far as I know, offered any corrections to the misinformation aired in the piece. It should be noted that DN! covered the trial and the demolition of the prosecution's case as little or less than the mainstream, corporate media.

Dear Amy Goodman & Democracy Now!,

I heard your roundtable discussion (March 13) on Milosevic's death and his trial at the Hague tribunal and felt it important to write to you. While the piece had some good material you only presented your audience with a small part of the truth and unfortunately even that truth was mixed with some very misleading claims. Indeed, the piece was flawed from the beginning.

Ignoring the Context of Milosevic's Death

In the beginning when you discussed Milosevic's death you missed the fact that he was the *second* ICTY suspect in custody to die within a week and also failed to mention that at least 10 other ICTY suspects have either died in ICTY custody or been killed during apprehension. (1) The fact that these deaths occurred in connection with a UN institution (and one alleged to be advancing the rule of international law no less) is an outrageous scandal. Strangely, neither you nor any members of your roundtable discussion mentioned Milosevic's request to go to Russia's Bakulev Institute to get treatment for his heart condition. (Chris Hedges did, however, put in the claim that Milosevic was trying to be his own doctor providing no supporting evidence for this amazing assertion.) Despite assurances from the Russian authorities that he would return to the ICTY the tribunal judges denied his request and he died in prison.

Guilty from the Start

You say early on, before the roundtable that "some of his [Milosevic's] victims said the ex-Serbian leader had escaped justice" and then cut to a woman from Srebrenica stating that Milosevic should have suffered more. By stating "*his* victims" you give the impression that Milosevic was guilty and that this is a commonly accepted fact. You neglect to inform your audience that the Dutch report on Srebrenica stated as one of its conclusions that as far as indications went "There are none pointing to political or military liaison with Belgrado. The involvement of the then president Karadzic (Republik Srpska) is unclear." (2) There are numerous other pieces of evidence which demonstrate Milosevic had nothing to do with the events of Srebrenica including the testimony of both prosecution and defense witnesses at the tribunal. You also do not mention that the standard story on Srebrenica is riddled with bias and inconsistencies or that it has been strongly challenged by an independent research group. (3) The impression given by the phrase "*his* victims" combined with emotional testimony from a Srebrenica widow and your opening statement that Milosevic "had been charged with genocide and crimes against humanity" and that "Prosecutors called nearly 300 witnesses" all give the impression of guilt although they provide no hard evidence. Unfortunately, your roundtable continued in much the same manner.

The speakers you selected were smart and capable people with a background in the region but it was obvious that they (and you) were unfamiliar with the trial proceedings. Instead of a critical examination of the ICTY and its methods of operation or a look at the actual evidence that emerged during the course of the trial your audience was treated to a rehash of hearsay and casual assertions of Milosevic's guilt or Serbian war crimes without the slightest documentation. Indeed, despite their opposition to the NATO bombing your two guest journalists repeated a lot of the propaganda that was used to justify it and/or lower opposition to it. The most outrageous claims were made by Chris Hedges. He claimed for instance that Milosevic "was able through his Serbian allies to take over the airwaves and pump forth this sort of vitriol and hate propaganda against other ethnic groups," that there was a lot of "complicity by many elements of Serb society," and that he doesn't "want to lose sight of the fact that 90-plus percent of the victims of the war, the people who were killed, were Bosnian Muslims." He also used the term "genocide" several times, even invoking Elie Wiesel and the Holocaust and bemoaning the alleged US and European "failure to respond." At times Scahill was no better when discussing Kosovo referring to "all sorts of killings and disappearances and systematic human rights abuses" under Milosevic followed by "the real slaughter" after the NATO bombing began and "paramilitary forces" "tak[ing] out whole villages." He says he was told this by Albanians and members of the Serbian military. For most listeners this sounds convincing because they have heard it repeated at least a thousand times before. It does not, however, bear any resemblance to the truth. Those who care to examine Milosevic's speeches, particularly when placed in proper historical context, will see that they are hardly an incitement to genocide or racial hatred. Indeed, in his most famous speech delivered in 1989 on the 600th anniversary of the 1389 battle of Kosovo Polje he stated that "Socialism in particular, being a progressive and just democratic society, should not allow people to be divided in the national and religious respect... Equal and harmonious relations among Yugoslav peoples are a necessary condition for the existence of Yugoslavia and for it to find its way out of the crisis and, in particular, they are a necessary condition for its economic and social prosperity." (4)

Likewise, the claim that Bosnian Muslims made up over 90% of the deaths during war has long since been refuted both by a demographers report from the ICTY itself (which claimed the number of deaths came out roughly proportionate to each group's percentage of the population) and even by a Muslim led Bosnian group, the Sarajevo Research and Documentation Center, which gave a higher percentage for Muslim deaths but nowhere near the 90+ percent claimed by Hedges. (5) Hedges cites no sources for his numbers or his ridiculous claim that the problem was a lack of foreign intervention (on which see below). Scahill's Serbian atrocity claims are also not supported by the tribunal's proceedings in which thousands of military orders and documents were shown (along with witness testimony) proving that the Yugoslav Army soldiers and police were told repeatedly to respect national and international law, that those caught committing crimes were court martialed and that the army had orders to disband any paramilitary unit it came across. The prosecution was not able to produce a single military order or document showing that war crimes were ordered by the Yugoslav government. Documentation from the OSCE produced during the mission's time and revealed at the tribunal does not corroborate Scahill's statements about "all sorts of killings and disappearances" by the Yugoslav army. Substantial evidence showed that Kosovo Albanians fled primarily due to the NATO bombing and the KLA but that Albanians did not flee due to a campaign of ethnic cleansing. Many witnesses spoke of this both from the defense and prosecution including British journalist Eve Ann Prentice. The prosecution was not able to produce a single document showing that Milosevic controlled the Bosnian or Croatian Serbs or their military forces although the prosecutors did manage to prove that he supported just about every peace plan that came along. Besides, do you really believe that if the tribunal had produced serious evidence or a reasonable case against Milosevic that the proceedings would have been in virtual media blackout or that the trial would have dragged on for over four years? (The Nuremburg trials ended in less than 1 year.)

The Other Guys

Shockingly, neither you nor your guests discussed the role played by Germany, Austria, and the Vatican in backing Croatia's secession. You did not discuss the role played by secessionist Croat leaders such as Franjo Tudjman and Stipe Mesic or by Bosnian Muslim leader Alija Izetbegovic. You did not mention the WWII genocide conducted against Serbs by Croat and Muslim fascists and clearly a key factor in Serbian fears of living in an independent Croatia or Bosnia. You did not talk about the Yugoslav constitution which forbade UNILATERAL and UNNEGOTIATED secession. No one discussed Muslim crimes against Serbs or the fact that Muslim leader Alija Izetbegovic rejected both the Belgrade initiative of 1991 (a plan which would have allowed heavy concessions to the Muslims in order to keep Bosnia in Yugoslavia) and the Lisbon Accords also known as the Cutillero plan of 1992 (which would have allowed for the cantonization of an independent Bosnia) instead opting for war.

Most importantly no one discussed the US role in continually vetoing peace plans, in encouraging the

Bosnian Muslims to hold out for more and in covertly sending arms to the Bosnian (Muslim) Army. (6)

I realize I may sound angry and critical but I mean this criticism to be constructive. This is a good start IF it is one of a number of pieces that you will do on the Milosevic trial and other guests more critical of the NATO line and more familiar with the trial will be included. I have recommended several to you in a previous story idea. I realize you doubtless feel pressured by many supporters of the official line but there are plenty of people who will back you in a more critical examination of the official line and you should set the record straight.

Regards,

Dimitri Oram

Massachusetts

Notes

1. Milan Bibic, former leader of Republika Srpska Krajina died in his cell on March, allegedly a suicide. This despite the fact that "There was nothing unusual in his demeanor" and "like all detainees, Mr Bibic was subject to regular monitoring." according to Tribunal spokeswoman Alexandra Milenov.
<http://news.bbc.co.uk/1/hi/world/europe/4778498.stm> (back)

2. <http://www.srebrenica.nl/en/> see the summary section. Point 10 – "There are none pointing to political or military liaison with Belgrado. The involvement of the then president Karadzic (Republik Srpska) is unclear." (back)

3. See the finding of the [Srebrenica Research Group](#). (back)

4. For a look at the 1989 speech see <http://www.slobodan-milosevic.org/spch-kosovo1989.htm>
Whatever else one says about it it can be hardly be seen as promoting "vitriolic hatred," or racist nationalism let alone plans for war or "Greater Serbia."

For a full look at Milosevic's speeches and interviews see <http://www.slobodan-milosevic.org/speech-interview.htm> (back)

5. See for example:

<http://antiwar.com/malic/?articleid=8179> also note the following news article:

Bosnian war "claimed 100,000 lives" Deutsche Presse-Agentur - November 21, 2005, Monday

Oslo/Sarajevo - The confirmed death toll in the 1992-1995 war in Bosnia appears to be closer to 100,000 dead than the often-quoted figure of 200,000, a Norwegian news agency reported Monday, quoting the head of the Sarajevo-based Research and Documentation Center (RDC).

"In October we had 93,000 names on our lists and the numbers are increasing slightly. But the final tally will likely be around 100,000," Mirsad Tokaca was quoted as saying.

The centre was set up in April 2004 "to investigate and gather facts, documents and data on genocide, war crimes and human rights violations, regardless of the ethnic, political, religious, social, or racial affiliation of the victims."

It has received funding from among others the Norwegian government.

A similar estimate has also been used by population statisticians at the United Nations war crimes tribunal for former Yugoslavia (ICTY).

The estimate published by researchers Ewa Tabeau and Jacub Biljak was 102,000.

All of the casualties listed by Tokaca and his co-researchers have been identified by name.

"Our research suggests that about 70 per cent of those killed were Bosniacs (Bosnian Moslems), 25 per cent of the killed were Bosnian Serbs and 5 per cent were Bosnian Croats," Tokaca said.

Tokaca said the number of 250,000 or even 300,000 dead has "never been based on research". (back)

6. This was noted in the Dutch report; see below:
<http://www.guardian.co.uk/international/story/0,688229,00.html> (back)

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ould not be subjected to censorship – recall that the Comédie Française is a state entity. Oppositely, the defenders felt that in light of Handke's reprehensible and outrageous opinions, Bozonnet was duty-bound on moral grounds to scrap the play. In either case all agreed that Handke's behavior in Pozarevac, as reported by Ruth Valentini, was beyond decency and all condemned him.

Unfortunately for the *bien-pensants*, a tiny pebble of sand brought the engine of conformism to a screeching halt. Ms. Valentini's report was a nasty little ad hominem attack, entirely cut out of whole cloth. But as the French say, *calumniez, calumniez, il en restera toujours quelque chose* ("Calumny, calumny, the mud will stick..."). An embarrassed Jean Daniel, the co-founder of the *Nouvel Obs*, its Editorial Director, and the dean – he is almost 86 years old – of the wishy-washy French Left (what we would call here free-market Left, the *Nation*-like reformist and loyal opposition) promptly went into damage control. On May 4, 2006, he posted on his personal blog (yes, blogging is an international virus) and on the online edition of the magazine a Pontius Pilate, wash-his-hands, rhetorical yes-but-with-regrets-and-you-know-what piece of garbage that not even my septic tank could handle without choking.

He wrote that he contacted Bozonnet to express his distress to see the play scrapped because he thought that whatever Handke's intrinsic views were – blameworthy – his art should not suffer. In other words: "The man is an asshole but don't kick the organ too hard. It could excrete some smelly residuals that would spatter on my own petard." Jean Daniel was truly sorry and saddened by the development, especially, by the way, because Peter Handke had written to him to correct a few "regrettable factual errors" dispensed by baby Ruth. Most unfortunately, however, the staff in charge of the Letters to the Editor was on vacation and the letter could only be made available now.

The *Nouvel Obs* was by then in full damage control. It issued the following statement:

Several very regrettable factual errors slipped in our text. Peter Handke underlines them in his right of response that we are publishing below and that will appear in the *Nouvel Observateur* next week [May 11, 2006] with a delay for which we beg him to excuse us. This does not take away anything from the substantive disagreement we have with him on the interpretation of the conflicts in the former Yugoslavia. Nevertheless we regret that this polemic may have motivated the deprogramming by the Comédie Française of the play by this writer of immense talent, "The Art of Asking," that was due in January 2007 at the Vieux-Colombier Theatre. – N.O.

Sure. In other words: "We regret the error and please excuse us for the delay in publishing your response...that we had no intention to publish in the first place but for this rather embarrassing ruckus." That's known on both shores of the Atlantic as intellectual whoring with panache. How untruthful were Valentini's blips? Let Peter Handke respond:

I have not laid a red rose on the hearse of Slobodan Milosevic. I did not touch the hearse. I did not wave the Serbian flag. And I have never approved "the Srebrenica massacre and other crimes done in the name of ethnic cleansing." I've never considered the Serbs as "the real victims of the war." And in Pozarevac, I did not come as a "truth seeker." I am not the author of *Justice for Serbia*, but of *Winter Journey to the rivers Danube, Sava, Morava and Drina* (Gallimard). And nowhere in my little speech in Pozarevac have I said "I am happy to be close to Slobodan Milosevic, who has defended his people." What is true: I gave my speech in "Serb" (or serbo-croat)! And for all the readers, I am translating it here in French: "The world, the so-called world, knows everything on Yugoslavia, Serbia. The world, the so-called world, knows everything on Slobodan Milosevic. The so-called world knows the truth. For that, the so-called world today is absent, and not only today, and not only here. I know that I do not know. I do not know the truth. But I look. I feel. I remember. For that, I am present today, close to Yugoslavia, close to Serbia, close to Slobodan Milosevic. – P.H.

Actually, the last sentence should be translated as "[F]or that, I am present today, *with* Yugoslavia, *with* Serbia, *with* Slobodan Milosevic," which, although not literal, may better express Handke's sentiments. One ought to recall that the media buried the news of and the circumstances surrounding Milosevic's demise faster than the few days it took to bury his corpse, with an immense sense of relief that the comedy of ICTY was also being buried at long last – a comedy, to stay within theatrics, that had become a political *commedia Dell'arte* played in the theatre of the absurd.

Signor Bozonnet made it quickly known that the justification for his decision – his act of conscience – was not based on the *Nouvel Obs* scribe only, which prompted a big sigh of relief from Jean Daniel who unctuously wrote on May 3, 2006 that, "I would be very saddened that [Bozonnet] might have found in

the little article the reasons to withdraw . . . the play from an author that I continue to admire, whatever his deplorable pro-Serbian drifts." He added in his honeyed prose that, "Mr. Marcel Bozonnet was kind enough to reassure me. He had not taken his decision before having had an investigation proceed, which had led him far beyond the information from the *Nouvel Observateur*. "Information" writes the moralizer in chief. Sleaze, slander, lies, calumny become "information" in the language of the editorial director. But for the excessive use of the conditional and the subjunctive that French "intellectuals" find irresistible, it's the type of tirade that one could find in the editorial pages of the *New York Times* in relation to Judith Miller's "information." Ending with "I have never believed that one could censor works of art according to the agreement we had or not with the behavior of their authors," the hypocrite pontificator washes his hands and moves on to write an elegiac epitaph for another fallen Mohican, Jean-François Revel, who died on April 30, 2006.

Bozonnet, meantime, gave a press conference on May 4, 2006 to expand on his decision. Yes, he was thanking Ruth Valentini for having drawn to his attention that Peter Handke had attended Milosevic's funeral. It made him think. He then read the translation (posted on [the Website](#) of the Comédie Française) of an article published on March 27, 2006 in a German weekly, *focus*, in which Peter Handke explained the motivations that led him to attend Milosevic's funeral: To be a witness. Confronted to the generalized wooden tongues and stereotypes of the French (and European) *prêt-à-porter* punditry he wanted to be a witness, not for the prosecution, not for the defense, just be there, "with Yugoslavia, with Serbia, with Slobodan Milosevic."

But that was too much for the ignorant bureaucrat.

For three weeks, I reviewed European history, from 1990 to date. I reviewed this terrible film! I reviewed it in my mind, ladies and gentlemen! I plunged back in this horror that ethnic cleansing was, the planning of these facts, of these crimes. I learned about all that Peter Handke had said, which I did not know . . . I was scandalized by what Peter Handke said. In part I knew it but I did not know the extent: the work of historians systematically questioned, of war correspondents, of your papers, ladies and gentlemen, that have admirably informed us for years, that thanks to their work, their courage, pierced the wall of indifference. This is I found out what Peter Handke ridiculed.

Bozonnet even affirmed that all the facts, all the crimes of genocide and ethnic cleansing committed by Milosevic had been established by the ICTY. "These are no longer suppositions, one cannot doubt Milosevic's actions," he adds. Of Handke he says that "it's unbelievable, he does not know where is the world, he does not know where is the truth, he does not know where is history, he does not believe in the accounts from witnesses: that's what he said on Milosevic's grave!"

Of course, there are a couple of tiny flaws in Bozonnet's litany and emotional outburst. First, that is decidedly not what Peter Handke said in his short speech, and, second, the ICTY has not proven anything Bozonnet claims it did. Milosevic was not proven guilty of starting four wars, of genocide, of ethnic cleansing, of being a "dictator" (he who was elected three times, no less). He may assert those claims as long and as much as he wants. The entire world may too, and the so-called world, and god, and Jesus, and Beelzebub... the fact remains that Slobodan Milosevic has not been found guilty of anything at the ICTY – read the darn transcripts! – and that Peter Handke has been consistently correct over the years.

Marcel Bozonnet, being a man of the theatre, a jester unaccustomed to actualities, may even "believe" the texts written by political players (and not playwrights) and repeated ad infinitum in the corridors of power, the chancelleries, and their lapdog whores in the salons and the media. It's only too natural, too human that a dusty little bureaucratic buffoon would follow the politically correct crowd and want to punish the impudent playwright. After all, from Jean Daniel to the editors at *Libération* and *Le Monde*, artists, intellectuals, politicians – all these miserable guard dogs who supported the cowardice of François Mitterrand and the opportunism of Jacques Chirac, all the while looking after their own careers and book contracts as Europe and America went on with the business of carving up Yugoslavia in order to fill the coffers of their bankers and industrialists – they've all harassed Peter Handke for over a decade. He's been accused of being a traitor, a terrorist, a supporter of ethnic cleansing. His political engagement has been compared to the anti-Semitism of Louis-Ferdinand Céline or the Nazi sympathies of Martin Heidegger. The fatwa targeted novelist turned neocon, Salman Rushdie, called him the "international moron of the year," an "apologist", "complicit with evil on a grand scale," a "half-crazy, half-cynical fellow-travelling with the evil" ("For services rendered to the cause of folly," *Canada Globe and Mail*, May 7, 1999). He's been pilloried time and again by the Citadel. Even bookstores have refused to carry his. And yet, alone, almost alone, he's kept his head straight and walked with dignity and decency.

Régis Debray, a minor philosopher though far more intellectually satisfying than Bernard-Henri Lévy or

ain Finkelkraut and a better writer than Louise L. Lambrichts, tried to enter the fray in 1999. He wrote "A Letter from a Traveler to the President of the Republic" that was published in *Le Monde* of May 13, 1999, an article worth reading again either in English or in French. With the perspective of time, one cannot but find Debray's words right on mark, almost prophetic. Keeping in mind that he was writing an open letter to Jacques Chirac, the president of France, his conclusion read:

You remember de Gaulle's definition of NATO: "An organization, imposed upon the Atlantic Alliance, which amounts to nothing else but the military and political subordination of Western Europe to the United States." Some day you will explain the reasons that led you to change this definition.

Meanwhile, I must confess with a little shame that when in Belgrade, asking a Serbian democrat from the opposition why his current president [Milosevic] was readily receiving any American personality and no French one, he answered: "At any rate, it's better to talk to the master than to his servants."

The general outcry of the *bien-pensant* crowd gagged him so forcefully that he beat a prudent retreat and let the issue fall into desuetude. But not Handke. Not Handke. So, the sharks keep circling around the prey, thirsty for his blood. They distort, they lie, they slander, they assassinate his character, and logically, they end up censoring his art. Regrets will be expressed from the high-up company, perhaps a few honest individuals will raise their voices courageously – like the novelist Anne Weber who wrote a petition, "Do Not Censor the Work of Peter Handke" (*Le Monde*, May 3, 2006) that was signed by a handful of artists, or the 2004 Nobel prize novelist, Elfriede Jelinek – but the guard dogs will relentlessly pursue their prey until they deliver the head on a silver platter to their masters. The citadel must prevail, whatever the failure of imagination and thought.

But it won't. It never has. One stone at a time, masons take the construction apart. Blood, lives, the Minotaur devours, but another monument is being built nonetheless. Poor Marcel Bozonnet, poor Ruth Valentini, and poor Jean Daniel, court jesters worthy of utter disdain. Like their alter egos in the U.S., they only navigate in the sewage of historical death. A century from now they won't appear in the encyclopedias, but Handke will.

For those who journey on this road less traveled, Peter Handke comforts us with his conviction that yes, there is another Europe, and indeed another world.

Full speed ahead.

Zinela Peter Handke!

External Resources

[Peter Handke on Wikipedia](#)

[Handke Scriptmania Portal](#), by Michael Roloff

[Peter Handke on Google](#)

Internal Resources

[Arts & Culture](#)

[About the Author](#)

Gilles d'Aymery is *Swans'* publisher and co-editor.

Sectie Milosevic onder druk Russen gefilmd

Van onze verslaggever
John Schoorl
DEN HAAG

Onder druk van de Russische regering en de nabestaanden is de gerechtelijke sectie op Slobodan Milosevic in het Nederlands Forensisch Instituut (NFI) van begin tot eind met drie camera's gefilmd. Dit

27-5-2006
is gedaan omdat er voorafgaand aan het onderzoek werd getwijfeld aan de onafhankelijkheid van het NFI door de Russen als de familie van Milosevic.

Dit blijkt uit een reconstructie van *de Volkskrant*. Hierin vertellen Nederlandse onderzoekers en betrokkenen over de dood van de Servische leider op 11 maart in

Scheveningen. Het is voor het eerst dat een sectie van het NFI zo uitgebreid is gefilmd. Het filmmateriaal van de sectie die ruim vier uur duurde, is in het bezit van het NFI en de politie Haaglanden. Kort na zijn dood werd gesuggerd dat Milosevic was vergiftigd.

► **het Vervolg:** De hele wereld keek mee

NOS-directeur
Gerard Dielessen
halve politicus



29

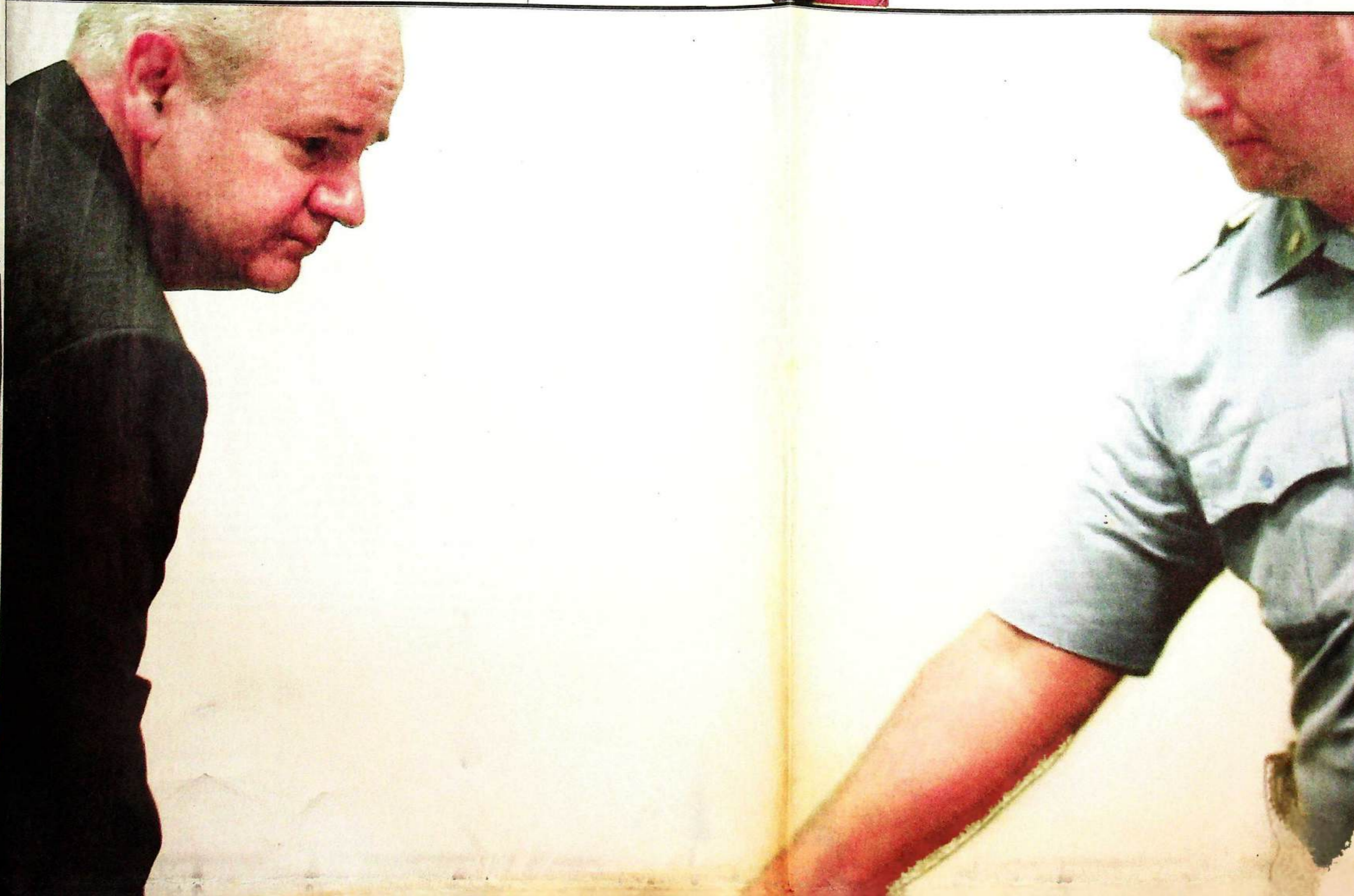
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Roger Federer Alleen Roland Garros ontbreekt nog Sport (Achterop) >

het Vervolg



denken aan, vond De Vries. 'De sectie moest, gezien de snelle aftakeling van een dood lichaam, zo rap mogelijk gebeuren.'

Daarmee hield de lobby vanuit Moskou niet op. Vertegenwoordigers van de Russische ambassade meldden zich bij Holthuis, gestuurd door de Russische regering, om toch met een oplossing te komen. Net als in de jaren van de Balkan-oorlog was er Russische steun voor Milosevic, in dit geval voor de nabestaanden. De minister van Buitenlandse Zaken, Sergej Lavrov, verklaarde de sectie in Nederland niet voor honderd procent te vertrouwen.

De Vries: 'We moesten iets bedenken. Het was een ongebruikelijke en zeer gevoelige situatie. Maar we konden absoluut niet langer wachten met de sectie. Ik vond dat als leider van het onderzoek absoluut ongepast. Het lichaam verandert en dat kan gevolgen hebben voor het onderzoek.'

Ook minister-president Balkenende werd op de hoogte gebracht, en hij liet weten dat 'het onderzoek boven alle twijfel verheven moest zijn om, voor Nederland als gastland, schadelijke discussies achteraf te voorkomen'.

Bedacht werd dat naast de gebruikelijke fotografie van de technische recherche, de sectie ook uitgebreid gefilmd zou worden: twee camera's op een vaste plek, en één cameraman die los in de sectieruimte zou filmen. De beelden zouden op dinsdag aan een grote Russische delegatie, onder wie vertegenwoordigers van de familie Milosevic worden getoond op een groot scherm, in een van de vergaderruimtes van het NFI. Het was voor de eerste keer in de geschiedenis van het instituut dat een sectie zo uitgebreid werd gefilmd. Kopieën van de film zouden in het bezit blijven van het NFI en de technische recherche van politie

Haaglanden.
De Vries: 'We wisten dat ze stelselmatig zouden denken dat het allemaal niet zou kloppen. Daar moet je rekening mee houden.'

➤ **RECONSTRUCTIE DE DOOD VAN MILOSEVIC** Zaterdagochtend 11 maart werd de oud-president van Joegoslavië dood aangetroffen in zijn cel in de Scheveningse gevangenis van het Joegoslavië-Tribunaal. Onmiddellijk begonnen de speculaties over zijn dood. 'Alle verlopen werden ingetrokken.' Door John Schoorl

DE HELE WERELD KEEK MEE

Holthuis: 'Dit was de beste oplossing, en technisch te doen. Alle partijen, ook de Russische, stemden ermee in. Je moet alle suggestie van verstoppertje spelen vermijden.'

Slobodan Milosevic mocht uitslapen die zaterdagochtend. De avond ervoor had hij met zijn medegevangenen zitten kaarten. Voordat zijn cel om half negen werd afgesloten, had hij Mira gebeld. 'Slaap lekker, mijn liefste', zei hij. 'Ik bel je morgenochtend.'

Op zijn afdeling van het United Nations Detention Unit (UNDU) moest iedereen die ochtend sporten, maar hij hoefde niet mee te doen. Hij was moe en afgetobd, en had een chronisch gebrek aan slaap. Hij hoorde permanent een donderend lawaai in zijn hoofd. Zijn gezondheid liet aanhoudend te wensen over. Nog in november 2005 hadden 'vooraanstaande deskundigen' uit Frankrijk, Rusland en Servië hem onderzocht en een medisch rapport opgesteld. Hij zou last hebben van hoge bloeddruk, griep en uitputtingsverschijnselen. De artsen schreven Milosevic zes weken fysieke en mentale rust voor.

Milosevic stond normaal om zeven uur 's ochtends op en deed zijn oefeningen. Buiten zijn cel begroette hij zijn medegevangenen met een opgewekt: 'Goedemorgen kameraden', dat door de Serviërs onder hen werd beantwoord met: 'Goedemorgen, mijnheer de president'.

In zijn cel van drie bij vijf meter had hij kabeltelevisie, een koffiezetapparaat en een douche. Zijn enige nette pak hing in de hoek aan een knaapje. Ook kon hij zijn eigen potje koken.

Milosevic besteedde veel tijd aan zijn verdediging, maar las ook boeken van de Amerikaanse schrijvers John Updike en Ernest Hemingway. Uit zijn draagbare cd-speler klonken liedjes van Celine Dion en Frank Sinatra, *the voice*, en dan in het bijzonder *My Way*.

Holthuis had 'm, denkt hij, tien keer ontmoet, ontmoetingen die doorgaans in het Scheveningse kantoor van de United Nations Detention Unit-directeur plaats vonden en 'een sterk zakelijk karakter' kenden: Hoe gaat het ermee? Zijn er problemen? Hoe gaat het met uw verdediging?

Holthuis: 'Hij was altijd heel rustig, beheerst. Hij koesterde zeker geen wrok. Hij zag ons als de neutrale partij die behept was met zijn *well being*. Hij zei altijd: 'You do your job, I do mine.' Het was een houding die ik wel kon waarderen.'

Zie verder pagina 26, kolom 1

Het spijt me u te moeten mededelen dat uw echtgenoot is overleden.'

De eerste keer dat Hans Holthuis Mira Milosevic aan de telefoon had en haar in het Engels dit slechte nieuws moest vertellen, leek ze hem niet te begrijpen.

'Wacht', zei Holthuis, hoofd van de griffie van het Joegoslavië-Tribunaal. Hij haalde een collega erbij die Servisch sprak. 'Anders lukt het niet.'

Hij probeerde het nog een keer, nu via de gelegenheidstolk die de weduwe de boodschap overbracht. Holthuis kreeg het idee dat ze het al wist. 'Tenminste, ze reageerde aanvankelijk rustig, en niet verbaasd.' Maar nadat hij haar had gecondoleerd, en haar had geprobeerd uit te leggen wat er verder zou gaan gebeuren met het dode lichaam van haar echtgenote, was het gedaan met het gesprek. Mira Milosevic, die haar Slobodan sinds 1958 kende en in 1965 was getrouwd, ontstak in een enorme woede.

Holthuis: 'Ze was niet meer aanspreekbaar. Ze tierde door de telefoon: 'Jullie hebben 'm gedood. Jullie hebben 'm vermoord. Vergiftigd!' Er was geen doorkomen aan. Na tien minuten heb ik het gesprek beëindigd. Dit was het enige contact dat ik met haar heb gehad, in al die vijf jaar dat haar man in Scheveningen heeft gezeten. Meer was het niet.'

Die ochtend van zaterdag 11 maart zei zijn vrouw aan de ontbijttafel in hun Haagse onderkomen: 'Hè fijn, eindelijk eens een weekend zonder iets.' Niet veel later belde 'zijn tweede man': Slobodan Milosevic is dead.

Zaak IT-02-54

Op zaterdag 11 maart 2006 overleed Slobodan Milosevic (1941) in zijn cel in de Scheveningse gevangenis. Hiermee kwam ook een einde aan zaak IT-02-54 van het Joegoslavië-Tribunaal.

De oud-president van Joegoslavië was aangeklaagd voor misdaden en volkerenmoord in Kosovo, Kroatië en Bosnië - in totaal 66 aanklachten. Hij was het eerste staatshoofd dat terechtstond voor een hof van de Verenigde Naties. 'De beul van de Balkan' werd op 31 maart 2001 gearresteerd en op 28 juni 2001 Milosevic uitgeleverd aan het Tribunaal. In februari 2002 begon het proces.

'Ik erken deze rechtbank niet', zei hij bij zijn eerste verschijning voor de rechters.

Deze reconstructie is gebaseerd op gesprekken met Hans Holthuis (Joegoslavië-Tribunaal), Michel Smithuis (Nederlands Forensisch Instituut) en Saskia de Vries (Openbaar Ministerie). Ook is gebruik gemaakt van (inter)nationale publicaties en van de Milosevic-biografie van Adam LeBor.

dan Milosevic is dead. De 'ergste nachtmerrie' voor het International Criminal Tribunal for the former Yugoslavia en voor Holthuis was een feit: de belangrijkste verdachte was overleden, zonder voor zijn misdaden veroordeeld te zijn. Jaren van onderzoek en getuigenverhoren waren voor niets geweest. Een ramp voor de vele slachtoffers van de Balkanoorlog en hun families.

