

KARADZIC'ARREST, SERBIA AND EUROPE

Jacques Rupnik

Directeur de recherches - Sciences Po , CERI

The capture in Belgrade of Radovan Karadzic closes a chapter in the Balkan tragedy of the 1990's. It is of major symbolic and political significance for the chances of a healing process in Bosnia. It demonstrates the possibilities opened by the new political situation in Belgrade. It reveals the effectiveness of the European leverage on Serbian politics while leaving a number of open questions about the future prospects of the 'europeanisation' of the Balkans. The capture of the former leader of the Bosnian Serbs who is charged by the ICTY with genocide and war crimes and whose name will remain associated with the policies of "ethnic cleansing" in the Bosnia of the 1990's is first of major significance to the victims. With over a hundred thousand dead in Bosnia and half of the population displaced the country could not embark on a genuine healing process so long as the perpetrators were not brought to justice. The country has since the military intervention and the Dayton agreement of 1995 stopped the war and produced a sort of stalemate between the three communities (Bosnian muslims, Serbs and Croats) under European supervision. The arrest of Karadzic and possibly general Ratko Mladic in the not too distant future is crucial to confront the responsibilities for the crimes which for rest of Europe has one name: Srebrenica. This is where in July 1995 8000 men Bosnian muslim men were massacred by Serbian military while the Dutch UN peacekeepers stood by. The confrontation with the genocide will be necessary for the Bosniaks to be able to overcome the all-pervasive discourse of victimisation, for the Serbs to confront the criminal side of nationalist extremism and for the international community to reflect upon the responsibilities that come with a mandate to protect civilians in so-called "safe zones".

The fact that Karadzic was arrested in Belgrade confirms that the ICTY prosecutors and the EU were right to demand from the Serbian authorities to cooperate with the tribunal and deliver Karadzic and Mladic to the Hague. The fate of the late Zoran Djindic, the Serbian prime minister who delivered Slobodan Milosevic to The Hague was sometimes used to turn a blind eye to Belgrade's reluctance to cooperate with the tribunal. Indeed, former prime minister Vojislav Kostunica repeatedly questioned the legitimacy of the ICTY and considered its demands as unacceptable intrusions in Serbian sovereignty. What we have seen since the beginning of this year is highly instructive about the dynamics of Serbian politics. First, Kostunica splits the ruling coalition and provokes an early election over the Kosovo issue in the hope to capitalize on nationalist mobilisation and an alliance with the Radical Party. The clear victory of president Tadic Democratic Party (DS) opened the way for a realignment in Serbian politics and the formation of a new coalition of the Democrats (DS) with the post-Milosevic Socialist party (SPS). The SPS seems so eager to reinvent itself and fill the vacant place on the left-wing side of Serbian politics that it is prepared to be part of a coalition with the DS whose political identity is built on the opposition to the Milosevic legacy. Although the Socialists hold in the government the post of Minister of interior they promptly indicated they had nothing to do with the arrest of Karadzic carried out by the "special branch". It is a historic irony that it is with former Milosevic' supporters in the government that a new head of security services has been appointed and, within days, made the arrest of one of the two most wanted war criminals in the Balkans possible. It remains to be seen whether the same logic will be effective in dealing with Mladic. This is far from obvious given the different status of the "Srebrenica twins". Karadzic is a mad psychiatrist who strayed into Bosnian politics as Yugoslavia started breaking down and became the ideologue and political promoter of ethnic cleansing. Mladic, the man who, so to speak, implemented Karadzic' plan with military might, is a general in the Yugoslav Army. In his case it is the institution, the chain of command that is also at stake. Hence the protection which he has enjoyed from Serbian military security since the end of the war in November 1995. It will be a major test of Serbia's capacity to transform its military and security apparatus to see if Mladic follows Karadzic to The Hague any time soon.

The arrest of Karadzic also testifies to the effectiveness of the European leverage. There has been an on-going debate among European about the wisdom and effectiveness European conditionality with regard to the cooperation with the International tribunal. The Dutch in particular (possibly related to a feeling of guilt in the Srebrenica massacre) were adamant that the arrest of Karadzic and Mladic must remain the condition for further rapprochement with the EU. Others thought one should not make the task too difficult for the pro-European forces, especially in the context of settling the Kosovo status issue. Finally, the compromise solution was found and it worked: a Stabilisation and Association Agreement (as well as a

commitment to the loosening the visa regime) was signed with Serbia shortly before the general election in May. It helped the Democratic Party to win the elections while the implementation of the SAA was made conditional on proofs of cooperation with international justice. The arrest of Karadzic is thus the result of a new political constellation in Belgrade and of an effective use by the EU of its policy of conditionality.

However, there are reasons to temper this positive view of the process of “europeanisation” of Serbian politics. First, the recent turn in a clearly pro-european direction does not dispense with long overdue reforms of the institutions of the rule of law and of the security services. The EU, confronted with a blocked ratification of the Lisbon treaty is itself in two minds about the possibility of pursuit of its enlargement. Croatia will be an important test for the rest of the Western Balkans. Finally: Serbia has made an important step in the Europe’s direction with the arrest of Karadzic, but it is at the same time repeating its intransigence on the issue of Europe’s role in Kosovo’s independence. “We shall not move an inch on the territorial issue” of Kosovo said foreign minister Vuk Jeremic after Karadzic’s arrest. He was in Moscow on July 17 to restate the two countries commitment to the implementation of their agreement on oil and gaz and to UN resolution 1244 as the only framework for discussing Kosovo. In short, Belgrade is using the arrest of Karadzic quite skilfully by telling the Europeans: You wanted us to observe international legality? We did it for cooperation with the ICTY, you should do it for Kosovo as well. Politically, this government is the best you’ll ever get in Belgrade, it is fragile and you should not weaken it any further by pressing it simultaneously on the two most sensitive issues for Serbian nationalism: sending war criminals to the Hague and parting with Kosovo.