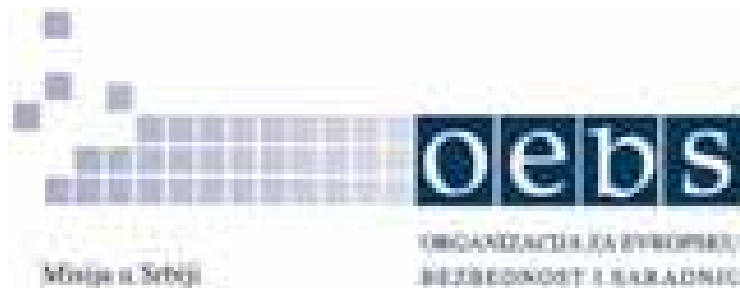


Public opinion in Serbia
**Views on domestic war crimes
judicial authorities and the Hague
Tribunal**

December 2006



**Belgrade Center for
Human Rights**



Contents

- Political environment
- Awareness of the work of the Hague Tribunal and domestic judicial authorities for war crimes
- Truth and accountability: Awareness of and opinion regarding events related to wars on the territory of the former SFRY during the last decade of the 20th century
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- Views on the domestic judicial authorities for war crimes
- Facing the truth and the role of domestic judiciary in its acceptance

Abbreviations

- **SFRY** – Socialist Federal Republic of Yugoslavia
- **JNA** – Yugoslav National Army
- **KLA** – Kosovo Liberation Army

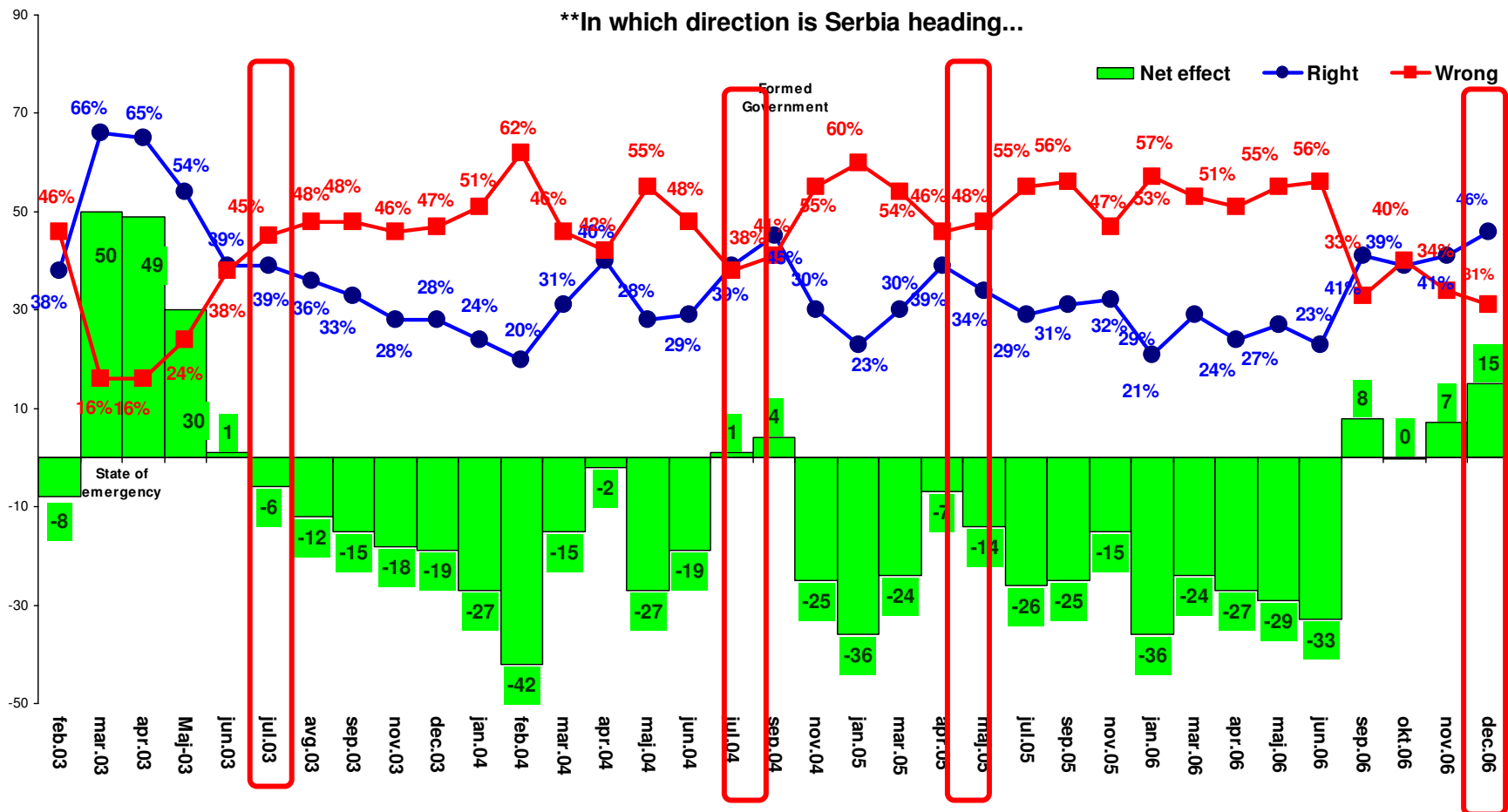
Political parties in Serbia:

- **DS** – Democratic Party
- **DSS** – Democratic Party of Serbia
- **NS** – New Serbia
- **SRS** – Serbian Radical Party



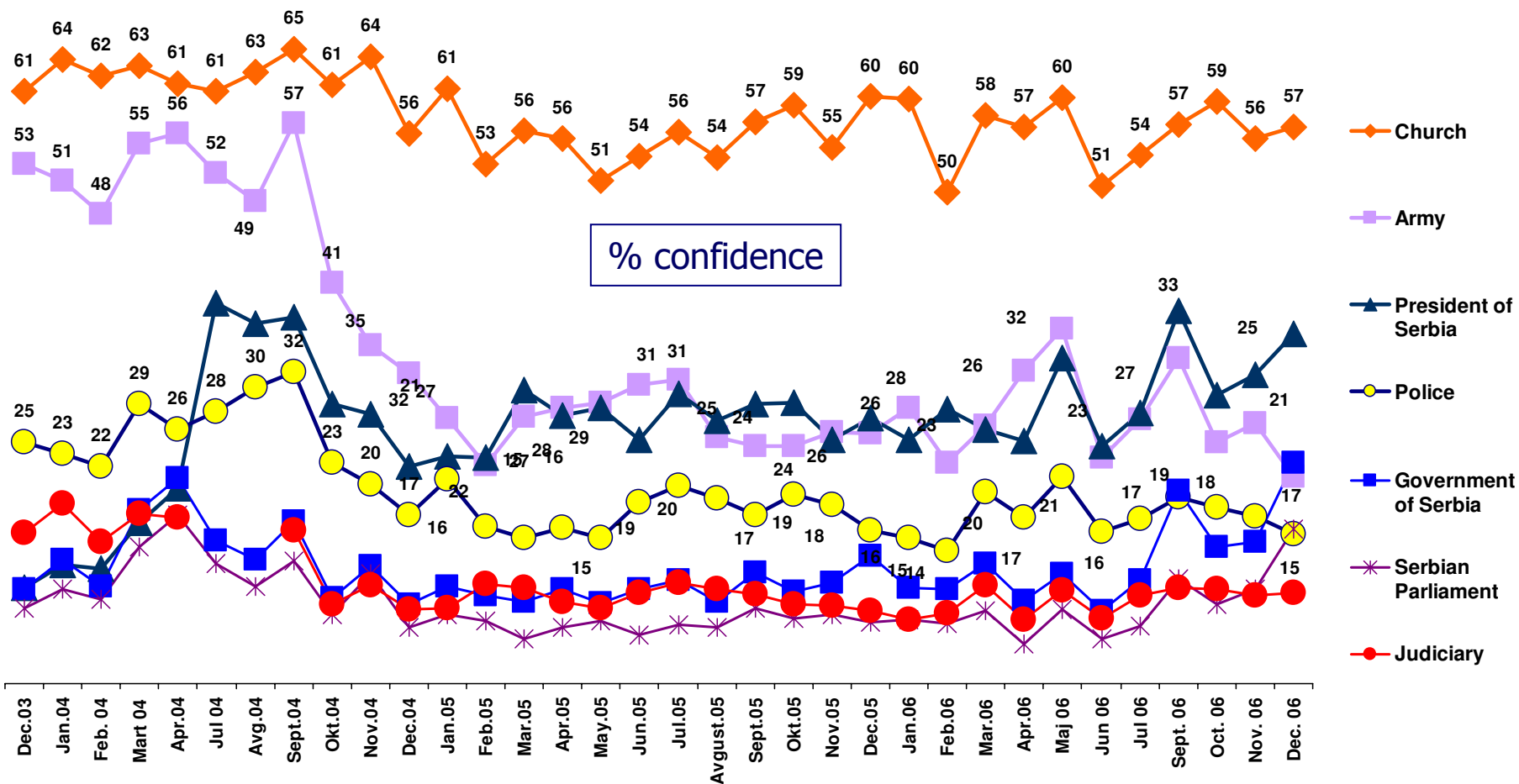
Political environment

Political environment: In which direction is Serbia heading...



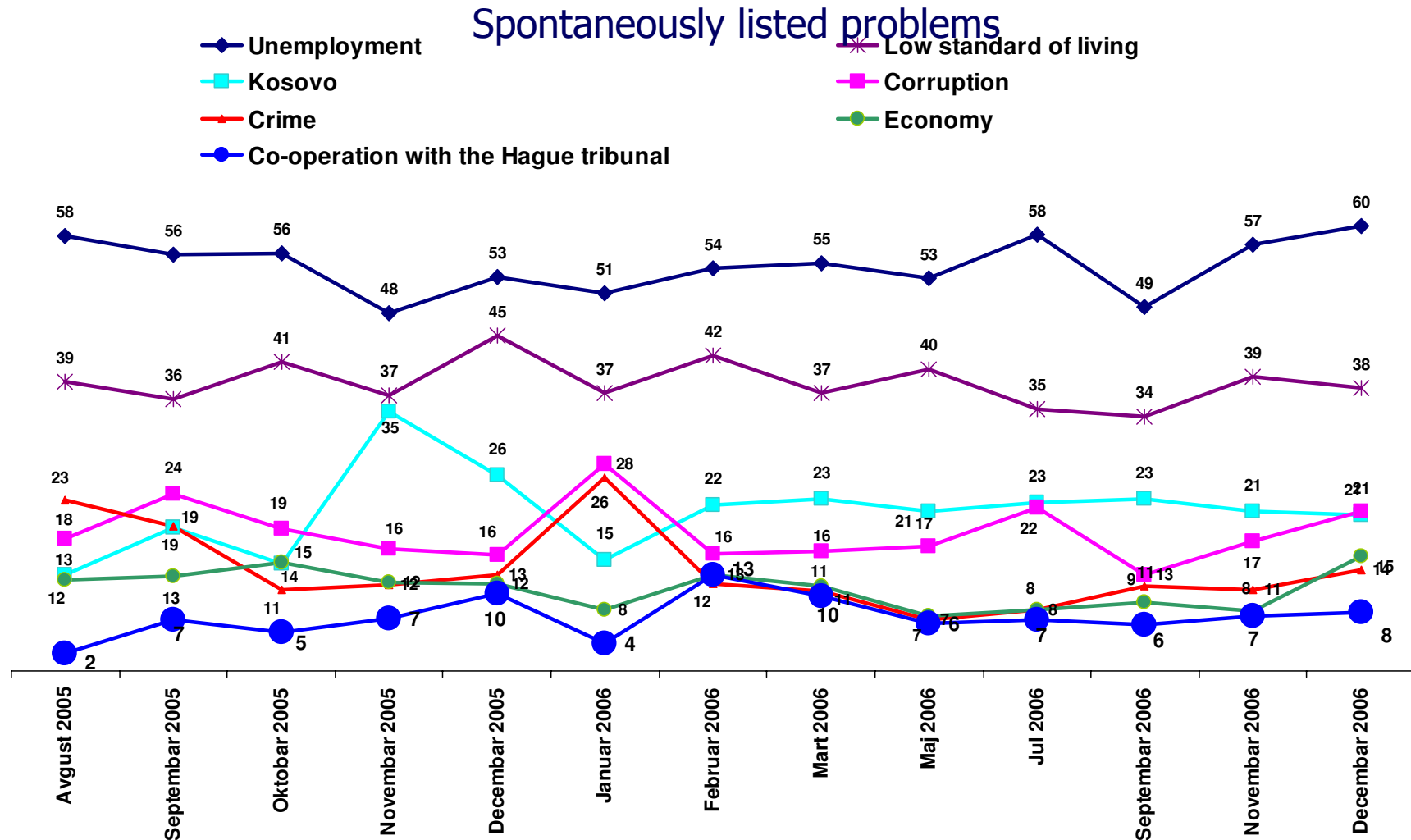
Basic indicator of the general mood – assessment of the direction in which Serbia is going – shows an increase of optimism as of the commencement of the campaign for adoption of the new Constitution and calling of general elections

Political environment: Confidence in institutions



According to the confidence percentage, the judiciary is at the bottom of the list: only 15% of citizens expressed confidence in the Serbian judiciary

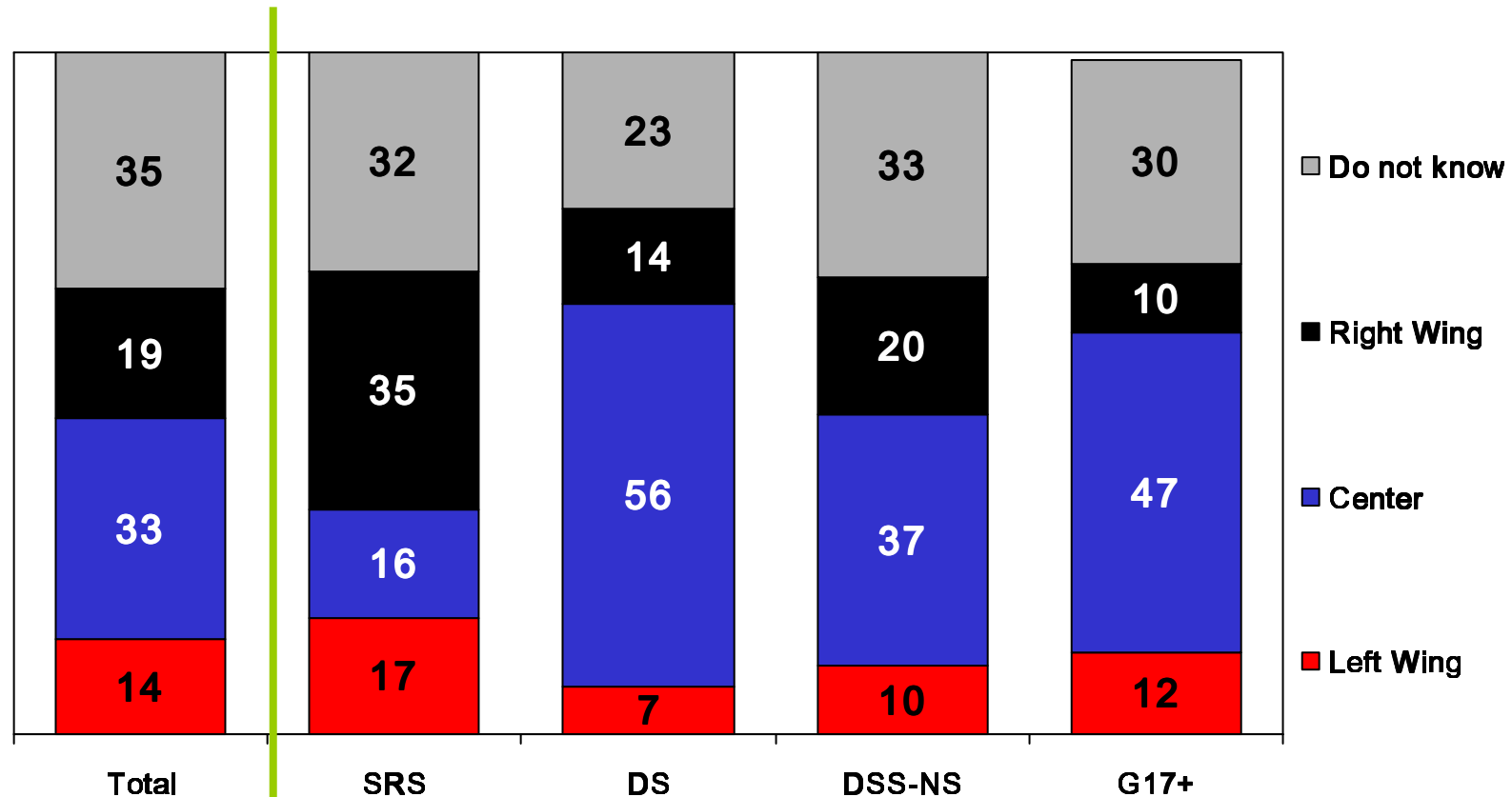
Political environment: Serbia's predominant problems



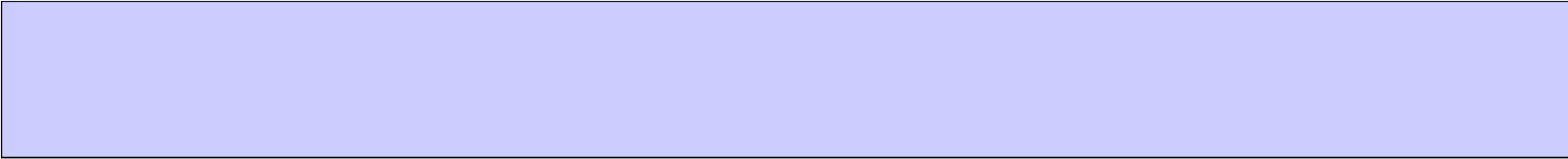
Only 8% of citizens rank cooperation with the Hague Tribunal among the foremost of Serbia's current problems

Political environment: Personal political convictions

How would you define your political convictions: do they lie with the political left, centre or right?