Holthuis stapte op de fiets, op weg naar het kantoor van het Joegoslavië-Tribunaal. Vloekte hij? Hij vloekte, maar dat hoeft niemand te weten. Hij moest aan het werk. En dat een week na de zelfmoord van nog een zeer prominente gevangene van het Tribunaal, Milan Babic, leider van de Kroatische Serviërs. 'We waren nog maar net gekomen van zijn dood. En nu dus Milosevic.'

Zijn vrouw riep hem nog na: 'Nu zal ik je dit weekend zeker niet zien.' Hij zei niets terug. Een collega die op het punt stond op wintersport te gaan, werd van het vliegveld gehaald. Weer een collega stond al op de piste in Italië en pakte het eerste vliegtuig terug. Christian Chartier, die namens het Tribunaal de internationale wereldpers te woord moest staan, was op weg naar Zuid-Frankrijk en keerde om.

Holthuis: 'Dit was een high profile-gebeurtenis. Alle verlopen werden ingetrokken.'

Justitie en politie werden ingeschakeld. Hij belde de chef protocol van het ministerie van Buitenlandse Zaken die minister Ben Bot op de hoogte moest brengen. Het ministerie van Algemene Zaken werd geïnformeerd, en de raadsadviseurs meldden het aan minister-president Jan Peter Balkenende.

Holthuis belde de president van het Tribunaal, Fausto Pocar, en hoofdaanklager Carla del Ponte. Het bureau van Kofi Annan in New York werd gezocht, net als de contactpersoon van de Servische regering. Er moest een persbericht de wereld in, want de Servische televisiezender B92 zou het nieuws al op het spoor zijn. Christian Chartier zette zijn auto aan de kant van de weg en dicteerde een persbericht, in het Engels en het Frans.

Maar het allerbelangrijkste: de familie Milosevic moest zo snel mogelijk op de hoogte worden gebracht, voordat het nieuws zou uitlekken en zeker vóór het persbericht de dood wereldkundig zou maken. Zijn door het Tribunaal aangewezen *liaison*-officier had alle telefoonnummers van de familie en van de juridische adviseurs. Zoon Marko Milosevic, die later naar Nederland zou komen, was onbereikbaar. Mira Milosevic, die vele keren haar man in de Scheveningse gevangenis had bezocht, niet. Na dat gesprek met de 'Rode Heks', zoals ze ook wel wordt genoemd, liepen alle contacten via Zdenko Tomanovic, de juridische adviseur van de familie uit Belgrado.

'Ik zag niet tegen het telefoongesprek met haar op', zegt Holthuis. 'Ik ben bijna 25 jaar officier van justitie geweest, en heb heel veel moeilijke gesprekken gevoerd. En ik kan ook niet zeggen dat het het moeilijkste gesprek uit mijn loopbaan was, maar wel het meest beladen. Maar goed, ik ben de baas van de griffie van het Tribunaal, dus ben ik de aangewezen figuur om het te doen.'

Om 13.27 uur op zaterdag 11 maart verspreidde het Tribunaal het bericht dat de 64-jarige Milosevic - een paar weken voor de mogelijke afronding van zijn rechtszaak - die ochtend dood in zijn bed in zijn cel in de gevangenis in Scheveningen was gevonden.

Vanaf dat moment werd het Tribunaal 'bestormd' door de wereldpers. Vanuit Servië werd het verhaal verspreid dat het Tribunaal schuldig was aan de dood. Een spannende week voor het Tribunaal en het gastland Nederland volgde, omdat snel en definitief duidelijk moest worden hoe Milosevic, oud-leider van de Servische communistische partij, oud-president van Servië en oud-president van Joegoslavië, aan zijn einde was gekomen. De twee schouwartsen die na de huisarts van de gevangenis het dode lichaam bekeken, wisten niet zeker of hij een natuurlijke dood was gestorven. Gerechtelijke sectie en toxicologisch onderzoek moesten de oorzaak van zijn dood vaststellen, sommeerde officier van justitie Saskia de Vries, die het onderzoek naar de dood van Milosevic leidde.

Michel Smithuis, afdelingshoofd van het Nederlands Forensisch Instituut (NFI) en verantwoordelijk

voor de sectie op de voormalige regeringsleider, beschreef de dagen als: 'De hele wereld keek over onze schouders mee'. En ook Holthuis had het gevoel 'dat we even het centrum van de wereld waren'. 'CNN en BBC zaten permanent op deze zaak. We moesten alles wat we zeiden en deden op een goudschaaltje wegen. We hadden geen scenario klaarliggen voor het geval het mis zou gaan. Wat we dan zouden doen, zouden we dan wel weer zien. Als zou blijken dat hij geen natuurlijke dood zou zijn gestorven, hadden we een groot probleem - een echt groot probleem.'

De grijze sluis van het NFI ging open, om acht uur die avond. Een zwarte auto van begrafenisonder-neming Rouwtransport Haaglanden, begeleid door vier motoragenten van de KLPD, wachtte. Dit was de plaats waar het stoffelijke overschot van Milosevic het gebouw van de NFI in Den Haag binnenkwam voor de gerechtelijke sectie. Met een rijdende brancard werd hij in een lijkzak, voorbij de weegbrug, naar een van de drie gestapelde koelcellen van Doorgeest Koeltechniek

'Het onderzoek is op heel hoog niveau uitgevoerd, het was zeer gedetailleerd. Wij delen de voorlopige diagnose'

Sagittarius

Van: "Ian Johnson" <i-
Aan: <Undisclosed-Recipient;>
Verzonden: maandag 29 mei 2006 2:13
Onderwerp: CDSM: 'Butcher of the Balkans'

Dear Friends,

Below we forward a copy of an article that has been sent to us, 'Butcher of the Balkans' written by one Mr Eric Mallonga.

We can only assume that the author is in a serious contest for the 'cretin of the month' award, or competing in a depraved game of 'how many untruths can I include in one article?'

Well Mr Mallonga, whoever you are, we can inform you that you have indeed won the contest, having, at least for this month, lough off the usual candidates from the IWPR stable. Some feat indeed!

Although tiresome to do, we would respectfully ask the following questions;

Has Mr Mallonga no editor? Should he not provide sources for words in quotation marks?

Who sent tanks to Slovenia's borders in 1991?

Were the Croats not allies of Germany in World War Two?

What is 'Serbian mythical power'?

What is an 'enchanted kingdom of a Greater Serbia'?

From where and whom does the claim of the 1989 elections being 'rigged' come from?

When and where did Slobodan Milosevic 'recast Bosnian Muslims as marauding Ottoman Turks'?

By using the quotation from Richard Holbrooke, 'he was never going to see daylight again' do we take this as an admission that the 'trial' was rigged and was only ever, despite all evidence to the contrary, going to deliver a guilty verdict?

Can we ask that if Mr Mallonga, or anyone else for that matter, has a copy of any Milosevic speech that 'stoked the flames of ethnic hatred' that they print it so we can all read it?

And may we suggest that Mr Mallonga's claim that 'Slobodan Milosevic died without accolades' could only have been written by a person so detached from reality, so ignorant of the mass attendance at the funeral, and so devoid of any intellectual honesty as to render further comment superflous.

We are circulating this Mallonga piece as an example of the fiction that is out there, disgracefully masquerading as historical truth.

A reply to Mallonga's 'article', we use the term 'article' loosely of course, was sent to 'Doubletake' and we include a copy at the bottom of this mail. IJ

Butcher of the Balkans**DOUBLETAKE****By ERIC F. MALLONGA**

Montenegro just seceded last week from Serbia because its people are exhausted of being identified with the vicious genocidal regime of deceased Serbian President Slobodan Slobo Milosevic. When he rose to the pinnacle of the Yugoslavian Communist Party, the world expected him to further the

elevation of the working people of Yugoslavia in human solidarity and economic uplift through the elimination of class and ethnic differences. It was not to be. Sloba authored Yugoslavia's destruction, slaughtering non-Serbian peoples on a self-delusional myth of Serbian suffering, and believing that Josip Broz Tito's communist regime usurped Serbia's nationalism and deprived the Serbs of their superior and heroic role in dictating the rise of Yugoslavia.

Montenegro just seceded last week from Serbia because its people are exhausted of being identified with the vicious genocidal regime of deceased Serbian President Slobodan "Slobo" Milosevic. When he rose to the pinnacle of the Yugoslavian Communist Party, the world expected him to further the elevation of the working people of Yugoslavia in human solidarity and economic uplift through the elimination of class and ethnic differences. It was not to be. Sloba authored Yugoslavia's destruction, slaughtering non-Serbian peoples on a self-delusional myth of Serbian suffering, and believing that Josip Broz Tito's communist regime usurped Serbia's nationalism and deprived the Serbs of their superior and heroic role in dictating the rise of Yugoslavia.

Depicting this self-induced myth was Sloba's 1987 stance in Kosovo. Then Serbian President Ivan Stambolic sent him to Kosovo to broker peace between the ethnic Albanian majority and the Serb minority. Instead of appeasing the angry Serbs, he stoked the flames of ethnic hatred by delivering a fiery speech: "Nobody has the right to beat you." Shattering the myth of communist equality and ethnic "brotherhood and unity," which had been Tito's communist slogan, Milosevic defied his own communist comrades, stoking conflicts that left more than 300,000 people dead, more than three million homeless, and the Yugoslav economy in ruins over a decade of strife in Yugoslavian territories.

Slobo was born in the factory town Pozarevac, home to Yugoslavia's most notorious prisons. His father, a defrocked Orthodox priest, and his mother committed suicide 10 years apart. Milosevic married Mirjana Markovic, daughter of a wartime communist partisan hero and niece of Davorjanka Paunovic, Tito's private secretary and mistress. Graduating from law school, he joined the Communist Party, which assigned him to various business positions, and subsequently appointed him director of a major state-run bank in 1983. He befriended Ivan Stambolic, who became leader of Serbia's Communist Party in 1984. And when Stambolic became Serbian president in 1986, he picked Milosevic as Serbian communist boss.

It was one year later that Slobo delivered his fiery Kosovo speech. In September 1987, he publicly accused Stambolic of anticommunist and anti-Serbian policies. Forced to resign in a de facto coup, Stambolic was succeeded by Milosevic as Serbian president in 1989 in rigged elections. Alarmed by Slobo's rise, Croatia and Slovenia declared their 1991 independence from Yugoslavia. Milosevic sent tanks to Slovenian borders, triggering a brief war that ended in Slovenia's secession. Croatian Serbs, encouraged by Milosevic, revolted against the Croats. Milosevic sent the Serb-led Yugoslav Army that left at least 10,000 people dead. Three months later, Bosnia-Herzegovina declared its independence. Milosevic bankrolled the Bosnian Serb rebellion, triggering an even bigger war that killed an estimated 200,000 people.

Riding on his Serbian mythical power, he reinvented Croats as World War II fascists; he recast Bosnian Muslims as marauding Ottoman Turks, and depicted the growing population of Kosovo Albanians as agents of "demographic genocide" against the Serbs. While destroying the delicate balance of Yugoslavia as a ruler of exceptional ruthlessness, Slobo shamelessly expressed wonderment at its violent destruction. He claimed innocence on the charges against him before the International Criminal Tribunal trying him for 60 counts of war crimes and crimes against humanity, and

separate genocidal charges in Bosnia. The burly firebrand made no apologies for his actions in Croatia, Bosnia, and Kosovo, where his drive for an enchanted kingdom of a Greater Serbia "cleansed" of Croats and Muslims sparked a rash of genocidal massacres, even as he ironically described himself the "Ayatollah Khomeini of Serbia." In a television interview, the cunning leader claimed: "I'm proud for everything I did in defending my country and my people."

Painting himself as a besieged statesman struggling to keep Yugoslavia intact against separatists and "terrorists," he died in a lonely cell in Scheveningen at the Netherlands in March this year. The dismay over his death without having been convicted is so concisely summed up by Belgrade resident Duska: "It is not fair that the bastard died in a dream while others died in pain." Or by Hajira Catic, head of an association of women who lost loved ones in the Serb massacre of 8,000 Muslims in the Bosnian enclave of Srebrenica: "Finally, we have some reason to smile. God is fair."

Richard Holbrooke, former US negotiator for Yugoslavia, expressed his contempt of the man: "I spent more time with Milosevic probably than any other westerner. I'm not going to shed any tears for him. He was a communist opportunist and became an opportunistic nationalist. His actions led to the deaths of over 300,000 people, four wars, instability in Europe, creation of criminal gangs . . . He was never going to see daylight again and that was appropriate and now he's gone."

In the end, the country and the people he claimed to have loved and defended abandoned him in the later years of his life in solitary incarceration and in his death. As the last Serbian province to ever be identified as supportive of Slobodan's dreams, Montenegro has finally declared itself free from Slobodan's genocidal legacy. Slobodan Milosevic died without accolades, without national awards, without 21 gun salutes. Only to be emblazoned forever in the annals of world history as "Butcher of the Balkans."

LETTER IN REPLY

Sir, It would be helpful if your reporter, Mr. Mallonga, bothered to research the material he is writing about. Sounding off about would be closer to the mark. I think the time is fast approaching when we, the Serbs, will have to sue for slander. If Mr. Mallonga had even bothered to read Mr. Milosevic's speech, read up on the history of the region etc. he would not have been able to write such a stupid comment. Mr. Milosevic died an innocent man. The court in the Hague colluded in his kidnapping and in his death. Whether on purpose or by neglect.

Montenegro is not a viable state. It could not have become independent if the EU had not had a hand in it. There were so many irregularities that it would not have passed anywhere else. My advice, for what it's worth, Mr. Mallonga is don't use catch phrases the reporters packs are running with, spend the time researching before you condemn a man or a nation. If you do so you will find that almost all you have written about in your article is pure fabricated nonsense.

Sincerely,
B. Perry

Sagittarius

Van: "donald duck"
Aan: <sagitar@hetnet.nl>
Verzonden: dinsdag 30 mei 2006 9:27
Onderwerp: Marko

Dear Mr. Steijnen,

The end of the "investigation" as they name it is about to come and anything we discussed and planned becomes close. I expect a meeting with Mr. Rakic and wanted to consult with you about various issues. Also, I believe that it would be very useful if I could come over, to Holland. But, I don't know are you familiar with the fact that I am, along with the rest of my family, which includes even my seven year old son, on some EU list which prevents me from traveling to EU countries. Right now, I'm trying to find out what list it is, which body issued it and, most of all, with what formal explanation. I, of course, have no least desire to travel to EU neither for business nor for tourism. The only place I find necessary to travel is Holland. Anyway, even if I get rid of that ban, there always stays in force the discretionary right of any country to deny it's visa to any individual. So, if there is anything you may know concerning this matter, please let me know.

And, there is another thing that I have to ask you which comes from my mother.

As you know, she's been persecuted for years and couldn't even attend the funeral of my father. The political situation in our country is very unstable and, unfortunately, we are not a free country anymore. Therefore, she would like to try to address those whom she believes are in charge of any matters concerning our family and herself, more then our authorities themselves are.

I have two letters which she wrote - to The US president and to the PM of Germany. Those letters should be handed to each of embassies of those states and, she preferred to do it in Holland. If you are willing to assist her in this, I would send you both by Email. They are not secret neither confidential, so they may be sent in this manner to you. I ask you to forgive me for such a freedom to ask you this, but, you are her best choice and I didn't object aswell. She is desperate to return to her country and to be where her husband lays. So, if you agree to hand them on her behalf to those embassies, please respond.

Hope to meet you one day, I understand that we share many views and beliefs and that we shared many same worries. The most important probably is - the same view and sense for justice.

I wish you all the best.

Marko

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Robin de Ruiter

31-5-2006

Het Joegoslavië Tribunaal:

DE VERMOORDE ONSCHULD VAN SLOBODAN MILOŠEVIĆ

Wie vermoordde Milošević en... waarom?

Alle media over de hele wereld schetsen Slobodan Milošević als "De Dichter van de Balkan". Als u dit oordeel over de voorzittige president van Joegoslavië gebaseerd op u dit boek dus niet te lezen.

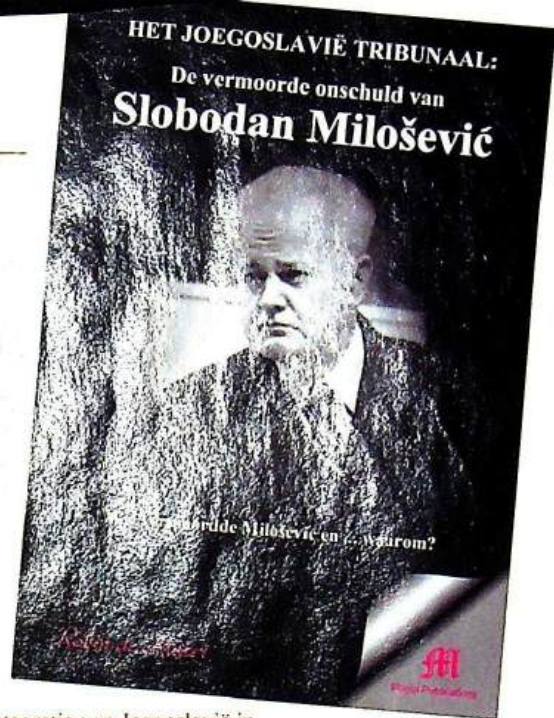
Slobodan Milošević zou zichzelf hebben vergiftigd met cyanide om de wettelijke gevangenis in Den Haag. Zijn advocaat Zdenko Čimerović verklaarde tijdens zijn verhoor dat Milošević geen natuurlijke dood gestorven was. Van zijn gevangenschap in Den Haag tot het niet om zelfmoord ging ...

De bewijsvoering van het Joegoslavië Tribunaal in Den Haag stond er zeer slecht voor. Het werd gaandeweg steeds duidelijker dat de aanklacht niet eens het papier waard was waarop het geschreven stond. En Milošević stond op het punt belangrijke getuigen op te roepen die het de hoofdaanklager Carla del Ponte wel eens moeilijk zouden kunnen maken, zeker gezien het feit dat haar getuigen voornamelijk valse verklaringen hebben afgelegd. Met angst en beven heeft het "tribunaal" dit moment naderbij zien komen. De Russische generaal Leonid Iwaschov verklaarde: "Slobodan Milošević was de enige man die glashelder kon getuigen van de rol van Verenigde Staten tijdens de bloedige desintegratie van Joegoslavië in de jaren negentig - volledig en tot in detail. En dat is precies waarvoor hij vocht tijdens zijn terechtstelling voor oorlogsmisdaden en genocide." Werd Milošević misschien het zwijgen opgelegd voordat hij de rol van de Verenigde Staten en de NAVO pijnlijk bloot zou leggen? Dit boek opent de ogen voor de werkelijke feiten en motieven voor wat de dood van Milošević en de oorlogen op de Balkan aangaat

ISBN: 90-801623-5-3

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Paperback: 230 pag.



LEES DE FEITEN EN OORDEEL ZELF ...

INVESTIGATIVE JOURNALISM – NU VERKRIJGBAAR BIJ DE BOEKHANDEL

Robin de Ruiter staat al jaren internationaal bekend om zijn buitengewone vermogen tot onderzoek. Zijn boeken zijn in vele talen en in meer dan veertig landen gepubliceerd. Vooral wonderbaarlijk zijn de publicaties van Robin de Ruiter omdat deze getuigen van een heldere, onbevooroordeelde blik. In de tegenwoordige journalistiek is zo iets zeer zeldzaam. Boeken welke getuigen van een dergelijke buitengewone feitenkennis en inzicht in samenhangen – zonder betweterij – zijn in Nederland ondenkbaar geworden. En al helemaal bij wat zich de serieuze pers noemt.

'Medische behandeling Milosevic was adequaat'

Van onze buitenlandredactie
AMSTERDAM

De medische behandeling van Slobodan Milosevic was adequaat en heeft niet geleid tot zijn dood. Dit staat in het onderzoeksrapport van het Joegoslavië-Tribunaal naar de dood van de voormalige Servische president. Die werd 11 maart dood in zijn VN-cel in Scheveningen aangetroffen.

Het is volgens de onderzoekers wel mogelijk dat Milosevic zijn eigen gezondheidstoestand heeft verslechterd, door de adviezen van de artsen niet op te volgen en niet voorgeschreven medicijnen in te nemen die waren binnengesmokkeld. Ook werd er een binnengesmokkelde fles whisky in zijn cel

1-6-2006
aangetroffen. Omdat hij zichzelf verdedigde in zijn proces, was het hem toegestaan veel bezoek te ontvangen. Hierdoor was de controle niet optimaal, constateren de onderzoekers.

Milosevic had verzocht om een medische behandeling in Moskou. Uit het rapport blijkt dat zijn cardioloog en twee onafhankelijke artsen dit onnodig vonden.

Een aantal Nederlandse artsen heeft geweigerd medische informatie te verstrekken aan de onderzoekers, op grond van hun zwijgplicht. Advocaat Steven Kay probeert namens de nabestaanden de medici ertoe over te halen de gegevens wel prijs te geven. Zijn broer Borislav Milosevic noemde de conclusies van het rapport 'vals en absoluut incorrect'.

Sagittarius

Van: "Hans Hupkes" <hans.hupkes@planet.nl>
Aan: "Meindert Stelling" <meindert.stelling@planet.nl>; "Nico Steijnen"
Verzonden: donderdag 1 juni 2006 8:36
Onderwerp: artsen weigerden informatie over Milosevic
Nederlandse artsen weigerden informatie Milosevic

DEN HAAG/LONDEN - Een aantal Nederlandse artsen heeft geweigerd aan het Joegoslavië-Tribunaal medische informatie te verstrekken over Slobodan Milosevic. De artsen handelden zo nadat zij juridisch advies hadden ingewonnen. Zij beriepen zich op hun zwijgplicht. Dit schrijft vicepresident Kevin Parker van het VN-hof in Den Haag in het officiële rapport over de dood van de ex-president, dat woensdag is gepubliceerd.

Milosevic werd in Scheveningen behandeld door een Nederlandse huisarts en diverse medisch specialisten. Hij klaagde herhaaldelijk dat hij in Nederland geen goede medische behandeling kreeg; hij wilde daarom in Rusland worden behandeld. De rechters in zijn zaak weigerden dat verzoek in te willigen.

De wettelijke zwijgplicht is bedoeld om de privacy van de patiënt te beschermen. Milosevic heeft echter duidelijk aangegeven dat hij daar geen prijs op stelt. De ex-president wilde juist dat zijn medisch dossier openbaar wordt gemaakt, aldus zijn toegewezen advocaat Steven Kay enkele weken geleden tegen het ANP.

De Engelse jurist treedt inmiddels op namens de nabestaanden van Milosevic om het tribunaal over te halen alsnog alle medische gegevens openbaar te maken. De zaak heeft tot een inmiddels al weken durend juridisch gesteggel geleid. De rechters wilden het verzoek van Kay eerst niet in behandeling nemen met als argument dat Kay niet meer de advocaat van Milosevic is omdat de zaak na de dood van de verdachte is gesloten. (ANP)

Sagittarius

Van: "R Despotovic" <despot@tiscali.nl>
Aan: "Nico Varkevisser" <nico.v@slobodan-milosevic.org>; "Sagittarius" <sagitar@hetnet.nl>; "Hans Hupkes" <hans.hupkes@planet.nl>
Verzonden: zaterdag 3 juni 2006 3:24
Onderwerp: Peter Handke responds on Yugoslavia

PETER HANDKE RESPONDS ON THE QUESTION OF YUGOSLAVIA

So let's talk about Yugoslavia!
Liberation (French Daily: Tuesday, May 10, 2006)

Finally, after more than a decade of one-way journalistic language that in no way made sense, an opening seems to have been created in France in the press (1), and perhaps not only in France, to speak about things differently? or simply to start speaking? about Yugoslavia.

A debate, a discussion, a discourse? A fruitful discussion seems to have become possible, a general questioning, of reports that speak for themselves... Previously: nothing, and still more nothing? defamations instead of a debate, expressed by exclusively prefabricated words, repeated *ad infinitum*, used like an automatic weapon.

So let's enlarge this breach or opening, the springtime of words. Let us at last hear one another instead of screaming and snarling launched from two enemy camps. But also, let's no longer tolerate beings (?), evil (!) spirits (?), who, with respect to the tragic Yugoslav problem, continue firing word-bullets like "revisionism," "apartheid," "Hitler," "bloody dictatorship," etc. Let's stop all the comparisons and all the parallels made about the wars in Yugoslavia. Let's stick to the facts which, like the facts of a civil war, unleashed or at least co-produced by European bad faith or, at least, ignorance, already punctured, are terrible enough from all sides. Let's stop comparing Slobodan Milosevic to Hitler. Let's stop comparing him and his wife Mira Markovic to Macbeth and his Lady and let's stop drawing parallels between the couple and the dictator Ceaucescu and his wife Elena. And let's never again use the expression "concentration camps" for the camps established during the war of succession in Yugoslavia.

True: intolerable camps existed between 1992 and 1995 on the territory of the Yugoslav Republics, chiefly in Bosnia. Let's stop the exclusive and mechanical association of these camps with the Bosnian Serbs: there were also Croat and Muslim camps, and the crimes committed in these camps are and will be judged by The Hague Tribunal. And finally, let's stop associating massacres (of which there were many in Srebrenica in July 1995, and are in fact by far the most abominable) to Serbian forces or paramilitaries. Let's also listen finally to the survivors of the massacres committed by Muslims in the numerous Serbian villages that surround Srebrenica, the Muslim town, massacres committed over and over again during the three years before the fall of Srebrenica, massacres led by the commander of Srebrenica, leading in July 1995 to infernal vengeance, to eternal shame for those Bosnian Serbs responsible for it for the great butchery, and for once the oft-repeated word is in its proper place in the phrase "the greatest in Europe since World War II," while adding, nevertheless, this piece of information: that all the soldiers or Muslim men from Srebrenica who fled from Bosnia into Serbia by crossing the Drina River, the border between the two States, fled to Serbia, the country that was at the time under Milosevic's rule, and that all these soldiers who arrived in Serbia, a so-called enemy, were saved. No butchery or massacre there.

Yes, let's listen, after having listened to the "Mothers of Srebrenica," let's also listen to the mothers or one single mother from the village of Kravica, Serbian, close by, recount the Orthodox Christmas massacre in 1992-1993, committed by Muslim forces from Srebrenica, a massacre also conducted against the women and children of Kravica (the only crime for which the word genocide is appropriate).

And let's stop blindly associating the "snipers" of Sarajevo with "the Serbs": most of the French members of the UN peacekeeping force who were killed in Sarajevo were victims of Muslim gunmen. And let's stop associating the siege (horrible, stupid, incomprehensible) of Sarajevo exclusively with the Bosnian Serbs: in Sarajevo during 1992-1995, tens of thousands of the Serbian population remained blockaded in central neighborhoods like Grbavica, which were in turn put under siege - and how! - by Muslim forces. And let's stop attributing rapes exclusively to Serbs. And let's stop connecting words unilaterally, like one of Pavlov's dogs. Let's enlarge the opening. May the breach never again be choked by rotten and poisoned words. Evil spirits out. Leave language once and for all. Let's learn the art of the question, let's make a trip to the sonorous land, in the name of Yugoslavia, in the name of another Europe. Long live the other Europe! Long live Yugoslavia! Zivela Jugoslavia.

(1) See, among other things, the articles by Brigitte Salino and d'Anne Weber in *Le Monde*, May 4, 2006; the commentary by Piere Macrabru in *Le Figaro*, which was published on the same day; and the appeal made by Christian Salmon in *Liberation* on May 5, 2006.

Translated by Milo Yelesiyevich

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Sagittarius

Van: "Jonathan Widell"
Aan: "Sagittarius" <sagitar@hetnet.nl>
Verzonden: maandag 5 juni 2006 15:13
Bijlage: Milosevic Investigation.doc
Onderwerp: Milosevic investigation

Dear Mr Steijnen,

I have mentioned your name and the proceedings you said you were instituting against some ICTY officials to Michael Farquhar of International War and Peace Reporting. He asked my comments on the ICTY report on the circumstances of Milosevic's death. In the attachment you will find what I wrote to him. Would you be interested in co-authoring an article with me on the subject? It could be posted on the Internet at the Serbianna website.

Jonathan Widell
301-117 Donegani
Pointe-Claire, Québec H9R 2W3
CANADA

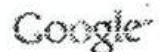
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slobodan milosevic

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Report Details Stormy Relationship Between Milosevic and Court-Appointed Medical Team

New York Times · Mon, 5. Jun 2006.

As the family of Slobodan Milosevic, the former Yugoslav leader, and the United Nations war crimes tribunal in The Hague spar over whether his death in prison on March 11 was avoidable, medical information released on May 31 provided new details about his death, his ailments and his stormy... »

Milosevic found to have died of natural causes; drugs hurt health

Boston Globe · Thu, 1. Jun 2006.

PARIS — The former Yugoslav president, Slobodan Milosevic, died of natural causes from a heart attack in March, but contributed to his own poor health by taking medicines that had not been prescribed and that had been smuggled into his cell, and by ignoring his doctor's recommendations for... »

Tribunal clears U.N. in death of Milosevic

Miami Herald · Thu, 1. Jun 2006.

AMSTERDAM, Netherlands - (AP) -- Slobodan Milosevic defied doctors' orders to quit smoking and took unauthorized medication smuggled to him in prison, a U.N. war-crimes tribunal report into his death said Wednesday. In the most complete survey of events leading to the former Yugoslav president's... »

Probe Says Milosevic Hurt His Own Health

Washington Post · Thu, 1. Jun 2006.

PARIS, May 31 -- Former Yugoslav president Slobodan Milosevic died of natural causes from a heart attack in March but contributed to his poor health by taking unprescribed medicines that were smuggled into his cell and ignoring his doctor's recommendations for treatment, according to a report... »

Milosevic May Have Hastened Death by Refusing Medication

New York Times · Wed, 31. May 2006.

A United Nations investigation into the death of Slobodan Milosevic found no evidence of foul play or suicide, but the former Serbian president may have hastened his death by refusing to take prescribed drugs and smuggling in unauthorized medicines, according to a report issued today. Skip to next... »

Dutch Prosecutors: No Evidence Milosevic Was Murdered

Fox News · Wed, 5. Apr 2006.

THE HAGUE, Netherlands — Dutch prosecutors concluded Wednesday that former Yugoslav President Slobodan Milosevic died of a heart attack and was not killed while in U.N. custody, countering allegations by his family that he was slain. Milosevic, who was 64 and had a history of heart problems,... »



New York Times

The Milosevic Lessons: Faster and More Efficient Trials

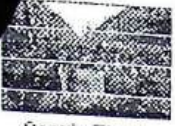
New York Times · Sun, 2. Apr 2006.

THE HAGUE ? The trial of Slobodan Milosevic generated about 120 DVD's, 46,000 pages of transcripts and more than 300,000 pages of oral and written evidence. The number of documents had reached 1.2 million pages, and more were on... »

Milosevic buried at family estate

Seattle Times · Sun, 19. Mar 2006.

POZAREVAC, Serbia-Montenegro — Slobodan Milosevic was laid to rest Saturday beneath a tree at the



Seattle Times

family estate in his hometown, a quiet end for a man blamed for ethnic wars that killed 250,000 people in o of the... »

Past still looms in Serbia 🇷🇸

Serbian officials and analysts warn that Slobodan Milosevic's legacy of ethnic conflict is still a threat to the stability of the nation.

Miami Herald · Sun, 19. Mar 2006.

BELGRADE, Serbia-Montenegro - (AP) -- Serbs buried Slobodan Milosevic on Saturday, but the question on many minds was whether Serbia also laid to rest its bloody past. With Milosevic gone, some Serbian officials and analysts... »

Milosevic burial draws thousands 🇷🇸

Boston Globe · Sun, 19. Mar 2006.

POZAREVAC, Serbia-Montenegro -- Tens of thousands of Serbs gave former Yugoslav president Slobodan Milosevic a hero's farewell and pronounced him a victim of the UN war crimes tribunal, in whose custody he died a week ago. About 15,000 supporters gathered at his burial site in Pozarevac, his... »

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ROBIN DE RUITER

HET JOEGOSLAVIË TRIBUNAAL: DE VERMOORDE ONSCHULD VAN SLOBODAN MILOSEVIC

Wie vermoordde Milosevic en ... waarom?



Alle media over de hele wereld schetsen Slobodan Milosevic als 'De Slachter van de Balkan'. Als u dit oordeel gelooft, dan hoeft u dit boek dus niet te lezen.

De voormalige president van Joegoslavië zou zichzelf hebben vergiftigd in zijn cel van de zwaar bewaakte gevangenis in Scheveningen. Zijn advocaat Zdenko Tomanovic verklaarde als eerste dat Milosevic geen natuurlijke dood gestorven was. En er zijn genoeg feiten waaruit blijkt dat het niet om zelfmoord ging ...

De bewijsvoering van het Joegoslavië Tribunaal in Den Haag stond er zeer slecht voor. Het werd gaandeweg

steeds duidelijker dat de aanklacht niet eens het papier waard was waarop die geschreven stond. En Milosevic stond op het punt belangrijke getuigen op te roepen die het de hoofdaanklager Carla del Ponte wel eens moeilijk zouden kunnen maken, zeker gezien het feit dat haar getuigen voornamelijk valse verklaringen hebben afgelegd. Met angst en beven heeft het Tribunaal dit moment naderbij zien komen.

"Het zou beter zijn als Milosevic tijdens het proces op de beklagdenbank sterft. Als het hele proces namelijk tot een einde zal komen dan is het zeer goed mogelijk dat hij voor een relatief kleine misdaad wordt veroordeeld", verklaarde de adviseur van het Joegoslavië Tribunaal James Gow al in 2004.

De Russische generaal Leonid Iwaschov verklaarde: "Slobodan Milosevic was de enige man die glashelder kon getuigen van de rol van de Verenigde Staten tijdens de bloedige desintegratie van Joegoslavië in de jaren negentig - volledig en tot in detail. En dat is precies waarvoor hij vocht tijdens zijn terechtstelling voor oorlogsmisdaden en genocide."

