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# Topic Guide

The Trial of Slobodan Milošević

**International Criminal Court**



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## Introduction about the case

Slobodan Milošević, born August 29, 1941, in Požarevac, Yugoslavia, politician and administrator, who was Serbia's party leader and [president](#) (1989–97), pursued Serbian nationalist policies that contributed to the breakup of the socialist Yugoslav federation.

Milošević introduced a new populist political style to Serbia, appealing directly to the Serbian people over the heads of LCY officials and calling for an "antibureaucratic revolution." He used his rising popularity to oust his former mentor Stambolić as leader of the LCS in December 1987. As Serbia's party leader, Milošević demanded that the federal government restore full control of Serbia over the [autonomous](#) provinces of Vojvodina and Kosovo. At a time when the federal government was trying to introduce free-market reforms to relieve the faltering Yugoslav economy, he emerged as a leading defender of the socialist tradition of state economic intervention, attacking economic reform for its social costs.

In 1988 Milošević replaced the party leadership in Vojvodina and Kosovo provinces with his supporters, and in 1989 the Serbian assembly ousted Stambolić from the republic's presidency, replacing him with Milošević. In 1990 Milošević pushed through changes to the Serbian constitution that curtailed the provinces' autonomy. He resisted a growing movement in favor of multiparty elections, and he sought to use the extensive Serbian diaspora throughout Yugoslavia in his fight against confederalism.

## Controversial years in power

As Serbia's president, Milošević had continued to dominate the new Federal Republic of Yugoslavia, which had been inaugurated in 1992 and consisted of only Serbia and Montenegro. He maintained power through his repression of political opponents, his control of the mass media, and the opportunistic alliances he formed with parties across the political spectrum, including Yugoslav United Left, the party led by his wife.

During 1998 the long-standing dispute between Serbia and the ethnic Albanians of Kosovo deteriorated rapidly into open armed conflict between federal security forces and the guerrilla [Kosovo Liberation Army](#), which had begun killing Serbian policemen and politicians. In the early spring of 1999,

the Serbs launched a major offensive aimed at defeating the insurgents. [NATO](#) forces retaliated by initiating a massive aerial bombing campaign against Yugoslavia, expecting that Milošević would quickly [capitulate](#). Unexpectedly, many Serbs previously critical of his government rallied in support of their country; capitalizing on this, he ordered a program of [ethnic cleansing](#) of the Kosovar Albanians that drove hundreds of thousands of them into neighboring countries as refugees. By June, however, Milošević had agreed to a peace accord with NATO that obliged him to withdraw Serbian forces from Kosovo.

## Definition of key terms

**Crimes against Humanity:** means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack: Murder, Extermination, Enslavement, Deportation or forcible transfer of population, Torture, Rape, sexual slavery.

**Genocide:** genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such: Killing members of the group, Causing serious bodily or mental harm to members of the group, Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, Imposing measures intended to prevent births within the group, Forcibly transferring children of the group to another group.

**War crimes:** crimes committed as a part of a plan or policy or as part of a large-scale commission of such crimes:

- i. Willful killing
- ii. Torture or inhuman treatment, including biological experiments;
- iii. Wilfully causing great suffering or serious injury to body or health;
- iv. Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly;
- v. Compelling a prisoner of war or other protected person to serve in the forces of a hostile Power;
- vi. Wilfully depriving a prisoner of war or other protected person of the rights of fair and regular trial;
- vii. Unlawful deportation or transfer or unlawful confinement;
- viii. Taking of hostages.

the Security Council referred and acted by Chapter Seven of the UN Charter, per what was stipulated in Article 13 of the Rome Charter, Slobodan milošević to the international Criminal Court, and issued an order to arrest milošević from the Pre-Trial Chamber and referred him to the court. The charges against Milošević before the First Instance Chamber of the International Criminal Court:

- Crimes against humanity – premeditated murder
- Genocide

War crimes

The prosecution will try to prove the presence of the elements of the previous crimes, as well as the responsibility of Slobodan milošević while the defense team will try to deny the presence of the elements of these crimes, as well as the lack of responsibility.

Please refer to the following

<https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf>

<https://www.icc-cpi.int/sites/default/files/Publications/Elements-of-Crimes.pdf>

<https://treaties.un.org/doc/publication/ctc/uncharter.pdf>