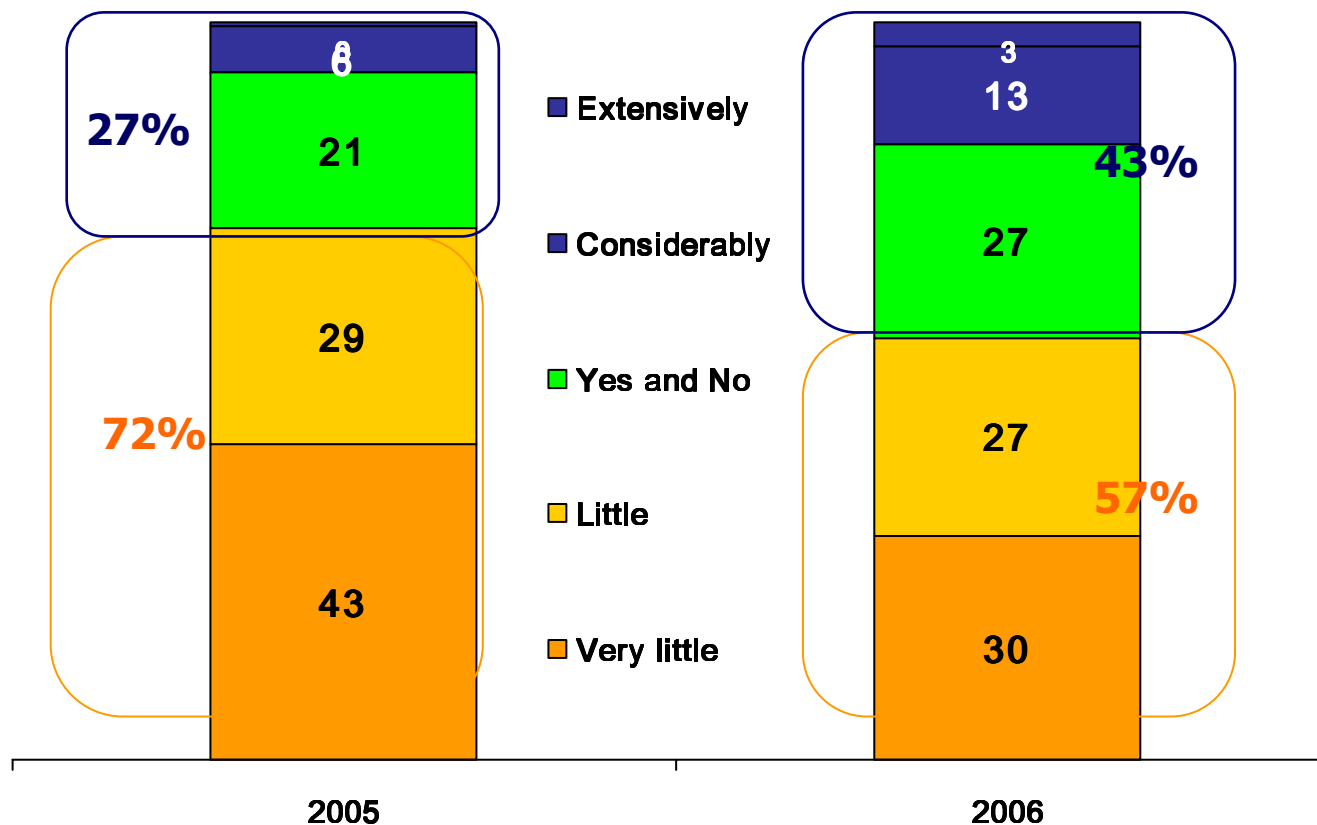
Defining own political convictions is quite confused, and in excess of one third of citizens is incapable of defining their own political convictions



Awareness of the work of the Hague Tribunal and domestic judicial authorities in charge of war crimes

Awareness of the organisation and manner of operation of the Hague Tribunal

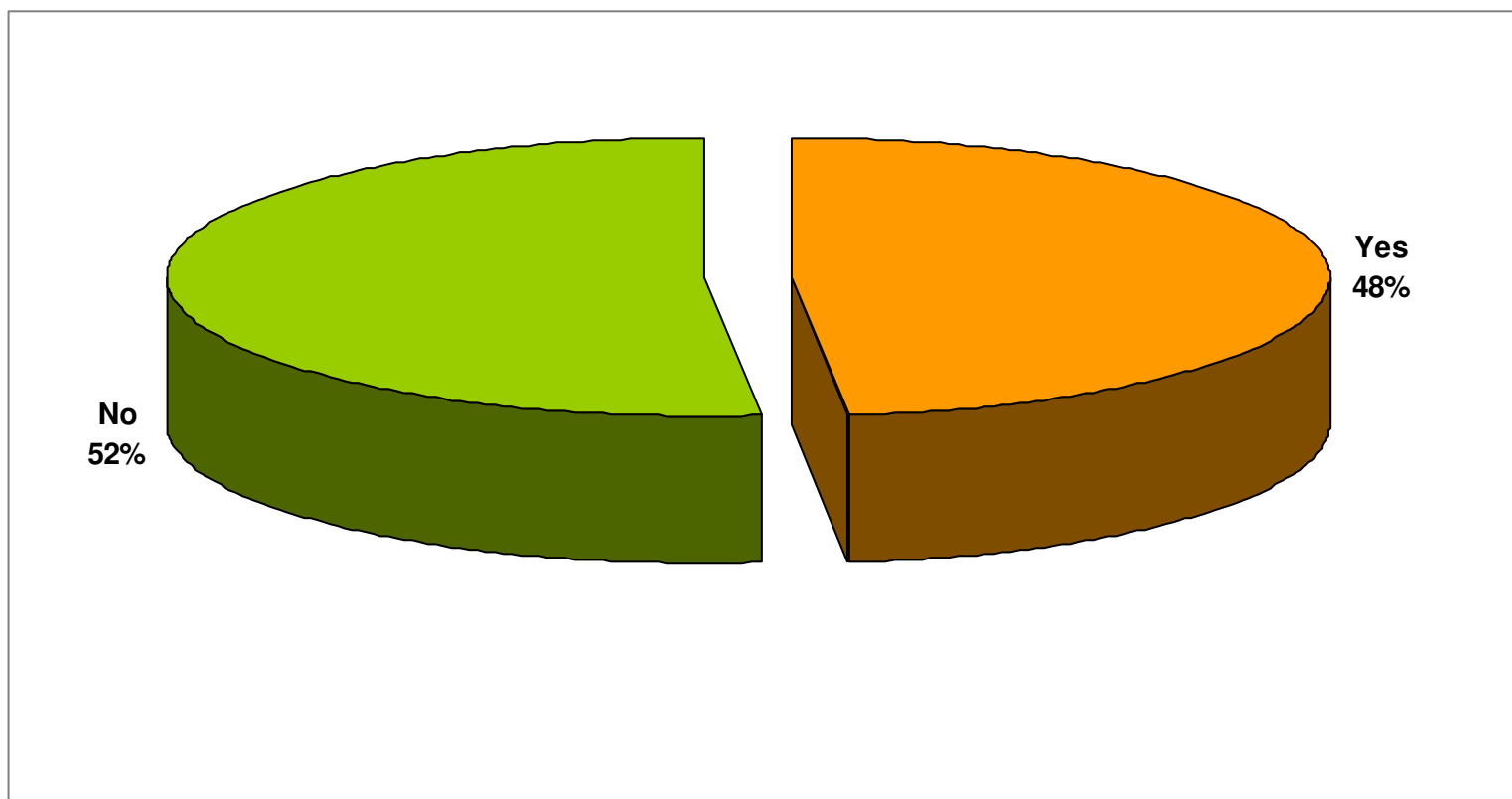
To what extent would you say that you are aware of the organisation and manner of operation of the Hague Tribunal?



In relation to April 2005 a significantly greater percentage of citizens consider themselves informed of the organisation and manner of operation of the Hague Tribunal

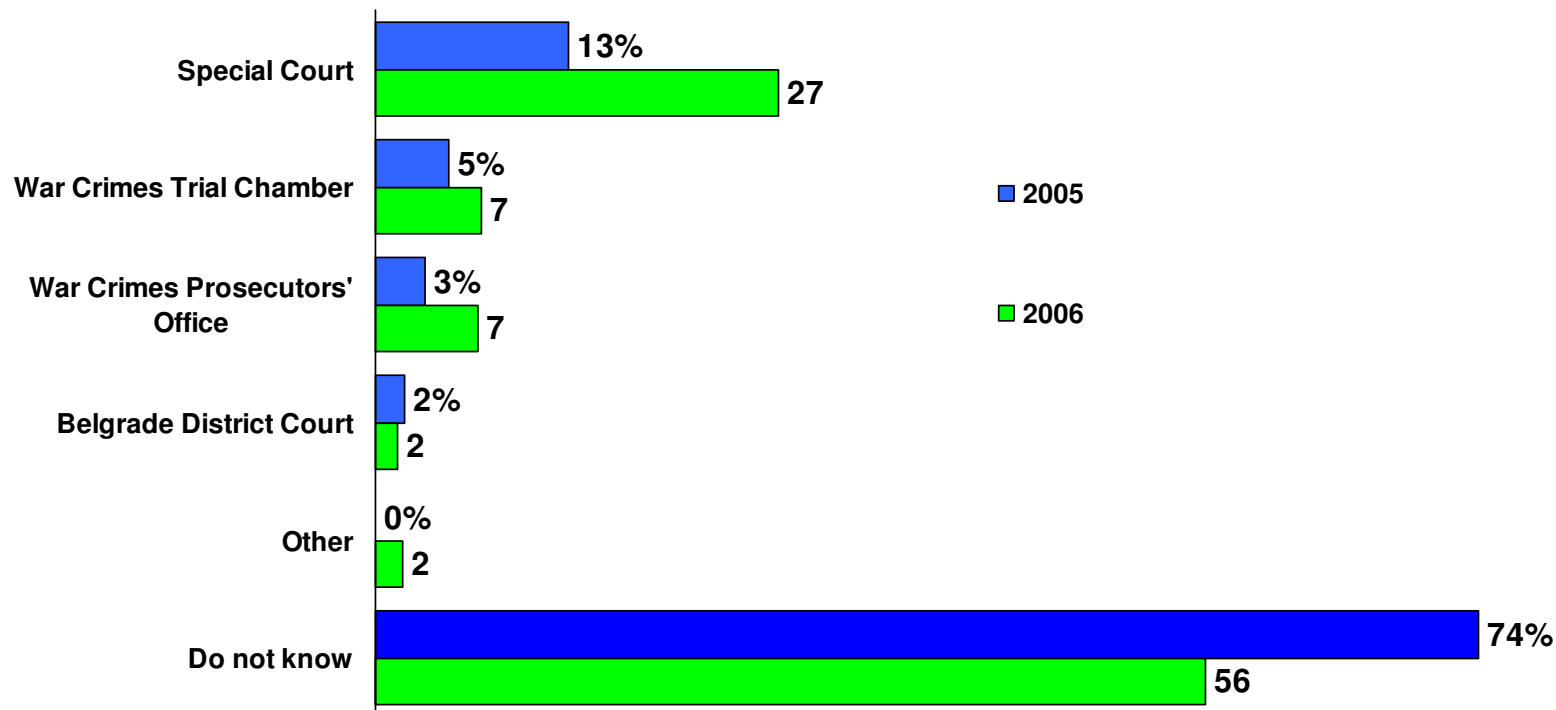
Awareness of the work of domestic judicial authorities in charge of war crimes

Have you heard of the existence of the permanent International Criminal Court that should in future try accused for international crimes?



Awareness of the work of domestic judicial authorities in charge of war crimes

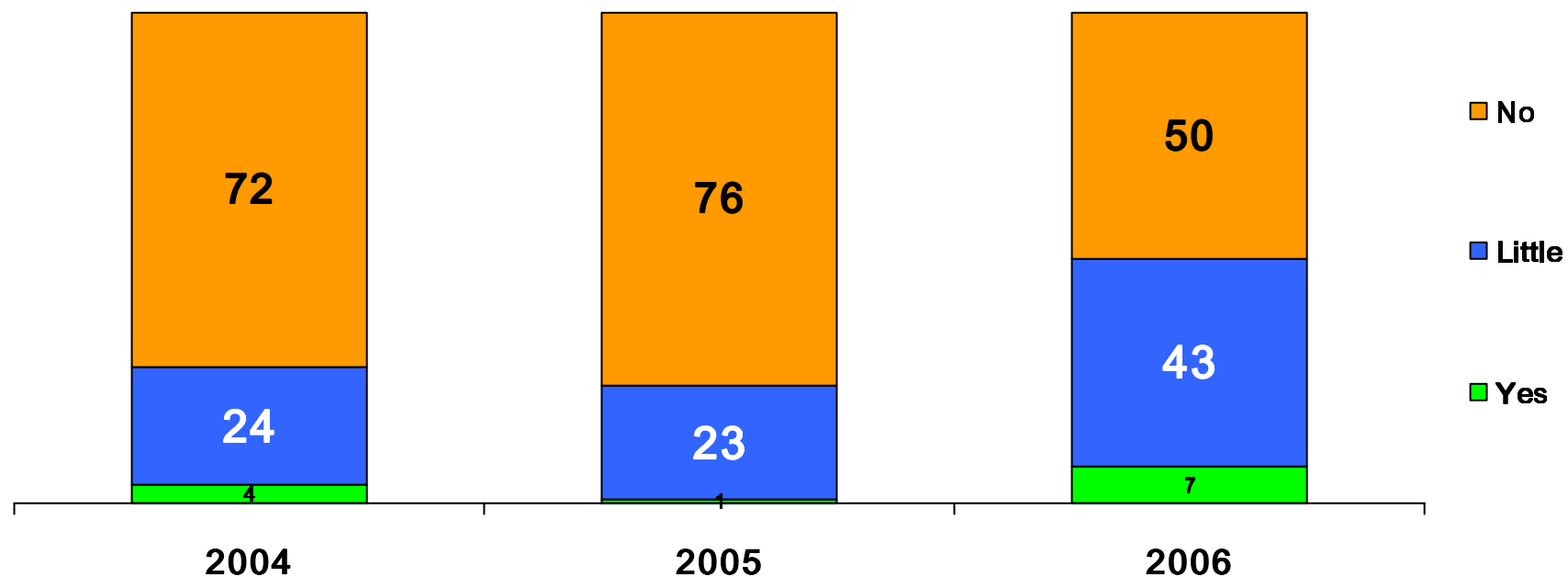
Could you list any domestic judicial authorities trying the accused for war crimes?



In relation to April 2005 a considerably greater percentage of citizens is capable of listing some domestic judicial authorities trying the accused for war crimes

Awareness of the work of domestic judicial authorities in charge of war crimes

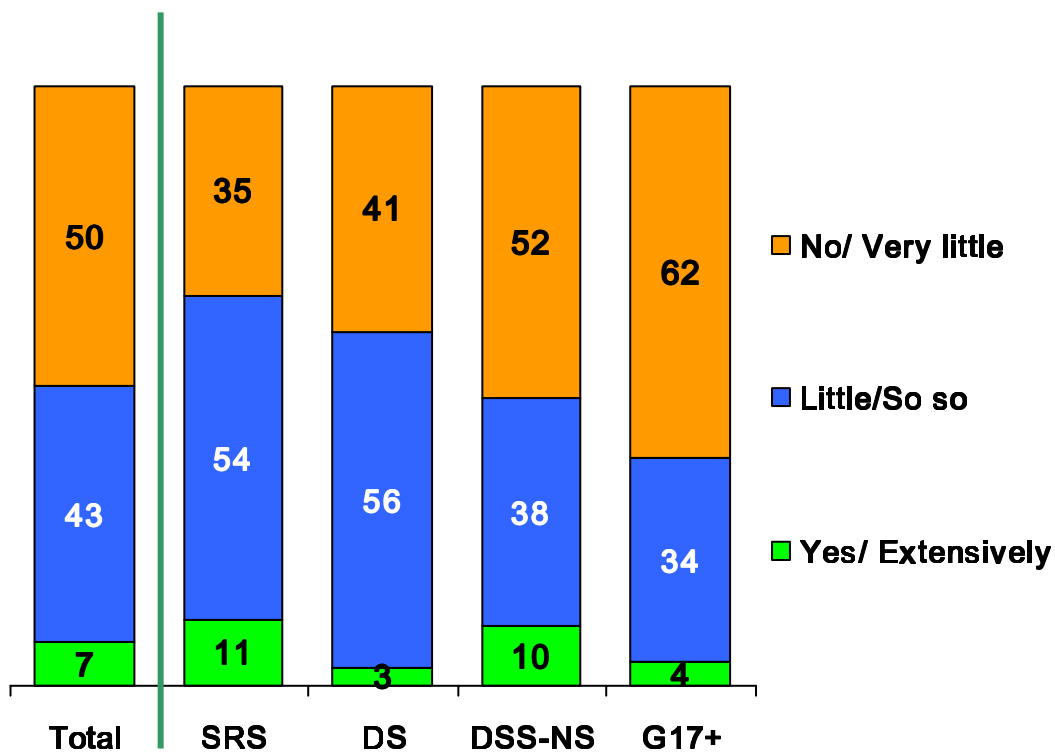
Are you informed with the work of the War Crimes Prosecutors' Office of the Republic of Serbia?



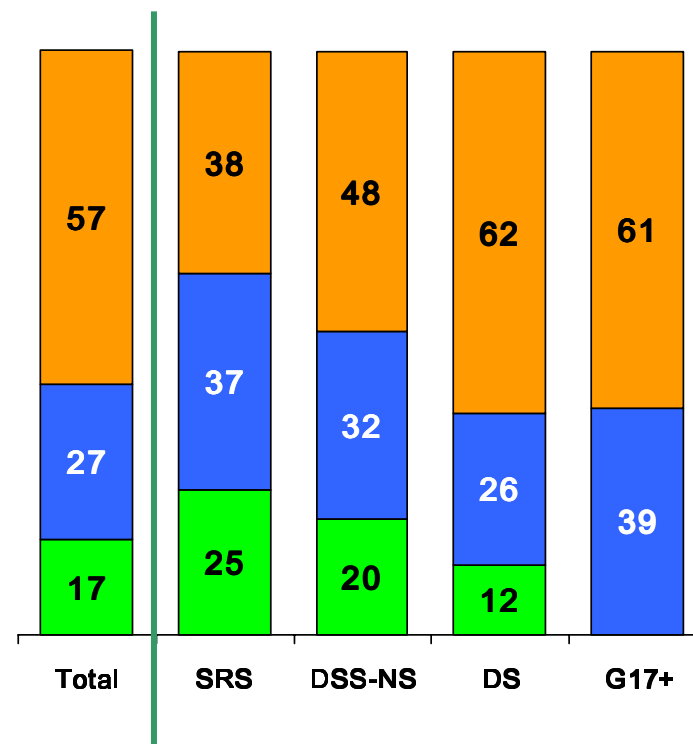
In relation to April 2005 a considerably greater percentage of citizens consider themselves somewhat informed with the work of the War Crimes Prosecutors' Office of the Republic of Serbia

Awareness of the work of domestic judicial authorities in charge of war crimes

Are you informed of the work of the War Crimes Prosecutors' Office of the Republic of Serbia?