Werd Milosevic misschien het zwijgen opgelegd voordat hij de rol van de Verenigde Staten en de NAVO pijnlijk bloot zou leggen? Dit boek

opent de ogen voor de werkelijke feiten en motieven voor wat de dood van Milosevic en de oorlogen op de Balkan aangaat.

Dankzij zijn directe internationale connecties en zijn ongeëvenaarde geopolitieke inzicht en buitengewone feitenkennis laat de auteur een helder licht schijnen op de feitelijke achtergronden van de Balkanoorlogen en het proces tegen Slobodan Milosevic, welke nog steeds gebukt gaan onder slechte waarheidsvinding en propaganda. Van de feitelijke gang van zaken tijdens de laatste maanden van het proces tegen Milosevic weet de gemiddelde wereldburger hoege-naamd niets.

Er staan immers enorme economische en politieke belangen op het spel. Feiten komen vaak pas jaren later aan het licht. Pers en media gaan op in de waan van de dag en de jacht op actualiteit – mensen hebben recht op nieuws. Maar als het komt tot een bal masqué van manipulatie en regelrechte verdraaiing van feiten hebben de meeste mensen dat niet in de gaten. Zo was het en zo is het nog steeds ...

Lees de feiten en oordeel zelf ...

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Milosevic vermoord

van onze verslaggever

Intern onderzoek door het Joegoslavië Tribunaal in Haarlem heeft uitgewezen dat Slobodan Milosovic is vergiftigd. Dat heeft het WADA, het wereldantidopingagentschap gisteren verklaard.

In de urine van Milosovic werden sporen van bloed doping aangetroffen, hetgeen erop zou wijzen dat ex-president Milosovic tijdens de Tour de France van 1999 EPO zou hebben gebruikt. Milosovic verklaarde zelf inderdaad te zijn vermoord en derhalve de nodige juridische stappen te overwegen. Hij voegde

wel toe dat hij, aangezien hij het Joegoslavië Tribunaal nooit heeft erkend, ook de moord niet kan erkennen hetgeen het theo-

retisch gezien moeilijk maakt aan te tonen dat er überhaupt een moord zou hebben plaatsgevonden. (FOTO:AFP)

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(Advertenties)

Dat er kinderarbeid aan te pas komt, wil nog niet zeggen dat de kwaliteit achteruit gaat!



Sagittarius

Van: "Ian Johnson" <i-johnson@lineone.net>
 Aan: <Undisclosed-Recipient;>
 Verzonden: maandag 5 juni 2006 22:12
 Onderwerp: CDSM: The Hanging of Peter Handke - Gilles

<http://www.swans.com/library/art12/ga210.html>

Swans Commentary » [swans.com](http://www.swans.com)

June 5, 2006

The Hanging Of Peter Handke From The Orthodox Gallows The Krauts Match the Frogs in Universal Autism

by Gilles d'Aymery

*Doomed be the fatherland, false name,
 Where nothing thrives but disgrace and shame,
 Where flowers are crushed before they unfold,
 Where the worm is quickened by rot and mold - We weave, we weave.*
 —Heinrich Heine

(*Swans - June 5, 2006*) it was not enough. The controversy surrounding the scrapping of Peter Handke's play from the roster of the Comédie Française in France had not yet receded that the German guard dogs of intellectual conformism did a tour de force, a little coup of their own, an auto-da-fé on Handke's character. These trite MacDonaldised Middle Minds managed to influence the body politic, cowards in gray suits, into reversing the decision by the jury of the Heinrich Heine Prize of the city of Düsseldorf, where Heine was born in 1797, to award the much coveted honor to Peter Handke in December 2006, on the 150th anniversary of Heine's death.

As the story goes, on May 20, 2006, the jury of the bi-yearly prize announced that Peter Handke had been selected to receive the award. As administrative customs dictate – it is a city award – the city council had to approve the decision, a pro-forma determination – the council has never rescinded a previous choice by the jury. Writers such as Wolf Biermann and Hans Magnus Enzensberger, Max Frisch and Elfriede Jelinek, and other personalities (Marion Dönhoff, Richard von Weizsäcker) have been awarded the prize. The city approval in all cases was a formality. Not with Peter Handke, though.

(Note: As I neither read nor speak the language of Goethe, I am relying almost exclusively on the translations made in the daily "feuilletons" published on signandsight.com, the excellent English-language service of the German online culture magazine *Perfentaucher*.)

The jury considered that Peter Handke's work, "within the spirit of fundamental human rights that Heine valued deeply, promote[d] social and political progress, and foster[ed] understanding and solidarity between peoples." The *bien-pensants*, this "class of people who foster and perpetuate conventional wisdom" in the words of James Traub, rushed to work hurling criticisms at the jury's selection in the pages of major papers like the *Frankfurter Allgemeine Zeitung* (FAZ), the (Munich) *Süddeutsche Zeitung*, the (Swiss) *Neue Zürcher Zeitung*, and *Die Welt*. One luminary, Hubert Spiegel, asked in FAZ: "Does the brazenness with which Handke glosses over Serbian crimes and denies ethnic cleansing foster solidarity between peoples?" Handke, "the holder of absurd political positions," assured Uwe Wittstock in *Die Welt*. Christoph Stölzl, one of the members of the jury, was quick to confess that he had not been in favor of the decision.

Exemplifying the hypocrisy, Matthias Kamann wrote in *Die Welt*:

While Handke continues to be accused for drawing parallels between Auschwitz and the bombardment of Serbia, Joschka Fischer has yet to feel any consequences for fantasizing with total disregard for reality about having to prevent another Auschwitz in Serbia. Thoughts like these, and the apocryphal 'Hufeisenplan' (Operation Horseshoe) which was cooked up by the then Minister of Defence Rudolf Scharping, fitted and still fit well with the feuilletonistic debate of consensus that "Germany finds new

responsibilities through the Kosovo war." Peter Handke however was ostracised from public debate, which is determined not to see consensus destroyed and only accepts artistic obstinacy when this confirms the cartel.

But the damage was done. The Düsseldorf City Council announced 10 days later that it would revoke the prize. The sycophant Tilman Krause of *Die Welt* applauded the revocation: "What luck that at least the politicians in this country have some sense!" Krause would have been a joyous man in the years before German Ground Zero; and presumably, he would also have applauded the German authorities that banned Heine's work in 1835.

An outraged Thomas Steinfeld, however, had this to say in the Munich-based *Süddeutsche Zeitung*:

That's not how things are done. The mayor of Düsseldorf can't ring up Peter Handke and say he'll get the Heinrich Heine Prize this year, if just a few days later the City Council says no, on second thoughts he won't win it after all. That's not how things are done. The former historian, museum director and now politician Christoph Stölzl can't be member of a literary jury and then – as soon as a democratic decision meets with public criticism – go around saying the person who won wasn't his man. That's not how things are done. And now all manner of politicians are piping up and calling the decision "a poor choice," "unthinkable," and "insensitive," while leaving no one in any doubt that they've never read anything Peter Handke has written on the subject. That's not how things are done.

In the same paper, two members of the jury, Sigrid Löffler and (French Germanophile) Jean-Pierre Lefebvre, "announce[d] in an open letter that they [were] resigning from the jury of the Heinrich Heine Prize." They added:

No one can comprehend, let alone want to approve of, Handke's bizarre acts regarding Milosevic," [but] one of the jury's reasons for giving Handke the prize in the first place was that he is undaunted in his poetic stance by public opinion and its rituals. The witch-hunt now raging against unwittingly demonstrates how clearly Handke really did deserve the Heine Prize.

Former Heinrich Heine Prize winner and 2004 Nobel Prize for Literature recipient Elfriede Jelinek, as she did with the Comédie Française censorship of Handke's play in Paris, objected strenuously. But it's in FAZ that Frank Schirrmacher outlined best the pallid situation:

Should Peter Handke be allowed to receive the prize? This is purely a question of power. If he doesn't receive it after the jury's decision has been made clear, then literary prizes in Germany will be exposed as the arbitrary character assassinations that they have always been, from the times of the "anonimo romano" until today. Honouring someone, regardless of how controversial he may be, and then openly declaring him unworthy of that honour, without anything else having happened, is the ultimate form of social backslide. It turns the literary critic into the henchman of the politician. With the politicians' interference, the critic's objections to Handke now sound like a denunciation to the police.

What next? Bonfires of Handke's books in the public squares of Düsseldorf?

Orthodoxy is a potent elixir. Deviate from it and see the watchdogs high up on the ramparts, shouting the accusation of *délit d'opinion*. Once upon a time, it might have entailed a lettre de cachet and a sojourn at the Bastille or worse, being burnt at the stake for heresy. Today, a play is censored, a literary prize denied. The revisionist label is stamped on the culprit's forehead even though the opinion has been expressed from the very time the events occurred. Possibly in the future, 20 or 30 years from now, a new law will be passed in parliament criminalizing nonconformist thoughts, a bit like an addition to the 1990 Anti-Revisionist Supplement to the Press Law in France (Fabius-Gayssot Law, July 14, 1990...no less)

Flawed logic, sloppiness, navel-gazing arrogance, careerism, character assassination know no limits in the age of Wal-Mart intellectualism. From Germany to France and the USA (see how Ward Churchill is being "lynched" in Colorado), the mob-like anthills – the red sort – of the black and white world where shades are an inconvenience to be smashed with grandiloquent statements, armies of pious mercenaries, and when necessary, boots and camps, carry on with the delight of darkness and the self-importance of their own obscurity, as, in that far-away land of the mind, a handful of people keep shining, over and against all odds.

"Structures are the progeny of established powers," once wrote Guy Debord in *The Society of the Spectacle* (Paris, 1967). Those systematized structures are "based on the explicit or implicit assumption that this brief freezing of historical time will last forever. . . . [a belief] in the eternal presence of a system that was never created and that will never come to an end. . . . This fallacious reasoning stems from the limited intellectual capacity of the *academic functionaries* hired to expound this thought, who are so thoroughly caught up in their awestruck celebration of the existing system that they can do nothing but reduce all reality to the existence of that system."

What sins has Peter Handke committed, according to contemporary *academic functionaries*?

He is a revisionist: How can he be? Peter Handke has consistently refused to demonize the Serbs from the very moment the tragic dismemberment of Yugoslavia began taking place. He has consistently questioned the genocidal label applied to the Serbs, with a prescient thought process that eventually will be acknowledged by history. He has consistently refused to tag Slobodan Milosevic a "Hitler-like dictator." People have yet to come forth to show that a "dictator" has ever been elected more than once in a multi-party political system with ample opposing parties and media (Milosevic was elected three times, and the fourth time was skewed through the efforts and money of his international foes). He has consistently denounced the ICTY for what it factually has been, a Kangaroo Court that has yet to prove anything.

He is a "negationist": The most slanderous accusation of all. Handke has never ignored the horrors that took place in that civil war. He simply has not accused any one side, and he has kept questioning the rationale and the respective responsibilities. Take Iraq today. There is a civil war going on among Kurds, Shias, and Sunnis. Who's the demon? Handke would say: "I do not know." He would then refuse to single out one party for the whole trauma. Finally, he would ponder the larger, outside responsibilities that created the quagmire. Should the USA, through its illegal invasion of Iraq, be considered responsible for the current mayhem? *Iguualmente*, shouldn't one analyze the respective responsibility of Germany, the U.S., and France as a junior player, in the Yugoslav mayhem? If so, to what extent? Why, he would ask, do we always have to demonize the enemy du jour? Fair questions, no? And not much to do with "negationism"...

But in the feeble-minded universe in which our courtesans operate, the adamant refusal to demonize the Serbs becomes ipso facto an assault against the orthodoxy. To question or challenge the *bien-pensants* threatens the very conventions based on their twisted logic and is met with the repeated howling accusations of heresy. What's the meaning of freedom of speech, then, when every time one opens one's mouth in contradiction of conventional wisdom, one is pilloried, sees one's career threatened, and finds oneself ostracized to the point of becoming an outcast? What's the point really of freedom of speech, if nobody hears you, or hears you and tars and feathers you?

Society of the spectacle, indeed.

I asked a friend who has been the object of much hatred for the simple fact of being a "Serb" by birth: Why is it that they, the *academic functionaries*, can't face a Peter Handke rationally? The answer was blunt: They have too much to lose if they look in the mirror. They've made careers out of their positions. They have careers to keep, and many laurels to gain, or not lose, by avoiding disputing the powers that feed them.

Anything that can be done, I asked further? Remind them of Ruder & Finn, the PR firm that was so instrumental for the media-cleansing onslaught during that period. Try to have them read your February 2001 piece, "Kosovo - The Banality of Evil," my interlocutor suggested. It might make a tiny few reconsider the entire tragedy, but I would not bet the bank on it, if I were you. Egoism and petty bourgeois selfishness will perdure.

Heinrich Heine moved to Paris in 1831. He never went back to Düsseldorf...died in Paris in 1856, and is buried in the Cimetière de Montmartre. In the Finnish literature Website, Pegasos, under the Heine entry, one can read that his "critical views annoyed the German censors, and he had no chance of becoming a prophet in his own country. At the end of 1835 the Federal German Diet tried to enforce a nationwide ban on all his works. Soon Heine found himself surrounded by police spies, and his voluntary exile became a forced one. The poet once stated: *When the heroes go off the stage, the clowns come on.*"

Peter Handke is in good company. There are plenty of clowns in Germany still.

As Heine wrote:

I know the authors, I know the tune,
I know it line for line-
In public, water is all they preach;
While in secret they guzzle wine.
(*Germany, A Winter's Tale* - 1844)

Once again, *Zivela* Peter Handke!

External Resources

signandsight.com

[Heinrich Heine](#)

[Peter Handke on Wikipedia](#)

[Handke Scriptmania Portal](#), by Michael Kolott

[Peter Handke on Google](#)

Internal Resources

The Peter Handke Controversy: From Pozarevac, Serbia, to the Comédie Française, by Gilles d'Aymery, March 22, 2006

Arts & Culture

[The Balkans & Yugoslavia](#)

About the Author

Gilles d'Aymery is *Swans'* publisher and co-editor.

6-6-06

DUSAN. PETRICIC & SYMPATKO. CA is een sympathisant
in wat ik wa Sewie / Milosun zou doen

'Medische behandeling Milosevic was adequaat'

Van onze buitenlandredactie
AMSTERDAM

7-6-2006
aangetroffen. Omdat hij zichzelf verdedigde in zijn proces, was het hem toegestaan veel bezoek te ontvangen. Hierdoor was de controle niet optimaal, constateren de onderzoekers.

De medische behandeling van Slobodan Milosevic was adequaat en heeft niet geleid tot zijn dood. Dit staat in het onderzoeksrapport van het Joegoslavië-Tribunaal naar de dood van de voormalige Servische president. Die werd 11 maart dood in zijn VN-cel in Scheveningen aangetroffen.

Het is volgens de onderzoekers wel mogelijk dat Milosevic zijn eigen gezondheidstoestand heeft verslechterd, door de adviezen van de artsen niet op te volgen en niet voorgeschreven medicijnen in te nemen die waren binnengesmokkeld. Ook werd er een binnengesmokkelde fles whisky in zijn cel

aangetroffen. Omdat hij zichzelf verdedigde in zijn proces, was het hem toegestaan veel bezoek te ontvangen. Hierdoor was de controle niet optimaal, constateren de onderzoekers.

Milosevic had verzocht om een medische behandeling in Moskou. Uit het rapport blijkt dat zijn cardioloog en twee onafhankelijke artsen dit onnodig vonden.

Een aantal Nederlandse artsen heeft geweigerd medische informatie te verstrekken aan de onderzoekers, op grond van hun zwijgplicht. Advocaat Steven Kay probeert namens de nabestaanden de medici ertoe over te halen de gegevens wel prijs te geven. Zijn broer Borislav Milosevic noemde de conclusies van het rapport 'vals en absoluut incorrect'.

Sagittarius

Van: "Sagittarius" <sagitar@hetnet.nl>
Aan: "Branko Rakic" <brankorakic@yahoo.com>; "donald duck"
Verzonden: woensdag 7 juni 2006 15:25
Bijlage: Milosevic Investigation.doc
Onderwerp: analysis
Dear Mr. Milosevic/ Dear Mr. Rakic,

Herewith a provisional analysis I got from a Canadian professor Int. Law at the university of Montreal, Canada.
Mr. Milosevic, I soon will react with content to your last mail.

best regards,

N. Steijnen

Sagittarius

Van: "Sagittarius" <sagitar@hetnet.nl>
Aan: "Jonathan Widell" <jonathan.widell@sympatico.ca>
Verzonden: woensdag 7 juni 2006 15:05
Bijlage: POST-MORTEM EXAMINATION.doc
Onderwerp: Fw: Envoi d'un message : POST-MORTEM
Beste Jonathan,

De juridische stappen die voorgenomen had om te nemen, heb ik, tot op heden, nog niet gezet. De reden is dat de zoon van Milosevic me gevraagd heeft om bepaalde stappen tegen de dokters van het tribunaal te nemen, en wij nog geen gezamenlijke voorstelling hebben bereikt over hoe de zaak aan te pakken.

Uiteraard ben ik graag bereid mede mijn naam te lenen aan elk kritisch stuk over het tribunaal en de dood van Milosevic !

Ik vraag me overigens af, heb ik jou al het complete artikel gestuurd dat ik naar aanleiding van de dood van Milosevic geschreven heb ? Het verschijnt, als bijlage, bij een binnenkort in Nederland uit te geven boek over Milosevic' s dood.

Ik zal je een exemplaar van dat boek sturen naar het adres dat je opgat: 4598 Decarie Blvd.Ap.6, Montreal, Quebec H3X2H5 Canada.

vriendelijke groeten,

Nico Steijnen
— Original Message —
From: Patrick BARRIOT
To: [Sagittarius](#)
Cc: [branko rakic](#)
Sent: Monday, June 05, 2006 2:32 PM
Subject: Envoi d'un message : POST-MORTEM EXAMINATION

Dear Mr. Steijnen,

Please read The International Herald Tribune (Monday, 5 of June) and my text attached.

Best regards, Dr. Patrick Barriot.

From Patrick Barriot

Physician, specialist in anaesthesiology and intensive care medicine

Regarding Milosevic's death, post-mortem examination seems to raise the following question : did Milosevic die of myocardial infarction (ICTY) or did he die of ventricular fibrillation connected to a cardiomyopathy (Pr. F. Leclercq) ?

Opinions within experts are divided and raise these questions : has Milosevic been diagnosed as suffering from cardiomyopathy ? is it only a post-mortem supposition ? what are the grounds for this diagnostics ?

In any case, what difference does it make ?

It is true it's easier (using medical tests) to anticipate complications of myocardial ischemia than complications of cardiomyopathy such as abnormalities of cardiac rhythm (lethal arrhythmia such as ventricular fibrillation for example).

But in both cases Milosevic suffered with life-threatening cardiovascular pathology that required an emergency hospitalization taking account of worsening of his health. In his state, he should have been admitted to an intensive care unit for close medical monitoring including, among others, EKG monitoring. **You don't die of a ventricular fibrillation during your sleep in an intensive care unit !**

At the sight of the medical records (internal records of ICTY) it is undeniable that Milosevic cardiovascular pathology has been seriously underestimated by the ICTY. Milosevic was in mortal danger. **ICTY is guilty of failure to assist a person in danger.**

Sagittarius

Van: "Sagittarius" <sagitar@hetnet.nl>
Aan: "Versluis, Jacco"
Verzonden: woensdag 7 juni 2006 12:53
Onderwerp: Re:

Geen enkele. Want hij was toen nog niet dood, en toen hadden ze niks te vrezen. Trouwens, ze liegen over het algemeen natuurlijk in den brede. Zo schijnen ze, naar ik heb horen zeggen, ook van alles te beweren over de procedure die ik tegen Van Dijkman aanhangig had gemaakt, inclusief dat dit buiten Milosevic om gegaan zou zijn. Ik heb nog geen tijd gehad om het allemaal te lezen, maar dat komt binnenkort.

Nico S.

— Original Message —

From: Versluis, Jacco
To: Sagittarius
Sent: Tuesday, June 06, 2006 2:38 PM

Geachte Nico Steijnen,

Een aantal weken terug sprak ik u en dhr Varkevisser over de omstandigheden rondom het overlijden van Slobodan Milosevic. Inmiddels heeft het ICTY een eigen onderzoeksrapport daarover naar buiten gebracht. Een aantal Nederlandse artsen heeft op advies van hun advocaat geen medewerking verleend aan het onderzoek. De Nederlandse wetgeving m.n. waar het de vertrouwelijkheid van patiëntgegevens betreft zou aan die medewerking in de weg staan. Mij is verteld dat dit punt reeds aan de orde is gekomen tijdens de behandeling van de klacht die u namens dhr Milosevic in oktober 2004 heeft ingediend bij het Medisch Tuchtcollege. Het ICTY had toen al kunnen weten dat de Nederlandse artsen, i.c. Van Dijkman, data m.b.t. Milosevic niet vrijgeven.

Omdat u destijds de procedure heeft aangespannen wilde ik u vragen: kunt u zich hier iets van herinneren? Op welke manier heeft de privacy van Milosevic bij die procedure een rol gespeeld?

Met vriendelijke groet,

Jacco Versluis
KRO Reporter



United Nations
Nations Unies



International
Criminal Tribunal
for the Former
Yugoslavia

Court
Management and
Support Services
Section

Tribunal Pénal
International pour
l'ex-Yougoslavie

Section des
Services
d'administration et
d'appui judiciaire

20

Partly -

CONFIDENTIAL

D45854

CASE/AFZAIRE NO. IT-02-54-T		DATE 20 March 2006
FROM/DE RAM DORAISWAMY, COURT OFFICER		
<input checked="" type="checkbox"/> President/Président	<input type="checkbox"/> Prosecutor/Procureur	<input checked="" type="checkbox"/> Former Court assigned Counsel/ MR. KAY / MS. HIGGINS
<input type="checkbox"/> Appeals Chamber/ Chambre d'appel	<input type="checkbox"/> Case Manager/ Commis aux affaires	
<input checked="" type="checkbox"/> Trial Chamber I/ Chambre de 1ère instance I	<input type="checkbox"/> Chief of Investigations/ Chef des enquêtes	
<input type="checkbox"/> Trial Chamber II/ Chambre de 1ère instance II		<input type="checkbox"/> Legal Associates
<input type="checkbox"/> Trial Chamber III/ Chambre de 1ère instance III		
<input type="checkbox"/> Embassy/Ambassade		
<input type="checkbox"/> Other/Autre MR. McCORMACK D45853-D45850		
<input type="checkbox"/> Pro Se Legal Liaison Officer/Juriste chargé de la liaison avec l'accusé MS. E. ANOYA		
<input type="checkbox"/> Registrar/Deputy Registrar/Greffier/Greffier adjoint MR. A. DE WITT D45853-D45848 & D45656-D45654	<input type="checkbox"/> VWS Coordinator/Coordinateur de la SVT	
<input type="checkbox"/> Senior Legal Officer/Juriste hors classe SLO / ALO	<input type="checkbox"/> UNDU Commanding Officer/Commandant du QPNU	
<input checked="" type="checkbox"/> PTV / MOW D45853-D45850	(4)	<input checked="" type="checkbox"/> OI.AD D45853-D45850

RELEASE/HINDAĞLATILAN HUKUKİ YERLEŞİMLERİN ÖZETİ/ÉTATS

<input type="checkbox"/> Order/Warrant/decision issued by Appeals Chamber or Trial Chamber or a Judge on/ Ordonnance/Mandat/Décision émis(e) par la Chambre d'appel ou les Chambres de 1ère instance ou un Juge le ___/___/___
<input type="checkbox"/> Order/Decision issued by the President on/Ordonnance/Décision émise par le Président le ___/___/___
<input type="checkbox"/> Motion/Request/Application submitted by Prosecution/Defence Counsel on/ Motion/Requête/Demande présentée par l'Accusation/le Conseil de la défense le 17/03/2006 COURT APPEALS COUNCIL
<input type="checkbox"/> Response/reply/brief submitted by Prosecution/Defence Counsel on/ Réponse/Réplique/Mémoire présenté(e) par l'Accusation/le Conseil de la défense le ___/___/___
<input type="checkbox"/> Decision of the Registrar on/Décision du Greffier le ___/___/___
<input type="checkbox"/> Other/Autre

OFFICE HOURS/HEURES OUVRABLES

<input checked="" type="checkbox"/> Office hours/heures ouvrables Date: 17/03/2006 15 ⁰⁰	<input checked="" type="checkbox"/> Office hours/heures ouvrables Date: 17/03/2006
<input type="checkbox"/> Outside Office hours/en dehors des heures ouvrables Date: ___/___/___ Time/Heure: h	<input type="checkbox"/> Outside Office hours/en dehors des heures ouvrables Date: ___/___/___ Time/Heure: h

Article 27.2- Directive for the Registry: A party anticipating a late filing will call the Registry during office hours to request permission of the Registrar and instruction for after hour filing.
Article 27.2-Directive pour le Greffe: une partie prévoyant un dépôt hors des heures ouvrables se mettra en rapport avec le personnel du Greffe durant les heures de bureau pour solliciter l'autorisation du Greffier et les instructions nécessaires.

Churchillplein 1, 2517 JW The Hague. P.O. Box 13888, 2501 FW The Hague, Netherlands
Churchillplein 1, 2517 JW La Haye. B.P. 13888, 2501 La Haye. Pays-Bas
Tel.: 31-70-416 5000 Fax: 31-70-416 8637

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IT-02-54-T
D45853 - D45495
17 MARCH 2006

45853
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THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA

Case no. IT-02-54-T

IN THE TRIAL CHAMBER

Before: Judge Alphons Orie, Presiding
Judge Christine van den Wyngaert
Judge Bakone Justice Moloto

Registrar: Mr. Hans Holthuis

Date filed: 17 March 2006

THE PROSECUTOR
v.
SLOBODAN MILOŠEVIĆ

Partly Confidential

ASSIGNED COUNSEL MOTION TO LIFT THE CONFIDENTIAL
STATUS OF ALL PLEADINGS AND MEDICAL REPORTS
RELATING TO (i) THE ASSIGNED COUNSEL REQUEST FOR
PROVISIONAL RELEASE, and (ii) THE LITIGATION ARISING FROM
THE MEDICAL TREATMENT OF MR. SLOBODAN MILOŠEVIĆ IN THE
UNITED NATIONS DETENTION UNIT
AND CONFIDENTIAL ANNEXES A AND B

Office of the Prosecutor

Ms. Carla Del Ponte
Mr. Geoffrey Nice

The Accused

Mr. Slobodan Milošević

Assigned Counsel

Mr. Steven Kay QC
Ms. Gillian Higgins

Amicus Curiae

Mr. Timothy McCormack

I. Introduction

1. The Assigned Counsel file this motion to request the immediate lifting of the confidential status of all pleadings and medical reports relating to (i) the request by the Assigned Counsel for provisional release, filed on 20 December 2005, and (ii) the recent litigation concerning Mr. Slobodan Milošević's medical treatment in the United Nations Detention Unit. The relevant pleadings and reports are set out in Confidential Annexes A and B, respectively.

II. Submissions

2. This motion is filed pursuant to the wishes of Mr. Slobodan Milošević, expressed prior to his death to the Assigned Counsel, and the wishes of his son, Marko Milošević, as expressed to Assigned Counsel on Wednesday 15 March 2006.
3. In relation to the disclosure of relevant medical reports contained within confidential Annexes A and B, Rule 34 of the Rules of Detention provides that a detainee's medical records may be consulted or disclosed:
 - (i) for medical reasons only with the consent of the detainee, or
 - (ii) in the interest of justice and the good administration of the trial, by order of a Judge or Chamber of the Tribunal, after consultation with the medical officer.¹

Consent for the disclosure of the materials in confidential Annexes A and B was provided by Mr Milosevic to the Assigned Counsel in this regard.

¹ Rules governing the Detention of Persons awaiting Trial or Appeal before the Tribunal or Otherwise Detained on the Authority of the Tribunal ("Rules of Detention"), adopted 5 May 1994, IT/38/REV.9

4. It is established jurisprudence at the ICTY that it is in the interests of justice for proceedings before the Tribunal to be public, provided there are no adverse consequences to victims, witnesses, or any other party.² The Assigned Counsel submit that there are no concerns that would justify the continued confidential status of the documentation in this matter.
5. The Assigned Counsel note the content of the recent "*Order Lifting Confidentiality of Relevant Materials for Investigation Purposes*", filed by Trial Chamber I on 16 March 2005. This Order states that "*relevant materials were treated as confidential often because personal information about Slobodan Milošević is contained in them*". Once an accused person is deceased, however, the "*residual privacy interests*" may be outweighed by extenuating interests.³
6. The Assigned Counsel respectfully submit that the immediate lifting of the confidential status of all documents, filings, medical reports, conclusions, internal memoranda and treatment plans as reflected in confidential Annexes A and B is in the public interest, the interests of justice and the interest of the Tribunal.⁴ Additionally, the specific wishes of the Deceased Mr. Slobodan Milosevic and his son are that the history of Mr. Milosevic's medical condition and his treatment as reflected in the Annexes is released into the public domain in order to ensure that there is a comprehensive and open understanding of the events that transpired before his death. Finally, it is submitted that

² See The Prosecutor v. Paško Ljubičić IT-00-41-PT, *Decision on Prosecution's Motion to Lift Confidentiality of a Filing from the Case of Prosecutor v. Tihomir Blaskić*, 27 October 2004. See The Prosecutor v. Blagojević, IT-02-60-T, *Order to lift Confidentiality*, 17 January 2005.

³ See The Prosecutor v. Slobodan Milošević, IT-02-54-T, *Order Lifting Confidentiality of Relevant Matters for Investigation Purposes*, 16 March 2006. The interests of the Inquest being carried out by the authorities of The Netherlands, and those of the internal inquiry by His Honour Judge Kevin Parker, outweighed such "residual privacy interests."

⁴ As to the interests of justice, see The Prosecutor v. Čermak and Markač, IT-03-73-PT, *Decision and Order on Prosecution's Motion for Protective Measures for Victims and Witnesses*, 1 April 2004; Articles 20(1), 20(4), 21(2) and 22 of the Statute.

based upon the jurisprudence of the Tribunal, there are no exceptional circumstances that would justify any course other than the immediate revelation and publication of the documentation.⁵ The wishes of Mr. Slobodan Milošević and his son, as expressed to the Assigned Counsel, should be respected.

Conclusion

7. The Assigned Counsel respectfully submit that the relief requested is in accordance with the wishes of the Deceased and his son, the Statute of the ICTY, the Rules of Procedure and Evidence, the Rules of Detention and the interests of justice.

Word Count: 1,669

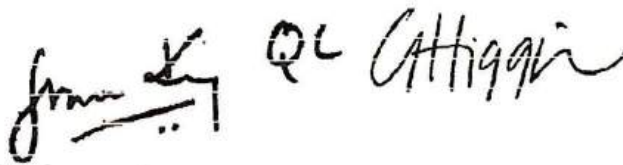
Signed

Steven Kay QC

Gillian Higgins

The Hague

17 March 2006

Handwritten signatures of Steven Kay and Gillian Higgins. Steven Kay's signature is on the left, and Gillian Higgins' signature is on the right, with 'QC' written above it.

⁵ See The Prosecutor v. Beqa Beqaj, IT-03-66-R77, *Decision on Defence's Motion to Lift Confidentiality of Warrant of Arrest and Order for Surrender*, 11 March 2005

CONFIDENTIAL ANNEX A

**PARTLY CONFIDENTIAL MATERIALS ON THE ASSIGNED
COUNSEL MOTION FOR PROVISIONAL RELEASE**

The Prosecutor v. Slobodan Milošević, IT-02-54-T

Tab No.	Date	Title	Confidential	
			Filing	Attachment
1	<i>Recent Medical Reports and Trial Chamber's Orders</i>			
	4 November 2005	Reports by Dr. Shumilina, Dr. Andric, Dr. Leclercq, and Joint Opinion	√	
	11 November 2005	Report from Dr Falke	√	
	11 November 2005	Trial Chamber "Order Concerning Further Medical Report"	√	
	14 November 2005	Report from Dr Falke	√	
	15 November 2005	Trial Chamber "Order for Expert Medical Reports" (Dissenting Opinion 16-11-05)		
	18 November 2005	Report from Dr. van Dijkman	√	
	21 November 2005	Report from Dr. Falke	√	
	21 November 2005	Trial Chamber "Order Adjourning Trial and for a Further Medical Report"		
	21 November 2005	Report from Dr. E. A. A. Spoelstra	√	
	23 November 2005	Report from Dr. van Dijkman	√	
	28 November 2005	Report from Dr. de Laat	√	
	1 December 2005	Trial Chamber "Order for Clarification of Expert Medical Opinion"		
	1 December 2005	Response from Dr. van Dijkman	√	
	6 December 2005	Report from Dr. Aarts on Dr. Shumilina's findings	√	
	14 December 2005	Report from Dr. Shumilina	√	
	19 December 2005	Treatment Plan by Dr. Shumilina	√	
2	12 December 2005	Oral Request of the Accused for Provisional Release		
3	20 December 2005	Assigned Counsel Request for Provisional Release with Confidential Attachments A, B and C		√
4	22 December 2005	Prosecution's Interim Response to Assigned Counsel Request for Provisional Release		
5	22 December 2005	First Addendum to Assigned Counsel Request for Provisional Release Pursuant to Rule 65 with Confidential Attachment D		√
6	11 January 2006	Preliminary Order on Assigned Counsel Request for Provisional Release for the Accused		√
7	18 January 2006	Second Addendum to Assigned Counsel Request for Provisional Release Pursuant to Rule 65 with Confidential Attachments E and F and Reply to Prosecution's Interim Response to Assigned Counsel Request for Provisional Release with Confidential Attachments E and F		
8	19 January 2006	Prosecution's Notice of Intention to File Further Response to Assigned Counsel Request for Provisional Release		
9	20 January 2006	Confidential Prosecution's Further Interim Response to Assigned Counsel Request for Provisional Release	√	√
10	23 February 2006	Decision on Assigned Counsel Request for Provisional Release		
11	2 March 2006	Assigned Counsel Motion for Expedited Appeal against the "Decision on Assigned Counsel Request for Provisional Release", rendered by the Trial Chamber on 23 February 2006 and Confidential Annex A		√

Tab 1

10-6-2006

A

Dear friend,

I will send you the medical documentation concerning President Milosevic's last months, the confidentiality of which was lifted recently. I will also send you the judge Parker's investigation report, which you probably already have.

