

that the fall of Srebrenica and Zepa was agreed to between Serbia and Bosnia, and there was no effort to defend the enclaves. In fact, Serbians appeared in Unprofor uniform, Unprofor had orders to destroy matériel rather than give it to the defenders, and Dutch Unprofor calls for airstrikes were ignored by “superiors,” all indicating that the fall of the enclaves followed a “U.N.,” i.e., British plan.

Nanic: The U.N. decided to hand over Srebrenica and Zepa to the Serbs. The only thing that was left to the Bosnian government after the fall of Srebrenica, and the evident commitment on the part of the U.N. and the Big Five, *not* to defend Zepa, was to try to negotiate to evacuate the civilians and refugees of Zepa. Any speculation that there might have been a Serbo-Bosnian agreement over the eastern “enclaves” is *out of the question*. It serves only to create a picture of so-called “balanced responsibility,” so dear to the British.

EIR: Last week, U.S. officials presented aerial photographs of mass graves near Srebrenica. But at the very moment the murders took place, NATO had satellite intelligence. NATO could have stopped the murders. What was the chain of command?

Nanic: I am not familiar with the chain of command. What I know, is that NATO and the U.N. invented this “dual key” system, which practically disables anyone from acting immediately and effectively. Some of the key figures are known: [U.N. Secretary General Boutros] Boutros-Ghali, his “envoy” Yasushi Akashi, who is directly responsible for not acting, and who should be tried for war crimes and genocide, together with his master. French Unprofor General Janvier, the Dutch battalion which spread lies about Serb humane behavior toward Bosnian civilians.

EIR: Were the so-called Krajina Serbs really forced to leave Croatia?

Nanic: No! They were not forced to leave Croatia, though those who had committed crimes, obviously fled before the Croatian advance. There is now a highly organized transfer of populations, precisely in the sense of “ethnic cleansing,” being carried out by *Serbia* and using the *pretext* of the Croatian victory in Krajina.

Serbia claims that it has no other option but to settle the Krajina Serbs, 200,000 of them, in the homes of Croats in the Vojvodina province of Serbia, on the Hungarian border, and in the homes of Albanian Muslims in Kosova, and Bosnian Muslims in Sandjak. Mass expulsions of persons from Vojvodina and Sandjak are occurring at this moment, and also from the provinces of western Bosnia and Banja Luka.

Serbia is trying to create a new *fait accompli* before the next round of the Contact Group palavers. To say that the Contact Group nations are “not aware” of this displacement on a vast scale of human beings—just as to say that they were “not aware” of the massacres at Srebrenica and Zepa *as they took place*—would be naive in the extreme.

Ex-Yugoslavia

Uphold the law to ensure the peace

by Marc Gjidara

Professor Gjidara, professor of international law at the Faculties of Law in Paris, is of Croatian origin. He is co-author of Ethnic Cleansing (1993), which made available in the French language, some of the most extraordinary documents of Serbian nationalism dating from the early 19th century onwards. In this short piece, written for EIR, Professor Gjidara has desired to restate the findings of the Badinter Commission, which are as valid now as they were in 1991, when the commission was set up by the member-states of the European Union, to explore the legal situation relative to secession by member states of former Yugoslavia.

Greeted with enthusiasm among the people, and even by some leaders of opposition parties, President Chirac has called for a change with respect to the problem in Croatia and Bosnia-Herzegovina, caused by the Serbian invasion. He has demanded that “there be imposed respect for international law.” Such a change in approach, is all the more warranted, when one considers the great extent to which the scandalous, unrealistic, indeed perilous character and limits of the political, diplomatic, and military attempts to deal with this crisis have been revealed by events.

The law, in the case that concerns us here, was clearly stated and set down by the Badinter Commission. But, no sooner was the ink dry on this expert advice, than European and U.N. official circles rushed to bury it under a mound of “humanitarian” gestures, military fakery, political palaver, and diplomatic to-ings and fro-ings.

Only to the degree that it rests upon respect for international law, does the international order deserve that title. Respect for law lies at the heart of Mr. [former Polish prime minister Tadeusz] Mazowiecki’s decision to resign from his position as U.N. Rapporteur for ex-Yugoslavia, rather than continue to be a living alibi for the Security Council. In the name of the League of Rights of Man, the jurist H. Leclerc has placed the blame on the heads of State and government, for betraying the juridical principles they themselves enunciated under the aegis of the U.N. or other European bodies.

The Badinter Commission was an essential part of the Conference for Peace in former Yugoslavia; it was a European Union initiative. The commission laid down the general principles which were to be applied, and which the diploma-

cy of London, Paris, and then, Moscow, has been abundantly exercised to thwart, thanks not only to the string of mediators, from Lord Peter Carrington, to Lord David Owen, Thorvald Stoltenberg, and now Carl Bildt, but also thanks to U.N. Secretary General Boutros Boutros-Ghali.