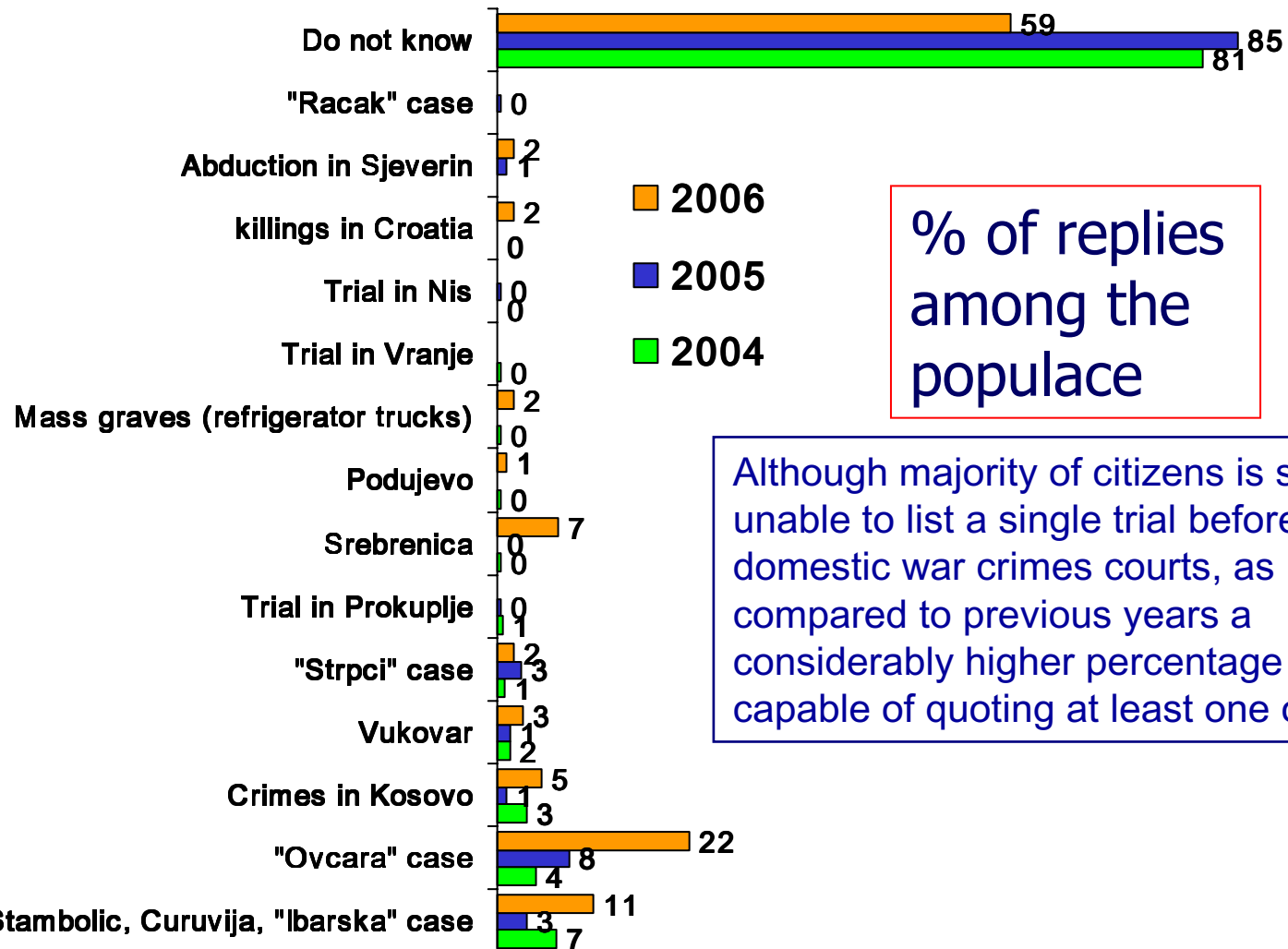
To what extent do you consider yourself informed of the organisation and manner of operation of the Hague Tribunal?



SRS supporters as compared to supporters of other parties perceive themselves considerably better informed of the work of the Hague Tribunal and the War Crimes Prosecutors' Office of the Republic of Serbia

Awareness of the work of domestic judicial authorities in charge of war crimes

List war crimes trials before domestic courts that you are aware of - Spontaneous answers -



% of replies among the populace

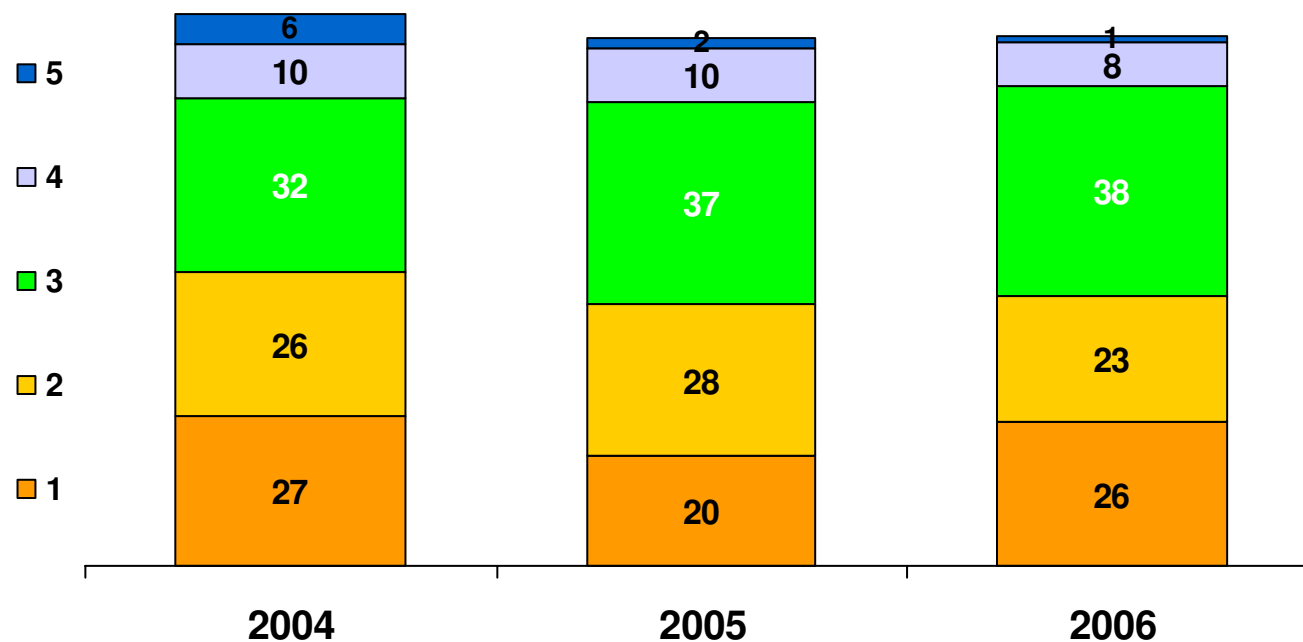
Although majority of citizens is still unable to list a single trial before domestic war crimes courts, as compared to previous years a considerably higher percentage is capable of quoting at least one of them

Killing of Djindjic, Stambolic, Curuvija, "Ibarska" case



Awareness of the work of domestic judicial authorities in charge of war crimes

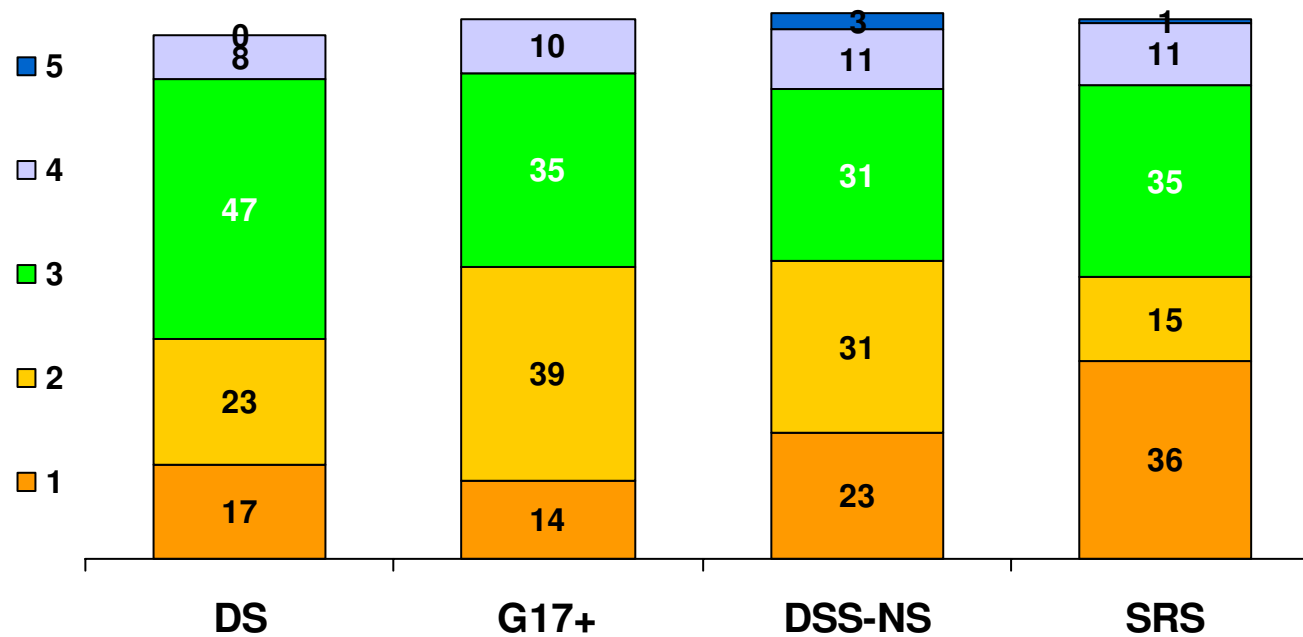
Assessment of the course of war crimes trials to date before domestic courts



In average, assessment of the course of war crimes trials to date have not significantly changed: as in previous years, almost half of those stating some awareness of these trials have given them poor marks

Awareness of the work of domestic judicial authorities in charge of war crimes

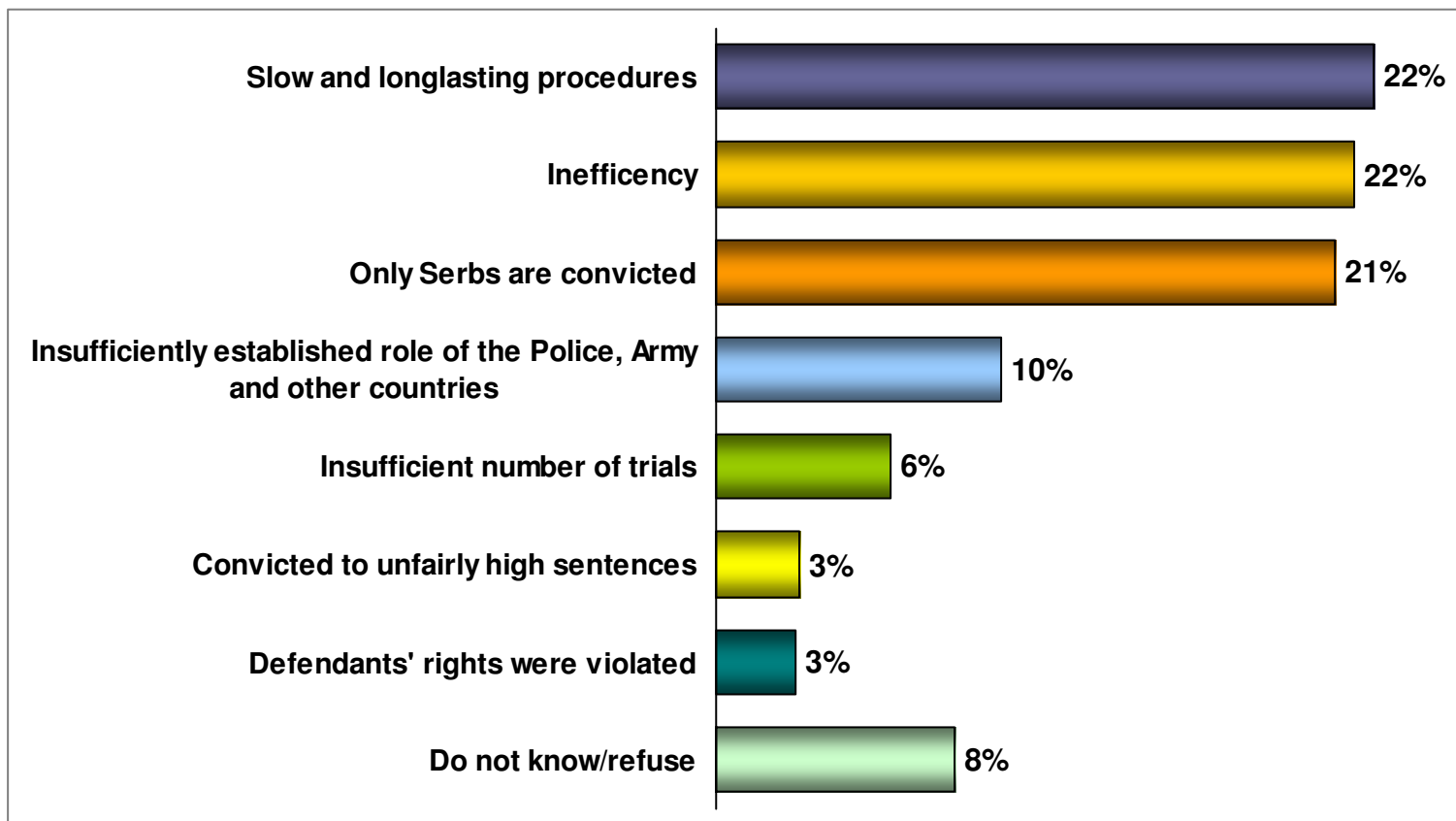
Assessment of the course of war crimes trials to date before domestic courts



In average, best marks for the course of war crimes trials to date are given by DS supporters, and the worst by SRS supporters

Awareness of the work of domestic judicial authorities in charge of war crimes

What has impacted most on your perception of domestic war crimes courts? – spontaneous answers –



Awareness of the work of domestic judicial authorities in charge of war crimes

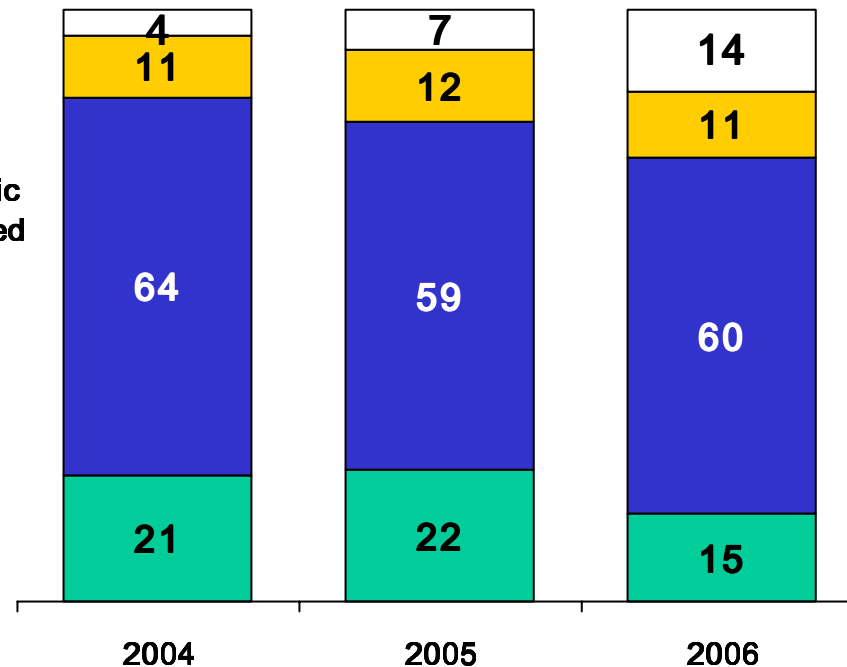
Should the general public be better informed of the course of the war crimes trials before domestic courts?

Do not know

All war crimes trials related info reaching the public are fake anyway, so it does not matter how detailed they are

The public has to be far better informed

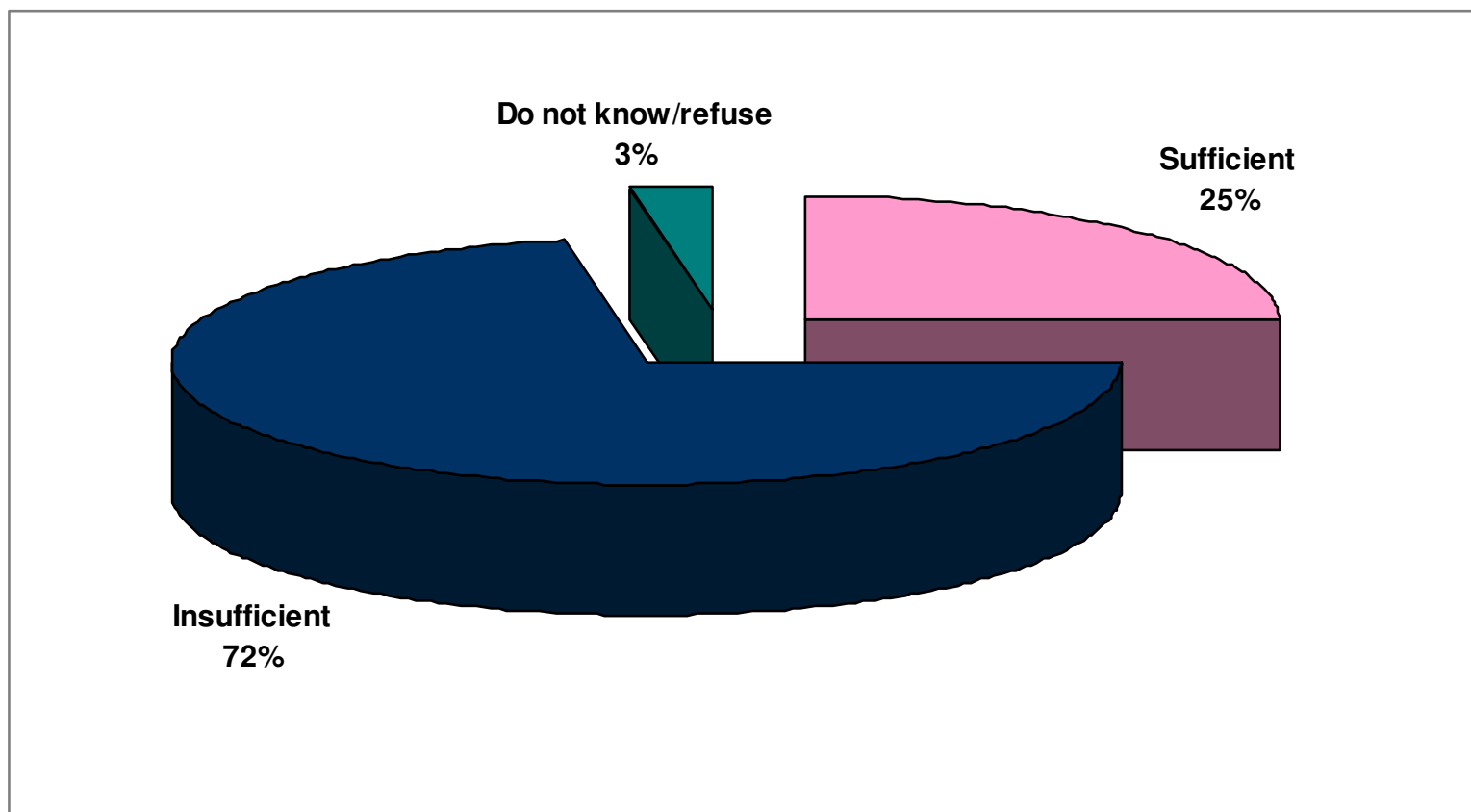
Enough info are present in media, so anyone who wants can be informed



As in previous years, the majority of citizens consider that the public should be more informed on the course of the war crimes trials before domestic courts.

Awareness of the work of domestic judicial authorities in charge of war crimes

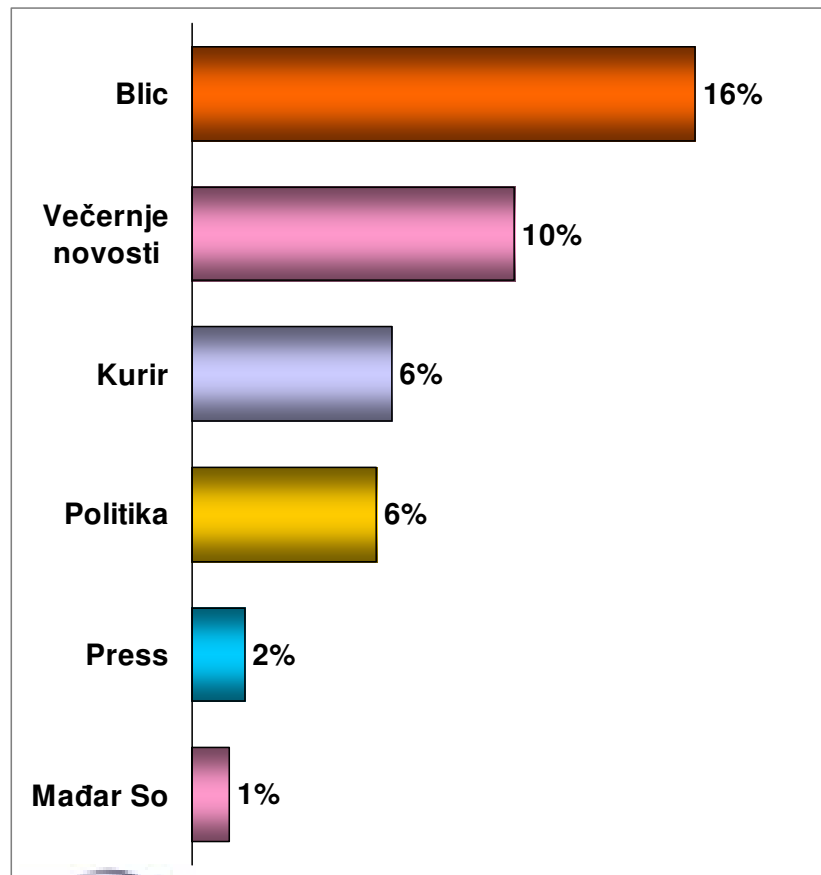
Is media coverage of representatives of the War Crimes Prosecutors' Office sufficient to be informed of the work and activities of the War Crimes Prosecutors' Office of the Republic of Serbia?