Those documents put together are sufficient for making a thriller.

Unfortunately almost nobody has studied the whole story in detail, so I almost have nobody with whom I could exchange my conclusions, ideas and doubts. So I hope you will read the documentation carefully, and tell me your opinion. I could give you my direct impressions and the facts that cannot be found in documents.

I was in the very center of this dirty criminal story for several months (and even several years), I was receiving all the information, I talked to President Milosevic about everything, I was the only person who was coming from outside and meeting President Milosevic in the critical period (so I was the only person who could have smuggled rifampicine, for example, which I didn't do, of course) and I can tell you for sure the following:

- President Milosevic was not properly treated in the UNDU.
- The ICTY didn't let the others treat him.
- So his death is certainly a result of their negligence.
- I can't tell you whether they contributed actively to his death (by poisoning him, or causing other problems).
- But I can tell for sure that they acted very actively in order to prevent a proper medical treatment and sufficient rest (and afterwards in order to cover and eliminate the traces of their criminal acts).
- The accusations that President Milosevic doesn't take the prescribed drugs and that he takes some non-prescribed drugs, which are false, served: in summer 2004 to strengthen the campaign for imposition of counsels and since November 2005 in order to prevent granting a period of rest and then to prevent a treatment in Russia. After the President's death, they serve to cover their crime (by inappropriate treatment for sure, by active contribution to preventing an appropriate treatment also for sure and, finally, in this criminal context I wouldn't exclude an active contribution to the death itself, although I don't have proofs for it).
- It is true that they found in a drawer in President Milosevic's office an envelope which was left there by my colleague Mr. Ognjanovic (his

name Misha was on it) with two boxes of medicines: one for sleeping and one sedative. But what is important to say is that we, the legal associates, kept in that office some of our things, such as books, pens, different documents, some in envelopes too, etc. It was our working space too, so it was normal to leave or even forget something there. What they omit to say is that the moment the guards inspected the office and found the envelope, the 9 July 2004, the envelope was still closed, the boxes with medicine unopened, and all the pills were inside. So nobody had taken them. At that time I was in the Hague, Zdenko Tomanovic was there before me and Misha Ognjanovic was there till about 20 May. So his envelope was there for at least 50 days. If it had been meant for President Milosevic, he would have at least opened the envelope. He didn't even know that it was there, because it was in a drawer used by Ognjanovic. The envelope with its contents was confiscated by the prison authorities.

- As far as alcohol is concerned, some of the visitors (future witnesses or other visitors) believed that they could bring gifts to Mr. Milosevic. So some of them brought some drinks and if they asked us we told them that they were not allowed to do so. But those who didn't ask us were not hiding what they had. For instance, Carolos Papulas, the President of Greece, brought a bottle of "ouzo", he declared it at the entrance of the jail, and it was taken away from him. So he was not smuggling anything. Still, the prison authorities made a lot of noise about this event as if Papulas was the worse possible criminal.
- After the event of 9 July 2004 the controls were so strict that we couldn't bring in one single pill or one single drop of any liquid, even if we wanted. Besides two X-ray controls, we (the legal associates, the witnesses, other visitors - everybody) were manually searched from the feet to the heads and starting from the beginning of 2005, during our presence in the office one guard would permanently watch us through the glass of the office door.
- The fact that they found the envelope with pills gave probably the idea to the ICTY/UNDU people how they can abuse it. The other two events they mention are false: nothing was found in the beginning of December 2004, and as far as the 1st February is concerned it was a set up. It was in the middle of the campaign having for aim to prevent medical treatment in Russia. The deputy chief officer of the UNDU (Frazer Gilmour) informed President Milosevic that during an inspection of his cell they found a box of Prilazid Plus, an antihypertensive drug, produced in Serbia (by "Galenika"

pharmaceutical company). The box contained 23 pills out of the total of 30 pills that were originally in the box, so 7 were missing. The inspection was done in President Milosevic's absence, while he was in Court, which is against the normal practice and against the rules in normal jails. When President Milosevic received the information about the inspection, he asked Mr. Gilmour to show him the box of pills. He saw on the box that the pills had expired 3 years earlier, in March 2003. Mr. Milosevic lived in a small cell, it was inspected regularly, he was moved from one building to another in the beginning of December 2005 etc, and so the box with expired pills that served for nothing would have been seen by him or by the guards. President Milosevic told me that he was taking those pills in Belgrade, before he was brought to The Hague. Our (President Milosevic's and my) conclusion was that that box was among the things that were sent to the Hague with him (he couldn't say anything about that for sure because he was kidnapped, so he was not packing his luggage), that it was taken by the UNDU people when he arrived and that it was planted during the inspection of 1 February 2006. The person who did it doesn't understand Serbian, so he couldn't read what was written on the box.

- Anyway, all those medicine they claim they found in his possession were not harmful to him. Some of them would have even been good for his health. But as I tell you, the only ones that were really found were the ones from Misha's envelope which was discovered (unopened) on 9 July 2004.
- They controlled President Milosevic's blood for the first time in the second half of July and in August 2004, and then in November and December 2005 and January 2006 (as I said in periods of campaigns for imposition of counsels and in order to prevent granting a period of rest and then to prevent a treatment in Russia). In all the controls the reading of the prescribed drugs was lower than expected. That low reading can be a result of some other medical problems (liver, stomach, kidneys) - roughly, either the medicines do not come sufficiently to the blood, or they go out too quickly. Instead of checking those other medical problems and adapting the blood-pressure and heart therapy, the ICTY/UNDU people (including the doctors) started accusing President Milosevic for not taking pills, although they knew that the pills are taken before a guard who controls the intake and keeps a record of it (not to mention the fact that these controls can be even stricter if they really suspect that a

detainee is not complying with the prescribed therapy). So they neglected two aspects of the President's health condition – on one hand the blood pressure and heart therapy and on the other hand the other medical problem that was causing the low reading. And they neglected them since the beginning of his stay in The Hague (because several hypertension crises required checking the adequacy of the therapy) and especially after the first discovery of the low reading of the prescribed drugs in summer 2004.

- In summer 2004 they allegedly discovered Nordazepam in President Milosevic's blood. They didn't discover Prazepam (one of the medicine from Misha's envelope) as they claim in "judge" Parker's report. Nordazepam is not a medicine, it is a metabolite of some drugs (a sub product of them - they turn into Nordazepam when they are in the blood of a living human being and then they progressively disappear from the body). Some of the drugs that turn into Nordazepam in human blood are Diazepam, Prazepam (both sedatives) etc. In his statement given in the middle of February 2006, "doctor" Falke, the UNDU "doctor", admitted that Diazepam was given to President Milosevic several times during his stay in Holland by the prison medical staff. But it can't be seen from the medical record from the period before the autumn 2005, because that record was rewritten subsequently (we don't know why). But if Nordazepam was really found in President's blood in summer 2004, it is then certainly a trace of Diazepam that was given to him by them. Its presence has certainly nothing to do with the Prazepam from Misha's envelope which was confiscated in an intact state (unopened and with all the pills inside) at least one week before the first blood control.
- We didn't expect how far the ICTY/UNDU people are ready to go, so we didn't pay much attention to the false accusations from the summer 2004. Especially after the decision on imposition of counsels which didn't take up that argumentation which would have been counterproductive (imposition of counsel is not a proper remedy for an obstruction of therapy - that problem, if it had really existed, could have been solved by stricter control and then the patient would have been fit again for continuation of his own defence).
- When the same accusations started again in November 2005, we were more cautious. The new accusations were connected with President Milosevic's worsened health and new symptoms that appeared in August 2005. As a result of long lasting high blood pressure he started hearing a noise in his ears, he couldn't stand loud voices and he

couldn't hear low voices. The doctors appointed by the ICTY/UNDU concluded that it was normal for his age and they suggested no treatment. So President Milosevic asked to be examined by three doctors of his own choice (Russian angiologist Shumilina, French cardiologist Leclercq and Serbian ear-throat-nose doctor Andric). They suggested a period of 6 weeks rest and some additional diagnostic and therapeutic measures. None of their suggestions was accepted by the doctors and the authorities of the ICTY/UNDU. The 6 weeks rest was something that the ICTY people, especially the judges, wanted to avoid at any price, so at their request their doctors did several reports (sometimes in strong contradiction with each other – e.g. Van Dijkman's reports from November) claiming that no rest is needed, that President's health is OK etc. When Dr Bokeria from Bakoulev centre in Moscow wrote a letter to Fausto Pocar, offering a medical treatment in Moscow for President Milosevic (for whose state of health he rightly said that it was "critical"), and when President Milosevic asked to be sent to Russia for a treatment, the ICTY/UNDU doctors continued claiming that he was OK in a more and more hysteric and ridiculous way (for example "doctor" Aarts reports etc.).

- In the period between 20 November and 16 December 2005 they controlled President Milosevic's blood 4 times (once a week at average). The reading of the prescribed medicine was too low each of those four times, so the accusations for not taking prescribed pills started again. They were especially intensified after the request for medical treatment in Russia and they became hysteric after the Russian guarantees. We became aware of an intensive correspondence between the UNDU doctors, the UNDU authorities, the Registrar and his deputies and the Trial chamber, only after 26 January, when the Trial chamber ordered its disclosure to us and the prosecution.
- The accusation for not taking prescribed pills was accompanied by accusations for taking non-prescribed pills. This time it was Diazepam, because during the 4 blood tests from November and December on three occasions Diazepam and Nordazepam were found in President Milosevic's blood. When we saw these accusations, President Milosevic told me that he was given Diazepam by the UNDU medical staff when he had back pains (probably in order to relax his muscles) and since it was not efficient it was substituted by Diclofenac (a pain killer). We asked for the list of medicines from the medical record and after a period of hesitation we got it. Diazepam was on that list. So they lied (especially Dr Falke) that President

Milosevic was taking non-prescribed pills. (But what is also important to note here is the fact that they were using a method of blood control by which they don't find only some specific substances they look for - they were finding whatever is in the blood. Otherwise they wouldn't have found the substances that they considered non-prescribed. The list of non-prescribed substances is unlimited, so if they found something that they considered non-prescribed, it is clear that they were looking for whatever could be found in the blood.)

- Sick of the accusations that he does not take the prescribed pills, President Milosevic asked Dr Falke on the 12 January to do him a blood test after an intake of prescribed pills under completely controlled conditions. So they took one sample of President Milosevic's blood before the intake, then he was given all the prescribed pills and took them before the UNDU medical staff and then he stayed with them for several hours so that it was sure that he didn't spit or vomit the pills and then, when the level of the taken medicines in blood should have been the highest, another blood sample was taken. The two blood samples were sent to Dr Touw, pharmacologist/toxicologist from a laboratory in the Hague, who had done all the previous blood controls. He did a report on 16 January and an additional report on 20 January. Those reports showed that the level of the prescribed medicines was still too low after the intake of the drugs under completely controlled conditions. Although he had the results, Falke kept quiet and he told the results to President Milosevic only on 27 January, when President Milosevic insisted to be informed about what was happening with the blood test results for which he waited for so long. Falke told him then that the reading was still too low and that they should control his kidneys.
- On the very same day when Falke told President Milosevic the results of the controlled test, we learned that the previous day the Trial chamber had issued a decision ordering the disclosure of the correspondence and the documentation concerning the accusations against President Milosevic for obstruction of his treatment. The results of the controlled test were not among the disclosed documents. But what was clear is that the Trial chamber had asked the Registrar to appoint an independent expert who would give his opinion about the results of all the previous blood tests (without doing, himself, any blood test). That independent expert was Donald Uges from Groningen, who, although he had before him the results of the controlled test, concluded that "the accused" (that's the word this

"doctor" used for the patient) was not taking the prescribed drugs (so, he lied deliberately, and there's no doubt about that because there's no doubt that he knew the results of the controlled test). That was the only report done by Donald Uges, who has never seen President Milosevic and who has never touched (or seen) his blood. All the blood analyses were done by another doctor, Daniel Touw from The Hague (the blood of Slobodan Milosevic was sent to Daniel Touw under the name of S. Zomer; so, according to the reports, Touw didn't know whose blood he was controlling; on the other hand, according to the report of 24. January, Donald Uges knew that he was supervising the reports that concerned Slobodan Milosevic).

- After 27 January, Falke was literally running away and hiding from us (from President Milosevic, from me, even from Steven Kay), for some 7-10 days, trying to avoid to give us written results of the controlled blood test of the 12 January (the two reports of Dr Touw from 16 and 20 January). Finally he gave up, and gave us the results, in Dutch language, about 20 days after he got them himself. Obviously they didn't fit in the accusations against President Milosevic. We lost another 4-5 days before we got the English translation of them.
- Gillian Higgins and Steven Kay, who in this situation acted in a very correct way, informed the Trial Chamber about all these manipulations of Falke and the other involved UNDU and ICTY people. The Trial Chamber asked the Registry to do an investigation on these manipulations, but they only offered Falke and Mc Fadden a possibility to defend themselves in a written form, which they did in a clumsy way. Before all the evidence we gave them, the Trial Chamber couldn't use the accusations against President Milosevic in their decision on refusal of provisional release, so they had to offend Russia directly. There's a paragraph in that decision speaking about the lack of possibility to use these accusations.
- In his report of 20 January (pages 6-7) Dr Touw gives several possible theoretical explanations for a low reading of Metoprolol (a prescribed beta-blocker) in a patient's blood: "*Low metoprolol concentrations can therefore be caused by the following factors: 1. poor absorption from the gastrointestinal tract, 2. insufficient compliance with the therapy, 3. interaction with for example a substance binding with drugs such as activated carbon, 4. decreased absorption by induction of enzymes, for example, rifampicine, and 5. a fast metabolism for CYP2D6.*" Then he concludes about Slobodan Milosevic's situation: "*We cannot draw any conclusions on the poor absorption,*

compliance with the treatment and binding to for example activated carbon. An interaction resulting in an increased pGp activity is unlikely, in view of the combination with the amlodipine medication and CYP2D6 genotyping carried out on a blood sample taken on 6 August 2004 shows that there is no CYP2D6 gene duplication in any case, which is the most common cause of a fast metabolism in Caucasians." The text on the page 6 of the report that precedes the quoted explanation shows that *"the increased pGp activity"* concerns the factor under number 4 - the *"induction of enzymes, for example, rifampicine"*, whilst the *"CYP2D6 gene duplication"* concerns the factor 5 - *"a fast metabolism for CYP2D6"*. So, out of the five possible causes of the low reading of metoprolol in somebody's blood, in case of President Milosevic (for him S. Zomer) Dr Touw excludes one (factor under number 5, - gene duplication) and for one of them, the one under number 4 (*"induction of enzymes, for example, rifampicine"* = *"the increased pGp activity"*), he says that it "is unlikely", because Mr. Milosevic was taking metoprolol in combination with amlodipine. So, Dr Touw wrote on 20 January that it is unlikely that rifampicine could be the cause of the low reading of metoprolol in President Milosevic's blood. It is also important that Dr Touw says that he was using two methods: a screening method and a targeted analysis of metoprolol (the latter as an additional method).

- Suddenly, on 7 March 2006 President Milosevic received a report of Dr Touw of 23 February (accompanied by a letter of Falke of 3 March and an internal memorandum of the Deputy Registrar Hocking of 7 March) in which Touw claimed that he had found Rifampicine in a repeated analysis of a blood sample taken from President Milosevic on 12 January. In his letter Falke developed the idea that that substance could have caused the low reading of the prescribed medicine in President Milosevic's blood.
- The very moment I received from President Milosevic this new report and the two accompanying letters, I was 99% sure that they hadn't found rifampicine in President's blood at all and I left the remaining 1% for the possibility that they had put Rifampicine in his food or water. President Milosevic shared my opinion but because of that remaining 1% of possibility he wrote his famous letter to Minister Lavrov. The reasons for my conviction that they didn't find rifampicine in President Milosevic's blood at all are the following: after all the lies of those horrible people this would be just another one; Falke was caught in several criminal acts (inappropriate

treatment; abuse of position and giving false information /for instance about Diazepam/, falsifying the medication card etc.) so he was in danger even before President Milosevic's death - so he was forced to strike back by new manipulations; President Milosevic's blood of 12 January was controlled twice in January, once the sample taken before the intake of the prescribed drugs and once the one taken after the intake and the period of time spent with the UNDU medical staff; if President Milosevic had had rifampicine in his blood that day, he would have had it in both samples, for I see no possibility that rifampicine got into his blood while he was sitting with the medical staff; no rifampicine was found in January in either of the two samples taken on 12 January; the methods of analysis used by Dr Touw were such that he was finding what he was not looking for in President Milosevic's blood, e.g. Diazepam (in November) for which he certainly didn't know that it was given to the President by the UNDU medical staff - with such methods Dr Touw would have discovered rifampicine already in January; the allegedly found quantities of rifampicine and of its metabolite are big, 100 times bigger than quantities of other medications that were found by Dr Touw - big quantities are easier to detect than the small ones; out of 5 theoretical possibilities of factors that can decrease the level of metoprolol in somebody's blood, Dr Touw excluded one (duplication of a gene) and almost excluded another one (influence of enzymes such as rifampicine) for which he said that it is unlikely (because of the combination metoprolol-amlodipine), and then suddenly that unlikely possibility became so likely that they were checking it without checking the other possibilities (at least the possibilities number 1 and 2 deserved checking) and then bingo! - the substance they looked for was found and thus the problems of Dr Falke were solved; I was the only person who could have smuggled something to President Milosevic from the beginning of the winter recess till 12 January (for about one month), because I was the only person coming to him from outside and I know that I brought nothing to him (I was also the only legal associate of Mr. Milosevic present in The Hague from the beginning of November); on the other hand, just before the winter recess President Milosevic was moved from one cell to another (from one building to another), during the movement all that he had was inspected by guards and in the new building he had no office anymore - so technically it was not possible that he has rifampicine or any other medicine with him; finally, I knew President Milosevic very well and

I know that he was not a kind of person who would do such manipulations (not to speak about the fact that neither him nor me didn't even know that the substance called rifampicine exists; we are completely ignorant about pharmacology).

- I also don't believe that rifampicine was put by the ICTY/UNDU people into President Milosevic's food or water. I don't believe it for several reasons: if they had done it in order to present him as a manipulator they would have "discovered" it already in January when it would have been very useful in order to prevent a treatment in Russia, and if they had wanted to obstruct his treatment, they wouldn't have discovered it at all (although I would not exclude a combination of the second and the first motif in different periods of time). And as for the red colour of urine which is mentioned in the Parker's report, President Milosevic would probably not complain to the UNDU doctor to whom he didn't have any trust any more, but he would probably mention that to me, which he didn't do.
- So I believe that the rifampicine story was completely invented the moment all the accusations against President Milosevic concerning his compliance with the treatment were dismantled and when the UNDU/ICTY people were caught in manipulations and criminal acts (especially Falke, but also those who were giving him orders). Still what I miss is some knowledge of pharmacology/toxicology and I am sure such knowledge would only strengthen my conviction that no rifampicine was ever found in President Milosevic's blood. Of course, if we could get hold of the blood samples (and I believe the family is entitled to it) it would solve all the problems.
- Just after President Milosevic's death, in the afternoon of 11 March, two municipal coroners did a post mortem examination in presence of Falke. In the second paragraph of their Post mortem examination report they speak about President Milosevic's non compliance with the treatment and they say several lies (even some new ones) - that he was not taking the prescribed drugs, but that he was taking several non-prescribed medicines, such as Diazepam (in January), Rifampicine and Vascase Plus (for which they say that it does not exist in Holland, but I checked on the Google and almost all the sites that mention Vascase Plus are Dutch). I heard of Vascase Plus for the first time when I read that report (they might have thought of Prilazid Plus which was planted in President Milosevic's cell on 1 February, but even for that drug nobody claimed that he was taking it). So Falke lied to the municipal coroners.

- I was amazed when I saw in the media two days after President Milosevic's death that Donald Uges claimed that he had found rifampicine in President Milosevic's blood and that he had informed the ICTY Registry about it (with the whole theory of buying a one way ticket for Russia, suicide etc.). The name of Donald Uges was familiar to me, because he had written, as an "independent expert", the above mentioned report of 24 January in which he claimed that "the accused" was not taking the prescribed drugs and in which there's no mention of rifampicine. The rifampicine report came one month later (disclosed to us one month and a half later) and it was Dr Touw's report in which there's no mention of Uges. I immediately asked the Registry to give me the report of Dr Uges concerning rifampicine and after one month of hesitation, at my repeated request, they answered to me that "the Registry is not aware of any report by Dr. Uges other than the one dated on January 24, 2006". So as I understand things Dr Uges lied after President Milosevic's death in order to cover somebody and then somebody lied in order to cover Uges and that lie came into Judge Parker's report. The story from Parker's report about Touw asking Uges (the "independent" supervisor of his own reports) to do an analysis of President Milosevic's blood (for whom he believed that he was S. Zomer, unlike Uges who knew that it was "the accused" Slobodan Milosevic), and then Touw presenting Uges' report as his own without mentioning Uges at all etc, is very stupid for somebody who has seen the documents. So I have no doubts about the correctness of the information that I received from the Registry about the non existence of Dr Uges' report on rifampicine. But Dr Uges' lie just strengthens my conviction that no rifampicine was ever found in President Milosevic's blood.

Judge Parker's report is a continuation of the above exposed series of dirty lies and manipulations. I was shocked when I saw that all the previous lies, for which we had shown clear evidence that they are lies, are still there. And numerous new lies were added. I will have to do an analysis of that report although it is very painful to me to pass again through all those dirty things. It would be much less difficult to me if I could exchange views with somebody. So please see the documents that I will send to you and do a comparison.

Thanks in advance.

Branko M. Rakic

Sagittarius

Van: "Sagittarius" <sagitar@hetnet.nl>
 Aan: "Jonathan Widell"
 Verzonden: zondag 11 juni 2006 15:48
 Onderwerp: Re: Draft article
 Beste Jonathan,

Dank voor de draft van het artikel, waarin weer heldere en opmerkelijke observaties. Inmiddels zijn er echter een aantal nieuwe ontwikkelingen, die je nog niet kon weten, maar die van belang zijn voor je analyses en conclusies. Het gaat hier om materiaal dat ik ontving van Milosevic's derde legal associate, Branko Rakic, die het dichtst bij Milosevic stond en hem met name ook in de laatste fase heeft geassisteerd.

Al eerder stelde hij ons in kennis van zijn analyses, die hij nu op schrift heeft gezet en die ik je hierbij doe toekomen.

Daarin staan een aantal belangrijke zaken, zeer relevant voor de inhoud van het onderhavige artikel. Zo lijkt het me uiterste belangrijk om te weten - en te vermelden - dat de bloedtest die op 12 januari 2006 werd uitgevoerd, plaatsvond op UITDRUKKELIJK VERZOEK VAN MILOSEVIC ZELF en onder UITDRUKKELIJK GECONTROLEERDE CONDITIES, met als REDEN dat Milosevic nu VOOR EENS EN ALTIJD een einde wilde maken aan de beschuldigingen dat hij zich niet aan zijn voorgeschreven medicatie hield. Ook onder deze gecontroleerde condities bleven, na inname van zijn medicijnen, de doses daarvan in zijn bloed te laag, hetgeen bleek uit een onderzoek van Dr. Touw, een pharmacoloog/toxicoloog van een laboratorium in Den Haag, waar zijn bloedmonsters heengestuurd waren.

Milosevic heeft er vervolgens herhaaldelijk op aangedrongen dat de uitslag van het onderzoek van zijn bloedtest van 12 januari aan hem bekend zou worden gemaakt. Dr. Falke, die de uitslag-gegevens inmiddels had ontvangen van Dr. Touw, hield ze echter voor zichzelf. Na veel aandringen vertelde Falke op 27 januari aan Milosevic dat ook onder de gecontroleerde condities de resultaten van de ingenomen medicijnen te laag bleken te zijn blijkens het rapport van Touw, en dat Milosevic's nieren onderzocht zouden moeten worden. Bij die gelegenheid kreeg Milosevic, van Falke, geen verdere inzage in het rapport van Touw. Verder speculeert het rapport van Touw, dat, zoals later bleek, van 20 januari dateerde, over hoe het nu mogelijk zou zijn dat de medicatie ineffectief bleek. Hij komt tot 5 mogelijke medische oorzaken. Eén daarvan, "induction of enzymes, for instance, rifampicine = "the increased pGp activity", wordt door Touw, specifiek, als 'unlikely' aangemerkt. Rifampicine wordt hier, door Touw, uitdrukkelijk slechts genoemd als een, volstrekt theoretische, voorbeeld-stof, die zo'n effect van het ineffectief worden van de medicatie zou kunnen bewerkstelligen. Er wordt door Touw, in zijn rapport van 20 januari, verder ook absoluut niet gesteld, of zelfs maar gesuggereerd, dat er rifampicine in Milosevic's bloed zou zijn aangetroffen in de onderzoeken van 12 januari.

Maar dan komt Falke, op 7 maart, plotseling met een rapport van TOUW van 23 februari op de proppen, vergezeld van een brief van FALKE ZELF van 3 maart en van een intern memorandum van de REGISTRARY, dat een 'repeated anaysis' van de bloedmonsters van 12 januari zou hebben uitgewezen dat er grote hoeveelheden rifampicine in zijn bloed hadden gezeten !

Het is dan FALKE, die in zijn begeleidende brief van 3 maart aangeeft dat DIT mogelijk de oorzaak zou zijn van het niet-werken van de medicatie van Milosevic.

Intussen waren de 'imposed counsel' Kay en Higgins bij de trial chamber van leer getrokken tegen de manipulaties van al deze doctoren en de constante beschuldigingen dat Milosevic obstructie pleegde tegen zijn medicatie, en had de trial chamber de REGISTRAR gevraagd om een 'onafhankelijk expert' aan te wijzen om zijn mening te geven over de resultaten van alle bloedtests tot dan toe. ZONDER DAT DEZE ZELF ENIGE BLOEDTEST ZOU DOEN.

De REGISTRAR vond daarop die 'onafhankelijke' expert in de persoon van Dr. Uges, die zonder OOIET VAN MILOSEVIC'S BLOED gezien te hebben, vervolgens een rapport schreef dat Milosevic niet de voorgeschreven medicijnen nam en zichzelf rifampicine had toegediend. (Deze Uges sprak niet van 'patient' Milosevic, maar van 'verdachte' Milosevic !).

Volgens Mr. Rakic is er helemaal nooit sprake van geweest dat er rifampicine in Milosevic's bloed zou zijn gevonden. Hij onderbouwt die conclusie grondig.

Het verhaal dat er rifampicine in Milosevic's bloed zou zijn gevonden zou, in tribunaal-kringen, verzonnen zijn, en dit dan OP HET MOMENT DAT MEN BIJ HET TRIBUNAAL NIET LANGER HET VERHAAL DREIGDE TE KUNNEN VOLHOUDEN DAT MILOSEVIC ZIJN EIGEN MEDICATIE SABOTEERDE, ZOALS DE PROSECUTOR, DE 'DOCTORS' EN DE REGISTRAR ALTIJD HADDEN BEWEERD. Dat moment dreigde aan te breken toen gebleken was, zelfs onder GECONTROLEERDE CONDITIES, dat de medicatie onvoldoende effect had ! Zodat Milosevic niet langer ZELF voor dit niet aanslaan van de medicatie geblameerd dreigde te kunnen worden. MET ALLE KONSEKWENTIES VAN DIEN: in elk geval 1. de conclusie dat de constante verhalen van de Presecutor en zijn 'artsen' in de UNDU dat HIJ, MILOSEVIC, ZELF verantwoordelijk was voor zijn slechte gezondheid, holle verhalen

waren geweest, 2. de conclusie dat daarmee dan, ANDERZIJDS, zou vast slaan dat ZIJ, ARTSEN en UNDU-autoriteiten, te blameren waren voor de KENNELIJK medisch INADEQUATE BEHANDELING die hij tot dan toe had ontvangen, 3. de conclusie dat zij dan GEDWONGEN zouden zijn om nu verder wél werk te maken van zijn gezondheid en 4. de conclusie dat als hij zou komen te overlijden niet langer de schuld aan Milosevic zelf zou kunnen worden gegeven, maar dat ZIJ dan daarvoor geblameerd zouden worden.

Die dreigende, onvermijdelijke conclusies, wilde men kennelijk, hoe dan ook, voorkomen. Om dit te voorkomen was dus EEN VLUCHT NAAR VOREN noodzakelijk. Wellicht op het idee gebracht door de vermelding van rifampicine, als voorbeeld-stof die theoretisch de werking van de medicijnen gedeeltelijk teniet zou kunnen doen in het eerste rapport van Touw, hebben de REGISTRARY, FALKE en TOUW klaarblijkelijk elkaar gevonden in het maken van een opzet, waarbij, volkomen uit de lucht gegrepen, een rapport werd samengesteld waarin werd gesteld dat 'repeated' onderzoek van de bloedmonsters van 12 januari door Touw ALSNOG zou hebben uitgewezen dat er grote hoeveelheden rifampicine in Milosevic's bloed hadden gezeten, die eerder niet waren opgemerkt. Waarop vervolgens Falke en de registry het verhaal konden lanceren dat Milosevic kennelijk zichzelf die stof had toegediend. De REGISTRARY, die van de trial chamber een blanco volmacht had gekregen om een 'onafhankelijk' expert te vinden die de resultaten van alle eerdere bloedonderzoeken moest beoordelen, vond in de persoon van Uges dan iemand die bereid was het spel mee te spelen, en die bereid was om, ZONDER OOIT ENIGE BLOEDTEST GEZIEN TE HEBBEN, te verklaren dat 'de verdachte' inderdaad rifampicine in zijn bloed had gehad, en die voorts bereid was om - sterker nog - over de gehele wereld als zijn conclusie het verhaal te verspreiden dat Milosevic die drug zelf ingenomen moest hebben. En die ZELFS over de gehele wereld de REDEN wist te verspreiden waarom Milosevic dat gedaan zou hebben, namelijk om een behandeling in Moskou af te dwingen.

Met andere woorden: Uges wist, zonder zelfs maar een enkel bloedsample te hebben gezien, met zekerheid dat 1. inderdaad rifampicine in Milosevic's bloed zou zijn aangetroffen, 2. dat hij ZELF die stof zou hebben ingenomen en 3. dat de REDEN waarom hij dat zou hebben gedaan was dat hij daarmee zijn vertrek naar Moskou wilde afdwingen. Hoe, zelfs als Uges zelf zou hebben vastgesteld dat er rifampicine in Milosevic's bloedmonsters zou hebben gezeten - en ook dat heeft hij niet - , deze Uges, als MEDICUS, objectief en wetenschappelijk onafhankelijk, zou kunnen hebben concluderen dat a. Milosevic ZICHZELF die stof zou hebben toegediend, blijft een raadsel. Dat geldt natuurlijk nog eens a fortiori voor b. Uges' conclusie 'de verdachte', zijn - op dat moment - PATIENT Milosevic, dat gedaan zou hebben om naar Moskou weg te kunnen komen.

De conclusie is onontkoombaar: in de persoon van Uges vond de REGISTRARY, bij het uitvoeren van de opdracht van de trial chamber om een onafhankelijk expert te vinden om alle bloedtests nog eens te analyseren, de aangewezen persoon, die volkomen manipuleerbaar bleek voor diens opzet om de wereld te doen geloven dat Milosevic zijn eigen gezondheid had willen ondermijnen met behulp van de inname van rifampicine om naar Moskou weg te kunnen komen. Uges heeft niet geschroomd om zich VOLLEDIG voor de kar van de REGISTRARY te laten spannen. REGISTRARY's OFFICE en PROSECUTORS OFFICE Zijn bij het ICTY altijd twee handen op één buik geweest. Dus in feite liet Uges zich hiermee voor de kar van de Prosecutor spannen.

Mr. Rakic concludeert dan ook in feite, zonder dat aldus te expliciteren, dat het hele verhaal van de rifampicine een samenzwering is geweest tussen de Registry, de Prosecutor en een handvol onbetrouwbare medici die bereid waren om zich te laten manipuleren, met name Falke (in een prominente rol), Touw en Uges, teneinde de voortdurende beschuldigingen aan Milosevic's adres dat hij zijn eigen gezondheid voortdurend ondermijnde, te kunnen continueren.

Van Falke stond de onbetrouwbaarheid als eerder vast. Hij is de medische huisslaaf in dienst van de UNDU, en als zodanig eerder, jegens Milosevic medisch volkomen onbetrouwbaar gebleken. Uges heeft zijn medische corruptie zelf, in één klap, volkomen objectief bewezen door het verkopen van niet-medische praatjes als dat Milosevic ZELF rifampicine ingenomen zou hebben en dat hij dat dan gedaan zou hebben om naar Moskou weg te komen, zaken die hij natuurlijk nooit uit enig medisch oordeel kunnen voortvloeien. Iemand die zulke verhalen als MEDISCHE CONCLUSIES aan de wereldpers verkoopt, is als medicus een volstrekte rotte appel.

Met behulp van, medisch gesproken, rotte appels als Uges, Falke en - kennelijk ook - Touw, kon aldus bewerkstelligd worden dat een werkelijk zorgvuldige medische behandeling van Milosevic OOK VERDER achterwege kon worden gelaten. En een mogelijk overlijden van hem, op ieder moment, als EIGEN SCHULD kon BLIJVEN worden verkocht. Dat vormt dus de achtergrond en inzet van het rifampicine-verhaal.

Dan nog wat opmerkingen over hert draft-article, zoals het nu voor ligt.

Je schrijft in de aanhef dat Nice 'withdrew the greater Serbia charges'. Ik zou daar dan nog bij vermelden dat dit niet 'formally' gebeurde, maar uitsluitend 'in fact'. Hij verordonneerde immers, in augustus 2005, plotseling eenvoudig verder de irrelevantie van deze kwestie, nota bene het centrale en verbindende element van alle beschuldigingen!

