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Kosovo and war crimes

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## A special court to try Kosovars for war crimes moves closer

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SOME 16 years after NATO's air campaign ended Serbian rule in Kosovo, the law may at last be catching up with high-ranking Kosovar politicians who allegedly committed crimes at the time. After long delay and years of witness intimidation, a special court may soon be formed to try some ten men, including a few said to be Kosovo's organised-crime bosses.

In December 2010 Dick Marty, a Swiss prosecutor, reported to the Council of Europe his claims that former commanders of the wartime Kosovo Liberation Army (KLA) were criminals who had ordered murders and overseen torture. His report focused on the "Drenica Group", led by Hashim Thaci, then Kosovo's prime minister and now foreign minister. Most sensationally the report alleged that some victims had been murdered for their organs. Mr Thaci denied the claims. Many Kosovars thought Mr Marty had been fed fake stories by Serbian intelligence.

Following the Marty report a branch of EULEX, the European Union's law and justice mission in Kosovo, was set up in Brussels. Its findings were "largely consistent" with the Marty report, and it concluded that there was enough evidence to charge "certain senior officials" of the former KLA. But there was no court. The UN Yugoslav war-crimes tribunal in The Hague did not have jurisdiction because most of the crimes took place outside the former Yugoslavia (in Albania) or after the end of the war. So plans were drawn up for a special Kosovar court, also based in The Hague.

Publicly Kosovar leaders called this a chance for those indicted to clear their names and that of the KLA. Privately they have tried to block the court. The plan has stalled in parliament, where opposition is growing. After recent convictions in a EULEX court in Kosovo of several Drenica Group suspects for murder and other war crimes, Mr Thaci accused the court of trying to "tarnish the just war of the KLA", though he insists Kosovo will not allow the issue to endanger his country's "partnership with the international community".

Tracey Ann Jacobson, America's ambassador in Kosovo, says that if the parliament refuses to set up the court, her country will not stop the UN Security Council from doing it.

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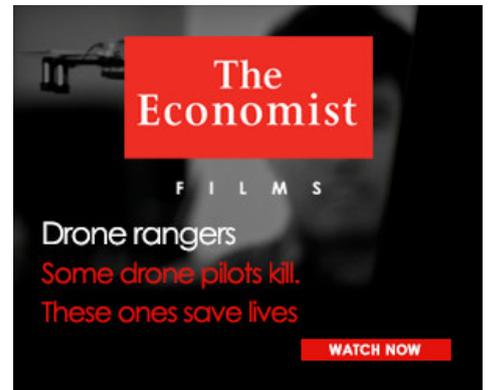
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America and the EU have made their "best and final offer" over its remit. If it goes to the UN, Russia, a bitter foe of Kosovo's independence, will have a say. An EU trade deal may also be delayed.

Opposition figures oppose the court because it infringes on Kosovo's sovereignty. One, Ramush Haradinaj, was detained in Slovenia this week on an old Serbian warrant for war crimes. Another politician says his peers "are scared to death" of a court. He wonders if there is a link to recent violence in Macedonia, when eight police and ten armed men died. He suggests that a grey cardinal of Kosovar politics had a hand in these events, hoping to show that, were he sent to the court, he could let slip the dogs of war. When the Kosovars killed there were buried with full military honours by former KLA comrades, Enver Robelli, a Swiss commentator, noted: "A country that honours criminals does not have a bright future."

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