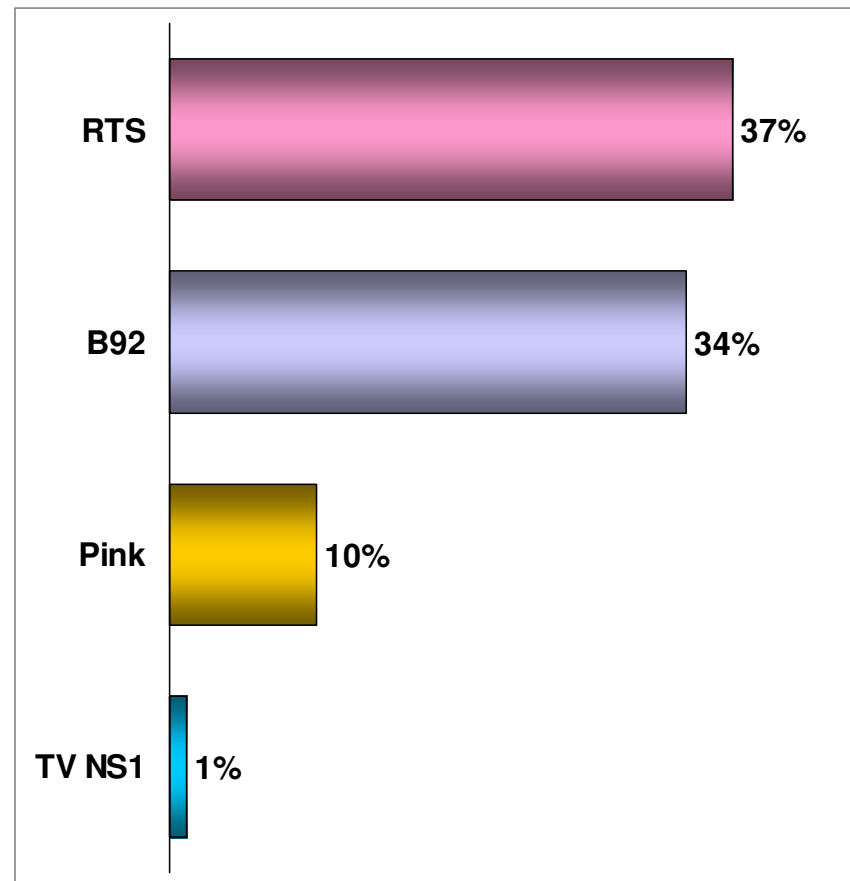
Awareness of the work of domestic judicial authorities in charge of war crimes

From what media do you obtain information on the course of the trials for war crimes?

39% listed one or more print media

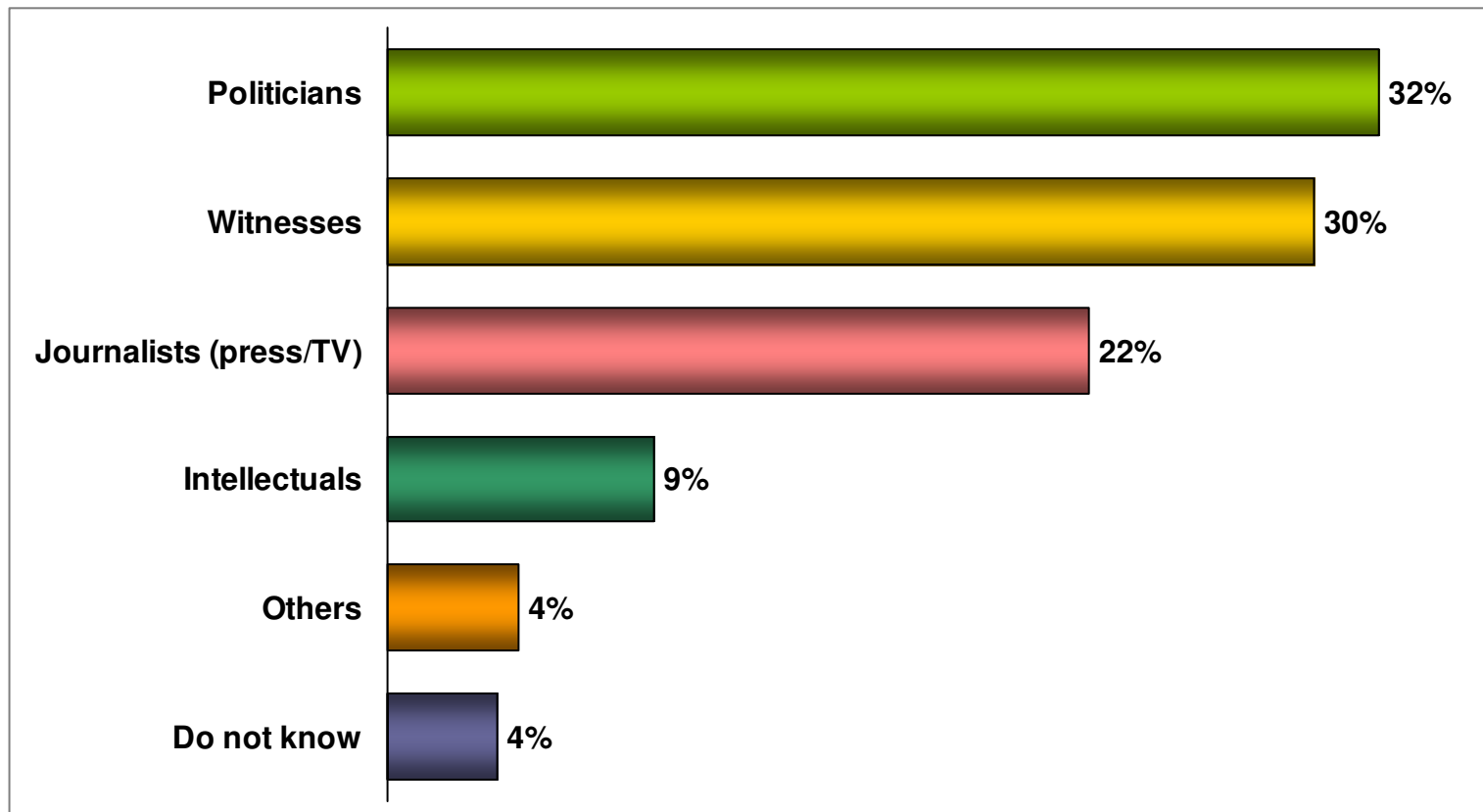


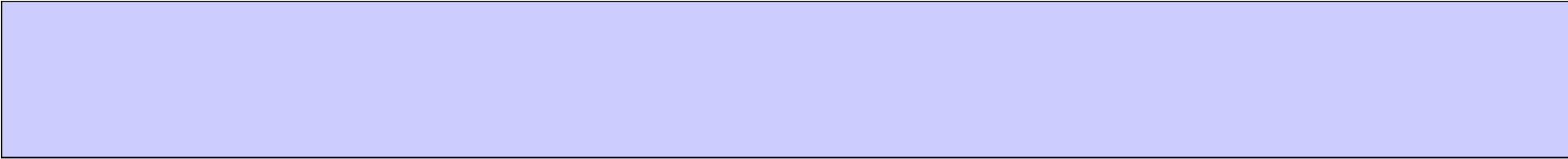
71% listed one or more electronic media – mostly TV



Awareness of the work of domestic judicial authorities in charge of war crimes

When unpleasant truths on war crimes are to be publicized, who should make them public?





Truth and accountability: Awareness and opinion of events relating to wars on the territory of the former SFRY during the last decade of the 20th century

Awareness and opinion of events relating to wars on the territory of the former SFRY, 1992-1995

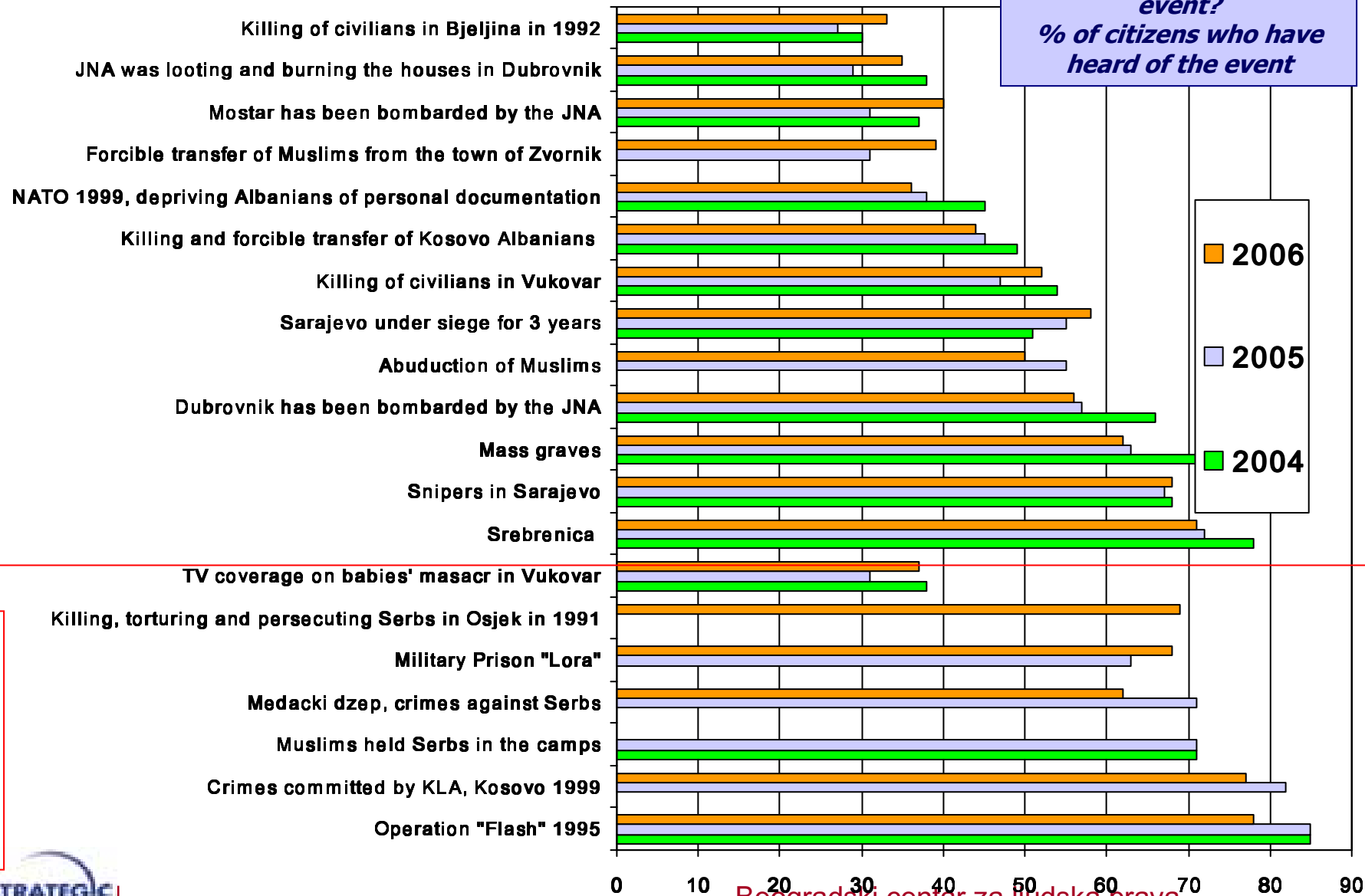
Have you heard of the below events, were they an inevitability of war or a crime?
% of populace

	Heard about the event			Believe it is true			Consider it as a crime		
	2004	2005	2006	2004	2005	2006	2004	2005	2006
During the Operation "Flash/Bljesak" in 1995, members of the Croatian Army and Police committed war crimes against Serbs in Western Slavonija	85	85	78	82	82	75	75	75	70
Members of the KLA (Kosovo Liberation Army) committed crimes during the war in Kosovo in 1999.		82	77		80	74		78	70
A large number of Bosniak/Muslim civilians was killed in Srebrenica	78	72	71	48	50	50	37	42	43
Bosniaks/Muslims had camps in BiH, where they held captured Serbs	71	71		66	66		53	53	
In September 1993, members of the Croatian armed forces committed crimes against unarmed Serbian civilians in the village of Medacki dzep, in the vicinity of Gospic.		71	62		70	59		69	56
A large number of civilians was killed by snipers in Sarajevo.	68	67	68	57	58	60	38	43	41
A large number of corps of Kosovo Albanian civilians, have been found in mass graves – Batajnica, Petrovo Selo, Perucac.	71	63	62	31	31	38	25	27	34
Members of the Croatian military police have tortured Serbian prisoners of war in the military prison "Lora" in the vicinity of Split.		63	68		60	65		58	60
Dubrovnik has been bombarded by the JNA	66	57	56	34	30	34	15	15	15
In the villages of Strpci and Sjeverin, Muslim civilians have been taken by force from the train and bus and killed afterwards.		55	50		44	33		41	31
Sarajevo has been under the siege for more than one thousand days (three years)	51	55	58	40	40	48	16	18	18
Para-military units and members of the JNA are killing civilians in Vukovar	54	47	52	24	23	28	18	17	21
Kosovo Albanians have been killed and forcibly expelled even before the NATO bombing.	49	45	44	17	18	20	11	12	14
When the NATO bombing started in 1999, Kosovo Albanians were forcibly expelled and their personal documentation taken	45	38	36	16	14	15	8	6	10
TV coverage on "babies' massacre" in Vukovar	38	31	37	19	16	22	18	15	20
Muslims from the town of Zvornik have been forcibly expelled by the members of the Serbian armed forces during the war in Bosnia.		31	39		17	24		9	13
Mostar has been bombarded by the JNA	37	31	40	12	11	19	6	5	9
Members of the JNA have been looting and burning houses in the vicinity of Dubrovnik	38	29	35	14	12	19	24	10	14
Para-military units from Serbia killed civilians in Bjeljina in 1992.	30	27	33	14	14	18	12	13	16
Serbian civilians were tortured, killed and persecuted in Osijek during the 1991			69			67			62

Awareness and opinion of events relating to wars on the territory of the former SFRY, 1992-1995

*Have you heard of the event?
% of citizens who have heard of the event*

Crimes committed by Serbs

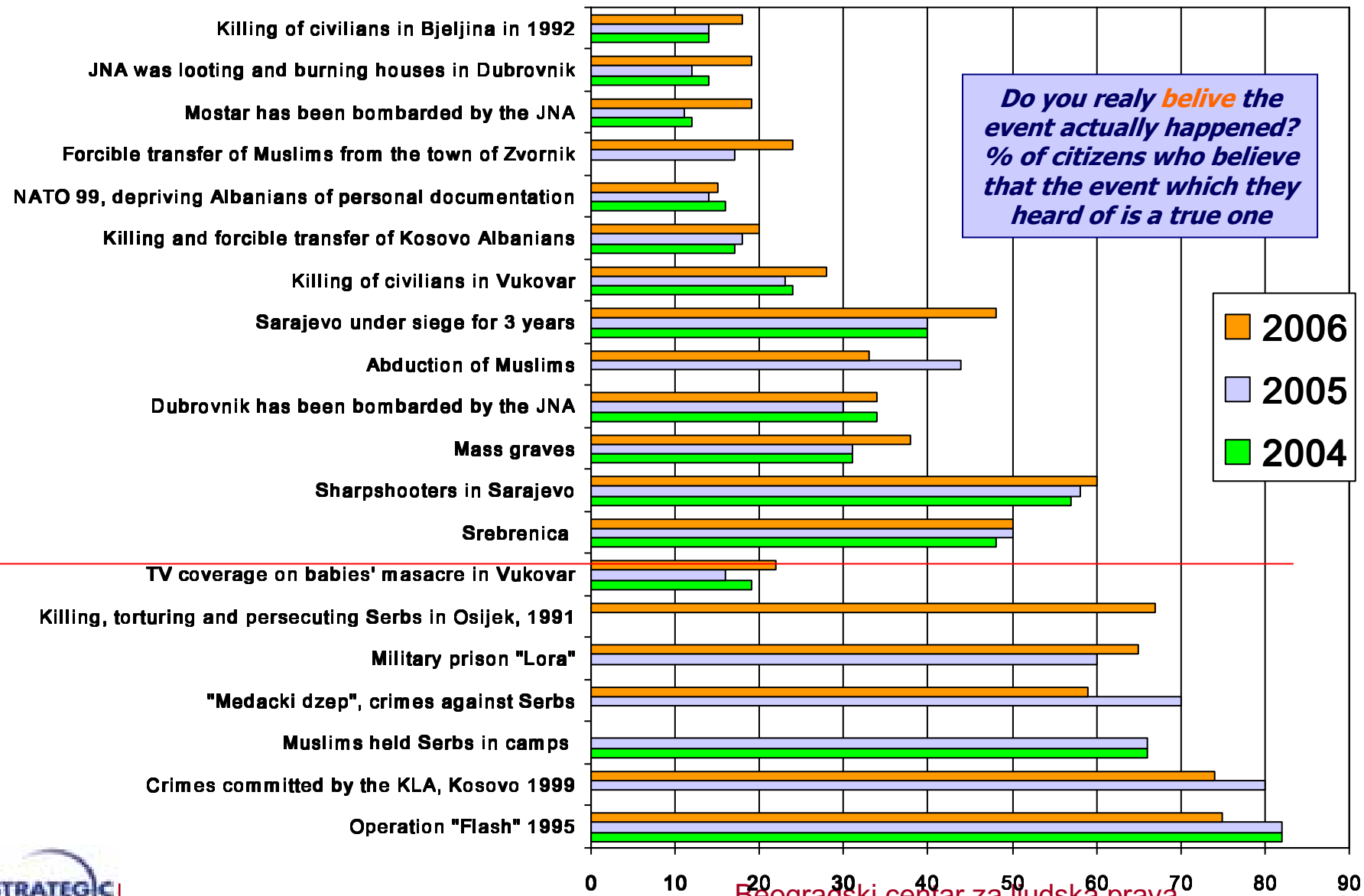


Crimes against Serbs

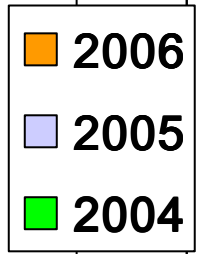


Awareness and opinion of events relating to wars on the territory of the former SFRY, 1992-1995