Op blz. 5 (mijn uitdraai) spreek je dan van de oorzaak de dood van Dr. Kovacevic in de ICTY-gevangenis als 'hart attack'. Dit moet zijn: 'rupture of the abdominal aneurysm'. DE UNDU-autoriteiten WISTEN dat een dergelijke breuk dreigde, maar lieten hem die nacht eenvoudig doodbloeden. Ik ben inderjild nog door de nabestaanden benaderd

jeweest om actie tegen de medische verwaarlozing vandr. Kovacic te ondernemen, maar had toen geen tijd en gelegenheid. Wel heb ik nog verder contact onderhouden met zijn toenmalige advocaat, die me indertijd nog geschreven heeft dat hij van de VN voor de nabestaanden van Dr. Kovacevic uiteindelijk een schadevergoeding verkregen zou hebben, een uiterst interessant gegeven !

Op blz. 7 (mijn uitdraai) kom je dan te spreken van het feit dat "The substantive problem with this argument is however that there seem to be no legal provisions in Dutch law that would prohibit a doctor from telling a patient the result of his own blood test." Aan het slot van het artikel komt deze kwestie dan weer terug.

Ik kan je verzekeren dat, in Nederland net zo min als in welk ander land op de wereld dan ook, er een wetgeving bestaat die een arts verbiedt patient-gegevens en onderzoeksuitslagen aan diezelfde patiënt te verstrekken ! Alleen al de gedachte dat hier enige restrictie zou bestaan, is dan ook volstrekt onzinnig. Dat het ICTY-rapport dit dan ook aanvoert als reden om Milosevic niet gewoon meteen de onderzoeksuitslagen te geven en deze manaandenlang achterte houden, is dan ook het ultieme bewijs hoe schaamteloos ze liegen, en ook welk een schrijnend gebrek aan wezenlijke argumenten ze daarbij hebben !

Ik zou dit dan ook drastisch aanscherpen in het artikel, en daarvan maken dat pseudo-juridische onzin die ze hier de wereld in proberen te helpen, nog eens te overvloedig bewijst dat we hier met een 'bunch of liers' te doen hebben.

met de beste groeten,

Nico Steijnnen

----- Original Message -----

From: Jonathan Widell

To: Sagittarius

Sent: Saturday, June 10, 2006 10:09 PM

Subject: Draft article

Dear Mr Steijnen,

Here is the draft article. As soon as I get it back, it can be posted on the Serbianna website.

Jonathan Widell
301-117 Donegani
Pointe-Claire, Québec H9R 2W3
CANADA

Tel. 514-697-2104

Fax 514-697-9619

Toll free 1-866-697-2104

Cell 514-891-9146

----- Original Message -----

From: Sagittarius

To: Jonathan Widell

Cc: hans.hupkes@planet.nl ; Ruza ; jbeentjes@mac.com ; Meindert Stelling

Sent: Monday, May 23, 2005 7:51 AM

Subject: Re: Canada

Dear Jonathan,

I have some names of people involved in the preceding Canadian lawsuit against outcomes in Serbia from NATO's aggression: Boba Borojevic, ckcuboba@yahoo.ca, and the following e-mail addresses of people also involved: mbojic@sympatico.ca and svuleta@rogers.com. Counsel was Mr. Emilio Binavince, lawyers@binavince-smith.com.

Best regards,

Nico S.

----- Original Message -----

From: Jonathan Widell
To: sagitar@hetnet.nl
Sent: Wednesday, May 18, 2005 1:38 PM
Subject: Canada

Dear Mr Steijnen,

Hello again! I hope you are not mad at me because I wanted to write about the trouble at the ICDSM. You were right, that is not important. I have written two pieces for www.serbianna.com, and now that Srdja Trifkovic is one of the columnists, the profile of the website should go even higher.

The reason I am writing to you is that now would be the time to consider the possibility of reviving the lawsuit in Canada. At least I would like to write about it. The Liberal government, which has ruled Canada for decades (Kosovo war included), is now in very big trouble, to the point where the government and the parliament are paralyzed. It would be a good time to remind people of the disastrous foreign-policy choices this party has been guilty of in an attempt to distract people from their corruption.

Do you have a contact in Canada that would have more information? I think you mentioned Mr. Antic.

Best regards,
Jonathan

Sagittarius

Van: "Versluis, Jacco"
Aan: "Sagittarius" <sagitar@hetnet.nl>
Verzonden: maandag 12 juni 2006 15:49
Beste Nico Steijnen,

Dank voor alle stukken m.b.t. Milosevic. Het is een behoorlijke berg papier dus gun me even de tijd het op een rijtje te zetten. De stukken die Higgins heeft doorgestuurd hebben uitsluitend betrekking op het verschil van inzicht tussen de 'Visiting Doctors' d.d. 4 november 2005 en de specialisten van het Bronovo. Ik heb domweg niet de medische kennis in huis om daar een oordeel over te vellen. Cruciaal lijkt mij de vraag of de Nederlandse specialisten een inschattingsfout hebben gemaakt. En verkeerde het ICTY wel in een positie om, geconfronteerd met de tegenstrijdige opinies van medici, daarin een keuze te maken?

Nogmaals dank voor het dossier en de anders stukken. Ik neem later nog contact met je op.

Met vriendelijke groet,

Jacco Versluis

Sagittarius

Van: "Jonathan Widell"
Aan: <brankoracic@yahoo.com>
CC: "Sagittarius" <sagitar@hetnet.nl>
Verzonden: dinsdag 13 juni 2006 23:28
Bijlage: Milosevic Investigation lin.doc
Onderwerp: Article to appear on Serbianna
Dear Mr Rakic,

I received your letter on the ICTY report on Milosevic's death from Nico Steijnen in Holland. I have encountered some complications in writing my own article on the ICTY report on Milosevic's death, and after reading your letter, I would like to invite you to check whether my information is correct. If you agree to it, you can be added as a co-author together with Mr Steijnen and me, in which case I can remove the third-person references to you.

The article is about to appear on the Serbianna website, but because there are three articles before this one, it may take a while.

Jonathan Widell
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13-6-2006 (ONTWERP-VELDISIE)

THE ICTY REPORT ON MILOSEVIC'S DEATH

Jonathan Widell

Prosecution's case falls apart

First of all, it must be stated that Mr Nice, the prosecutor, withdrew the Greater Serbia charges against Milosevic in August 2005. For those who have watched the trial closely, in particular Milosevic himself, this meant that the "joint criminal enterprise" had no basis. Arguably, that lack dealt a major blow to the Milosevic's criminal culpability in its entirety. Yet, the tribunal was reluctant to acquit Milosevic. Milosevic asked his judges with good reason on November 29, 2005:

"So what's the point of all these witnesses who talked about a Greater Serbia as my primary goal here? Are you going to take that out of the evidence, or are you going to let me examine them further? Also what about this joint criminal enterprise? And what would its objective be after this charge? And what is this phantom of a joint criminal enterprise that is being discussed here? And what is it that is exactly being alleged?"

The predicament of the prosecution had begun a lot earlier. After the prosecution ended presenting its case, the two leading Dutch newspapers, Volkskrant and NRC Handelsblad, titled their articles "No Conclusive Evidence against Slobodan Milosevic" (VK February 26, 2004) and "Case against Milosevic Falls Apart" (NRC February 28, 2004).

However, the worst was yet to come. When the turn of his case came, Milosevic presented, with mostly Western witnesses, forceful evidence that there was no humanitarian emergency in Kosovo on the eve of the NATO war of 1999 against Yugoslavia, that the KLA was conducting a large-scale terrorist campaign at the time, that international terrorism had secure positions in Bosnia while it was being supported by the West throughout the 1990's, that the Twin Towers suicide terrorist Hattat resided there in the 1990's for a number of years and that Osama Bin Laden was received by the Bosnian president Izetbegovic in November 1995.

As if this had not been bad enough for the prosecution's case, Milosevic's witnesses gave also evidence that the Albanians were not driven out by the activities of the Serbian army in Kosovo but mostly as a result of the intensive NATO bombings and the intimidation by the KLA. For that reason there were also relatively more Kosovo Serbs among the refugees than Kosovo Albanians during the 1999 war.

The final blow was the evidence given by Alice Mahon, who was a member of the NATO Parliamentary Assembly in 1999. She told the tribunal that the civil population was openly terrorized by the NATO bombings in the 1999 war. It is against this background that we may speculate why Milosevic was found dead in his cell a few days later.

Motive

This does not only suggest that Milosevic had no motive for a suicide but also that the prosecutors did have a motive. The withdrawal of the Greater Serbia charge was a tacit acknowledgment that the case was going very badly for the prosecution.

It is more than mere speculation, however, that the prosecution and the judges are alive to the interests of NATO and its member states. In that sense, there may well be a connection between Milosevic's death and the prosecution case gone awry. When the former vice-prosecutor Hewitt resigned, he stressed in an interview given to the Dutch newspaper NRC Handelsblad that countless officials of the tribunal spent at least as much time in the US Embassy in The Hague as they did in the tribunal's office. Shamie Shea's memorable words during the Kosovo bombing are also to the point:

Report

After Milosevic was found dead on March 11, 2006, the tribunal had to put off fires on a number of fronts when it published its report on the death of Milosevic which came out in May 2006. In its report, the report did not delve into the motives of either Milosevic himself or any other parties in the tribunal. Instead, it dwelt on the technicalities of his death. It is in this perspective that we will evaluate the report below, but it would seem that the motives have been left out of the report for a good reason. If they had not, many of its hypotheses would prove untenable. It is for that reason that we will discuss motives as well, both Milosevic's and the tribunal's, in what follows.

Rather surprisingly, the ICTY report on the death of Milosevic admits that Milosevic did not commit suicide, though that does not keep it from concluding that Milosevic caused his own death. The difference is subtle, but it must seem significant to the tribunal. That is an indication that the tribunal is doing its best to please everybody now that it got rid of its greatest enemy. The tribunal may have wanted to throw a bone to its detractors and continue its argument to others as if Milosevic had committed suicide anyway. In the end, it is difficult to tell what actually happened. It may seem outrageous to speak of culprits in this context, now that the tribunal suddenly seemed to run out of chances to prove Milosevic guilty as it had hoped, but that does not keep the tribunal from pinning the blame on Milosevic for his own death anyway. Proving that is a lot easier now that Milosevic is not there to give the tribunal a hard time. The tribunal seems to conclude that the only one who could damage Milosevic's health and ultimately bring about his death was Milosevic himself.

Heart condition

Even if the tribunal is willing to cater to different tastes in the matter, it does not back down from its premise that Milosevic is somehow to blame for everything that went wrong. This one-sided logic is evident throughout the report. For instance, even if the tribunal concludes that Milosevic's condition was untreatable, it infers that it was Milosevic who brought on himself his own death. The report speaks of Milosevic acting

“at obvious risk to himself” when it says that Milosevic “was manipulating the effectiveness of his prescribed treatment for other purposes, at obvious risk to himself” (par. 111). Those “other purposes” is as far as the report goes to explain Milosevic’s motives.

This is just the other side of the coin. The report suggests elsewhere that whatever the tribunal would have done to his health, including heart surgery or notably the lack thereof, did nothing to change the course of events because Milosevic was a doomed man anyway as far as his health was concerned (par. 95 to par. 102).

First, the tribunal feels obliged to answer the critics who say it did not do enough to save him. The report quotes two specialists when addressing the cause of his death and gives the impression that his condition was untreatable. The two specialists, Dr Tavernier and Professor Leclercq, speak of *preventive* treatment and *preventing* the cause of death, which in their opinion would have been impossible in this case (par. 100). However, if Milosevic had had a heart surgery, as recommended by Professor Bockeria (par. 96), he would not have undergone a preventive treatment. Just preventing somebody’s death, or saving somebody’s life, does not automatically qualify as preventive treatment. Before any conclusion is drawn about the effectiveness of preventing the cause of death, it should be noted that both Leclercq and Tavernier were not sure that the cause of death was what the pathological report said it was (par. 101), which deals a severe blow to the tribunal’s assumption that the autopsy report closes the matter.

The conclusions Leclercq and Tavernier reached concerning the supposed ineffectiveness of intervention are based on the pathologists’ findings after Milosevic was dead. Normally a diagnosis comes too late if the physician waits for all the facts to come in after the patient is dead. In par. 102, the report even concludes that it was not certain whether surgery would have prevented the death of Milosevic. In vernacular, that is called benefit of hindsight. Only, in this case the tribunal concludes that the hindsight does not offer any benefit. As Jacques Vergès and Dr Patrick Barriot point out in their open letter to the Chief Prosecutor Carla del Ponte, even if a physician does not have an *obligation de résultats*, the physician does have an *obligation de moyens*, as they are called in French. In other words, the physician is responsible for treating the patient but not for the outcome of that treatment. Conversely, even if the success of a certain treatment is uncertain, the physician has to perform it if it has the possibility of benefiting the patient.

The tribunal says in par. 102 that there was a difference of professional opinion concerning the need for surgical intervention and its effectiveness, but that is not strictly speaking the point. Presumably that difference of opinion was between Professor Bockeria on the one hand and Professor Leclercq and Dr Tavernier on the other. If the overriding principle was to save the life of the patient, it is difficult to see what harm could have been done by “erring” on the side of Professor Bockeria, in whose opinion surgery would have saved Milosevic’s life. In referring the case to Professor Bockeria, the physicians would have fulfilled their *obligation de moyens*.

Significantly, Dr Tavernier did have a recommendation: he recommended life-style changes. Milosevic would certainly have agreed. The trouble is that Milosevic doubtlessly had a broader interpretation of the appropriate life-style changes than the tribunal. And if Milosevic's condition was untreatable, why did Professor Leclercq offer a recommendation as well? As Jacques Vergès and Dr Patrick Barriot point out, Professor Leclercq stated in another context: "It is incontestable that the stress contributes to the irregularities of the blood pressure and a period of rest has to be prescribed." The report also admits that Dr Mijailovic had detected "untreated hypertrophy with alterations to the organ" as early as 2001 (par. 42), which suggests that the condition was treatable, even if the report then takes the liberty of contesting the recommendation by Professor Bockeria concerning the need for heart surgery.

Privileges

At the risk of exaggerating the same self-complementary logic, the report on the Milosevic's death repeats the word privileges 39 times to draw attention to the fact that Milosevic had wide-ranging privileges. It is hard to avoid the impression that Milosevic had the privilege of dying in such a fine institution that put his health consideration above everything else. Even when it suggests that at least some of those privileges should have been revoked, its stated purpose was to prevent any non-prescribed medicines from being delivered to Milosevic.

However, talking about privileges is misleading. Milosevic was the only detainee in the detention unit who was not allowed to have visits by his family members. The report even suggests that he should not have used the telephone to call his family members, because the telephone was meant for "defense-related purposes" (par. 118). That already gives the lie to the concept of privileges in regard to Milosevic.

Jacques Vergès and Dr Patrick Barriot also point out tribunal did searches in Milosevic's cell in his absence, which was illegal. Of course the tribunal could justify that practice by the non-prescribed medication it then supposedly found in his cell, like the Prilazid Plus, which had been confiscated from Milosevic on his arrival in the detention center in 2001. Again, the tribunal could hold up the protection of Milosevic's health as the overriding principle for performing the illegal searches.

Health and the rights of the defense

The rule of thumb is that whenever the case was going bad for the prosecution, the more obsessed the tribunal became with Milosevic's health.

First, now that even the tribunal has admitted that "There is nothing in his medical documentation that could suggest a heightened risk of suicide" (par. 37), it may be hard to believe that at the beginning of the trial Milosevic was forced to sleep under the constant glare of lamps in his cell and he was kept under video surveillance for fear he might commit suicide. The reason cited was that both his parents had committed suicide. Even if the surveillance may have conceivably averted the danger of suicide, the

surveillance and the lamps were sure to damage his health in the long run. In fact, there is no indication that the round-the-clock video surveillance of his cell was ever lifted, which also reduces the likelihood that Milosevic could have taken any non-prescribed medicines, as the report purports.

Second, Milosevic was told to have a psychiatric examination in November 2002. Maybe the interests of the prosecution seemed too obvious. Or maybe the scenario was simply too Stalinesque for the public to stomach. Anyway, the plan to have Milosevic undergo a psychiatric examination never got off the ground. He was, however, examined by a cardiologist at that time. One may speculate how different the report would look if Milosevic had agreed to the psychiatric examination when it was ordered by the judges.

Third, also in late 2002, the tribunal administered the wrong medicine to Milosevic. Whether that was done deliberately was debated at the time. As the leading Dutch newspaper NRC Handelsblad of November 23, 2002 reported in its article "Milosevic got the wrong medicine":

"In the Scheveningen prison Slobodan Milosevic was given the wrong medicine, causing his blood pressure to rise very quickly. This was why at the beginning of this month the trial against the former president of Yugoslavia was suspended. Sources within the tribunal have confirmed this. However, a spokesman for the Tribunal denies that mistakes were made. He refuses to discuss the issue further on grounds that 'This is about the privacy of the defendant'."

Here we see the willingness of a tribunal official to hide behind the privacy of the defendant. However, that privacy did not keep Christian Chartier, Head of Public Information Services, from commenting that the medication Milosevic got was actually the *best* Milosevic could have and even denied that Milosevic had been given the wrong medicine at all. In other words, the tribunal can compromise the privacy of the patient if it is in its own interests to do so. Moreover, here we see the arrogance of the tribunal: it was the tribunal that knew what was best for Milosevic even when it turned out to be damaging to his health. That same brazen optimism was to last until Milosevic's death and beyond.

Fourth, in summer 2004, the tribunal kept Milosevic from representing himself in his defense by imposing defense counsels, Steven Kay and Gillian Higgins, to represent him. In its order, the Trial Chamber mentioned Dr Van Dijkman's report although it never quoted it. When the defense witnesses refused to appear in court under such circumstances, the tribunal had to reverse its decision concerning the imposition of defense counsels.

Paradoxically, the allegations that Milosevic was manipulating his treatment justified the curtailing of his rights even further. Jacques Vergès and Dr Patrick Barriot have enumerated the instances as follows: The tribunal suppressed the facilities that had been given to him for the preparation of his defense by the Order concerning the Preparation and Presentation of the Defence Case of September 17, 2003. It reduced the time for the

organization of his defense and increased the rhythm of the sessions from three to four or five so that Slobodan Milosevic did not have the material and physical means to prepare his witnesses, because the fatigue and the stress became insupportable. And, finally, the tribunal rejected Milosevic's request for hospitalization in the Bakulev Institute in Moscow. The only regret that the report on his death expresses is that his "privileges" were not cut even further.

As to the last point it has to be remembered that the tribunal did allow Vladimir Kovacevic and Pavle Strugar to leave the detention center for treatment. Vladimir Kovacevic was granted provisional release to allow him to fly to Belgrade for the treatment of mental health problems. Pavle Strugar was allowed to go back to Serbia and Montenegro for a hip replacement surgery. On the other hand, Slavko Dokmanovic, Milan Kovacevic, Milan Babic were less lucky, like Milosevic, and died in the detention center. Dokmanovic and Babic reportedly committed suicide, while Kovacevic reportedly died of a heart attack.

Rifampicin

The report on Milosevic's death hinges on the finding that Milosevic had administered the leprosy medicine rifampicin to himself (par. 111). Rifampicin countervailed the effectiveness of the prescribed antihypertensive medicines, and the report suggests that Milosevic used the medicine to make his hypertension seem worse. However, the report itself provides a number of clues that Milosevic did not administer the medicine to himself.

As the report says in par. 76, Milosevic did not know that he was tested for rifampicin until 3 March 2006. He had been tested for it for two months, since 12 January 2006. However, if Milosevic wanted to countervail the effectiveness of the antihypertensive medicines, why was he taking the antihypertensive medicine Prilazid Plus which the report says were found in his cell and which according to it were smuggled from Serbia (par. 82)? They were found in his cell on 1 February 2006, i.e. more than a month before Milosevic found out he was being tested for rifampicin. In other words, does it make sense for him to take an antihypertensive medicine of his own and another medicine that countervails its effectiveness, if he really wanted to keep his blood pressure up?

Interestingly, the ICTY admits that rifampicin was indeed found in his blood. One might expect the tribunal to deny such embarrassing information. A cynic might think that the tribunal must have a reason for admitting the fact. Indeed, from the fact that it had not been prescribed by the detention unit staff, the report draws the uncomplicated conclusion that Milosevic administered it to himself.

The open letter to Carla del Ponte written by Jacques Vergès and Dr Patrick Barriot has some interesting observations of both the rifampicin and the Prilazid Plus. The prescription for the Prilazid Plus had expired in March 2003. Those were the same tablets that Slobodan Milosevic had in his pocket when he was "transferred" to The Hague in

June 2001. They were confiscated on his arrival at the Detention Unit. For some reason, those tablets were found by the prison guards in Milosevic's cell on February 1, 2006.

The origin of rifampicin is even more interesting. Milosevic found out in March that he had been tested for rifampicin for a couple of months. As the report says, the crucial blood test, which eventually revealed the presence of rifampicin in his blood, was taken on January 12, 2006. However, Jacques Vergès and Dr Patrick Barriot offer some interesting background information as to why Milosevic was not told of the discovery of Rifampicin until early March. In their report, the toxicologists noted that they were unable to account for the low levels of metoprolol and amlodipin in his blood. They speculated that rifampicin was "example" of a substance that could account for the low levels. However, two months later, they announced that they had discovered high levels of rifampicin in the same blood samples, which would correspond to a dosage of 2 tablets of 300 mg a day for an adult.

As the report says in par. 76, the blood test of January 12, 2006 was "the first time that a blood test of Mr Milosevic had undergone the additional specific testing for rifampicin". In this light, it is surprising that the toxicologists could do nothing but speculate on the presence of rifampicin in the blood in their January report, especially as they noticed two months later that the levels were very high.

So, either there was rifampicin in his blood in the test taken in January, and the finding was omitted from the report, which suggests that the finding was too embarrassing for the tribunal, or there was no rifampicin in the blood test, even if the tribunal chose to accuse Milosevic of medicating himself two months later.

If there was no rifampicin, then it would stand to reason that his urine did not turn red, as it would if rifampicin had been in his body. In that case, the tribunal would not have to resort to the argument that Milosevic administered rifampicin to himself and did not tell anybody of the discoloration of his urine because he must have been aware of that side-effect in advance (par. 77).

Ironically, the absence of rifampicin would be the least damaging scenario for the tribunal, in which case one might speculate why it admitted that the substance was found in his blood. If it was not found in his blood, then we do not have to wonder why there was no rifampicin at the time of the autopsy. If Milosevic had taken the medicine up to the time when he found out that he was being tested for it on March 7 (March 3 according to the report), would all the traces of the medicine really have disappeared from his blood when he was found dead four days later? This option would also relieve the tribunal of the uncomfortable fact that the blood test was requested by Milosevic himself (or he "volunteered to take a further blood test," as the report says in par. 76), because it is unreasonable to assume that he thought he would *not* be tested for rifampicin.

But why did the tribunal insist in the end that it did find rifampicin in Milosevic's blood? One explanation may have been to sidetrack the growing chorus of Milosevic supporters. The report quotes Milosevic's letter in which he expresses his certainty that the tribunal

had tried to poison him with rifampicin. Curiously, that is also the only "hard" evidence in the report to that effect. The supporters of Milosevic would then have no reason to doubt that rifampicin was indeed found. Once the supporters got what they wanted, the tribunal could treat Milosevic's detractors to the more palatable theory that he administered the medicine to himself and thus caused his own death (without committing suicide, curiously enough). What killed Milosevic in reality, in this scenario, may have been the stress caused by the sudden revelation of rifampicin in his blood and the certainty of his never getting out of the detention center now that his request for a provision release to fly to Moscow had been turned down.

The question remains why the level of metoprolol and amlodipin was abnormally low in his blood. Jacques Vergès and Dr Patrick Barriot offer several possibilities: poor digestive absorption, interaction of various medications, mechanism of enzymatic induction and rapid metabolism by gene duplication. The tribunal rules out the fast metabolism for the prescribed medication in par. 107 and refers to a specific testing which was carried out on August 6, 2004.

It is relevant that the blood tests in January 2006 were not prompted by the tribunal but by Milosevic. It was hard for the tribunal not to grant such a request, and if it was administering rifampicin to Milosevic at that time without his knowing, the levels of the metoprolol and amlodipin were sure to turn out low. If the tribunal had administered the medicine, the trouble was that the rifampicin would also show up in the blood sample. However, that would account for the delay of two months that elapsed between the actual test and the time Milosevic was told of the results. By that time rifampicin might well have disappeared from his blood if its administration had been discontinued in January and all we had as evidence was Milosevic's own letter to the Russian Ministry of Foreign Affairs that the substance was ever found in his blood. That solution had something to offer to everybody, and nobody was likely to draw attention to the fact that if Milosevic was taking rifampicin until he was told that he was being tested for it, the substance would probably still have been in the blood at the time of the autopsy a week later.

The question is: If there was rifampicin in the blood to begin with, why was it not reported to Milosevic until March? The report says that this was due to "the difficult legal position in which Dr Falke found himself by virtue of the Dutch legal provisions concerning medical confidentiality". The report then dutifully criticizes those Dutch provisions in par. 134 and following. The substantive problem with this argument is however that there seem to be no legal provisions in Dutch law that would prohibit a doctor from telling a patient the result of his own blood test, But even if there were such provisions, a delay of almost two months seems excessive.

If there was rifampicin in his blood for real, then the reasons for the delay in telling Milosevic himself of the findings become important. It is significant that the tribunal made no public announcement of the findings. The report quotes no such announcement. Instead, it quotes the letter by Milosevic to the Ministry of Foreign Affairs of the Russian Federation (par. 80). As the report admits, the information in the letter appeared to have

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reached representatives of the media through a legal associate of Mr Milosevic. That letter is indeed the only document that made the findings public to the outside world.

It seems preposterous that the tribunal clings to the only public document that shows that there was rifampicin in his blood, namely Milosevic's letter Ministry of Foreign Affairs of the Russian Federation, and then spins a tale around it that directly contradicts what the letter says. It is easy to understand why the tribunal would do that. The blood draw results do not seem to stand the light of day. The spin would also divert the attention from the uncomfortable fact that Milosevic was found dead in his cell about three weeks after his request for further treatment in Moscow had been rejected. The tribunal understandably tries to spin a tale around that unfortunate event too, but as one of the common law principles states: *res ipsa loquitur*, i.e. the thing speaks for itself. In medical malpractice cases, the plaintiff only has to show that a particular result occurred and would not have occurred without someone's negligence. That is the case here.

It is hard to resist the conclusion that the tribunal did not communicate the finding to the public directly because it wanted to "frame" Milosevic as the architect of his own death. If the tribunal was so sure that Milosevic had administered the medicine to himself, then, in an apparent display of magnanimity, the tribunal wanted Milosevic to be the only one who should know about it. That possibility might persuade some observers, if such magnanimity were not so rare or even unheard-of. But why did Milosevic make the findings public in the first place, if he knew he had taken the medicine himself? The quote the tribunal has chosen for its report might seem to suggest to some that Milosevic was in panic after being "found out" and used the "poisoning" to get a trip to Moscow. However, it would appear to be more than a coincidence that the tribunal did not divulge that information to Milosevic until it had turned down Milosevic's request to that very effect on February 23, 2005. It would then appear plausible that the tribunal waited until the rejection of Milosevic's request before it made the rifampicin findings known to Milosevic.

The tribunal would never revisit its rejection. Milosevic appealed the decision, but he was found dead in less than a month, on March 11, which is in itself too close for comfort. And the additional complication is that the tribunal admits in its report that Milosevic did not commit suicide. Yet, it supposes that Milosevic in effect poisoned himself, although the report also says that he was not poisoned.

Milosevic's letter sounds true. And we must remember that it is the only evidence the report gives of the rifampicin in his blood. It would appear that if Milosevic's letter involved any spin, it could not have been ascribable to Milosevic. Does the tribunal suppose that Milosevic decided to die a few days later after writing his letter just to show the tribunal that he knew what the tribunal was doing and he wanted everybody else to sympathize with him? In other words, was Milosevic prepared to pay the ultimate price, his life, just for the pleasure of "framing" the tribunal as his murderer?

As Michael Crichton writes in *The State of Fear*:

“If someone tried to kill you, you did not have the option of averting your eyes or changing the subject. You were forced to deal with that person’s behaviour. The experience was, in the end, a loss of certain illusion. The world was not how you wanted it to be. The world was how it was.”

And that is the feeling one gets reading Milosevic’s letter. The only remaining problem is that rifampicin caused the discoloration of his urine. Why did Milosevic not tell the nurse or anybody else in the detention center? For those who know Milosevic, this question is contrived. Of course he would not tell.

Just look what happened on November 15, 2005 when he tried to discuss his medical report with the Trial Chamber:

Judge Patrick Robinson: I do not wish to have it discussed now. Are you deaf? Call your next witness.

Milosevic: I probably am deaf.

Judge Robinson: Well if you are, we’ll see about that. Call the next witness.

However, the discoloration of his urine and the arrogance of the trial judges would account for his urge to get treated in Moscow. Milosevic was not stupid. If his urine had turned red, he would probably have suspected the tribunal first. He would have expected the tribunal to deny that the eventual discoloration was attributable to the treatment. And very likely, that is exactly what happened.

Other medicines

In support of its view that Milosevic had taken the non-prescribed medicine himself, the report is at pains to establish a certain pattern of the use of non-prescribed medicines on Milosevic’s part. Those non-prescribed medicines include cilazapril/hydrochlorothiazide, co-trimoxazole, diazepam, nordazepam and prazepam. |

The report mentions cilazapril/hydrochlorothiazide in par. 108. Interestingly, in par. 109 the report mentions that “another medication”, Prilazid Plus, was found. However, Prilazid Plus was not “another medication”: Prilazid Plus consists of cilazapril/hydrochlorothiazide, and the report even says so in par. 82. As we have already noted, the Prilazid Plus was confiscated on his arrival in Scheveningen and then miraculously found in his cell.

It must also be noted, as Jacques Vergès and Dr Patrick Barriot point out, that Dr. W. Zwart Voorspuij had concluded in his forensic report of March 11, 2006 on the discovery of the body that Milosevic was known to take non-prescribed medicines. He wrote that Milosevic took a medicine that was not available in the Netherlands, namely Vascase Plus, which contains cilapzapril and hydrochlorothiazide, mentioned above. However, Vascase Plus appeared in the prescriptions in July and August 2002. Did Dr W. Zwart

Voorspuij confuse Vascase Plus and Prilazid Plus? That already raises the suspicion that the truth never stands in the way of a good story, although the forensic report was supposed to be only about facts. Dr. W. Zwart Voorspuij was so eager to mention this supposedly relevant detail that he did so even before describing how the body was found.

The report mentions in par. 109 that diazepam and nordazepam had been found in his blood and says that he had not been prescribed either of them "at the time" (i.e. November and December 2005). Yet in par. 68 we read that he had been prescribed diazepam for his back pain a month before (October 2005) and that diazepam transforms into nordazepam in the body. However, since Professor Uges thought that neither of the substances would be found after two weeks in the blood, the inference was that Milosevic took non-prescribed medicines. And the inference from that, in turn, was that he took the pivotal substance rifampicin.

The report had already discussed nordazepam, together with prazepam, a minor tranquilizer, in par. 106 and it evidently ascribed the presence of the nordazepam in his blood to medicines which belonged to Dragoslav Ognjanovic, nicknamed Misa. To the credit of the tribunal, it must be said that those medicines were not found in his cell but in his office. From the viewpoint of the tribunal it must have been a happy coincidence that Misa was one of Milosevic's legal associates. To clamp down on the "privileges" of Mr Ognjanovic the tribunal first had to suppose that the medicines were actually meant for Milosevic. The tribunal had no other proof for its assumption than the two blood tests of July 2004 which contained nordazepam and prazepam. The trouble with the blood test evidence is that the tests were taken in July 2004, in other words about 19 months before the medicines belonging to Misa were found in Milosevic's office. Another problem with same tests is that Professor Uges admitted Milosevic was taking prazepam in July 2004. Amazingly, all this information is disclosed in the report in par. 106.

We already noted that nordazepam was prescribed in 2005 for his back pain, so the medicine was not non-prescribed. And that may offer an explanation for the presence of nordazepam in the blood draw of July 2005, too. We also noted that diazepam transforms into nordazepam in the body.

Indeed, the tribunal concludes from this that "he administered rifampicin to himself". However, we have accounted for all the medicines on the tribunal's "bad book" except for co-trimoxazole, an antibiotic, which is mentioned in par. 108. As if to add a touch of humor, the report suggests that other "incriminating" evidence is that a bottle of whisky that had been found, not in his cell, but in "Milosevic's privileged office" (par. 106 and par. 127).

Culprits

In cases like this, it would seem natural to ask who assisted Milosevic in whatever he was doing. The tribunal remains strangely uninterested in that question. An additional complication is that the tribunal admits in its report that Milosevic did not commit suicide, while suggesting that Milosevic did in effect poison himself. The tribunal

remains oblivious to that discrepancy. Its main preoccupation is to divert the suspicion away from itself.

The tribunal seeks "to avoid any repetition of such conduct", meaning the surreptitious way Milosevic supposedly got the medicines (par. 130). It does not address the issue who delivered them. Of course, it would be for the Dutch police to find out culprit, but the report wisely lashes out against the Dutch legal system. The pretext is the supposed confidentiality of medical information under Dutch law. The report does not cite any actual law to substantiate its claim, so the criticism sounds much like a warning not to come too near the tribunal.

The tribunal may be conscious of the lack of the culprit, except Milosevic, who did not commit suicide. Instead, the report does paint a rather curious picture of Dr Van Dijkman, ~~perhaps unfairly~~. Dr Van Dijkman's main preoccupation seems to have been to keep Milosevic's blood pressure down (in particular par. 56 and following). It seems, however, that hypertension was not even the biggest of Milosevic's worries. True, Dr Mijaliovic had mentioned arterial hypertension to Dr Falke, but it was only one among many other problems such as "untreated hypertrophy with alterations to the organ" (par. 42). Likewise, Professor Tavernier established that Milosevic had a target organ damage (par. 55). And all Dr Van Dijkman does is to treat his hypertension.