End the witchhunt against Germany

It is persistently asserted, in bad faith, that it was Germany who broke the consensus by "hastily and unilaterally" recognizing Slovenia and Croatia on Dec. 23, 1991. Let us look at the facts, and at the documents. The European Declaration made at Brussels on Sept. 16, concerning guidelines for recognizing new states in eastern Europe and in the former Soviet Union, upholds existing law, i.e., notably, the inviolability of borders, and the non-recognition of entities which may emerge as the result of acts of aggression. On that same day, the declaration regarding former Yugoslavia proclaims that the [European] Community and its member-states, *have agreed to recognize* the republics which so desire, should they accept *before Dec. 23, 1991*, to honor the specified commitments.

Therefore, let there be an end to this trial for witchcraft against Germany, a country both democratic and well-disposed toward us, on the pretext that it "went it alone" and broke the European consensus.

In its First Opinion, the Badinter Commission confirmed, that, contrary to what is often still alleged, there was no act of "separatism" by Slovenia or Croatia, but that Yugoslavia had in fact been "*dissolved*" and that the Yugoslavian institutions no longer "satisfy the requirements" for there to exist a federal State. The Second Opinion declares that the existing internal borders become the international borders, and thereby, inviolable. Opinion Three underlines the fact that the borders of these new states are to be "*protected*" (the which, places the U.N. under an obligation to aid and succor these states, and to do nothing which prevents them from exercising their right to self-defense). Opinion Eight, notes that the territories of these new States, lie "entirely" under their authority, and that the pretense, by Serbia-Montenegro, to act as the successor state to ex-Yugoslavia, is unacceptable, as no single State can claim the succession to itself; thus, Serbia-Montenegro must request recognition, and itself satisfy the criteria laid down by the Commission, bearing upon respect for borders, rights of minorities, and prohibition of acts of aggression. Opinion Ten reiterates the points made above, yet again.

The questions posed by this conflict, have to do with a war of conquest, prohibited by the U.N. Charter, and by the Helsinki Accords. It shall also be asked, whether war crimes, and crimes against humanity, shall go unpunished. Were that to be the case, were we to allow the notion, that there shall henceforth be some sort of correlation, between religious faith, and nationality, a great blow will be struck to our civilization.

Vatican corrals red Bishop Samuel Ruiz

by Robyn Quijano

Mexican Bishop Samuel Ruiz, self-appointed mediator and "Commander No. 1" of the narco-terrorist Zapatista National Liberation Army (EZLN), whose heavily armed forces continue to threaten Mexican stability and territorial integrity, received clear notice from the Vatican that his dirty operations will no longer be tolerated. On Aug. 14, the Mexican press reported that Pope John Paul II had just named Bishop Raúl Vera López as coadjutor Bishop of San Cristóbal de Las Casas, Ruiz's diocese in Chiapas, the southern Mexican state in which the EZLN launched a bloody insurrection on Jan. 1, 1994. The Vatican also ordered the return to Spain of the diocese's vicar, Gonzalo Ituarte, Ruiz's right-hand man. The coadjutor bishop will not only be on hand to witness all of Ruiz's activities, but has been given full succession rights to the post of the bishop.

Both actions, although they do not fully resolve the crisis in Chiapas, will go a long way toward limiting the subversive operations of Ruiz and his EZLN. It now falls to the government of Mexican President Ernesto Zedillo to finish the job. Several Mexican bishops, as well as a sector of the Mexican government associated with former President Carlos Salinas de Gortari and would-be President Manuel Camacho Solís, have opposed the removal of Bishop Ruiz. But now, Bishop Vera López can intervene in episcopal matters of the diocese, that is, return the Catholic Church to its proper role, and end the use of the diocese as a terrorist recruitment camp. Without Ituarte, Ruiz is crippled in his activities of setting up the poor indigenous population as cannon fodder for this foreign-run war against Mexico.

Mexico's Apostolic Nuncio Girolamo Prigione announced in a press conference on Aug. 15, that "Pope John Paul II has named Bishop Vera to improve things. He will have to study the situation, and if there is something twisted, he will have to straighten it out."

The day the press was notified of Bishop Vera's new assignment to corral the red bishop, Monsignor Prigione attacked Liberation Theology in a sermon. "The Catholic Church does not accept or agree with the great deviations that some Theologists of Liberation put forward. . . . Those on the outs or in a fight with the Bishop of Rome might at most become a sect or cabal, but never a local church." The nuncio was referring to Samuel Ruiz's organizing for an "autochthonous catholic church" of leftist rebels.