Crimes committed by Serbs



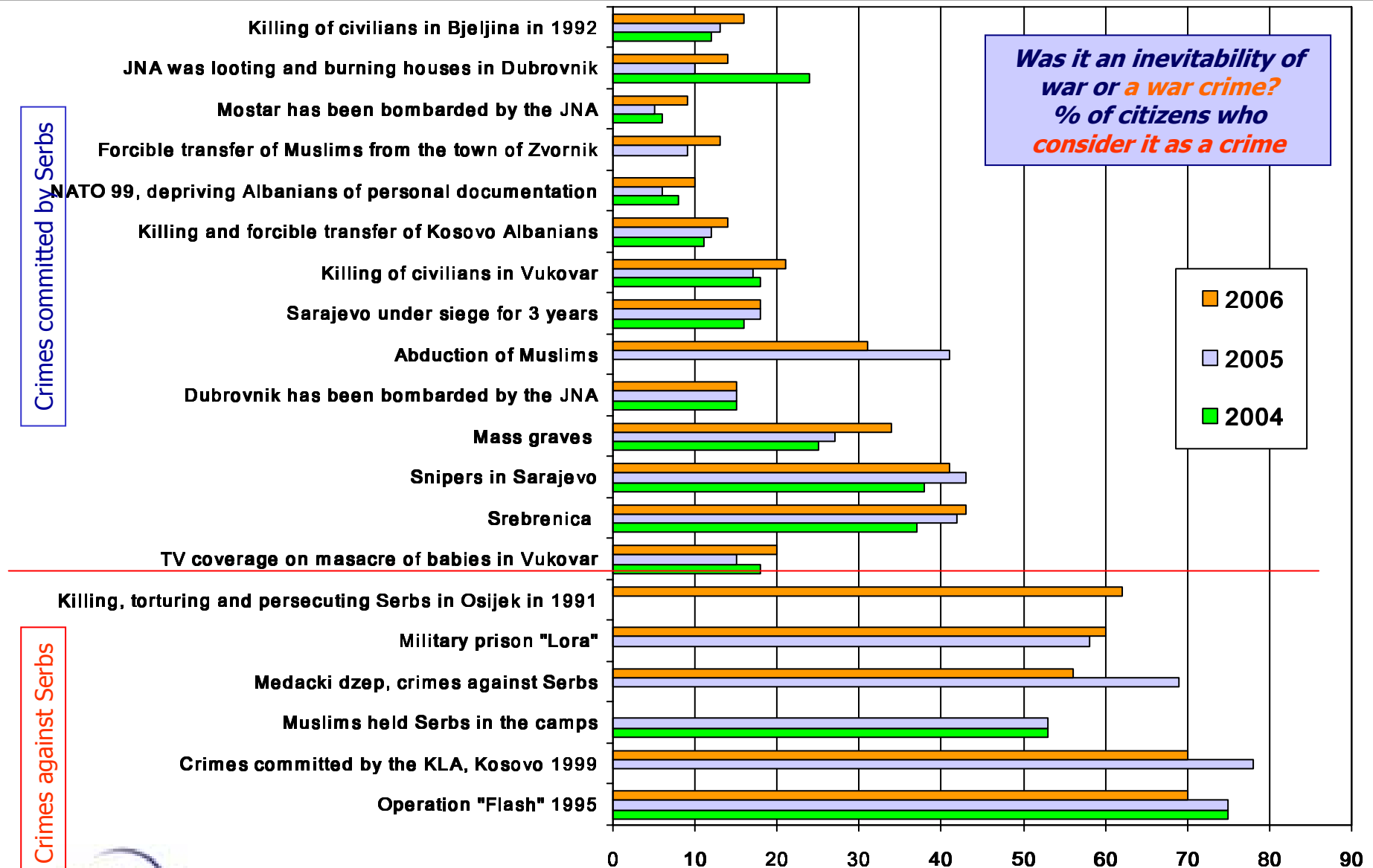
*Do you really believe the event actually happened?
% of citizens who believe that the event which they heard of is a true one*

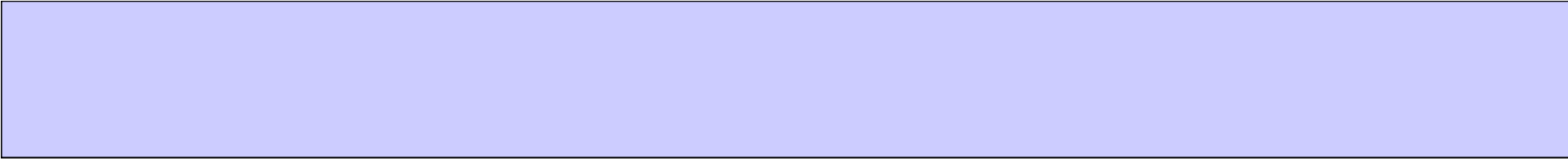


Crimes against Serbs



Awareness and opinion of events relating to wars on the territory of the former SFRY, 1992-1995

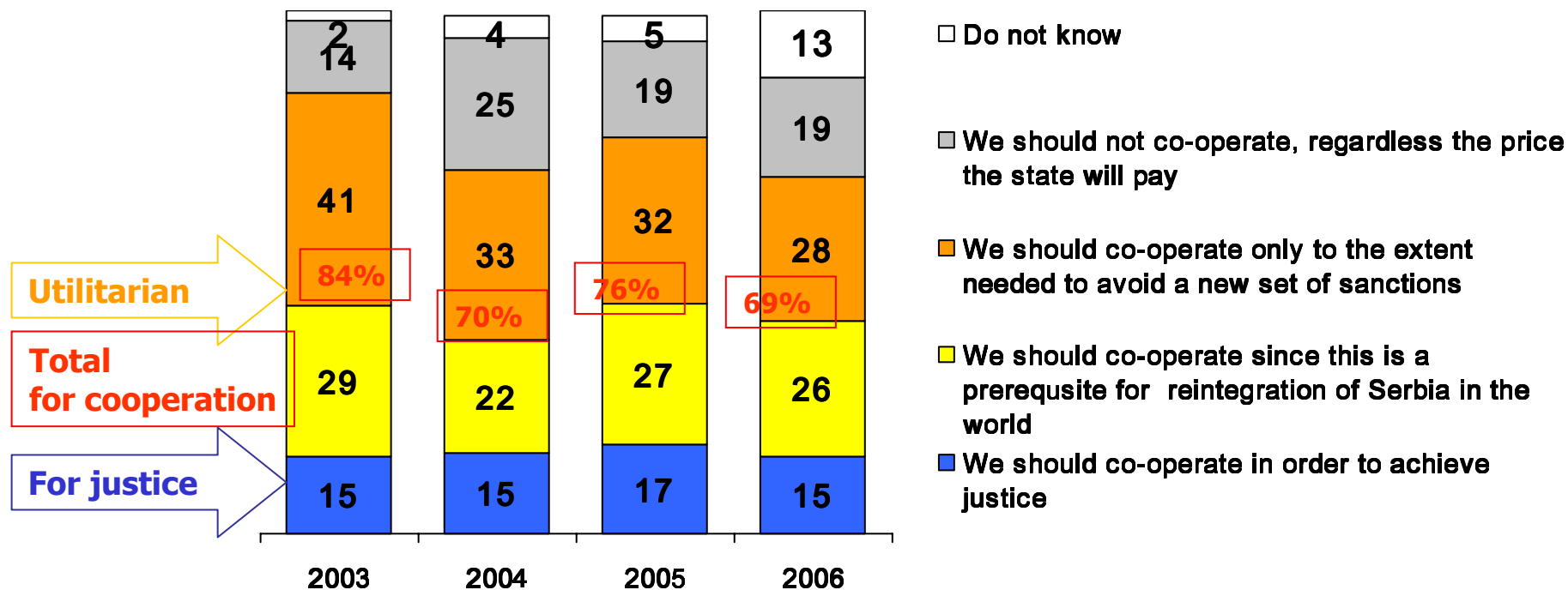




Opinion regarding the Hague Tribunal: views regarding cooperation, confidence in and perception of the mission of the Hague Tribunal

Opinion regarding the Hague Tribunal: Views regarding cooperation

Views on cooperation of Serbia with the Hague Tribunal

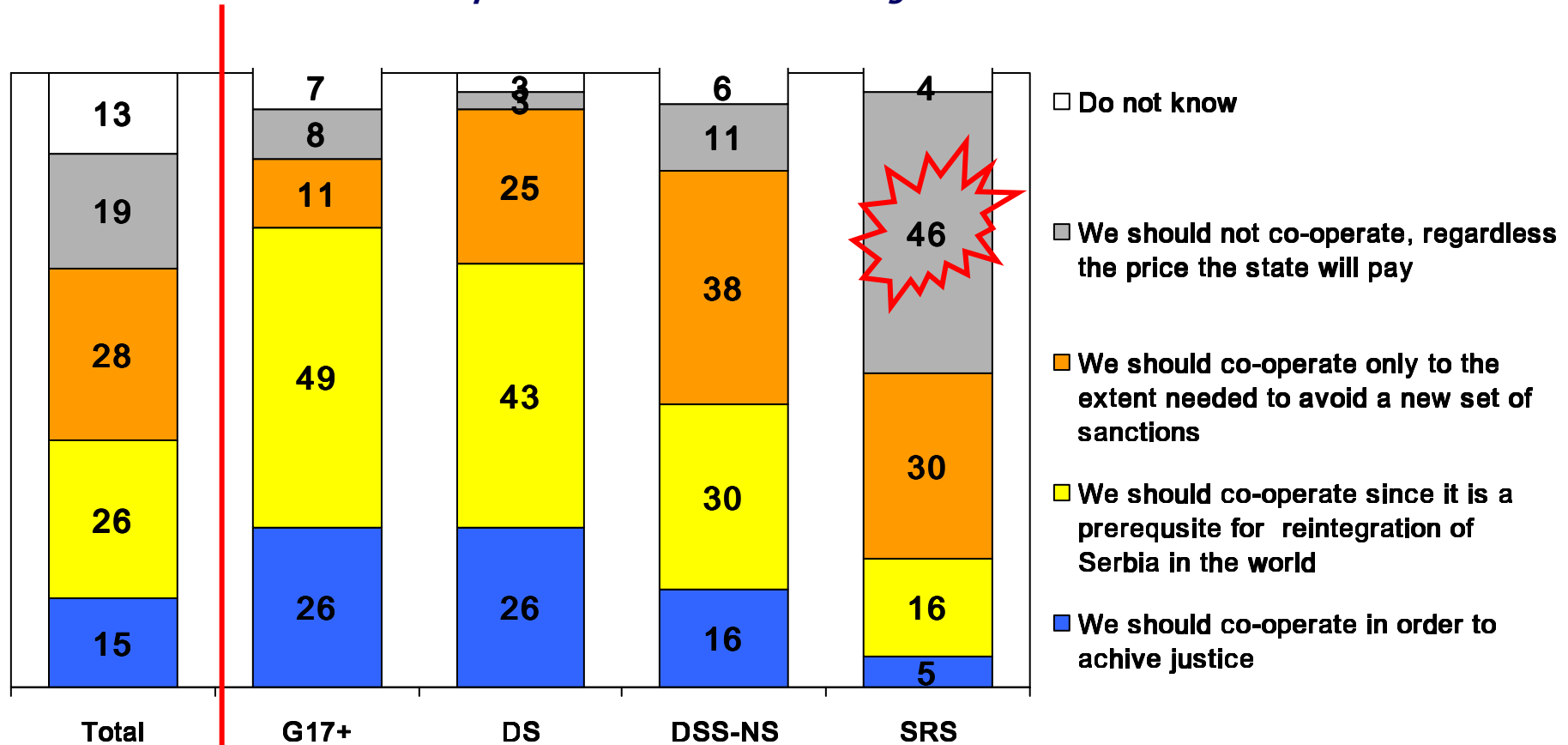


Percentage of citizens who consider that there should be more cooperation with the Hague Tribunal has decreased by 15% in relation to 2003

Only 15% of the populace, stable over the last 4 years, consider that there should be cooperation with the Hague Tribunal in order for justice to prevail, while others consider that cooperation should be implemented for utilitarian reasons

Opinion regarding the Hague Tribunal: Views regarding cooperation

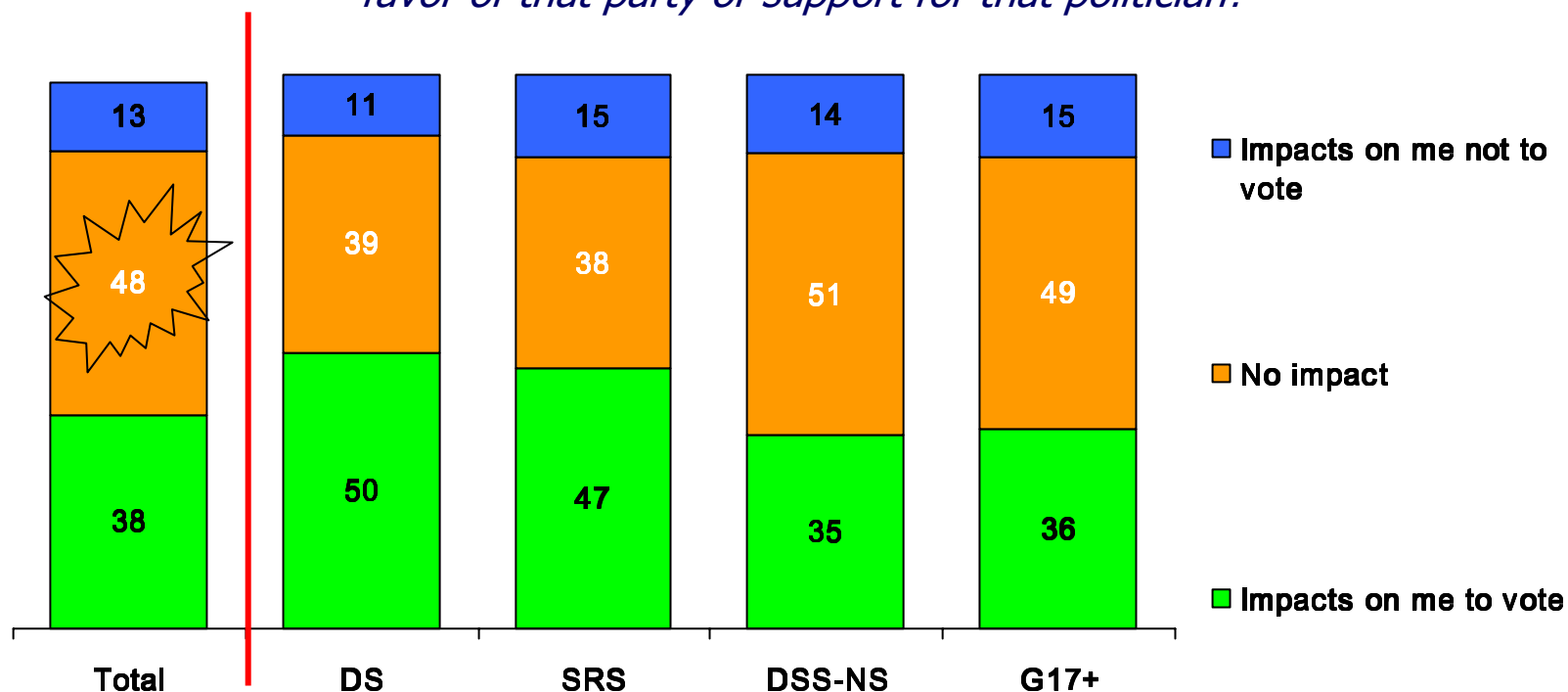
Views on cooperation of Serbia with the Hague Tribunal



The majority of antagonists in respect of cooperation with the Hague Tribunal are among SRS supporters.

Opinion regarding the Hague Tribunal: Views regarding cooperation

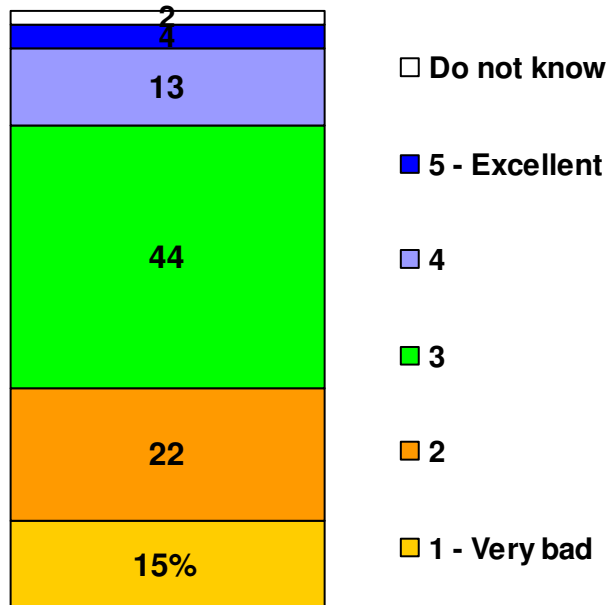
To what extent does the position of a particular party (politician) in respect of the Hague Tribunal or war crimes trials before domestic courts impact on your vote in favor of that party or support for that politician?



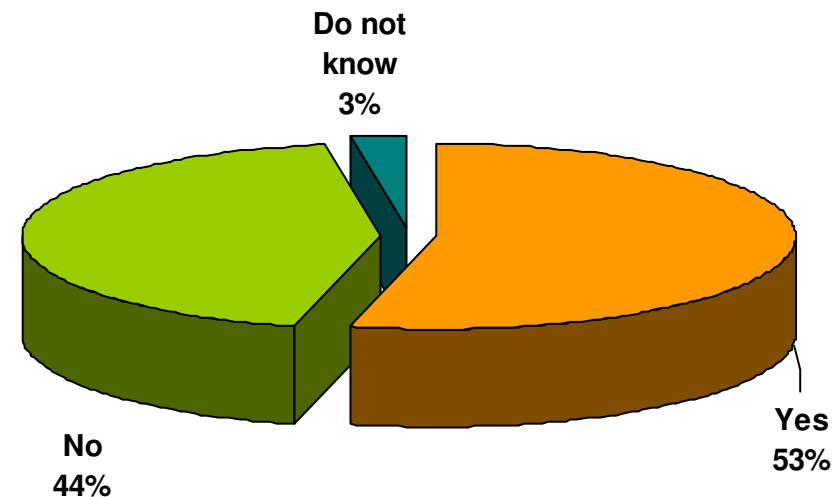
For almost one half of the citizens the position of a party regarding the Hague Tribunal and war crimes trials before domestic courts are not of importance for their decision to vote for or against such party. The position on these issues in deciding whether to support a party have the greatest significance to DS and SRS supporters.

Opinion regarding the Hague Tribunal: Views regarding cooperation

How would you assess the work of the Serbian Government in regards to the cooperation with the Hague tribunal



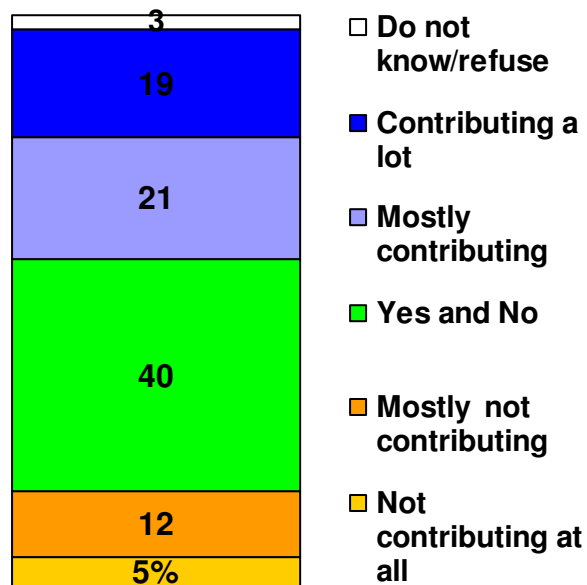
Is the Government doing everything within its competence to fulfill its obligations towards the Hague tribunal?