Dr Van Dijkman dutifully established that Milosevic's ECG remained "unchanged" (par. 57, 58 and 62), though that does not mean that the ECG was not all wrong to begin with. In fact, Prof Elena Golukhova had found significant ECG abnormalities in 2003 (par. 50). (That same "no change" ploy is again used in par. 83). Dr Van Dijkman suggests lifestyle changes (i.a. par. 46), which must have been a very appealing suggestion to Milosevic considering the life he led in the detention center cut off from the visits by his family. In face of that fact, Dr Van Dijkman has the audacity to suggest that Milosevic was suffering of "a mental stress of an unknown nature" (par. 51). The report also mentions that the problem was that Milosevic did not make the changes to the lifestyle that he was strongly encouraged to (par. 103).

But more to the point, what happened to the "periods of rest" Dr Van Dijkman prescribed (par. 45 etc.)? As the report says, "The Trial Chamber adjourned for three months to allow Mr. Milosevic to prepare his defense" (par. 51). Obviously, the three months were not enough, so he had to use his so-called "periods of rest" to prepare his defense too. That, again, was Milosevic's fault: he should have used his rest time "adequately" (par. 48). As if to show whose side he was on, Dr Van Dijkman even thought that the period of rest of at least six weeks would be "too much" (par. 17). What does he mean by "too much"? The fact that Dr Van Dijkman, "an experienced cardiologist of high standing" (finding #4), was allowed to act as Milosevic's cardiologist suggests that Milosevic's needs could not be met in the Netherlands (cf. par. 66) and the Trial Chamber was wrong to turn down Milosevic's request to fly to Moscow.

The report stresses the findings of the autopsy report. In finding #3 it says that the independent findings by Dutch authorities show that Milosevic was not murdered.

However, its faith in the report is relative. In order to rebut Prof Bockeria's claim that surgery would have saved Milosevic because he suffered from myocardial infarction, as the autopsy report apparently stated, Judge Parker, the writer of the report, has to turn against the autopsy report for a while. He writes that in Prof. Leclercq's opinion the trouble was not myocardial infarction at all, even if that was what the Dutch term hartinfarct meant to her (par. 101). However, if there is such a discrepancy between the specialist opinion and the autopsy report, why does that discrepancy not count elsewhere? The report refused to dwell on the matters raised by Dr Shumilina for the very same reason although the reasoning is now inverted: because the autopsy report did not indicate any connection between her findings and the death of Milosevic (par. 92). That reasoning might be valid if the autopsy report had mentioned Dr Shumilina at all. It is easy to guess whether the tribunal agreed with Dr Shumilina or not.

Apparently (although this is very unclear in the report), one of the reasons of the heart attack was hypertrophy of the myocardium (par. 101). But it had to be a curable condition even if the tribunal now tries to argue that it could do nothing to treat it. As noted above, Dr Mijalovic had talked about an "untreated hypertrophy with alterations to the organ" (par. 42), which suggests that it could be treated

Nature of the report and further action

All in all, the report is pleading for the innocence of the tribunal. There is nothing in the report that suggests that tribunal did anything wrong. It supposes that the tribunal should be given the benefit of the doubt as in any criminal case. Indeed, it is a plea. But where is the judge who will hear this plea? The fact that the report has been written by a judge hardly matters. It is imperative that the matter be investigated by an independent organ. Relegating the investigation of the death of a former head of state to the bureaucracy of the ICTY itself only adds insult to injury.

We are indeed at a crossroads. The ICTY statute put an end to the immunity of the heads of state, like Milosevic. The logical next step is to put an end to the immunity of the officials of international judicial bodies like the ICTY.

Sagittarius

Van: "Sagittarius" <sagitar@hetnet.nl>
Aan: "Jonathan Widell"
Verzonden: donderdag 15 juni 2006 15:35
Onderwerp: Re: Latest
 Beste Jonathan,

Laten we het daar op houden !
 Stuur je me de definitieve versie van je artikel ?
 Met dank !

Succes !

vr. gr.

Nico Steijnen

----- Original Message -----

From: Jonathan Widell
To: Sagittarius
Sent: Wednesday, June 14, 2006 7:19 PM
Subject: Latest

Dear Mr Steijnen,

Thank you so much for the letter from Branko Rakic. Mr Rakic also sent me the medical reports, which should contain enough material for another article very soon. Unless you have any objections, I think the following sentence would reflect your role in the Milosevic case for the purposes of the article you have graciously agreed to co-author with me (or so I take it): Nico Steijnen, member of the Dutch Bar, has been authorized by Milosevic to act on his behalf in defending his fundamental human rights in the Dutch courts.

Jonathan Widell
 301-117 Donegani
 Pointe-Claire, Québec H9R 2W3
 CANADA

Tel. 514-697-2104
 Fax 514-697-9619
 Toll free 1-866-697-2104
 Cell 514-891-9146

----- Original Message -----

From: Sagittarius
To: Jonathan Widell ; Jonathan Widell
Sent: Wednesday, June 07, 2006 9:46 AM
Subject: Fw: Envoi d'un message : LETTRE OUVERTE AU TPIY

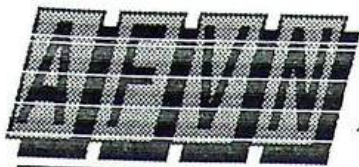
----- Original Message -----

From: Patrick BARRIOT
To: sagitar@hetnet.nl
Cc: grbic@wxs.nl
Sent: Friday, April 28, 2006 12:00 PM
Subject: Envoi d'un message : LETTRE OUVERTE AU TPIY

Dear Mr. N.M.P. Steijnen,

Here is an article written by Maître Jacques Vergès and myself about

15-6-2006



anti fascistische oud verzetsstrijders nederland
bond van anti fascististen



Correspondentie-adres
Leharstraat 8
0901 BM Eerbeek

Madeleine Albright en de vredesbesprekingen van Rambouillet

Kort voor de vredesbesprekingen van Rambouillet werd bekend dat Milošević toch bereid was een ruime autonomie voor Kosovo toe te staan. Hiermee doorkruiste hij de plannen van de NAVO. Daarom heeft Madeleine Albright aan de voor het publiek geheim gehouden tekst van de onderhandelingen van Rambouillet een *Appendix B* toegevoegd. Deze voorzag in de bezetting van heel Joegoslavië. Albright zorgde ervoor dat bij de besprekingen van Rambouillet voorwaarden aan de Serviërs gedictieerd werden, die het land nooit zou kunnen accepteren.

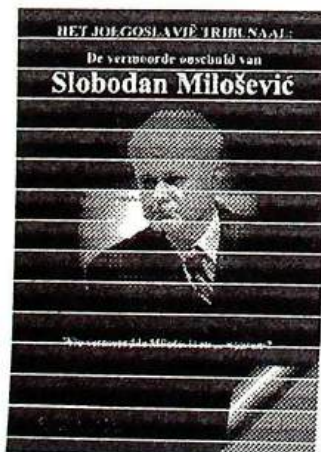
Korte samenvatting van Appendix B:

- Paragraaf 6: NAVO-personnel zal in geheel Joegoslavië immuun zijn voor elke gerechtelijke vervolging in welk bereik van de Joegoslavische rechtspraak dan ook. Geen enkele NAVO-medewerker zal in de Federale Republiek Joegoslavië berecht kunnen worden voor welk vergrijp dan ook.
- Paragraaf 7: NAVO-personnel zal op geen enkele wijze door de Joegoslavische autoriteiten ondervraagd, aangehouden of gearresteerd kunnen worden. Per ongeluk vastgenomen of gearresteerd NAVO-personnel dient onmiddellijk aan de NAVO-organisatie overgeleverd te worden.
- Paragraaf 8: NAVO-manscappen is het geoorloofd zich met voertuigen, schepen, vliegtuigen en verdere uitrusting in de gehele republiek Joegoslavië vrijelijk te bewegen. Bovendien heeft het onbeperkt toegang tot het luchtruim en de territoriale wateren van het land.
- Paragraaf 10: De autoriteiten van de republiek Joegoslavië dienen met prioriteit en alle beschikbare middelen de NAVO te ondersteunen bij het verplaatsen van manscappen, voertuigen, schepen, vliegtuigen en verdere uitrusting, zowel in het luchtruim als in alle havens, op luchthavens en wegen.
- Paragraaf 11: De NAVO mag alle luchthavens, wegen, spoorwegen en havens vrij van enige belasting, tol of andere vergoedingen benutten.

Bij de onderhandelingen in Rambouillet ging het niet over Kosovo, maar over de volledige bezetting van Joegoslavië en het onbeperkte recht om van alle Joegoslavische faciliteiten gebruik te kunnen maken. Geen enkele regering ter wereld, dus ook de Joegoslavische, zal akkoord kunnen gaan met dergelijke represailles. Joegoslavië keurde het vredesontwerpverdrag dan ook af. (overgenomen uit: HET JOEGOSLAVIE TRIBUNAAL: DE VERMOORDE ONSCHULD VAN SLOBODAN MILOŠEVIĆ)

Willens en wetens heeft Albright op deze manier de NAVO-bombardementen op Servië en Kosovo veroorzaakt.

En zij heeft daarmee vele duizenden doden op haar geweten!



Het Joegoslavië Tribunaal:

DE VERMOORDE ONSCHULD VAN SLOBODAN MILOŠEVIĆ

Wie vermoorde Milošević en ... waarom?

Alle media over de hele wereld schetsen Slobodan Milošević als "De slachter van de Balkan". Als u dit oordeel over de voormalige president van Joegoslavië gelooft, dan hoeft u dit boek dus niet te lezen.

Slobodan Milošević zou zichzelf hebben vergiftigd in zijn cel van de zwaarbewaakte gevangenis in Scheveningen. Zijn advocaat Zdenko Tomanovic verklaarde als eerste dat Milošević geen natuurlijke dood gestorven was. En er zijn genoeg feiten waaruit blijkt dat het niet om zelfmoord ging ...

Meer lezen over dit onthullende boek van **Robin de Ruyter**, bezoek dan de SHOP op onze website www.afvni.nl U kunt het boek ook bij ons bestellen!

Sagittarius

Van: "Sagittarius" <sagitar@hetnet.nl>
Aan: "Jonathan Widell"
Verzonden: zondag 18 juni 2006 12:00
Onderwerp: Re: Latest
 Beste Jonathan,

Ik begrijp niet precies wat je bedoelt met "what the Milosevic trial said of the al-Qaeda" Bedoel je wat Milosevic daarover gezegd heeft ? Of wat getuigen daarover gezegd hebben in het proces-Milosevic ? Of wat de openbare aanklager daarover in het proces tot nu toe gezegd heeft ?

Milosevic heeft in elk geval in zijn openingstoespraak toen hij aan zijn defence-case begon het een en ander over het terrorisme gezegd in relatie tot het voormalige Joegoslavië, en zoals je weet hebben sommige van de laatste getuigen ook daarover verklaringen afgelegd, met name ook over een bezoek van Bin Laden aan Izetbegovic. Verklaringen die, steeds weer, door de trian chamber buiten de orde werden verklaard en soms afgehamerd.

Ik denk dat als de webmaster precies wil weten wie wat tijdens het proces-Milosevic over dit onderwerp heeft gezegd, hij het beste contact kan opnemen met Andy Wilcoxson, de webmaster van www.slobodan-milosevic.org, met het verzoek om zijn site 'door te lichten' op de trefwoorden 'terrorisme' en 'Al-Qaeda'. Ik meen te weten dat hij daartoe de technische mogelijkheden heeft, al weet ik dat niet helemaal zeker. Dat laatste zou hem dus eerst even gevraagd moeten worden.

vr. gr.

Nico Steijnen

— Original Message —

From: Jonathan Widell
To: [Sagittarius](#)
Sent: Thursday, June 15, 2006 7:56 PM
Subject: Re: Latest

Dear Mr Steijnen,

I will send you the final version as I get it.

The webmaster of the Serbianna website would be interested to know what the Milosevic trial actually said of the al-Qaeda, especially in Kosovo. Do you have material that has already been researched, to some extent at least?

Best regards,

Jonathan Widell
 301-117 Donegani
 Pointe-Claire, Québec H9R 2W3
 CANADA

Tel. 514-697-2104
 Fax 514-697-9619
 Toll free 1-866-697-2104
 Cell 514-891-9146

— Original Message —

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To: [Jonathan Widell](#)
Sent: Thursday, June 15, 2006 9:35 AM
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Thank you so much for the letter from Branko Rakic. Mr Rakic also sent me the medical reports, which should contain enough material for another article very soon. Unless you have any objections, I think the following sentence would reflect your role in the Milosevic case for the purposes of the article you have graciously agreed to co-author with me (or so I take it): Nico Steijnen, member of the Dutch Bar, has been authorized by Milosevic to act on his behalf in defending his fundamental human rights in the Dutch courts.

Jonathan Widell
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----- Original Message -----

From: Sagittarius

To: Jonathan Widell ; Jonathan Widell

Sent: Wednesday, June 07, 2006 9:46 AM

Subject: Fw: Envoi d'un message : LETTRE OUVERTE AU TPIY

----- Original Message -----

From: Patrick BARRIOT

To: sagitar@hetnet.nl

Cc: grbic@wxs.nl

Sent: Friday, April 28, 2006 12:00 PM

Subject: Envoi d'un message : LETTRE OUVERTE AU TPIY

Dear Mr. N.M.P. Steijnen,

Here is an article written by Maître Jacques Vergès and myself about the death of President Milosevic. This article is based on 41 references to internal and confidential documents of the ICTY. We think it is very important to work together to establish the truth and to obtain a response from Carla Del Ponte.

Best regards,

Dr. Patrick Barriot,
dr.barriot@free.fr

18-6-2006 (DEFINITIEVE versie)

THE ICTY REPORT ON MILOSEVIC'S DEATH

Jonathan Widell and Nico Steijnen

Prosecution's case falls apart

Before discussing Milosevic's death, we would like to highlight a fairly recent development that makes all the difference. Mr Nice, the head of the prosecutor team, withdrew the Greater Serbia charges against Milosevic in August 2005. For those who have watched the trial closely, in particular Milosevic himself, this meant that the "joint criminal enterprise" had no basis. Arguably, that dealt a major blow to the Milosevic's criminal culpability in its entirety. When the tribunal proved reluctant to acquit Milosevic, Milosevic asked his judges with good reason on November 29, 2005:

"So what's the point of all these witnesses who talked about a Greater Serbia as my primary goal here? Are you going to take that out of the evidence, or are you going to let me examine them further? Also what about this joint criminal enterprise? And what would its objective be after this charge? And what is this phantom of a joint criminal enterprise that is being discussed here? And what is it that is exactly being alleged?"

The rest of the charges remained unchanged, however. That suggests that the withdrawal of the Greater Serbia charges was only apparent. It had no substantive consequences in terms of the other charges, as it should have, because it pulled the rug from under the criminal liability in the first place.

The predicament had begun a lot earlier for the prosecution. After the prosecution ended presenting its case, the two leading Dutch newspapers, Volkskrant and NRC Handelsblad, titled their articles "No Conclusive Evidence against Slobodan Milosevic" (VK February 26, 2004) and "Case against Milosevic Falls Apart" (NRC February 28, 2004).

However, the worst was yet to come. When the turn for presenting his case came, Milosevic presented, with mostly Western witnesses, forceful evidence that there was no humanitarian emergency in Kosovo on the eve of the NATO war of 1999 against Yugoslavia, that the KLA was conducting a large-scale terrorist campaign at the time, that international terrorism had secure positions in Bosnia while it was being supported by the West throughout the 1990's, that the Twin Towers suicide terrorist Hattar resided there in the 1990's for a number of years and that Osama Bin Laden was received by the Bosnian president Izetbegovic in November 1995.

As if this had not been bad enough for the prosecution's case, Milosevic's witnesses also gave evidence that the Albanians were not driven out by the activities of the Serbian army in Kosovo but mostly as a result of the intensive NATO bombings and the intimidation by the KLA. For that reason there were also relatively more Kosovo Serbs among the refugees than Kosovo Albanians during the 1999 war.

The final blow was the evidence given by Alice Mahon, who was a member of the NATO Parliamentary Assembly in 1999. She told the tribunal that the civil population was openly terrorized by the NATO bombings in the 1999 war. It is against this background that we may speculate why Milosevic was found dead in his cell a few days later.

Motive

This does not only suggest that Milosevic had no motive for a suicide but also that the prosecutors did have a motive for getting rid of him one way or the other. The withdrawal of the Greater Serbia charge was a tacit acknowledgment that the case was going very badly for the prosecution.

It is more than mere speculation that the prosecution and the judges are alive to the interests of NATO and its member states. In that sense, there may well be a connection between the prosecution case gone awry and Milosevic's death. When the former vice-prosecutor Hewitt resigned, he stressed in an interview given to the Dutch newspaper NRC Handelsblad that countless officials of the tribunal spent at least as much time in the US Embassy in The Hague as they did in the tribunal's office. Jamie Shea's memorable words during the Kosovo bombing are also to the point:

"NATO countries are those that have provided the finance to set up the Tribunal, we are amongst the majority financiers, and of course to build a second chamber so that prosecutions can be speeded up so let me assure that we and the Tribunal are all one on this, we want to see war criminals brought to justice and I am certain that when Justice Arbour goes to Kosovo and looks at the facts she will be indicting people of Yugoslav nationality and I don't anticipate any others at this stage."

Mr Shea could just as well have said that the tribunal was the finest judicial organ that money could buy. If financing was a way to buy immunity, then there is very little difference between financing and bribing.

Report

After Milosevic was found dead on March 11, 2006, the tribunal had to put off fires on a number of fronts when it published its report on the death of Milosevic which came out in May 2006. In its report, the tribunal did not delve into the motives of either Milosevic himself or any other parties. Instead, it dwelt on the technicalities. It is in this perspective that we will evaluate the report below although it would seem that the motives have been left out of the report for a good reason. If they had not, many of the hypotheses put forward would prove untenable. It is for that reason that we cannot neglect the motives either, Milosevic's or the tribunal's, in what follows.

Rather surprisingly, the ICTY report on the death of Milosevic admits that Milosevic did not commit suicide, though that does not keep it from concluding that Milosevic caused his own death. The difference is subtle, but it must seem significant to the tribunal. That

is an indication that the tribunal is doing its best to please everybody now that it got rid of its greatest enemy. The tribunal may have wanted to throw a bone to its detractors and continue its argument to others as if Milosevic had committed suicide anyway. In the end, it is difficult to tell what actually happened. It may seem outrageous to speak of culprits in this context, now that the tribunal suddenly seemed to run out of chances to prove Milosevic guilty as it had hoped, but that does not keep the tribunal from pinning the blame on Milosevic for his own death anyway. Proving that is a lot easier now that Milosevic is not there to give the tribunal a hard time. The tribunal seems to conclude that the only one who could damage Milosevic's health and ultimately bring about his death was Milosevic himself.

Heart condition

Even if the tribunal is willing to cater to different tastes in the matter, it does not back down from its premise that Milosevic is somehow to blame for everything that went wrong. This one-sided logic is evident throughout the report. For instance, even if the tribunal concludes that Milosevic's condition was untreatable, it infers that it was Milosevic who brought on himself his own death. The report speaks of Milosevic acting "at obvious risk to himself" when it says that Milosevic "was manipulating the effectiveness of his prescribed treatment for other purposes, at obvious risk to himself" (par. 111). Those "other purposes" is as far as the report is willing to go to explain Milosevic's motives.

This is just the other side of the coin. The report suggests elsewhere that whatever the tribunal would have done to his health, including heart surgery or notably the lack thereof, did nothing to change the course of events because Milosevic was a doomed man anyway as far as his health was concerned (par. 95 to par. 102).

First, the tribunal feels obliged to answer the critics who say it did not do enough to save him. The report quotes two specialists when addressing the cause of his death and gives the impression that his condition was untreatable. The two specialists, Dr Tavernier and Professor Leclercq, speak of *preventive* treatment and *preventing* the cause of death, which in their opinion would have been impossible in this case (par. 100). However, if Milosevic had had a heart surgery, as recommended by Professor Bockeria (par. 96), he would not have undergone a preventive treatment. Just preventing somebody's death, or saving somebody's life, does not automatically qualify as preventive treatment. Before any conclusion is drawn in regard to the effectiveness of preventing the cause of death, it should be noted that both Leclercq and Tavernier were not sure that the cause of death was what the pathological report said it was (par. 101), which deals a severe blow to the tribunal's assumption that the autopsy report closes the matter.

The conclusions Leclercq and Tavernier reached concerning the supposed ineffectiveness of intervention are based on the pathologists' findings after Milosevic was dead. Normally a diagnosis comes too late if the physician waits for all the facts to come in after the patient is dead. In par. 102, the report even concludes that it was not certain whether surgery would have prevented the death of Milosevic. In vernacular, that is

called benefit of hindsight. Only, in this case the tribunal concludes that even hindsight does not provide any benefit. As Jacques Vergès and Dr Patrick Barriot point out in their open letter to the Chief Prosecutor Carla del Ponte, even if a physician does not have an *obligation de résultats*, the physician does have an *obligation de moyens*, as they are called in French. In other words, the physician is responsible for treating the patient but not for the outcome of that treatment. Conversely, even if the success of a certain treatment is uncertain, the physician has to perform it if it has the possibility of benefiting the patient.

The tribunal says in par. 102 that there was a difference of professional opinion concerning the need for surgical intervention and its effectiveness, but that is not strictly speaking the point. Presumably that difference of opinion was between Professor Bockeria on the one hand and Professor Leclercq and Dr Tavernier on the other. If the overriding principle was to save the life of the patient, it is difficult to see what harm could have been done by "erring" on the side of Professor Bockeria, in whose opinion surgery would have saved Milosevic's life. In referring the case to Professor Bockeria, the physicians would have fulfilled their *obligation de moyens*.

Significantly, Dr Tavernier did have a recommendation: he recommended life-style changes. Milosevic would certainly have agreed. The trouble is that Milosevic doubtlessly had a broader interpretation of the appropriate life-style changes than the tribunal. And if Milosevic's condition was untreatable, why did Professor Leclercq offer a recommendation as well? As Jacques Vergès and Dr Patrick Barriot point out, Professor Leclercq stated in another context: "It is incontestable that the stress contributes to the irregularities of the blood pressure and a period of rest has to be prescribed." Leclercq was one of the three doctors who recommended a six-week rest, which the report admits in par. 64. The report also admits that Dr Mijailovic had detected "untreated hypertrophy with alterations to the organ" as early as 2001 (par. 42), which suggests that the condition was treatable, even if the report then takes the liberty of contesting the recommendation by Professor Bockeria concerning the need for heart surgery.

Privileges

At the risk of exaggerating the same self-complementary logic, the report on the Milosevic's death repeats the word privileges 39 times to draw attention to the fact that Milosevic had wide-ranging privileges. It is hard to avoid the impression that Milosevic had the privilege of ending his days in such a fine establishment that made his health considerations prevail over everything else, a bit like Reverend Gardiner's Home for Wayward Boys in one of Stephen King's novels. Even when the report suggests that at least some of those privileges should have been revoked, its stated purpose was to prevent any non-prescribed medicines from being delivered to Milosevic.

However, talking about privileges is misleading. Milosevic was the only detainee in the detention unit who was not allowed to have visits by his family members. The report even suggests that he should not have used the telephone to call his family members,

because the telephone was meant for "defense-related purposes" (par. 118). That already gives the lie to the concept of privileges in regard to Milosevic.

Jacques Vergès and Dr Patrick Barriot also point out that the tribunal did searches in Milosevic's cell in his absence, which was illegal. Of course the tribunal could justify that practice by the non-prescribed medication it then supposedly found in his cell, like the Prilazid Plus, which had been confiscated from Milosevic on his arrival in the detention center in 2001. Again, the tribunal could hold up the protection of Milosevic's health as the overriding principle for performing the illegal searches.

Health and the rights of the defense

The rule of thumb is that whenever the case was going bad for the prosecution, the more obsessed the tribunal became with Milosevic's health.

First, now that even the tribunal has admitted that "There is nothing in his medical documentation that could suggest a heightened risk of suicide" (par. 37), it may be hard to believe that at the beginning of the trial Milosevic was forced to sleep under the constant glare of lamps in his cell and he was kept under video surveillance for fear he might commit suicide. The reason cited was that both his parents had committed suicide. Even if the surveillance may have conceivably averted the danger of suicide, the surveillance and the lamps were sure to damage his health in the long run. In fact, there is no indication that the round-the-clock video surveillance of his cell was ever lifted, which also reduces the likelihood that Milosevic could have taken any non-prescribed medicines, as the report purports.

Second, Milosevic was told to have a psychiatric examination in November 2002. Maybe the interests of the prosecution seemed too obvious. Or maybe the scenario was simply too Stalinesque for the public to stomach. Anyway, the plan to have Milosevic undergo a psychiatric examination never got off the ground. He was, however, examined by a cardiologist at that time. One may speculate how different the report would look if Milosevic had agreed to the psychiatric examination when it was ordered by the judges.

Third, also in late 2002, the tribunal administered the wrong medicine to Milosevic. Whether that was done deliberately was debated at the time. As the leading Dutch newspaper NRC Handelsblad of November 23, 2002 reported in its article "Milosevic got the wrong medicine":

"In the Scheveningen prison Slobodan Milosevic was given the wrong medicine, causing his blood pressure to rise very quickly. This was why at the beginning of this month the trial against the former president of Yugoslavia was suspended. Sources within the tribunal have confirmed this. However, a spokesman for the Tribunal denies that mistakes were made. He refuses to discuss the issue further on grounds that 'This is about the privacy of the defendant'."

Here we see the willingness of a tribunal official to hide behind the privacy of the defendant. However, that privacy did not keep Christian Chartier, Head of Public Information Services, from commenting that the medication Milosevic got was actually the *best* Milosevic could have and even denied that Milosevic had been given the wrong medicine at all. In other words, the tribunal can compromise the privacy of the patient if it is in its own interests to do so. Moreover, here we see the arrogance of the tribunal: it was the tribunal that knew what was best for Milosevic even when it turned out to be damaging to his health. That same brazen optimism was to last until Milosevic's death and beyond.

Fourth, in summer 2004, the tribunal kept Milosevic from representing himself in his defense by imposing defense counsels, Steven Kay and Gillian Higgins, to represent him. In its order, the Trial Chamber mentioned Dr Van Dijkman's report although it never quoted it. When the defense witnesses refused to appear in court under such circumstances, the tribunal had to reverse its decision concerning the imposition of defense counsels.

Paradoxically, the allegations that Milosevic was manipulating his treatment justified the curtailing of his rights even further. Jacques Vergès and Dr Patrick Barriot have enumerated the instances as follows: The tribunal suppressed the facilities that had been given to him for the preparation of his defense by the Order concerning the Preparation and Presentation of the Defence Case of September 17, 2003. It reduced the time for the organization of his defense and increased the rhythm of the sessions from three to four or five so that Slobodan Milosevic did not have the material and physical means to prepare his witnesses, because the fatigue and the stress became insupportable. And, finally, the tribunal rejected Milosevic's request for hospitalization in the Bakulev Institute in Moscow. The only regret that the report on his death expresses is that his "privileges" were not cut even further.

As to the last point it has to be remembered that the tribunal did allow Vladimir Kovacevic and Pavle Strugar to leave the detention center for treatment. Vladimir Kovacevic was granted provisional release to allow him to fly to Belgrade for the treatment of mental health problems. Pavle Strugar was allowed to go back to Serbia and Montenegro for a hip replacement surgery. On the other hand, Slavko Dokmanovic, Milan Kovacevic, Milan Babic were less lucky, like Milosevic, and died in the detention center. Dokmanovic and Babic reportedly committed suicide, while Kovacevic died of a rupture of the abdominal aneurysm. The tribunal treats all these incidents with laconic efficiency and death in detention is treated almost as a normal occurrence in the report on Milosevic's death.

Rifampicin

The report on Milosevic's death hinges on the finding that Milosevic had administered the leprosy medicine rifampicin to himself (par. 111). Rifampicin countervailed the effectiveness of the prescribed antihypertensive medicines, and the report suggests that Milosevic used the medicine to make his hypertension seem worse. However, the report

itself provides a number of clues that Milosevic did not administer the medicine to himself.

As the report says in par. 76. Milosevic did not know that he was tested for rifampicin until 3 March 2006. He had been tested for it for two months, since 12 January 2006. However, if Milosevic wanted to countervail the effectiveness of the antihypertensive medicines, why was he supposedly taking the antihypertensive medicine Prilazid Plus which the report says were found in his cell and which according to it was smuggled from Serbia (par. 82)? It was found in his cell on February 1, 2006, i.e. more than a month before Milosevic found out he was being tested for rifampicin. In other words, does it make sense for him to take an antihypertensive medicine of his own and another medicine that countervails its effectiveness, if he really wanted to keep his blood pressure up?

Interestingly, the ICTY admits that rifampicin was indeed found in his blood. One might expect the tribunal to deny such embarrassing information. A cynic might think that the tribunal must have a reason for admitting the fact. Indeed, from the fact that it had not been prescribed by the detention unit staff, the report draws the uncomplicated conclusion that Milosevic administered it to himself.

The open letter to Carla del Ponte written by Jacques Vergès and Dr Patrick Barriot has some interesting observations concerning both the rifampicin and the Prilazid Plus. The Prilazid Plus pills had expired in March 2003. Those were the same tablets that Slobodan Milosevic had in his pocket when he was "transferred" to The Hague in June 2001. They were confiscated on his arrival at the Detention Unit. For some reason, those tablets were found by the prison guards in Milosevic's cell on February 1, 2006.

The origin of rifampicin is even more interesting. Milosevic found out in March that he had been tested for rifampicin for a couple of months. As the report says, the crucial blood test, which eventually revealed the presence of rifampicin in his blood, was taken on January 12, 2006. In their report, the toxicologists noted that they were unable to account for the low levels of metoprolol and amlodipin in his blood.

Contrary to what the ICTY report suggests, Milosevic was told of the results of the blood tests already in January. Dr Falke told Milosevic on January 27 that the levels of the prescribed medicines in his blood were too low but he only suggested that his kidneys should be examined. Milosevic was not allowed to see Dr Touw's report.

Why was the level of metoprolol and amlodipin abnormally low in the blood samples? In his report of January 20, 2006 (pages 6 to 7), Dr Touw gave several possible explanations for a low reading of metoprolol: "*Low metoprolol concentrations can therefore be caused by the following factors: 1. poor absorption from the gastrointestinal tract, 2. insufficient compliance with the therapy, 3. interaction with for example a substance binding with drugs such as activated carbon, 4. decreased absorption by induction of enzymes, for example, rifampicine, and 5. a fast metabolism for CYP2D6.*" Then he concluded in regard to Slobodan Milosevic's situation: "*We cannot draw any conclusions on the poor*

absorption, compliance with the treatment and binding to for example activated carbon. An interaction resulting in an increased pGp activity is unlikely, in view of the combination with the amlodipine medication and CYP2D6 genotyping carried out on a blood sample taken on 6 August 2004 shows that there is no CYP2D6 gene duplication in any case, which is the most common cause of a fast metabolism in Caucasians."

Dr Touw excluded explanation number 5, the fast metabolism. That is what the tribunal also did in par. 107 of its report, referring to the testing of August 6, 2004, which was the same test - or actually only the same sample - that Dr Touw mentioned in his report. Dr Touw also expressed reservations about the possibility of "the increased pGp activity" which could have been induced by rifampicin. He thought it was "unlikely" that rifampicin played any part because Milosevic was taking metoprolol in combination with amlodipine. In other words, even if Dr Touw did not rule out rifampicin outright, he thought it was an unlikely explanation and cited it only as an example.

However, two months later, on March 7, Dr Falke announced that he had received another report from Dr Touw, dated February 23. The report concluded that "a repeated analysis" of those same blood samples had revealed very high levels of rifampicin. In fact, those levels were so high that they would have corresponded to a dosage of 2 tablets of 300 mg a day for an adult. Stunningly, the rifampicin quantities were 100 greater than the quantities of other medications detected by Dr Touw, which suggests, if true, that the test must have been botched at least at one point. Dr Falke's accompanying letter, which was dated March 3, drew the triumphant conclusion that rifampicin must indeed be the reason Milosevic's medication was not having the desired effect. The first three possibilities seemed to have been discarded.

As the ICTY report says in par. 76, the blood test of January 12, 2006 was "the first time that a blood test of Mr Milosevic had undergone the additional specific testing for rifampicin". In this light, it is surprising that the toxicologists could initially do nothing else but speculate on the presence of rifampicin in the blood in their January report, especially as they noticed two months later that the levels were staggeringly high.

So, either there was rifampicin in his blood in the test taken in January, and the finding was omitted from the report, which suggests that the finding was too embarrassing for the tribunal to disclose, or there was no rifampicin in the blood test, even if the tribunal chose to accuse Milosevic of medicating himself two months later.

Ironically, the absence of rifampicin would be the least damaging scenario for the tribunal, in which case one might speculate why it admitted that the substance was found. First, if there was no rifampicin, then it would stand to reason that his urine did not turn red, as it would if rifampicin had been in his body. In that case, the tribunal would not have had to resort to the argument that Milosevic administered rifampicin to himself and did not tell anybody of the discoloration of his urine because he must have been aware of that side-effect in advance (par. 77). Second, if no rifampicin was found in his blood, then we do not have to wonder why there was no rifampicin at the time of the autopsy, which is a bigger problem than the tribunal cares to admit. If Milosevic had taken the

medicine up to the time he found out that he was being tested for it, that is to say March 7 (or March 3 according to the report), would all the traces of the medicine really have disappeared from his blood when he was found dead four days later? Third, this option would also relieve the tribunal of the uncomfortable fact that the blood test was requested by Milosevic himself (or he "volunteered to take a further blood test," as the report says in par. 76), because it is unreasonable to assume that he thought he would *not* be tested for rifampicin when he made the request.

The tests were also performed under controlled circumstances. The tribunal even admits this in par. 132: "It is noted that when a strictly controlled test was conducted on 12 January 2006 a nurse actually administered the medication and a guard then watched Mr. Milosevic for two hours. Steps such as this can overcome subterfuge but they are hardly practical for normal practice." In other words, the idea of subterfuge on Milosevic's part, with which the tribunal likes to toy in its report in par. 132, is excluded at least in regard to the blood test of January 12, 2006, by the tribunal's own admission.