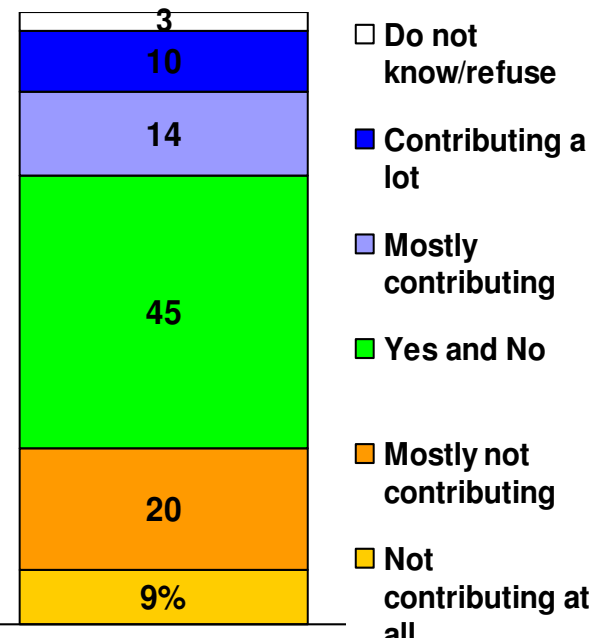
Majority of citizens (53%) believe the government has done everything in its power to meet the obligations towards the Hague Tribunal, but are most frequently ambivalent as concerns the cooperation with the Hague Tribunal (44%); only 17% gives the government high grades for cooperation with the Hague Tribunal

Opinion regarding the Hague Tribunal: Views regarding cooperation

What is the contribution of the Serbian President with regard to co-operation with the Hague tribunal?



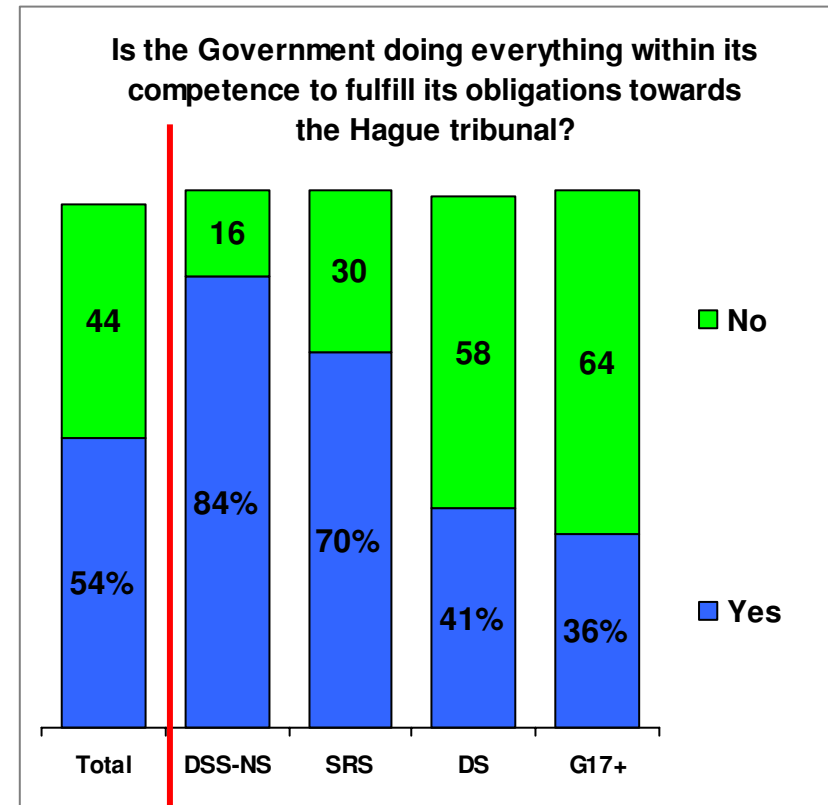
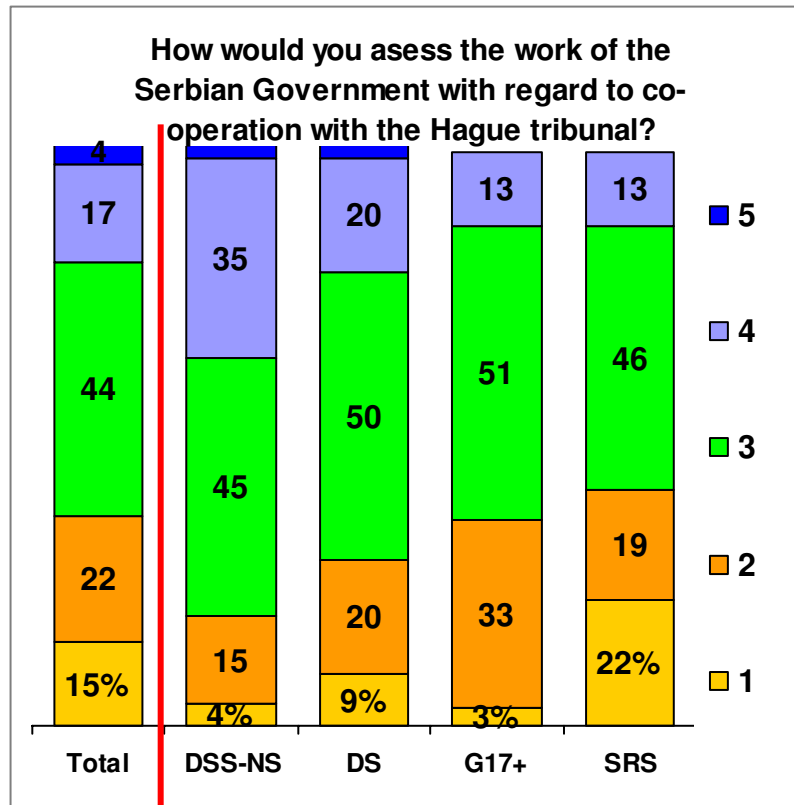
What is the contribution of the Serbian Parliament with regard to co-operation with the Hague tribunal?



A high number of citizens has no clear position regarding contribution of the President of Serbia and the Serbian Assembly towards cooperation with the Hague Tribunal (40% and 45%).

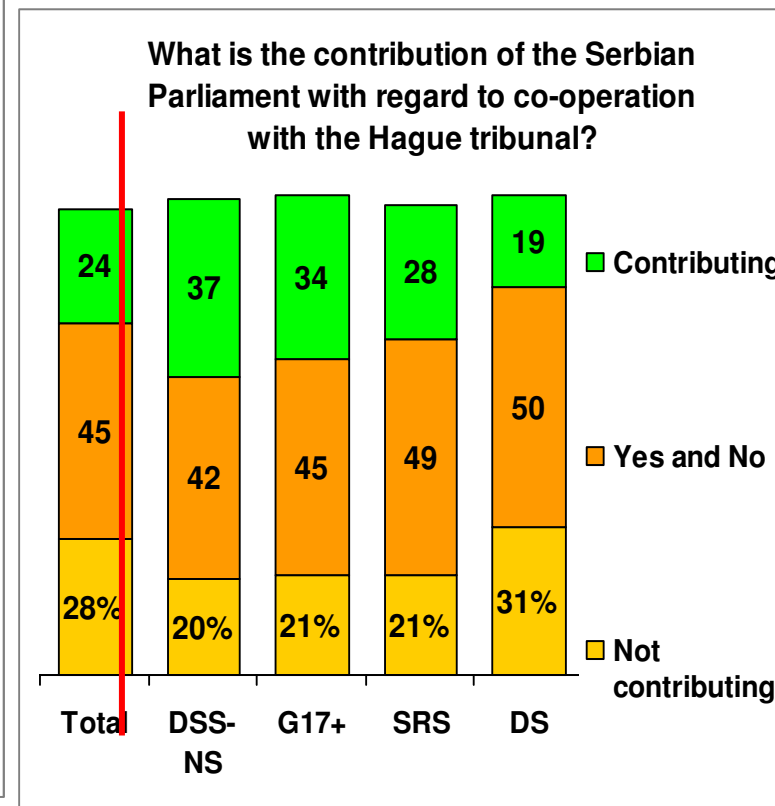
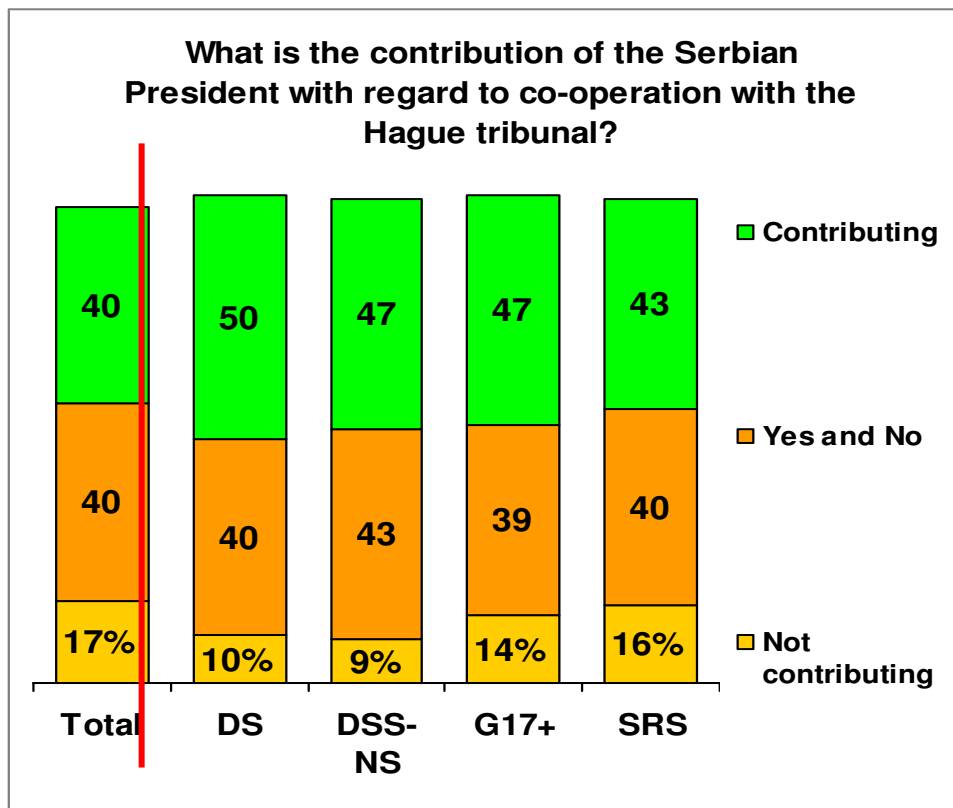
Considerably greater number of citizens believe in the contribution of the President of Serbia (40%) than in the contribution of the Assembly (24%)

Opinion regarding the Hague Tribunal: Views regarding cooperation



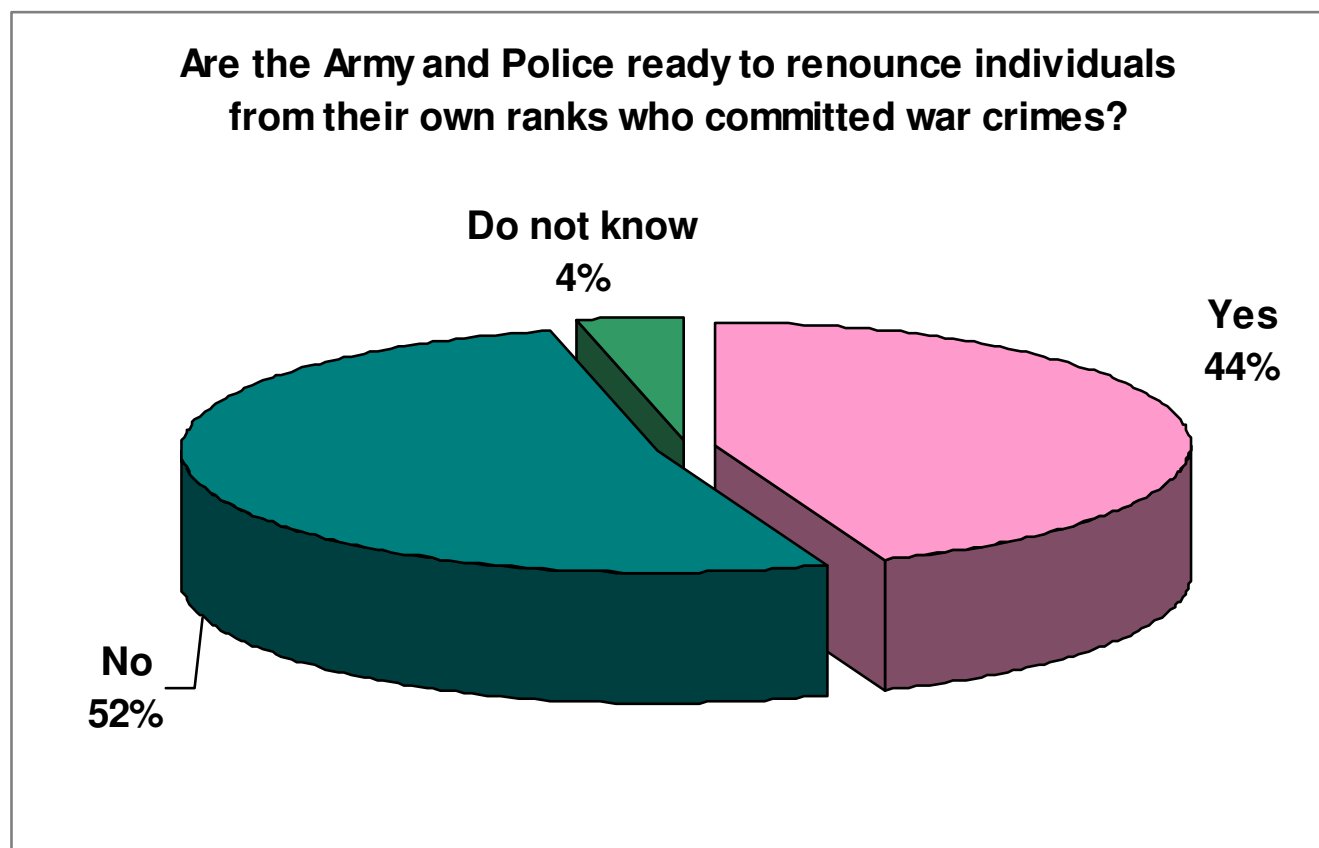
Supporters of the DSS-NS coalition give highest grades to the government and have the highest confidence in its efforts to meet the obligations towards the Hague Tribunal

Opinion regarding the Hague Tribunal: Views on cooperation



Regarding the contribution of the President of Serbia towards cooperation with the Hague Tribunal there are no significant differences between supporters of various political parties, while as regards the contribution of the Assembly the differences are somewhat greater. DS supporters grade the contribution of the President of Serbia somewhat better than others, and worse as regards the contribution of the Serbian Assembly.

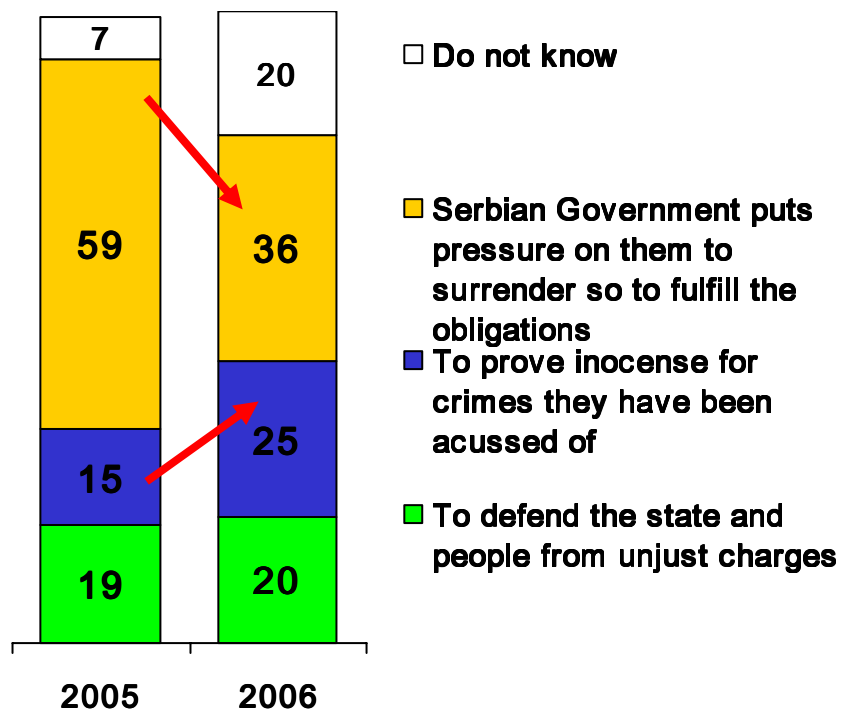
Opinion regarding the Hague Tribunal: Views on cooperation



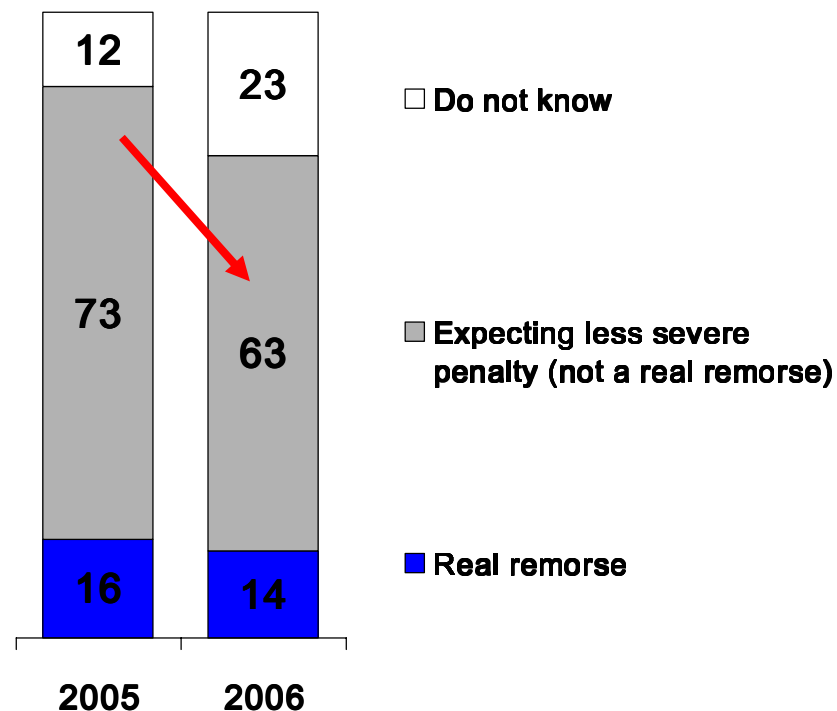
Most citizens consider the army and the police unready to renounce individuals from their own ranks who committed war crimes

Opinion regarding the Hague Tribunal : motive of the accused for voluntary surrender

What is the foremost motive of persons accused by the Hague Tribunal to voluntarily surrender?



What is the foremost motive to admit guilt?