But why did the tribunal insist in the end that it did find rifampicin in Milosevic's blood? One explanation may have been to sidetrack the growing chorus of Milosevic supporters. The report quotes Milosevic's letter in which he expresses his certainty that the tribunal had tried to poison him with rifampicin. Curiously, that is also the only "hard" evidence mentioned in the report to that effect. The supporters of Milosevic would then have no reason to doubt that rifampicin was found. Once the supporters got what they wanted (so to speak), the tribunal could treat Milosevic's detractors to the more palatable theory that he administered the medicine to himself and thus caused his own death (without committing suicide, curiously enough). What killed Milosevic in reality, in this scenario, might have been the shock caused by the sudden revelation of rifampicin findings in his blood and the certainty of his never getting out of the detention center now that his request for provisional release to fly to Moscow had been turned down.

The reality is even starker than that. The rifampicin was found at a time when the tribunal could no longer sell the story of Milosevic sabotaging his own treatment, as the prosecutor, the physicians and the Registrar had been claiming since the summer of 2004. That myth was about to be exploded when Milosevic requested the blood draw under controlled circumstances in January 2006. The first time Milosevic's blood was tested by the detention unit staff was in the second half of July, the second time was in August 2004, the third in November 2005 and the fourth in December 2005. Conveniently, those tests coincided with the imposition of counsels and the rejection of Milosevic's supposedly ill-timed request for provisional release. The tribunal insisted that Milosevic was manipulating his treatment. Even if all the previous blood draws showed the reading of the prescribed drugs to be lower than expected, no adequate examination took place until Milosevic himself demanded the controlled test that was carried out on January 12, 2006. It is then scarcely surprising that the tribunal had to scramble for an explanation in 2006 and thought that the presence of rifampicin suited it best.

It can hardly be stressed too much that the blood tests of January 12, 2006 were not prompted by the tribunal but by Milosevic. He wanted to put to rest the repeated

accusations that he was manipulating his own treatment, although the tribunal did not hesitate to turn the results, whatever they were, against Milosevic himself. It was hard for the tribunal not to grant Milosevic's request. If it was administering rifampicin to Milosevic at that time without his knowing, the levels of the metoprolol and amlodipin were sure to turn out low, for which the tribunal was prepared. The disconcerting fact was that the rifampicin would also show up in the blood sample. The very dilemma the tribunal was facing would seem to account for the delay of two months that elapsed between the actual test and the time Milosevic was told of the results. By that time rifampicin might well have disappeared from his blood if its administration had been discontinued in January and all we had as evidence was Milosevic's own letter to the Russian Ministry of Foreign Affairs that the substance was ever found in his blood. That solution had something to offer to everybody, and nobody was likely to draw attention to the fact that if Milosevic was taking rifampicin until he was told he was being tested for it, the substance would probably still have been in the blood at the time of the autopsy a week later.

No matter which option is true, one question remains: If there was rifampicin in the blood to begin with, why was it not reported to Milosevic until March? The report says that this was due to "the difficult legal position in which Dr Falke found himself by virtue of the Dutch legal provisions concerning medical confidentiality". Strange to say, that is not entirely untrue. It is true that Dr Falke found himself in a difficult legal position. However, the reason was not that the Dutch law prohibited him from divulging the information to Milosevic. If the Dutch legal provisions concerning medical confidentiality played any part in what was going on, it was because they would have *required* Dr Falke to divulge that information to Milosevic at his request. The *amici curiae* Gillian Higgins and Steven Kay had informed the Trial Chamber of the way Dr Falke and others seemed to be doctoring the relevant medical information. However, the Trial Chamber only required them to defend themselves in writing, which they did, and the matter was considered settled.

The report then dutifully criticizes those Dutch provisions in par. 134 and following. The substantive problem with this argument is, however, that there are no legal provisions in Dutch law that prohibit a doctor from telling a patient the result of his own blood test. Even if there were, a delay of almost two months would seem excessive. Obviously, the tribunal was willing to peddle such a blatant untruth in order to buy that crucial two-month period during which it could spin a tale around the blood test results.

If there was rifampicin in Milosevic's blood, then the reasons for the delay in telling Milosevic himself of the findings are particularly relevant. It is significant that the tribunal made no public announcement of the findings. The report quotes no such announcement. Instead, it quotes the letter by Milosevic to the Ministry of Foreign Affairs of the Russian Federation (par. 80). As the report admits, the information in the letter appeared to have reached representatives of the media through a legal associate of Mr Milosevic. That letter is indeed the only document that made the findings public to the outside world.

However, it seems preposterous that the tribunal clings to the only public document that shows that rifampicin was found in Milosevic's blood, namely Milosevic's letter Ministry of Foreign Affairs of the Russian Federation, and then spins a tale around it that directly contradicts what the letter says. It is easy to understand why the tribunal would do that. The blood draw results do not seem to stand the light of day. The spin would also divert the attention from the uncomfortable fact that Milosevic was found dead in his cell about three weeks after his request for further treatment in Moscow had been rejected. The tribunal understandably tries to spin a tale around that unfortunate event too, but as one of the common law principles states: *res ipsa loquitur*, i.e. the thing speaks for itself. In medical malpractice cases, the plaintiff only has to show that a particular result occurred and would not have occurred without someone's negligence. That is the case here.

It is hard to resist the conclusion that the tribunal did not communicate the finding to the public directly because it wanted to "frame" Milosevic as the architect of his own death. If the tribunal was so sure that Milosevic had administered the medicine to himself, then, in an apparent display of magnanimity, the tribunal wanted Milosevic to be the only one who should know about it. That possibility might persuade some unsuspecting observers, if such magnanimity were not so rare or even unheard-of. But why did Milosevic make the findings public in the first place, if he knew he had taken the medicine himself? The quote the tribunal has chosen for its report might seem to suggest to some that Milosevic was in panic after being "found out" and used the "poisoning" to get a trip to Moscow. However, it would appear to be more than a coincidence that the tribunal did not divulge that information to Milosevic until it had turned down Milosevic's request to that very effect on February 23, 2005. It would then appear plausible that the tribunal waited until the rejection of Milosevic's request before it made the rifampicin findings known to Milosevic.

The tribunal would never revisit its rejection. Milosevic appealed the decision, but he was found dead in his cell less than a month later, on March 11, which is in itself too close for comfort. And the additional complication is that the tribunal admits in its report that Milosevic did not commit suicide. Yet, it supposes that Milosevic in effect poisoned himself, although the report also says that he was not poisoned.

Milosevic's letter sounds true. Yet we must remember that it is the only evidence the report gives of rifampicin having been found in his blood. It would appear that if Milosevic's letter involved any spin, it could not have been ascribable to Milosevic. Even if Milosevic had indulged in spin, does the tribunal suppose that Milosevic decided to die a few days later after writing his letter just to show the tribunal that he knew what the tribunal was doing and he wanted everybody else to sympathize with him? In other words, was Milosevic prepared to pay the ultimate price, his life, just for the pleasure of "framing" the tribunal as his murderer, which would be the *prima facie* case when a patient dies within three weeks from the rejection of his request for provisional release?

As Michael Crichton writes in his techno-thriller *The State of Fear*:

"If someone tried to kill you, you did not have the option of averting your eyes or changing the subject. You were forced to deal with that person's behaviour. The experience was, in the end, a loss of certain illusion. The world was not how you wanted it to be. The world was how it was."

And that is the feeling one gets reading Milosevic's letter.

The only remaining problem is that rifampicin should have caused the discoloration of his urine. Why did Milosevic not tell the nurse or anybody else in the detention center? For those who know Milosevic, this question is contrived. Of course he would not tell.

Just look what happened on November 15, 2005 when he tried to discuss his medical report with the Trial Chamber:

Judge Patrick Robinson: I do not wish to have it discussed now. Are you deaf? Call your next witness.

Milosevic: I probably am deaf.

Judge Robinson: Well if you are, we'll see about that. Call the next witness.

However, the discoloration of his urine and the arrogance of the trial judges would account for his urge to get treated in Moscow. Milosevic was not stupid. If his urine had turned red, he would probably have suspected the tribunal first. He would have expected the tribunal to deny that the eventual discoloration was attributable to the treatment. Obviously, that is exactly what happened.

One has to note two reservations. First, Milosevic did not tell anybody, not even his closest associates. That has to be taken into account, although the blood of one's urine is not necessarily something one likes to discuss with anybody. Second, some of those involved in the case appear too hasty to wash their hands of any responsibility. That suggests that the tribunal must have had its own reasons for "canonizing" the rifampicin scenario, which suggests at least to some observers that there was no rifampicin to begin with.

The tribunal's willingness to designate a so-called independent expert is a case in point. The trial chamber requested the Registrar in January 2006 to designate an "independent expert" who could give his opinion on the results of the blood tests, albeit without doing any other blood tests himself (par. 70). The Registrar chose Professor Uges (par. 71). Professor Uges did not see or test Milosevic's blood at any point. However, the tribunal states that Professor Uges' report was delayed because it was Milosevic who refused his consent for the *relevant medical information* to be provided to him (par. 71). That leaves unanswered the question what it means by the "relevant medical information", because Milosevic himself did not hear of the supposed rifampicin findings until early March. On the other hand, it is known that whatever the "relevant medical information" was, there is no indication Professor Uges handled the blood samples.

That technicality did not keep Professor Uges from writing a report which concluded that Milosevic did not take the prescribed medicines and administered the rifampicin to himself. At least, that is what Professor Uges told the media two days after Milosevic's death. On the other hand, the Registry was not aware of any report by Dr. Uges other than the one dated January 24, 2006, which did not mention rifampicin. If Professor Uges is right about his writing another report, then he knew, quite spectacularly, without even seeing the samples on which he was to give his expert opinion, 1) that rifampicin had been found in Milosevic's blood; 2) that Milosevic had administered the medicine to himself; and 3) that Milosevic did this to twist the tribunal's arm to get a provisional release to fly to Moscow. It is not clear how Professor Uges could give his medical opinion on who had administered the medicine, and even less clear how he could give a medical opinion on Milosevic's supposed motives for doing so. If Professor Uges is wrong about his having written a report to that effect, however, it does not matter what he said in the report that he did write.

Other medicines

In support of its view that Milosevic had taken the non-prescribed medicine himself, the report is at pains to establish a certain pattern of the use of non-prescribed medicines on Milosevic's part. Those non-prescribed medicines include cilazapril/hydrochlorothiazide, co-trimoxazole, diazepam, nordazepam and prazepam.

First, the report mentions cilazapril/hydrochlorothiazide in par. 108. Interestingly, in par. 109 the report mentions that "another medication", Prilazid Plus, was found. However, Prilazid Plus was not "another medication": Prilazid Plus consists of cilazapril/hydrochlorothiazide, as the report says itself in par. 82. As we have already noted, the Prilazid Plus was confiscated on his arrival in Scheveningen and then miraculously found in his cell.

It must also be noted, as Jacques Vergès and Dr Patrick Barriot point out, that Dr. W. Zwart Voorspuij had concluded in his forensic report of March 11, 2006 on the discovery of the body that Milosevic was known to take non-prescribed medicines. He wrote that Milosevic took a medicine that was not available in the Netherlands, namely Vascase Plus, which contains cilapzapril and hydrochlorothiazide, mentioned above. However, Vascase Plus appeared in the prescriptions in July and August 2002 and it seems to be available in PrilazidPlus. Did Dr W. Zwart Voorspuij confuse Vascase Plus and Prilazid Plus? That already raises the suspicion that the truth never stands in the way of a good story, although the forensic report was supposed to be only about facts. Dr. W. Zwart Voorspuij was so eager to mention this supposedly relevant detail that he did so even before describing how the body was found.

Second, the report mentions in par. 109 that diazepam and nordazepam had been found in Milosevic's blood and says that he had not been prescribed either of them "at the time" (i.e. November and December 2005). Yet in par. 68 we read that he had been prescribed diazepam for his back pain a month before (October 2005) and that diazepam transforms

into nordazepam in the body. However, since Professor Donald Uges thought that neither of the substances would be found after two weeks in the blood, the inference was that Milosevic was taking non-prescribed medicines. On the other hand, in his statement given in the middle of February 2006, Dr Falke admitted that Diazepam was given to Milosevic several times during his stay in the detention unit, although it did not appear in the medical report until the autumn of 2005 (for some reason).

If Diazepam was thought to be a non-prescribed medicine at the time of the four blood tests taken between November 20 and December 16, 2005, we may infer that Milosevic was being tested for not only for the prescribed but also for non-prescribed medicines before the strategic blood test of January 12, 2006, in which rifampicin, a non-prescribed medicine, was then reportedly found. That suggests that any non-prescribed substance should have been detected right away in January.

Third, the report discusses nordazepam, this time in connection with prazepam, a minor tranquilizer, in par. 106. It evidently ascribes the presence of the nordazepam in Milosevic's blood to medicines which belonged to Dragoslav Ognjanovic, nicknamed Misa. To the credit of the tribunal, it must be said that those medicines were not found in his cell but in his office. The date was July 9, 2004. From the viewpoint of the tribunal it must have been a happy coincidence that Misa was one of Milosevic's legal associates. To clamp down on the "privileges" of Mr Ognjanovic the tribunal first had to suppose that the medicines were actually meant for Milosevic. The tribunal had no other proof for its assumption than the two blood tests of July 2004 which contained nordazepam and prazepam. However, Branko Rakic, one of Milosevic's legal associates, has denied that prazepam was found in the blood test, which means that the nordazepam must have been a trace of diazepam.

As we already noted, diazepam was prescribed in 2005 for Milosevic's back pain, so the medicine could not really have been "non-prescribed". We also noted that diazepam transforms into nordazepam in the body, as the report says. Indeed, that may offer an explanation for the presence of nordazepam in the blood draw of July 2004, too, although diazepam did not appear in the medical report until the autumn of 2005. There is then no need to account for the presence of nordazepam by way of prazepam, which was found in the envelope belonging to Misa, although prazepam transforms into nordazepam as well.

Branko Rakic adds that Milosevic's legal associates kept some of their belongings in the same office, such as books, pens, different documents etc. Since they also worked there, it was normal to leave or even forget something there. He also remarks that the last time Mr Ognjanovic, or Misa, had been in the office was about May 20, 2005, and when the envelope with the medicines was found, it was still sealed, which means that nobody had taken the medicine in the intervening period of 50 days. Milosevic did not know of its existence, because it was in a drawer used by Mr Ognjanovic.

After that discovery, all the visitors were searched manually from head to toe. From the beginning of 2005, a guard would permanently watch Milosevic and his visitors through the glass of the office door. The visitors also underwent x-ray controls. Even if the ICTY

report pretends to deplore the inevitable lacunae in the surveillance system, it would have been impossible for anybody could have smuggled a daily dosage of 2 tablets of rifampicin to Milosevic. The supposed dosage was so high that Rakic, Vergès and Barriot do not believe that it would have been possible even for the tribunal to administer it without Milosevic knowing. Significantly, rifampicin was never confiscated at any point, which would make the tribunal's theory at least a little more plausible, even if we did not forget what the tribunal did with the Prilazid Plus.

Those technicalities do not prevent the tribunal from concluding that Milosevic "administered rifampicin to himself". On the other hand, we have accounted for all the medicines on the tribunal's "bad book" except for co-trimoxazole, an antibiotic, which is mentioned in par. 108.

As if to add a touch of humor, the report suggests that other "incriminating" evidence includes a bottle of whisky that had been found, not in his cell, but in "Milosevic's privileged office" (par. 106 and par. 127). However, the tribunal is not joking. Branko Rakic points out that Milosevic's legal advisers told Milosevic's visitors that no gifts were allowed. Even those who did not ask his advisers' advice did not hide what they had with them. For instance, Carolos Papulas, President of Greece, declared the bottle of ouzo he had brought with him at the entrance of the jail and it was taken away from him.

Culprits

In cases like this, it would seem natural to ask who assisted Milosevic in whatever he was doing. The tribunal remains strangely uninterested in that question. An additional complication is that the tribunal admits in its report that Milosevic did not commit suicide, while suggesting that Milosevic did in effect poison himself. The tribunal remains oblivious to that discrepancy. Its main preoccupation is to divert the suspicion away from itself.

The tribunal seeks "to avoid any repetition of such conduct", meaning the surreptitious way Milosevic supposedly got the medicines (par. 130). It does not address the issue who delivered them. Of course, it would be for the Dutch police to find out culprit, but the report wisely lashes out against the Dutch legal system. The pretext is the supposed confidentiality of medical information under Dutch law. The report does not cite any actual law to substantiate its claim, so the criticism sounds much like a warning not to come too near the tribunal.

The tribunal may be conscious of the lack of the culprit, apart from Milosevic, of course, even if he did not commit suicide. Instead, the report does paint a rather curious picture of Dr Van Dijkman, perhaps unfairly. Dr Van Dijkman's main preoccupation seems to have been to keep Milosevic's blood pressure down (in particular par. 56 and following). It seems, however, that hypertension was not even the biggest of Milosevic's worries. True, Dr Mijaliovic had mentioned arterial hypertension to Dr Falke, but it was only one among many other problems such as "untreated hypertrophy with alterations to the

organ" (par. 42). Likewise, Professor Tavernier established that Milosevic had a target organ damage (par. 55). And all Dr Van Dijkman does is to treat his hypertension.

Dr Van Dijkman dutifully established that Milosevic's ECG remained "unchanged" (par. 57, 58 and 62), though that does not mean that the ECG was not all wrong to begin with. In fact, Prof Elena Golukhova had found significant ECG abnormalities in 2003 (par. 50). (That same "no change" ploy is again used in par. 83). Dr Van Dijkman suggests lifestyle changes (i.a. par. 46), which must have been a very appealing suggestion to Milosevic considering the life he led in the detention center cut off from the visits by his family. In face of that fact, Dr Van Dijkman has the audacity to suggest that Milosevic was suffering of "a mental stress of an unknown nature" (par. 51). The report also mentions that the problem was that Milosevic did not make the changes to the lifestyle that he was strongly encouraged to (par. 103).

But more to the point, what happened to the "periods of rest" Dr Van Dijkman prescribed (par. 45 etc.)? As the report says, "The Trial Chamber adjourned for three months to allow Mr. Milosevic to prepare his defense" (par. 51). Obviously, the three months were not enough, so he had to use his so-called "periods of rest" to prepare his defense too. That, again, was Milosevic's fault: he should have used his rest time "adequately" (par. 48).

As if to show whose side he was on, Dr Van Dijkman even thought that the period of rest of at least six weeks would be "too much" (par. 17). What does he mean by "too much"? The rest of six weeks was recommended by Drs Leclercq, Shumilina and Andric, who examined Milosevic on November 4, 2005. They had all been chosen by Milosevic himself. The tribunal writes in its report that the Trial Chamber did meet those physicians' recommendation for six-week rest from December 12, 2005, while denying Milosevic's request for provisional release to Moscow (par. 94). The trial would have been suspended for a three-week winter recess anyway.

The fact that Dr Van Dijkman, "an experienced cardiologist of high standing" (finding #4), was allowed to act as Milosevic's cardiologist suggests that Milosevic's needs could not be met in the Netherlands (cf. par. 66) and the Trial Chamber was wrong to turn down Milosevic's request to fly to Moscow.

The report stresses the findings of the autopsy report. In finding #3 it says that the independent findings by Dutch authorities show that Milosevic was not murdered. However, its faith in the report is relative. In order to rebut Prof Bockeria's claim that surgery would have saved Milosevic because he suffered from myocardial infarction, as the autopsy report apparently stated, Judge Parker, the writer of the report, has to turn against the autopsy report for a while. He writes that in Prof Leclercq's opinion the trouble was not myocardial infarction at all, even if that was what the Dutch term hartinfarct meant to her (par. 101). However, if there is such a discrepancy between the specialist opinion and the autopsy report, why does that discrepancy not count elsewhere? The report refuses to dwell on the matters raised by Dr Shumilina for the very same reason although the reasoning is now inverted: because the autopsy report did not

indicate any connection between her findings and the death of Milosevic (par. 92). That reasoning might be valid if the autopsy report had mentioned Dr Shumilina at all. It is easy to guess that the tribunal did not agree with Dr Shumilina, in which case she had to be ignored.

Apparently (although this is very unclear in the report), one of the reasons of the heart attack was hypertrophy of the myocardium (par. 101). But it had to be a curable condition even if the tribunal now tries to argue that it could do nothing to treat it. As noted above, Dr Mijalovic had talked about an "*untreated* hypertrophy with alterations to the organ" (par. 42), which suggests that it could be treated

Nature of the report and further action

All in all, the report is pleading for the innocence of the tribunal. There is nothing in the report that suggests that tribunal did anything wrong. It supposes that the tribunal should be given the benefit of the doubt as in any criminal case. Indeed, it is a plea. But where is the judge who will hear this plea? The fact that the report has been written by a judge hardly matters. It is imperative that the matter be investigated by an independent organ. Relegating the investigation of the death of a former head of state to the bureaucracy of the ICTY itself only adds insult to injury.

We are indeed at a crossroads. The ICTY statute put an end to the immunity of the heads of state, like Milosevic. The logical next step is to put an end to the immunity of the officials of international judicial bodies like the ICTY.

Sagittarius

Van: "Sagittarius" <sagitar@hetnet.nl>
Aan: "Mayra Publications" <mayrapublications@home.nl>
Verzonden: dinsdag 20 juni 2006 14:00
Bijlage: Milosevic Investigation lin.doc
Onderwerp: Re: commotie in de gevangenis toen iemand anders per ongeluk Milosevic'voedsel kreeg
 Hoi Robin,

Het boek is dus uit ! Is het al ergens gerecenseerd ?
 Mijn postadres is: Couwenhoven 52-05, 3703 ER in Zeist.

Het zal me benieuwen of e.e.a. nog enige commotie zal geven !
 Ik stuur je hierbij tevens nog een artikel toe, waarin ik mede de hand heb gehad.

Bij voorbaat dank voor de zending !

beste groeten,

Nico Steijnen

— Original Message —

From: Mayra Publications

To: Sagittarius

Sent: Monday, June 19, 2006 7:10 PM

Subject: Re: commotie in de gevangenis toen iemand anders per ongeluk Milosevic'voedsel kreeg uitgereikt.

Beste Nico,

Ik was vandaag op het postkantoor om je een doos met boeken te sturen. Helaas klopte het adres niet.

Kun je mij een adres doorgeven zodat ik de boeken kan opsturen?

groetjes,

Robin

— Original Message —

From: Sagittarius

To: Robin de Ruiters

Sent: Wednesday, June 07, 2006 4:55 PM

Subject: Re: commotie in de gevangenis toen iemand anders per ongeluk Milosevic'voedsel kreeg uitgereikt.

Bedankt !

vr. gr.

Nico Steijnen

— Original Message —

From: Robin de Ruiters

To: Sagittarius

Sent: Wednesday, May 31, 2006 1:42 PM

Subject: Re: commotie in de gevangenis toen iemand anders per ongeluk Milosevic'voedsel kreeg uitgereikt.

Beste Nico,

hartelijk bedankt voor alle samenwerking en moeite.

Je hoort spoedig van me. Stuur je wel een aantal exemplaren toe. Kun je ze aan geïnteresseerden schenken.


Sagittarius

Van: "Versluis, Jacco"
Aan: "Sagittarius" <sagitar@hetnet.nl>
Verzonden: dinsdag 20 juni 2006 17:08
Bijlage: Persbericht.doc
Beste Nico Steijnen,

Hierbij ons persbericht. Hoewel je je misschien niet altijd zult kunnen vinden in onze analyse en duiding hoop ik dat je het in ieder geval waardeert dat we het dossier voor een groter publiek toegankelijk maken. Zodat mensen hun eigen oordeel kunnen vellen. Ik ben je verzoek om een analyse van de stukken niet vergeten, ik kom daar binnenkort op terug.

Met vriendelijke groet,

Jacco Versluis

Medisch dossier Milosevic op internet

HILVERSUM - Het medisch dossier van Slobodan Milosevic staat sinds op de website van het KRO programma Reporter www.reporter.kro.nl. De oud-president van Servië overleed 11 maart van dit jaar in de gevangenis van het Joegoslavië Tribunaal. Zijn dood leidde tot een discussie over zijn medische behandeling en bewaking.

Te lezen zijn o.a. interne memo's van het Joegoslavië-Tribunaal, de briefwisseling tussen de behandelende artsen, hersenscans, gehoortesten, labuitslagen, medicijnkaarten en het schouwrapport waarin sectie wordt geadviseerd mede 'gezien de politieke commotie'. Ook is er de kritiek te lezen van buitenlandse specialisten op de behandeling van Milosevic door het Haagse Bronovoziekenhuis. Het dossier maakt bovendien duidelijk dat Milosevic in de gevangenis jarenlang zijn gang kon gaan. Tot grote frustratie, zo blijkt, van de gevangenisdirecteur.

Een bijzondere rol is weggelegd voor prof. dr. Herre Kingma. Die blijkt de aanklagers meermalen te hebben geadviseerd over de behandeling van Milosevic. In 2002 acht hij die bijvoorbeeld 'correct'. Al adviseert hij wel dat er een Arboarts naar Milosevic kijkt. Kingma is dan nog de hoogste baas van de Inspectie voor de Gezondheidszorg. In 2006 zal Kingma de aanklagers opnieuw van advies dienen. Hij vraagt dan nadrukkelijk zijn rol geheim te houden. Zijn advies is een internist toe te voegen aan de cardioloog die Milosevic behandelt.

De 370 bladzijden van het dossier hebben betrekking op het laatste half jaar van Milosevic zijn leven. Die probeert dan toestemming te krijgen voor een medische behandeling in Moskou. De zaak komt op scherp te staan wanneer in het bloed van Milosevic rifampicine wordt aangetroffen, een geneesmiddel dat zijn andere medicatie neutraliseert. De aanklagers vermoeden dat Milosevic zo zijn reis naar Moskou wil afdwingen.

Voor meer informatie: Jacco Versluis 06 - 53786538

Advocatenkantoor Steijnen, Olof & Stelling
Couwenhoven 52-05
3703 ER Zeist
tel. 030-6956867
email: sagitar@hetnet.nl

27 juni 2006

Hoi Hans,

Van het opzoeken van de Maanjuffer is ook dit jaar weer niets gekomen, want het is nu inmiddels te laat, de vliegtijd is voorbij.

En dat is jouw schuld ! Want ik moet almaar jouw vooroordelen bestrijden, omdat jij je oor te luisteren legt bij 10 miljard mede-bevooroordeelden, in plaats van bij mij. Vandaar ook bijgaand boek.

Dus hou ik geen tijd over om naar de Maanjuffer te zoeken. Wat natuurlijk vreselijk is !

Hoedo weten die 10 miljard mede-bevooroordeelden van jou het beter dan ik?

Voor diezelfde 10 miljard stond het ook als een paal boven water dat Saddam Heissein over massavernietigingswapens beschikte. Geloofde je Saddam Hoessein, dat ie ze niet had, dan was je niet goed snik. Of tenminste een landverrader.

"Landverrader", dat heb ik graag straks op m'n grafsteen. Het is een geuzen-titel om, vandaag de dag, landverrader te zijn. Want het is een door en door gemanipuleerd klerezooitje hier.

En voetballen kunnen ze ook al niet.

hartelijke groeten, ook aan Maaïke,

Sagittarius

Van: "Ian Johnson" <j-
Aan: <Undisclosed-Recipient:>
Verzonden: woensdag 28 juni 2006 1:18
Onderwerp: CDSM: Vidovdan 28th June 2006.
Vidovdan - 28th June 2006 - Greetings and best wishes to all members and supporters of ICDSM.

Vidovdan - 28th June 2006 - 5 years since the Nato kidnapping of Slobodan Milosevic.

Following the murder of President Milosevic, Nebojsa Malic from anti-war.com wrote an article, 'invictus' and ended it with the following paragraph, the sentiments of which we heartily endorse:

"At the time of his death, Milosevic was a prisoner. Unlike his country, however, he refused to accept his captivity and fought against it any way he could. Whatever one may think of the way he lived or governed, in his final four years, he stood alone against the Empire, embodied in the Inquisition: an overwhelming force seeking to dominate all of humanity, willing and able to twist history, facts, and logic into a sinister fiction. Milosevic did not have to resist it; he *chose* to. For years, the greatest coercive force in the world tried to break him, and failed. He died free."

In tribute to Slobodan Milosevic's struggle at The Hague we publish below the 'trial' transcript from 30th Jan 2002 and his 30th August 2001 statement.

President Slobodan Milošević in The Hague, January 30th 2002 (transcript)

BY ADDING THREE LIES, ONE DOES NOT GET THE TRUTH - ONLY A BIGGER LIE

Pres. Milosevic:

By adding three lies, one does not get the truth - only a bigger lie.

All three indictments really have a thread running through them – to use an expression I've heard used here – which is the ongoing crime against Yugoslavia and against my people.

This here is obviously a colossal abuse of power to fabricate an historical forgery in which those who advocated the preservation of Yugoslavia would be charged with its destruction; those who defended the country would be accused of crimes; and those who advocated and committed secession, advocating separatism and terrorism, would be given amnesty – because they were backed by forces that wanted to establish control over the Balkans, so as to be able to use this strategic position to establish their control elsewhere.

As we've heard, you spoke of three connected events. How come the 'discoverers' of this so-called plan, of which they speak so self-assuredly, only got around to making allegations about Bosnia and Croatia after ten years? Furthermore, these claims are absurd and nonsensical, primarily because the entire policy of the Serbs, Serbia and me personally was in regard to Croatia and Bosnia focused on peace, not war. We used all our influence to achieve peace as soon as possible.

At the very beginning of the conflict in Croatia, we advocated a political solution. Based on that proposal, the UN Protected Areas were established and the situation calmed down immediately. On March 24, 1992, the late Croatian leader Tudjman spoke to his

nation from the Ban Jelacic Square [in Zagreb], saying literally: "There would not have been a war had Croatia not wanted it, but we judged this was the only way to achieve independence."

There would have certainly been no war had Croatia not wished for it. Serbia never participated in that war anyway. It was an internal conflict.

But why did Croatia want war? Most certainly not in order for the Croatian people to use their right to self-determination and secession (Macedonia, for example, claimed that right and separated from Yugoslavia), but to achieve its goal of expelling half a million Serbs from Croatia – Serbian Krajina – who for centuries lived there on their own land, and not as occupiers.

Until the arrival of that Croatian regime that wanted war and so admitted publicly, Croatia had a Constitution describing it as a state of Croats, Serbs and other peoples residing therein. That Constitution was changed. Serbs lost their rights and their constituent status in Croatia, and they rose in rebellion. At the time, few in Serbia even knew that Serbs lived in some part of Croatia.

You speak of the plan according to which, with German support, Croatia was prematurely recognized at the end of 1991, without waiting for a political solution, which sparked a confrontation in which Serbia – I repeat – only contributed in finding a peaceful solution as soon as possible. Even the Croatian government never accused us of responsibility for that conflict, and now I hear, here, today, that we had some sort of a plan for that?

There was, in fact, a plan – a clear plan aimed against a state that was, I would say, at the time a model of future European federalism. That state was Yugoslavia, in which multiple nations lived in a federation, on equal footing, successfully, with the ability to prosper, develop, and show the entire world that coexistence was possible.

All the time we fought for Yugoslavia, for the preservation of Yugoslavia. After all, all the facts prove that what I am saying is true. Only the Federal Republic of Yugoslavia, which now exists, retained its ethnic makeup. There were no expulsions, from the beginning to the end of the Yugoslav crisis. All other republics changed their ethnic makeup. Half a million Serbs were expelled from Croatia and we all know what happened in Bosnia, not to mention other parts of Yugoslavia.

Therefore, I would say this is a malicious, utterly hostile process aimed at justifying the crime against my country, using this 'court' as a weapon against my country and my people.

Look at Bosnia-Herzegovina. Over there, we tried from the very beginning to secure peace. What happened to the Cuttiero Plan, which everyone had backed? The Islamist Bosnian government rejected it at the urging of the U.S. Ambassador and the conflict began. How can Serbia be accused of anything in Bosnia, when it is well known that, attempting to use our influence for peace, we not only backed all the peace proposals but also tried to help implement them?

In 1993, in Athens, there was a meeting at which the Vance-Owen Peace Plan was signed. Everybody signed it. I went to Pale with [Greek Prime Minister] Mitsotakis and former Yugoslav president Dobrica Cosic, and we advocated the acceptance of this plan. Unfortunately, it was rejected – on May 3 or May 5, 1993, I don't remember exactly. Even then we initiated a blockade of the Serb Republic, in order to force its leadership to accept the peace plan. This was Serbia's role – to attempt to achieve peace.

We had constantly emphasized that the only formula for achieving peace in Bosnia was to equally protect the interests of all three peoples in Bosnia-Herzegovina: Serbs, Muslims and Croats. The Dayton Agreement succeeded because that formula was accepted – because the national interests of all three peoples were protected equally.

Now I hear that Dayton was supposed to discuss Kosovo. That is nonsense. The Dayton talks were convened to establish peace in Bosnia-Herzegovina, and no one even thought of addressing the issue of Kosovo. It has been an internal issue of Serbia, and no one could have even dreamed that someone would attempt to internationalize it.

You cannot, in any way, link Serbia or the Serbian policy with any kind of crimes. You especially cannot legally claim, ten years later, something that no one ever alleged about us, even then. We were accorded only respect and appreciation for the gigantic efforts Serbia and the Serbian policy made to achieve peace.

Speaking of Bosnia, do you know that 70,000 Muslim refugees sought sanctuary in Serbia during the Bosnian conflict? Do you think someone would flee their home and take refuge in the very territory from which they were endangered? How many lives did we save, how many of your hostages did we rescue from Bosnia – from UN peacekeepers to pilots – and how many peace treaties did we insist on and make possible? Eventually, we were the most responsible for the success of the Dayton talks and the peace that ensued.

It was a total peace, a complete relaxation of tensions, and then... I will tell you how it all began in Kosovo. Because of the plan to establish control of the Balkans, the territory of the former Yugoslavia, efforts were made to destabilize Kosovo at precisely the time when it seemed everything would be resolved peacefully.

In November 1997, there was a summit meeting in Crete of all heads of state and governments of Southeastern Europe. Back then, we discussed – at our initiative – the elimination of barriers, tariffs, integration within Southeastern Europe and improving our mutual cooperation. I had a direct dialog with the Albanian Prime Minister Fatos Nano. We spoke of normalizing our relations, eliminating visas and tariffs, developing transport and trade links, et cetera. Fatos Nano and I went before the TV cameras and he then said, after talking about cooperation and improving our mutual relations, that Kosovo was an internal Serbian matter. This was a promise of peace, of peaceful solutions to all these problems.