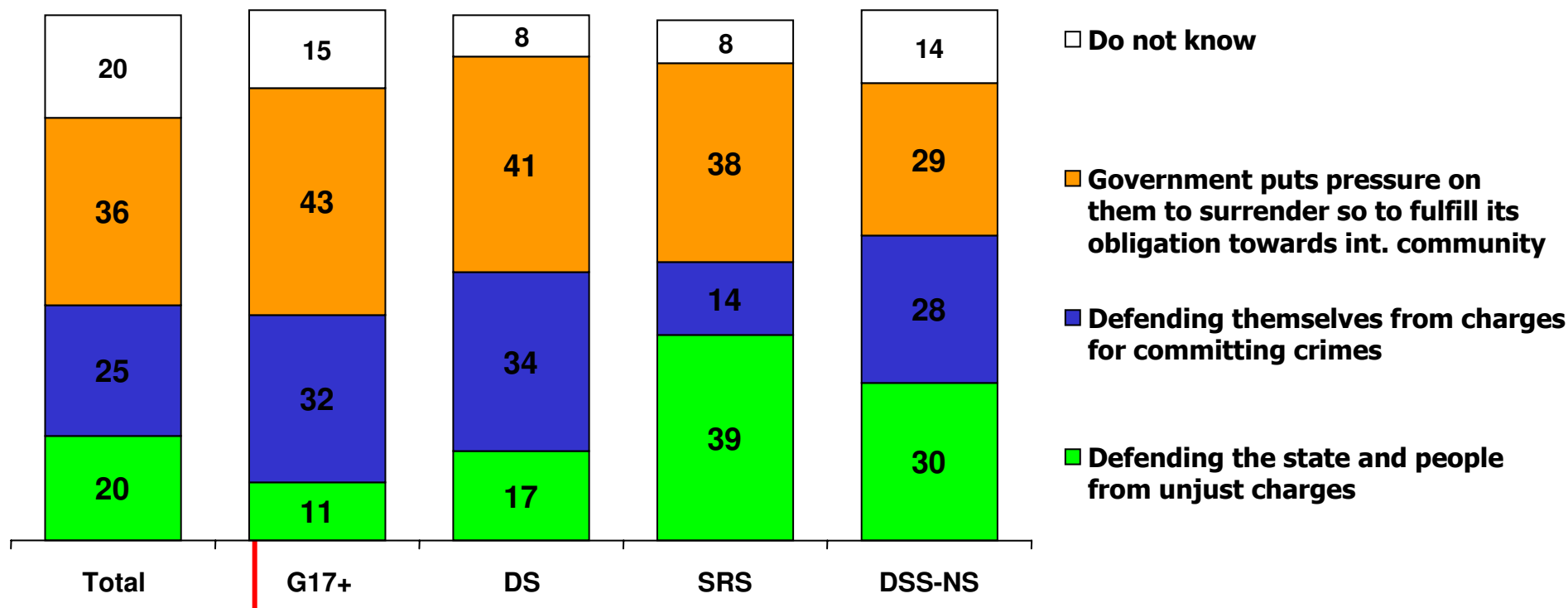


The number of persons who believe that the foremost motive for voluntary surrender was pressure from the government has considerably decreased, and the number of those who consider that this is a way to defend oneself from charges has increased.

In relation to the preceding year there is a notable increase in the number of citizens who do not have a position regarding the issue of the motive for voluntary surrender and admission of guilt by the Hague defendants.

Opinion regarding the Hague Tribunal : motive of the accused for voluntary surrender

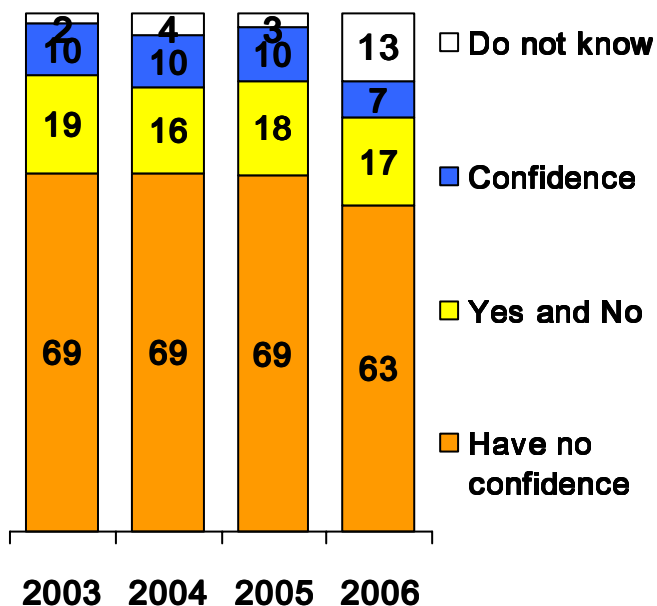
What is the foremost motive of persons accused by the Hague Tribunal to voluntarily surrender?



Perception of the motive of defendants for voluntary surrender are perceived differently by supporters of different parties, however there is no consensus among those supporting the same party

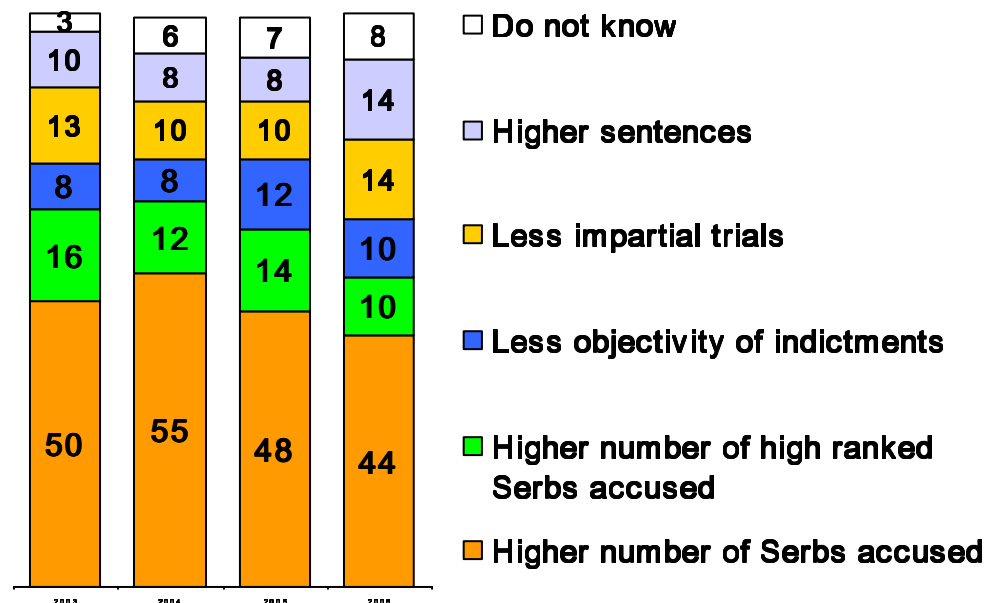
Opinion regarding the Hague Tribunal: confidence in impartiality

Confidence that the Hague Tribunal will try defendants of Serbian nationality impartially and only on basis of proven facts



What mostly reflects the bias of the Hague Tribunal in respect of defendants of Serbian nationality as compared to others?

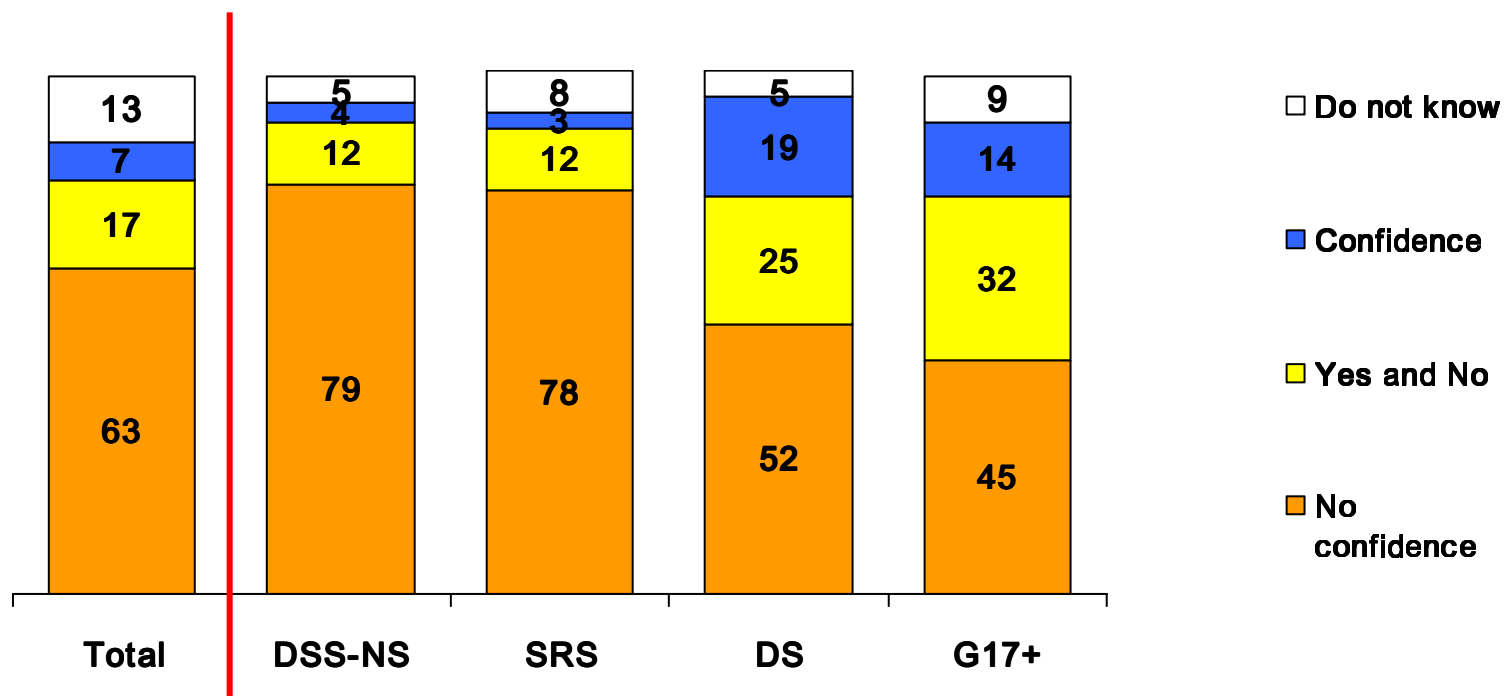
Responses of the part of the canvassed citizens who doubt the impartiality of the Hague Tribunal



Majority of citizens consistently think that the Hague Tribunal is biased in trying defendants of Serbian nationality, and the most frequent response for such perception is the prevalent number of indicted Serbs

Opinion regarding the Hague Tribunal: confidence in impartiality

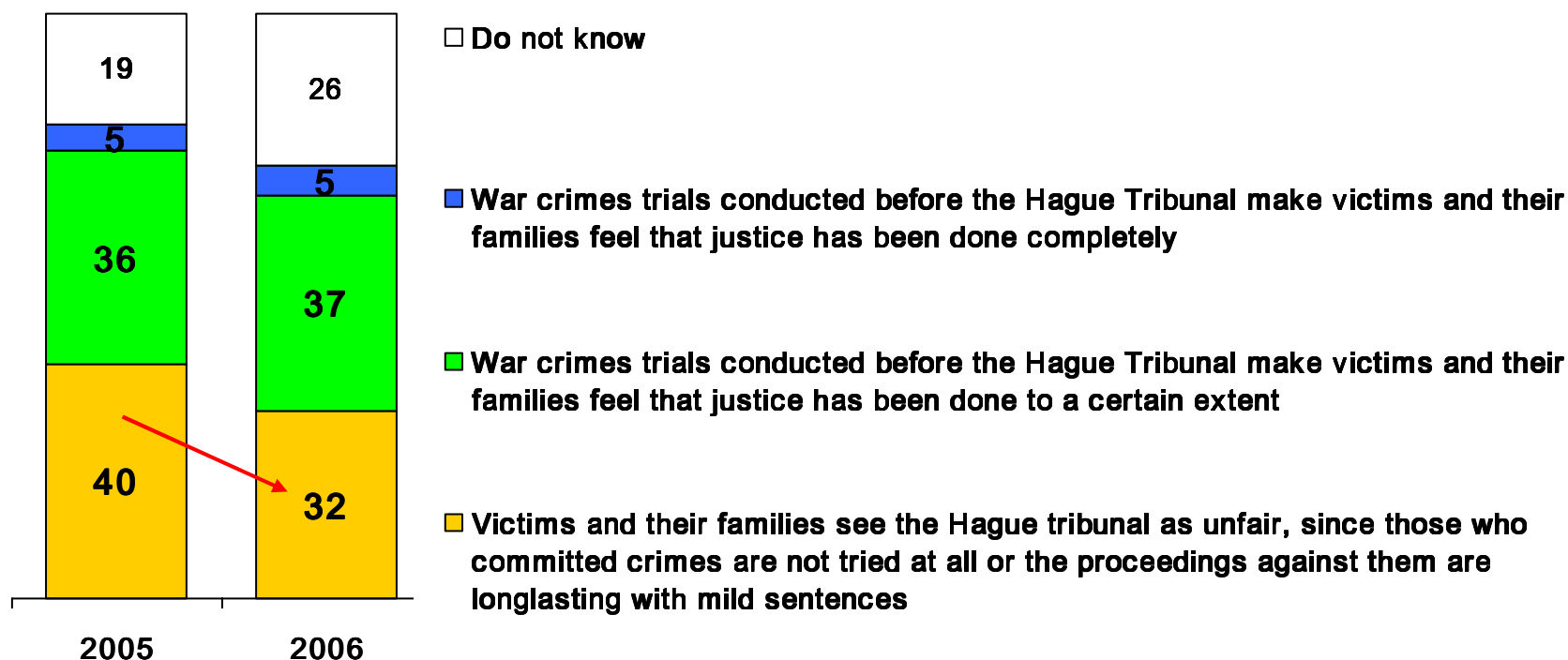
Confidence that the Hague Tribunal will try defendants of Serbian nationality impartially and only on basis of proven facts



The greatest mistrust in the impartiality of the Hague Tribunal is among SRS and DSS-NS coalition supporters

Perception of the Hague trials by war crimes victims and their families

How do the trials before the Hague Tribunal affect war crime victims and their families?



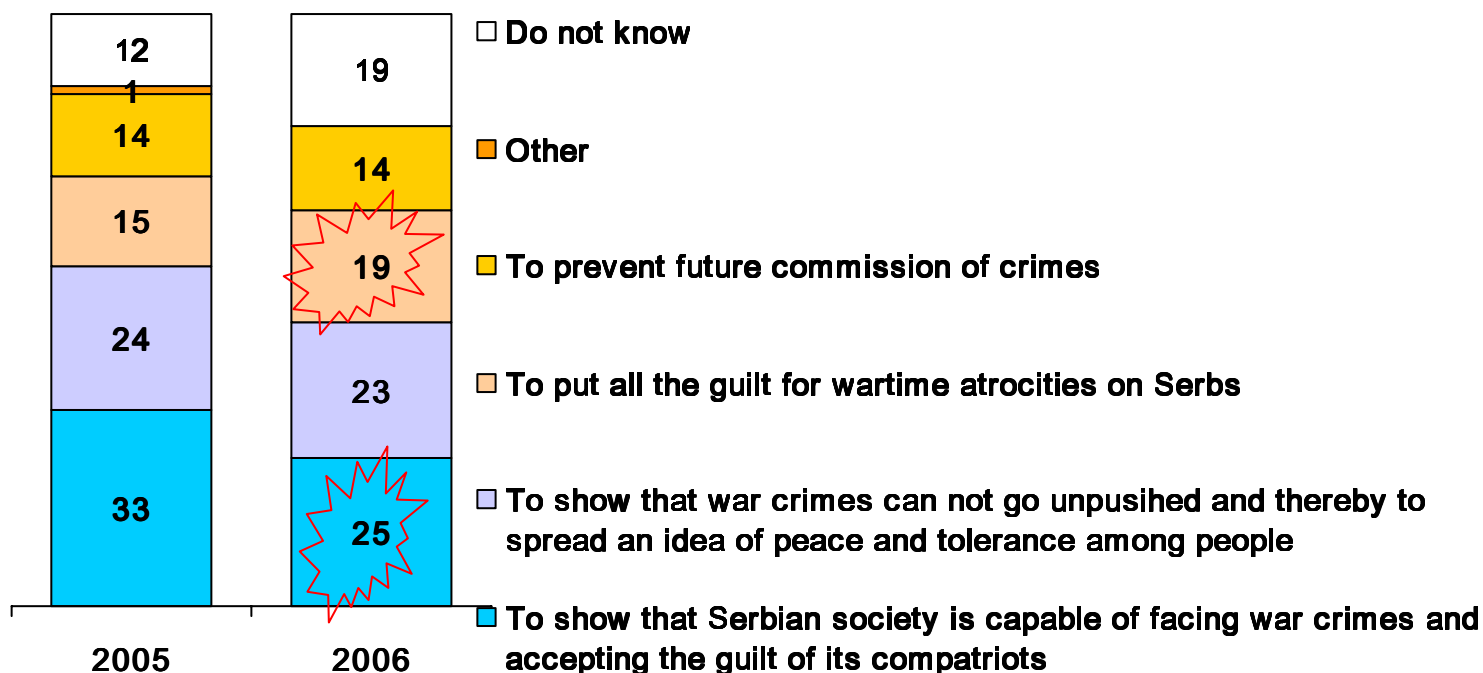
In comparison to the previous year, the number of citizens who consider that victims and their families perceive the Hague Tribunal as very unjust has decreased



Opinion on domestic judicial authorities in charge of war crimes

Perception of the mission of trying war crimes before domestic courts

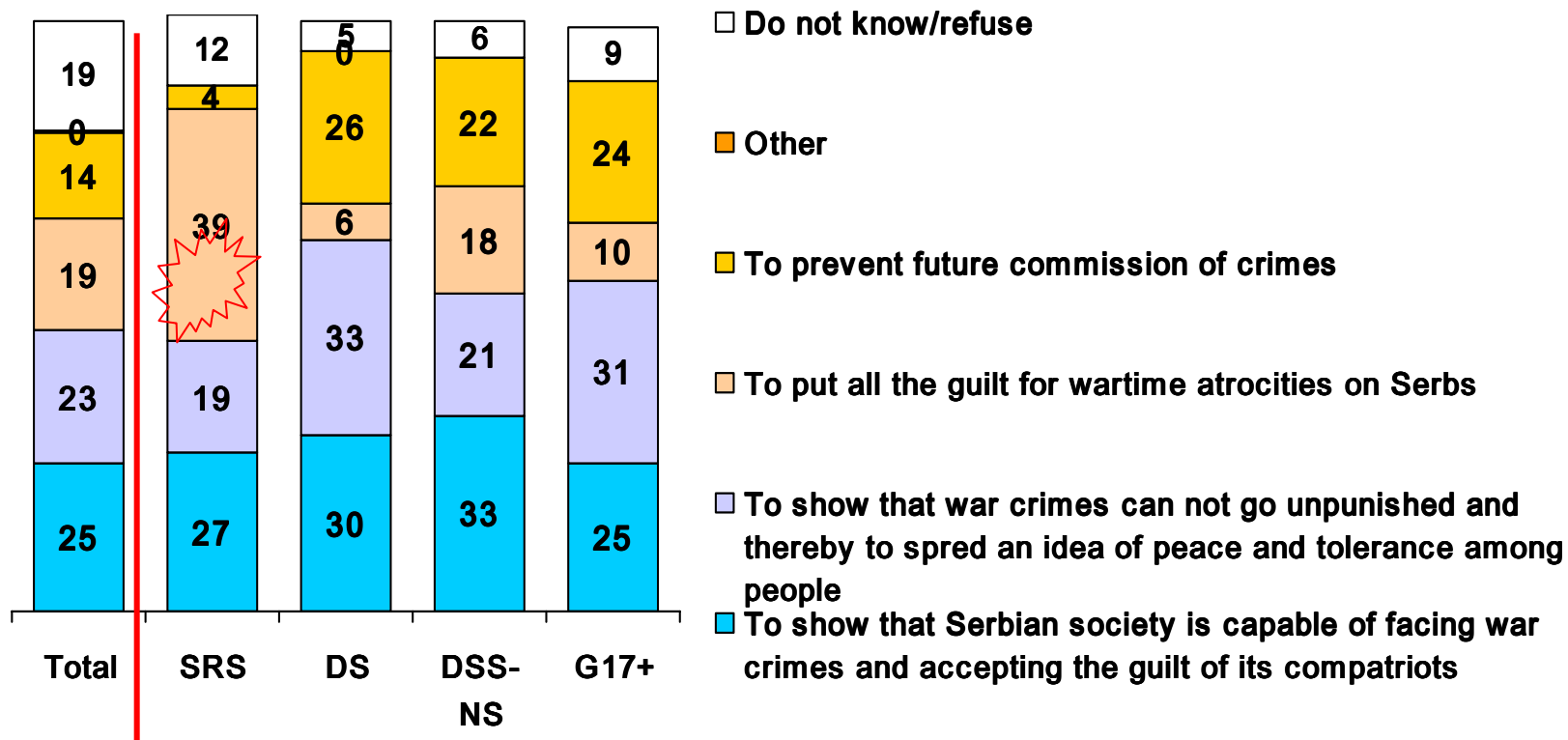
What do you think is the prevalent purpose of trying war crimes before domestic courts?