But this was an alarm for all the powers that continued to act criminally against my country, trying to destabilize Yugoslavia and intervene the way they did. A month or two afterwards, we received a letter from [German Foreign Minister] Kinkel and [French Foreign Minister] Vedrine saying they were worried about the situation in Kosovo. For ten years since the time you claim Serbia "seized" control of its own territory, there were no murders, no expulsions, no plunder, no arson, no arrests in Kosovo. We did not have a single political prisoner in Yugoslavia – not one. Kosovo had 20 newspapers and other publications in Albanian, which one could buy at every street corner. Not a single issue, not a single copy, was ever banned. Albanian political parties, even separatist ones, worked freely. Someone here said we tolerated them. No, our view was that everything should be permitted – except violence.

Then the powers behind Yugoslavia's destruction and occupation rounded up criminals throughout Western Europe and sent them to Kosovo to establish a terrorist organization. They began terrorist attacks in the spring of 1998. Then they were crushed. By the fall of 1998, they were completely eliminated, surrendering by the truckload the weapons they had smuggled in.

Within that year, they mostly killed Albanians. I do not have specific figures with me, since I did not know I would be given a chance to speak today. I was notified of my appearance here only yesterday, and I did not know what would be discussed. So I do not have all the specific information, but I will tell you what I do have. Two and a half times...

Claude Jorda:

Mr. Milosevic, please allow...

Pres. Milosevic:

... more Albanians than Serbs were killed by the terrorists in 1998. They killed Albanian police officers, postal carriers, forest rangers, even retirees – only because they received their retirement checks from the state. They were attempting to strike terror in the hearts of Albanians as well as kill Serbs. We protected our citizens – both Serbs and Albanians – from terrorism, and this operation was completed by the fall of 1998. Then [US envoy] Holbrooke came to demand a Verification Mission in order to create a pretext for attacking Yugoslavia. Let me tell you....

Claude Jorda:

Mr. Milosevic, allow me just a minute. Please. Just one minute. I will not take away your time, I will certainly give it to you. Even this International Tribunal whose legality you dispute is giving you the opportunity to fully state your case. It seems to me, first of all, that you are ready to start with the trial – even today, as it seems. This goes to your credit. You are ready. But I have to take you back to the... Please, try not to completely lose sight of the issue we are discussing today. We are not the chamber that will conduct your trial. We understand well that your central idea is quite contrary – that this is a victimization of your country. It has been heard and understood.

It would be good for you, Mr. Milosevic, not to deceive yourself about the chamber that will try you. You have the same amount of time as the prosecutor here. As the chairman of this chamber I guarantee that. Please, do not lose sight of the topic we are discussing, then.

You have a thesis you are attempting to defend, and you have that right – and will have that right. However, I have to remind you that this Appeals chamber is facing an important procedural question. It may not be important to you, but it is to us, since we are trying to safeguard the norms of just and equitable procedure. What we would like to know is if you would like your trial for Kosovo to be separate from the trial for Bosnia and Croatia, or if you would prefer them to be combined. I understand that you might answer this in a roundabout way. I will, of course, permit you to speak. You are a defendant who has good mental health and clarity of thought. Therefore I ask you to try and answer this question. Thank you in advance. You have the floor again.

Pres. Milosevic:

First of all, this is the only time I have not been interrupted, the first time I can say something, and I will use every opportunity to address the public regarding the crime that is being perpetrated against my country. I do this not because of procedure, since procedure does not interest me, but in order to answer the attacks against my country and my people, and the ongoing crimes against them. I want the public to know that after the aggression...

Claude Jorda:

Please wait, Mr. Milosevic. You understand that you have much time at your disposal, but you will have more when the trial starts. This is, of course, not the subject of today's debate. You have the right to continue. But you are now addressing the people outside this courtroom. Mr. Milosevic, I have to tell you that you will have the right to address the public. The international community created this trial and I certainly wish that all the rules that apply to the prosecution, to you and to the civilization are respected. Today's debate is about how the trial would take place in another chamber. I have no intention of interrupting you and will subtract the time I used up by my interruptions. You may proceed now.

Pres. Milosevic:

I want to emphasize that the crime against my country has continued. The most recent Serb murdered in Kosovo that I've heard of was killed on Christmas this year. Some 350,000 were expelled from Kosovo under UN auspices, while Albanian terrorist activities were protected by the UN. Since the arrival of the so-called UN peacekeepers that were obligated by [UN Security Council] Resolution 1244 to guarantee the security of person and property to every inhabitant of Kosovo, Albanian terrorists have expelled 350,000 people and torched tens of thousands of homes. Sometimes they would burn 50, 60, all the Serbian houses in a village, in plain sight of the [UN] troops. These are in fact occupation troops, who came [to Kosovo] under the UN banner only to transform themselves overnight into occupiers and allies of the terrorists who killed, who mutilated and butchered so many, and burned so much, and continue to do so even today. And they say they were unaware this was happening.

Can anyone believe that the troops over there could be unaware that tens of thousands of homes were being torched? Can someone damage and destroy...since the UN troops came, 10/ Serbian churches have been destroyed. Can someone destroy an entire church and burn it without the UN troops knowing?

This is a "joint criminal enterprise" - of the forces who committed crimes against Yugoslavia with the drug-Mafia and Albanian terrorists in Kosovo, for the purpose of crimes not only against the Serbs but all other non-Albanians, even Catholic Albanians. Even Albanians who, in any way - such as cashing their retirement checks - showed any loyalty to the Republic of Serbia as their state.

What is happening over there is practically the rehabilitation of a policy led by Hitler and Mussolini. This talk about "Greater Serbia", this alleged idea that never really existed, is only raised to mask the creation of "Greater Albania" - the very same one that was made by Hitler and Mussolini in World War Two. Look at it then, and look at what is being done now, what they want to seize from Serbia, Montenegro, Macedonia - tomorrow maybe from northern Greece, when Greek-Turkish relations are strained under orders of the common master.

This is obviously a crime, and the thread running through it is obviously a crime against Yugoslavia. I want to point out that falsifying historical facts is not easy, though. It is not easy even when these facts are only known to a select group of people, and downright impossible when millions, entire nations, know the facts. With all due respect, the real judges in this trial - not you who wear the robes - are those who decided to murder children in my country, who launched NATO's aggression and dropped 25 thousand tons of bombs in 78 days, murdering mostly elderly people, children and women.

They want to play that role. But they will not be the judges.

The real judge here is the people - not just the people of Yugoslavia, but the peoples of all the countries who care about liberty and equality. Not for nothing do we have a saying that the judgment of the people is the judgment of God. We all face that judgment, not just me - who is facing an attempt here to be made responsible instead of being given recognition - but also you, and your employers, especially those who committed crimes against my country.

Since you want me to request something of you, let me demand this: set me free. I demand to be set free because you and the entire world should know by now that I will not run from a fight for my people and my country. I have no intention of running. It does not serve the honor of this institution to keep me imprisoned here, in disgraceful conditions, in order to deprive me of equality in stating my arguments - even if this institution were legal, and you know very well that it isn't.

For if you didn't know - and I don't refer to you in particular, but to the institution - then you would have accepted the motion from the *amici curiae* to seek advisory opinion from the International Court of Justice on the legality of this tribunal. You did not seek it, because the outcome would be entirely predictable.

Altogether, I think that such a criminal approach, an attempt to cast the victim as the culprit, both in regard to my country, my people and myself, has not yet been recorded in history. With that in mind, I consider it both logical and just to release me immediately. I will not flee, and I am ready to enter any of these debates, since this is one battle which I certainly have an obligation to fight.

Following is the statement that President Milosevic was not allowed to read when he appeared, August 30, before the 'tribunal' in The Hague.

Statement of President Slobodan Milosevic on The Illegitimacy of 'The Hague Tribunal' [30 August 2001]

"Can a criminal tribunal for Yugoslavia which ignores pervasive violence by the U.S. and diverts public awareness from United States conduct and legitimizes by silent acceptance aerial and missile assaults on civilians and illegal weapons use against one country after another, making its repetition expected before it occurs, contribute to the hope for the rule of law, justice or peace?"

There are three fatal legal flaws in the so-called International Criminal Tribunal for the Former Yugoslavia. Each has disastrous consequences for the human quest for peace, the rule of law, democracy, truth and justice.

1. THE CHARTER OF THE UNITED NATIONS DOES NOT EMPOWER THE SECURITY COUNCIL TO CREATE A CRIMINAL COURT

The U.N. Security Council has seized power it does not possess, corrupting the Charter of the United Nations, placing itself above the law and threatening "We Peoples of the United Nations" with a lawless future in which a superpower employs the scourge of war to have its way. Nothing in the history of the planning, drafting, discussion, approval or ratifications of the U.N. Charter implies, or is consistent with, an intention to empower any body created by, or under, the Charter to establish any criminal tribunal. The words of the Charter and their textual inferences, the structure and allocation of power and duties, including those in the incorporated Statute for the International Court of Justice, all negate the existence of any capacity under the Charter to ordain criminal courts. The Criminal Tribunal for Former Yugoslavia is illegitimate and its creation a corruption of the United Nations.

There would never have been a United Nations if its Charter stated, or implied, that a criminal court could be created under its authority. No one who believes in historical truth, or that words have meaning can, after examining the history of its creation and its text, contend that the Charter of the United Nations empowers the Security Council to create a criminal court.

An International Criminal Court Can Be Created Only By A Multinational Treaty, Or Amendment to the Charter of the United Nations

The national representatives who have served on the Security Council and in the General Assembly and the scholars, lawyers and experts who have labored for more than thirty years to bring into being an international criminal court have recognized that the only lawful and binding way such a court can be created is by an agreement among nations through a treaty agreed upon for that purpose, or by amending the Charter of the United Nations under its strict provisions regulating amendments to authorize, or establish a court.

When an International Criminal Court was finally agreed upon in July 1998 by 120 nations meeting in Rome, it was by treaty which had been studied, drafted and debated for years. The United States, the most powerful participant in that long process, consistently sought to weaken the treaty to exempt U.S. leaders and military personnel from prosecution before it. Having failed, the U.S. was then the most prominent and powerful of the handful of nations that refused to sign. As of August 1, 2001 37 nations, the Netherlands the most recent, had ratified the treaty.

The United States is vigorously trying to persuade, coerce, or bribe nations not to ratify.

**Creation of the International Criminal Tribunal
For The Former Yugoslavia Was A Lawless Act Of
Political Expediency by the United States Designed
To Demonize and Destroy an Enemy And Frustrate
Creation of a Legitimate International Criminal Tribunal**

At the insistence of the U.S., the Security Council nearly fifty years after it came into being forged a new and powerful weapon capable of demonizing a nation and its people and depriving individuals of their liberty for the rest of their lives, and placed it largely in the hands of the United States. The principal precedents for such pseudo-judicial actions over several millennia preceding the creation of the U.N. are trials of leaders and soldiers of vanquished populations by the victors in war, and courts used by colonial powers to control and punish subjugated peoples. The precedents are many and the violence and cruelty and hatred they usually exposed and caused was extreme.

**Unless It is Limited By The U.N. Charter And
International Law, The Security Council Can Do
Whatever It Chooses To Do**

If it is not restrained by the United Nations Charter, the Security Council can commit any act it desires disregarding all law. Early proponents of United States world power claimed such unbridled discretion for the Security Council publicly. Thus in 1950 John Foster Dulles wrote:

"The Security Council is not a body that merely enforces agreed law. It is a law unto itself... No principles of law are laid down to guide it, it can decide in accordance with what it thinks is expedient."

If unchallenged, this concept of Security Council power means that the most powerful international organ created by the Charter of the United Nations "to end the scourge of war" is above all law, domestic and international.

But absolute discretion is the very definition of lawlessness and has been called "more destructive of freedom than any other of man's inventions," by U.S. Supreme Court Justice William O. Douglas. All rights of all nations, races, religions, cultures, political parties and individuals are thereby subordinated to the will of the Security Council, and the single superpower that too often will dominate it. All but fifteen nations are excluded from Security Council counsels. Each of the five permanent members can veto its actions.

The Security Council is subject to domination by a single nation. The representative of each member votes as instructed by the national government that appoints him and to serve the interests of that government, not as an international statesman serving all peoples and the purposes for which the U.N. was created. The Security Council is inaccessible, anonymous and less responsive to democratic processes than any other international political institution.

**2. A ONE-TIME, ONE-EPIISODE COURT TARGETING ONE COUNTRY, CREATED BY
INTERNATIONAL POLITICAL POWER TO SERVE ITS GEO-POLITICAL INTERESTS IS
INCAPABLE OF EQUALITY AND CONDUCTIVE TO DIVISION AND VIOLENCE**

The illegitimate Criminal Tribunal for Former Yugoslavia corrupts justice and law because it is incapable of acting equally among nations, or within the politically targeted nation. It will increase violence, division and the risk of war with neighboring nations and peoples and within Yugoslavia among the segments of the society the U.S. policy of Balkanization of Former Yugoslavia has set against each other and against the new government the U.S. has installed for its own purposes.

If the United Nations Charter had authorized the Security Council to create criminal courts, it could not

create a court for one nation or episode for political purposes, to persecute selected groups or persons, and such a court is incapable of equal justice under law. An ad hoc court violates the most basic principles of all law. Equality is the mother of justice. An international court established to prosecute acts in a single nation and primarily, if not entirely, one limited group is pre-programmed to persecute, incapable of equality.

If the Security Council can create a criminal court to prosecute conduct in a single country like Yugoslavia, it can appoint a court for any country, selecting enemies or political and economic opportunities for targeting one at a time, while never exposing itself, or those who comply with its wishes, to such selective prosecution. If the U.S. or any ally or client state it chose to protect was the subject of a serious effort by the Security Council to be honored with a criminal tribunal in its own name, the U.S. would veto the threatened action.

A Court created only for crimes in one country is by definition discriminatory, incapable of equal justice, a weapon against chosen enemies, or antagonistic interests and war by other means. If there is to be any international criminal court, it must act equally as to all nations with none above the law. The ad hoc tribunal for a single nation corrupts international law.

By its very nature, an ad hoc Tribunal can be created only after the conduct the Security Council decides justifies creation of the Court, since there is no other excuse for its creation. It is in every case ex post facto. This violates an ancient principle of law. It also requires the Security Council, if there is to be a rational basis for its action, to make some preliminary claim to finding of facts, a task such a political body is not designed for, that inherently incriminates a country or faction by placing the imprimatur of the Security Council of the United Nations on a political decision of fact necessary to justify the creation of the Tribunal. The very charge of the Security Council - genocide, crimes against peace, war crimes, or crimes against humanity - demonizes any person thereafter accused.

**The Selection Of A Nation For Prosecution
On Political Findings Of Genocide, War Crimes
And Crimes Against Humanity Creates
A Compulsion to Convict.**

Investigators, prosecutors and administrative personnel who join a temporary Tribunal to pursue allegations of humanity's greatest crimes against a people and leaders already demonized will feel they have failed if there are not convictions. The very psychology of the enterprise is persecutorial. Few judges appointed to serve on a Tribunal created under such circumstances will feel free to acquit any but the most marginal, or clearly mistaken, accused, or to create an appearance of objectivity.

**Powers That Create Ad Hoc International Criminal
Tribunals Divert Attention From Their Own
Offenses, Or Failures, Or Those Of Allies And
Their Political Surrogates While Continuing
To Inflect And Threaten Mass Destruction With Impunity.**

The ad hoc Tribunal which targets a country is incapable of prosecuting what may be greater crimes committed in the same conflict, by a power, coalition, ally or political agents that was and remains a much greater source of violence and threat to peace. Most often the power which forced the creation of the target tribunal to further damage and demonize its enemy is shielded from criticism by the avalanche of propaganda against the accused supported by the appearance of United Nations neutrality and peace-making efforts.

What court will consider the criminality of aerial bombardment by U.S. aircraft of defenseless civilians, their housing, water systems, power plants, factories, office buildings, schools, hospitals, which take thousands of lives directly and causes billions of dollars of property damages in Belgrade, Nis, Novi Sad and scores of other cities, towns and villages? What threat to peace continues from the U.S. bombing of the Chinese Embassy?

Who will be held accountable for the devastation of Pristina by NATO planes, or the attacks on refugee

columns in Kosovo and Metohia? Is the U.S. use of cluster bombs exploding razor sharp metal fragments over an area as large as a soccer field in the courtyard at the hospital in Nis no crime? Will the Security Council act to prevent and punish the use of depleted uranium by the U.S. which is as indiscriminate in its radiation as the air, the water, the soil and food chain it touches and contaminates for millions of years?

International law accepts bombing of defenseless civilian populations by a militarily advanced technology that can destroy a country without even setting foot on its soil because super power controls international prosecutions and determines violations. The dominant element in modern military power is mass destruction. Victors are nations with the greatest capacity for mass destruction. This places civilian populations at maximum peril; infrastructure supporting civilian life, buildings, water, power, transportation, communication, food production, storage and distribution, health care, schools, churches, mosques, synagogues, foreign embassies were the direct object of U.S. aerial and missile attacks. Several thousands of civilians were killed directly and many more indirectly. The U.S. claims it had 159 casualties, a third from friendly fire, none from combat.

In 1998, the U.S. directed 21 Tomahawk Cruise missiles from international waters to destroy the El Shifa pharmaceutical plant in Khartoum, Sudan which provided more than half the medicines available for a people who are very poor and have been unable to replace that supply. The U.S. continues to support insurrection in the South of Sudan and threaten Sudan with prosecution in an ad hoc international criminal tribunal.

NATO does not claim it prevented violence within Kosovo and Metohia among the Serbian, ethnic Albanian and other peoples. In fact, NATO accelerated that violence. It bombed Serbia for 79 days, targeting civilians and citizens, destroying billions of dollars worth of civilian facilities, using illegal weapons including cluster bombs, destroying the civilian Serbian TV and radio buildings. It bombed Kosovo and Metohia heaviest of all, destroying most of Pristina, killing thousands of Albanians, Muslims, Serbs, Romany, Turks and others, and causing hundreds of thousands of people to flee from Kosovo and Metohia. Damage to the Yugoslavia military was negligible. In the summer of 2001 the U.S. continues to use cluster bombs in northern and southern Iraq which it attacks on most days.

And in 1999 when the U.S. and NATO countries came into Kosovo and Metohia as a "security force", they refused to intervene on the ground to protect people who were endangered in the province.

There will be no remedy or relief for Serbian victims of atrocities, some 500.000 purged by Croatia with the approval, if not on the instructions of the U.S., forever from their homes in Krajina, the more than 330.000 permanently purged from Kosovo and Metohia since the cease fire in 1999, or for the thousands of Serbs, Romany and others killed by the U.S. and NATO bombing assaults, or by the U.S.-supported terrorist organization, the so-called KLA, before, during and after the assaults. The Macedonians killed, injured and driven from their homes by U.S.-condoned if not instigated KLA aggressions which threaten civil war in Macedonia and general war in the Balkans will not lead the Security Council to create a Court to prosecute the perpetrators.

Major Powers Are Not Accountable For Their Actions Which Cause War, Insurrection And Violence Within Targeted Countries.

There will be no accountability by the U.S., Germany and other nations whose acts and pressures forced the break-up of Yugoslavia, stripping Slovenia, Croatia, Bosnia, Macedonia and attempting to strip parts of Serbia such as Kosovo and Metohia.

The U.S. and several European nations have Balkanized the region in the most artificial and forced apartheid the Balkans, or any other part of the world has ever known. Their acts have made peace, stability and prosperity impossible. Economic viability of small fragmented parts depends on foreign economic interests intended to dominate and exploit the region. The new apartheid leads to U.S. planned conflicts between the western Catholic Croatians and the eastern Orthodox Serbs, creating conflict and a wall between Western and

Eastern Europe. More dangerous, it sets the stage for violence, encouraging international conflicts between Slavic peoples and Muslims to decimate and debilitate the obstacles to the U.S. world order. Kosovo and Metohia, as a part of Serbia, and Macedonia are current examples in a long list of tragic and avoidable violence between Muslims and Slavs, which has occurred to different extents in Afghanistan, Dagestan, Chechnya, Kazakhstan, Kyrgystan, Tajikistan, Turkmenistan, Uzbekistan and Bosnia.

A Federal Republic Of Balkan States Long Set Against Each Other By Foreign Powers Was Formed To Established Peace, Cooperation And Prosperity.

The idea of Yugoslavia, a Balkan federation to heal divisions and provide a better chance for living together in peace and prosperity, was seen as important in the years after World War I as a means to peace. While the idea floundered between the two worst wars in history, it worked with remarkable success after World War II in which it was ravaged, but unconquered. An independent and unified Federal Republic of Yugoslavia was a long-term successful solution for south Slavic peoples. It was a bulwark of the Non-Aligned Movement.

With the collapse of the Soviet and Eastern bloc economy it was the remaining socialist government threatening capitalist control of Europe. With its mixed market economy it offered an example to former Eastern bloc countries for revival of their economic and political independence. With a successful, functioning Federal Republic of Yugoslavia there was living proof history had not ended, that more than one economic system was possible.

After the collapse of the Eastern bloc economy, a greater Balkan federation, a southeastern European Union, was seen by many in the region as the means to prevent economic exploitation, avoid violence and develop a strong and independent political, social and economic region.

Foreign capital and the geopolitical interests of the U.S. considered this a dangerous obstacle to their plans for the New World Order, globalization, new colonialism.

The United States Having Demonized Yugoslavia Attacks It With Impunity And Persecutes Its Leadership.

The U.S. mercilessly bombed Yugoslavia for 79 day. It tried to assassinate me by bombing my home, offices and other places, where it believed I might be. It attempted to kill Libya's head of State Muammar Qaddafi in its 1986 raid on Tripoli and Iraqi president Saddam Hussein on numerous occasions beginning in 1991, including its 1993 cruise missile attack on the Al Rashid in Baghdad at a time it believed he would be there meeting international Islamic leaders.

Through economic sanctions, the most extreme and overt form of forced impoverishment and economic assault, the U.S. has coerced the Security Council into complicity in the longest, deadliest and cruelest genocide of the last decade, the sanctions against its enemy Iraq which have killed at least 2 million people, the majority children. The United States has forced economic sanctions against Yugoslavia, severely damaging its civilian economy and eroding its will to independence.

Can a criminal tribunal for Yugoslavia which ignores pervasive violence by the U.S. and diverts public awareness from United States conduct and legitimatizes by silent acceptance aerial and missile assaults on civilians and illegal weapons use against one country after another, making its repetition expected before it occurs, contribute to the hope for the rule of law, justice or peace?

The United States, itself immune from control or prosecution and above the law, uses its power to cause the persecution of enemies it selects to terrorize and further demonize. It manufactures and sells arms to chosen nations, to groups seeking to overthrow governments it opposes, uses illegal weapons against defenseless people with impunity, continues to consolidate and expand its near monopoly of nuclear weapons and sophisticated rocketry, spends trillion on unilateral protection from Star Wars assuring a continued arms race

while poverty overwhelms billions, hunger cripples millions, starvation takes hundreds of thousands of lives and AIDS spreads among poor nations.

It cripples international environmental protection, undermines control of nuclear weapons by threatening to withdraw from long standing protections of the ABM and Non Proliferation treaties. It refuses to ratify treaties to protect life from land mines which it continues to manufacture, sell and deploy. It threatens to undermine a treaty controlling biological and chemical warfare. And the United States regularly engages in covert operations and violent military interventions in other nations in violation of their sovereignty and law.

The so-called ICTY is not just another arrow in the arsenal of the United States with which it persecutes and demonizes enemies and corrupts international law. The ICTY celebrates inequality in the rule of law using criminal sanctions to destroy selected leaders and governments.

It is a poisonous arrow destructive of the foundations of peace among independent nations of equal rights and dignity.

3. THE INTERNATIONAL CRIMINAL TRIBUNAL FOR FORMER YUGOSLAVIA IS INCAPABLE OF PROTECTING FUNDAMENTAL RIGHTS, OR PROVIDING DUE PROCESS OF LAW.

Such an ad hoc Tribunal has a temporary and limited purpose without helpful precedent, common tradition or relevant experience. It lacks power to enforce orders, or compel the disclosure of evidence and the presence of witnesses, particularly for the defense.

It is not capable of finding facts fairly, or defining and applying legal principles equally. It cannot do justice.

The statutory mandate for the ICTY makes it hostile to concern for the rights of those accused before it, because it is told the crimes charged have occurred and the accused have been demonized.

The right to assistance of counsel, so firmly established in international law, has been denied and frustrated by the Tribunal even in its most prominent cases. The Registry denied to me the right to consult with lawyers of my choice on legal matters for several weeks after my arraignment.

The Registrar wrote that for the one attorney who visited me during that time and for only two hours, it would have been "inappropriate" to discuss the case because the conversation was monitored and confidences would be violated. Lawyers from Yugoslavia I ask to consult, with one exception, a monitored two hours visit, were still denied approval and visas to enter the Netherlands seven weeks after my arraignment.

Instead I was held in solitary confinement. I was able to visit my wife only after more than two weeks imprisonment and then only through soundproof glass using monitored telephones. She was prohibited from speaking with the press and kept isolated from all public contacts while in the Netherlands, a virtual prisoner in her hotel room, except as she traveled between the airport, the prison and the hotel.

The Ad Hoc Tribunal Is Intended To Demonize And Destroy, Not To Fairly Determine Facts, Protect Rights Of The Accused, And Apply Legal Principles Equally.

Unfair phenomena is inherent in the purpose and the nature of temporary ad hoc tribunal, struggling without personnel who are part of a legal tradition, far removed from the place the accused came from and the events occurred where the court is charged by its creator not to presume innocence, but that terrible crimes have occurred and the accused are from the group that committed them. They do this to protect the real criminals, the NATO leaders who killed thousands of innocent people in NATO's criminal aggression.

Truth Is Beyond The Reach And The Purpose Of

The Ad Hoc Tribunal Which Is Intended To Punish, Destroy And Divide.

It has been impossible in all cases before powerless ad hoc Tribunals for the accused to obtain needed evidence and witnesses for their defense. The ICTY has been unable to obtain custody of many accused in the former Yugoslavia and has resorted to, or condoned, improper and illegal means to pressure their surrender.

Ad Hoc Tribunal Terrorize And Punish Those In Yugoslavia Who Dared To Oppose NATO Aggression And To React To Criminal Acts Of Terrorists Who Were Killing Serbs, Albanians, Muslims, Turks etc.

In Yugoslavia, the U.S., in violation of international and domestic laws of both Yugoslavia and the U.S., has installed a government of its choice in the Republic of Serbia and ousted me from the presidency of the Federal Republic of Yugoslavia by bombing, economic coercion including sanctions, physical threats, covert operations and corruption of the electoral process.

The U.S. Creates Client Governments By Forcing Elections, Using Millions Of Dollars to Purchase Unity For Its Candidate, Then Finance A Campaign That Buys Votes And Corrupts Democracy.

The U.S. injected more than \$ 100.000.000 (US) to defeat the Government of Peoples Unity that was in power until October, 2000.

The U.S. has intervened in many foreign elections and often installed governments subservient to its interests by that means.

The creation of an ad hoc international criminal tribunal with threats and indictments of the leadership of the government it seeks to remove is an additional devastating assault on the democratic process and the government targeted for destruction.

My Abduction and Surrender To The ICTY By A U.S.-Installed Serbian Government Was Done In Violation Of The Constitutions Of The Federal Republic Of Yugoslavia, The Republic Of Serbia, The Statute Creating The ICTY While The Federal Constitutional Court Of Yugoslavia Reviewed The Request For Surrender For A Bribe Of, Supposedly, 1.3 Billion Dollars.

The U.S.-installed government of Serbia abducted and surrendered me in violation of the Constitutions of the Federal Republic of Yugoslavia and the Republic of Serbia and its Laws while the request for surrender was under review by the Constitutional Court of Yugoslavia, which had forbidden any act related to surrender until the Court's final decision. That was also a violation of the U.N. Security Council Resolution creating the Tribunal which provides that surrender shall be accomplished in accordance with the domestic laws of the nation requested to make the surrender. The United States threatened to block \$1.3 billion (U.S.) in international loans and aid for Yugoslavia unless the surrender was accomplished by a date it set. Such conduct and the participation and acceptance of it reveals contempt for the rule of law by the Tribunal, the new government of Serbia, or the United Nations.

The illegal seizure of an individual and his delivery to isolation in the prison of an illegal international criminal tribunal in a distant nation threatens the freedom of everyone. For the United Nations to engage in, or accept, international kidnapping of political leaders tells the world that the old ways of violence, deceit and coercion are its ways. Those ways will be met in the only way they can be met, by the same means.

The New U.S.-Installed Government of Serbia Is Using Its Police Power to Crush Political Opposition in Serbia.

The current government of Serbia is engaged in crushing and demonizing its domestic political opposition. The regime will surrender accused persons to the ICTY in violation of its own laws as it surrendered me in order to destroy political opposition at home and receive payments of money and support from abroad for the ruling politicians. It acts to frustrate any support or investigation for my defense, even attempting to ban entry and deport Ramsey Clark when he flew to Belgrade in June to discuss my political persecution. In the hope of eliminating rival domestic political power, it put hundreds of people in detention on purely political grounds.

That government may fabricate evidence, destroy evidence and control and coerce witnesses to assist in convictions by the ICTY, and it will seek to frustrate defense efforts to obtain documents, other evidence, and witnesses in Yugoslavia needed for the defense in the Hague.

The People of Serbia and Yugoslavia Risk a Tragic Future from the External Manipulation And Control of Their Governments.

The new government of Serbia is a puppet for the United States. If there is any expectation a U.S.-supported government might be better for the people of Serbia, or Yugoslavia, ask Iranians if they believe they fared better under the Shah of Iran, enthroned in 1953 by the U.S. for 25 years, than they would have under democratically elected President Mossadegh and elected successors. Was a long line of military governments which brutally repressed the people of Guatemala for decades better for the people than democratically elected President Arbenz who was removed by United States forces in 1954? Was Mobutu, who for four decades brutalized, bankrupted and corrupted the country, better for the people than democratically elected Patrice Lumumba assassinated with U.S. complicity in 1960? Did General Pinochet better serve democracy, human rights and the welfare of the people for decades than the democratically elected Salvador Allende murdered in a U.S.-supported (coup) in Chile in 1973? It would be difficult to find four greater national tragedies in the last fifty years, all brought about by the United States determination to control those regions.

Ask the people of the several score other countries who have lived under U.S.-supported tyrannies, "our SOB's" as FDR called Somoza in Nicaragua, how they benefited. An ad hoc criminal tribunal created to crush the leadership of the opposition to a U.S.-installed government cannot bring peace, reconciliation, protect human rights, or enable a people to live and prosper together. It will create fear, hatred, division and violence.

Consider the peoples of the poorest countries of the world during these last decades obediently struggling to repay loans for projects and purposes they did not choose and that never benefited them while their own citizens die from hunger and preventable illnesses. Consider the economies of eastern Europe, or of the former Yugoslav republics and ask why per capita income is often less than half, sometimes less than 25% what it was just twelve years ago. Ad hoc criminal tribunals will prolong the suffering in poor countries by supporting governments that will maintain foreign domination that seeks benefits that will worsen that condition.

The Violence And Division Within Yugoslavia Since The Collapse Of The Soviet Economy Was Caused By U.S.-Led Acts Designed To Balkanize The Federal Republic And Its Member Republics With The ICTY As Principal Weapon.

The United States engaged in a decade long effort, aided by several European countries, to break-up and destroy the Federal Republic of Yugoslavia, causing the secession, (remember the American Civil War) of German-oriented Slovenia and Croatia with 500 000 Serbs purged from its borders. Then Bosnia was pried away from the Federal Republic of Yugoslavia and segregated into an unnatural three-region religious

apartheid, Muslim, Roman Catholic and Eastern Orthodox Christian. Now Macedonia is in turmoil, nearing civil war from the aggression of the U.S.-stimulated and supported terrorist organization, the KLA. Thus Yugoslavia became former, losing half of its population and wealth and leaving only Serbia and Montenegro. Kosovo and Metohia, an historically precious part of Serbia, remains occupied by NATO Forces after 79 days of aerial bombardment in 1999.

U.S.-led aerial assaults inflicted billions in damages on civilian facilities, killed thousands of civilians throughout Serbia in the name of NATO. Thereafter the United States and NATO watched as 330 000 Serbs were forced out of Kosovo and Metohia and many hundreds murdered, emboldened by the United States. Violent efforts to remove all Serbs from Kosovo and Metohia continue. And the KLA has been empowered to attack Macedonia.

The ICTY was created at the insistence of the United States which had stimulated violence and secession in the republics of Slovenia, Croatia, Bosnia and Herzegovina, Macedonia and attempted division and conflict in the Serbian province of Kosovo and Metohia and in three municipalities in the south of Serbia and throughout the former six Republics. The U.S. intends to persecute and demonize leaders who, together with the people, by defending freedom and by resisting aggression of the NATO war machinery, had defied its will, and at the same time make the people seem savage. Madeleine Albright, while U.S. Ambassador to the U.N., was the driving force for creation of the ICTY. The U.S. Ambassador to the Tribunal, David Scheffer, concedes the ICTY is "supported, financed, staffed and provided information" primarily by the United States.

Now as the idea and existence of ad hoc tribunals are threatened by the treaty creating the International Criminal Court the United States is exerting pressure to prevent nations from ratifying it. It is also pressing for new ad hoc Tribunals for the Democratic Republic of Congo, Sierra Leone, Sudan and elsewhere, to dominate those regions and defuse the drive for the International Criminal Court. The treaty, signed in Rome in 1998 by 120 nations was ratified by the 37th nation, the Netherlands, in late July 2001.

The United States prefers to select nations for persecution while protecting itself, its allies and favored client states. Ad hoc tribunals which are illegitimate, incapable of equal justice under law, by their nature unable to conduct fair trials, or provide due process and whose victims have long since been convicted in the United States-controlled media are a U.S. weapon for establishing long term control and exploitation of targeted nations and regions. That is their globalization; that is new colonialism.

For these reasons, the so-called ICTY should be declared illegal and its prisoners, legally and illegally surrendered, should be released.