In comparison with the previous year the number of citizens who consider the purpose of trying war crimes before domestic courts is to show that Serbian society is capable of facing up to war crimes has decreased, and there is an increase in the number of those who believe that the purpose is to put the all the blame for war crimes on Serbs

Perception of the mission of trying war crimes before domestic courts

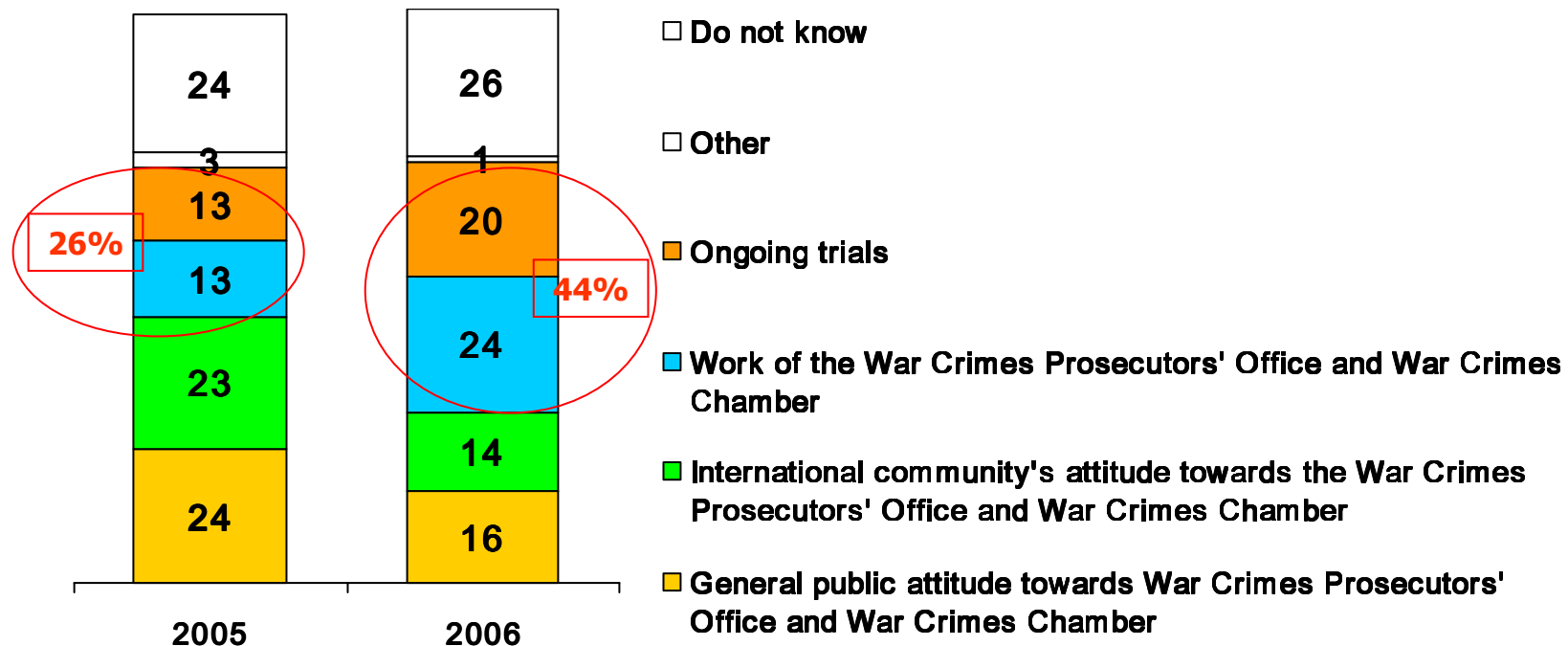
What do you think is the prevalent purpose of trying war crimes before domestic courts?



SRS supporters more than others consider that the purpose of trying war crimes before domestic courts is to place all the blame for war crimes on Serbs, however the views on this issue within the SRS are divided in this respect

Perception of the mission of trying war crimes before domestic courts

What had the greatest impact on citizens to form the stated view on the objective of war crimes trials before domestic courts?

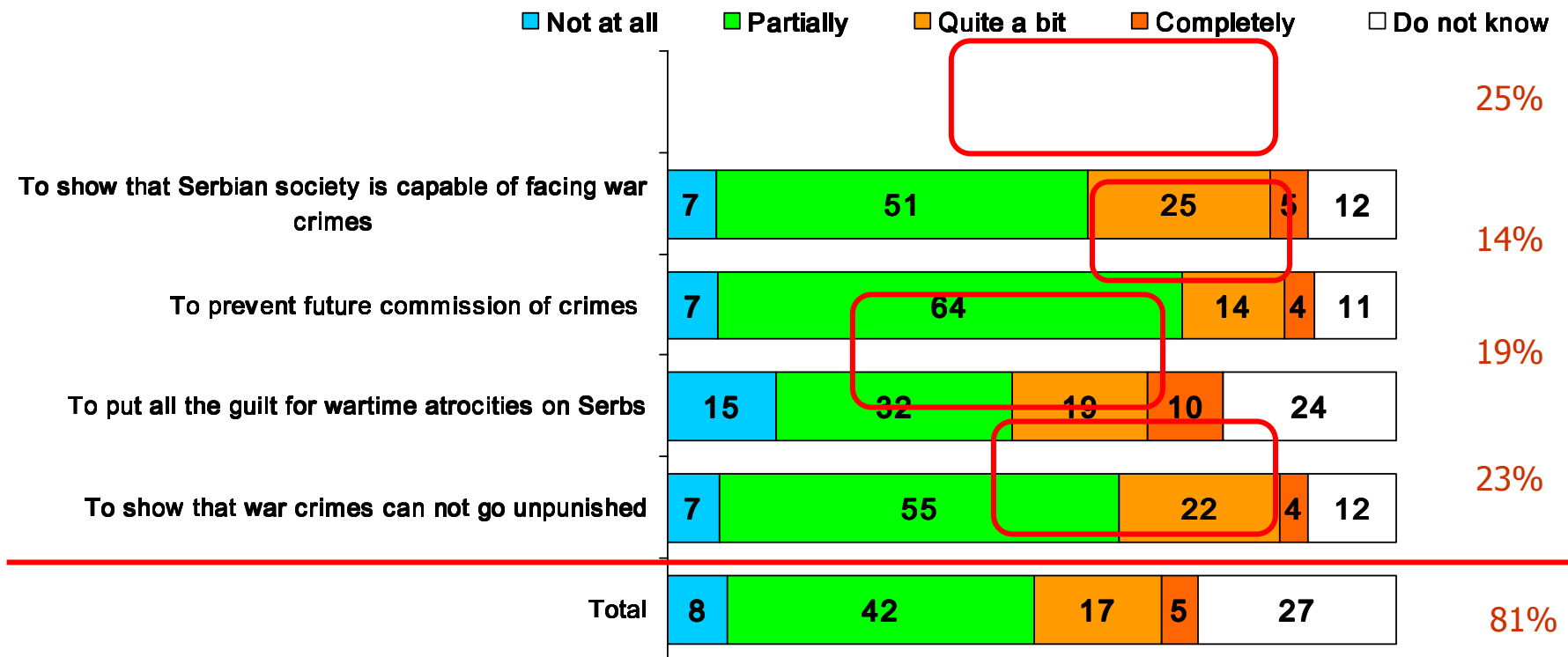


As compared to the previous year citizens mostly quote trials in progress, the work of the War Crimes Prosecutors' Office and the court, and more rarely the position of the international community and public opinion

Perception of the mission of trying war crimes before domestic courts

In the final outcome, will the war crimes trials achieve the expected objective?

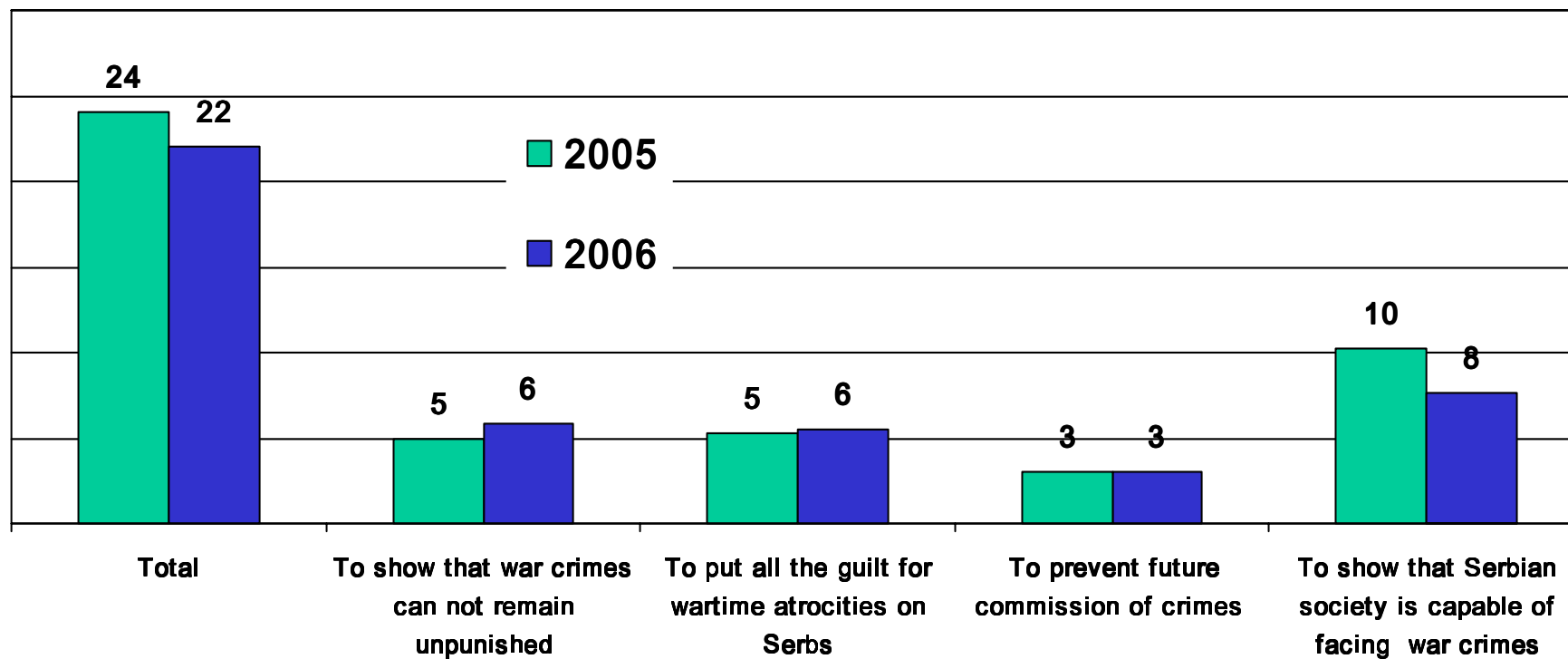
2006.
% of citizens
who named
this purpose



The greatest conviction that war crimes trials before domestic courts will achieve the expected objective was displayed among citizens who perceive the purpose in showing that the Serbian society is capable of facing war crimes and accepting the guilt of their compatriots.

Perception of the mission of trying war crimes before domestic courts

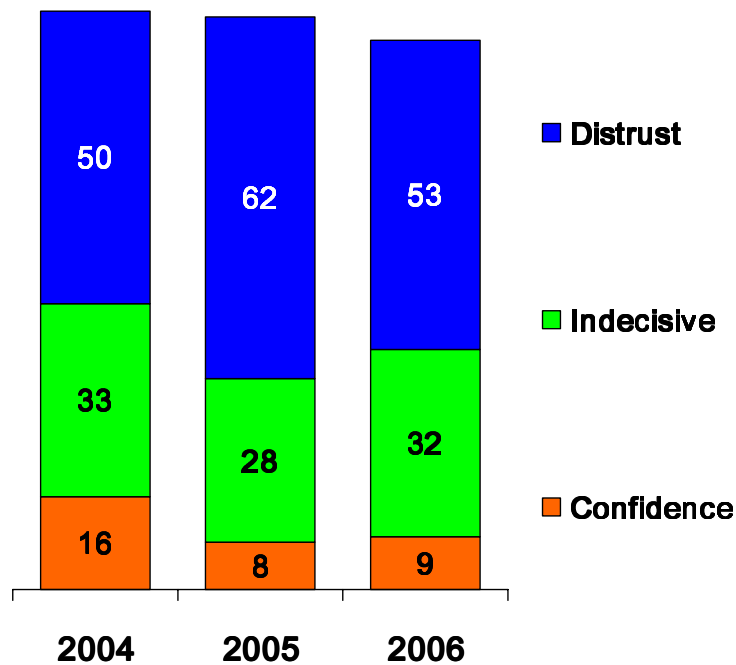
% of the populace who believe that war crimes trials before domestic courts will succeed in achieving the assumed objective



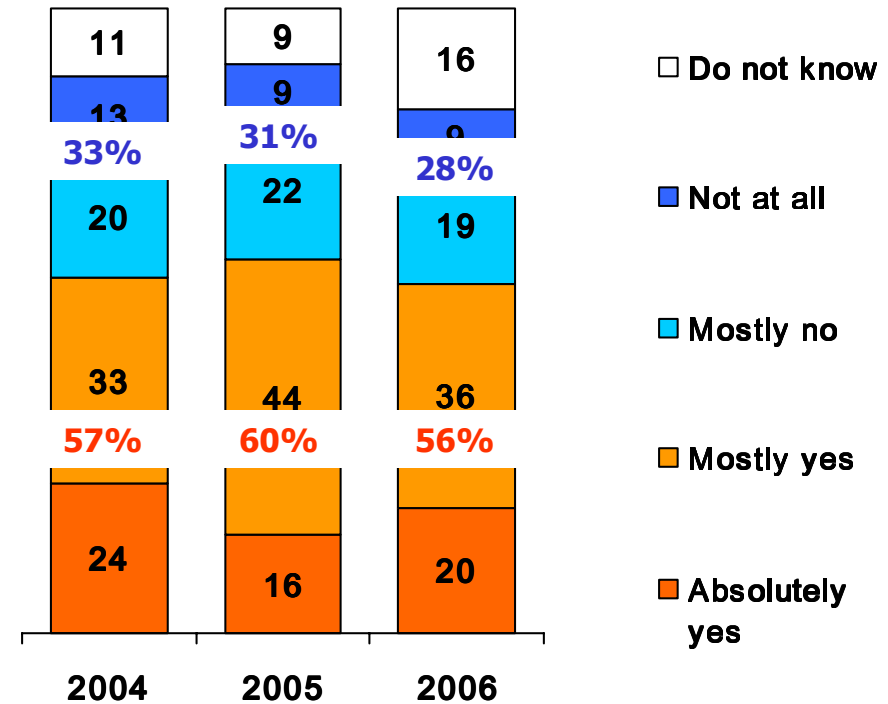
Without notable change in respect to the previous year: although generally low, still the greatest conviction that war crimes trials before domestic courts will succeed in achieving their objective was displayed among citizens who perceive the purpose in showing that Serbian society is capable of facing up to war crimes and guilt of their compatriots.

Opinion of the domestic judicial authorities for war crimes

Confidence in Serbian judicial authorities



Is our judicial system ready to try those accused for war crimes?



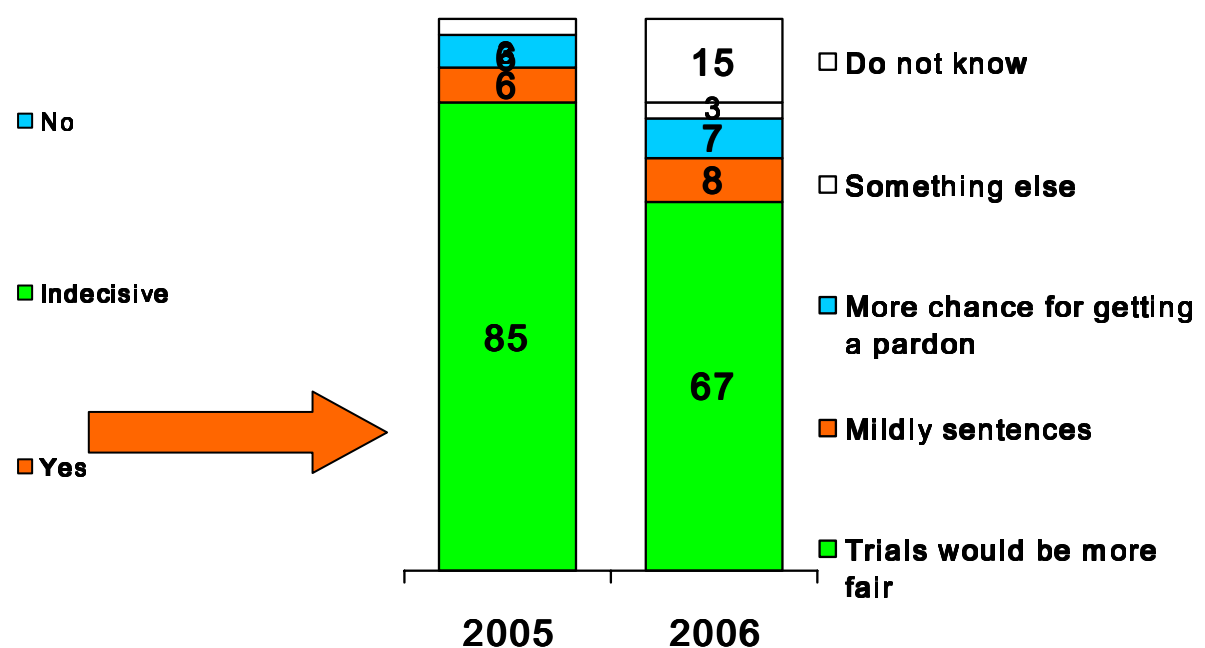
As in previous years, despite low confidence in Serbian judicial institutions, the majority of citizens expressed confidence in the readiness of that very same judiciary to try the accused for war crimes

Opinion of the domestic judicial authorities in charge of war crimes

Is it better to conduct war crimes trials in Serbia than in the Hague?



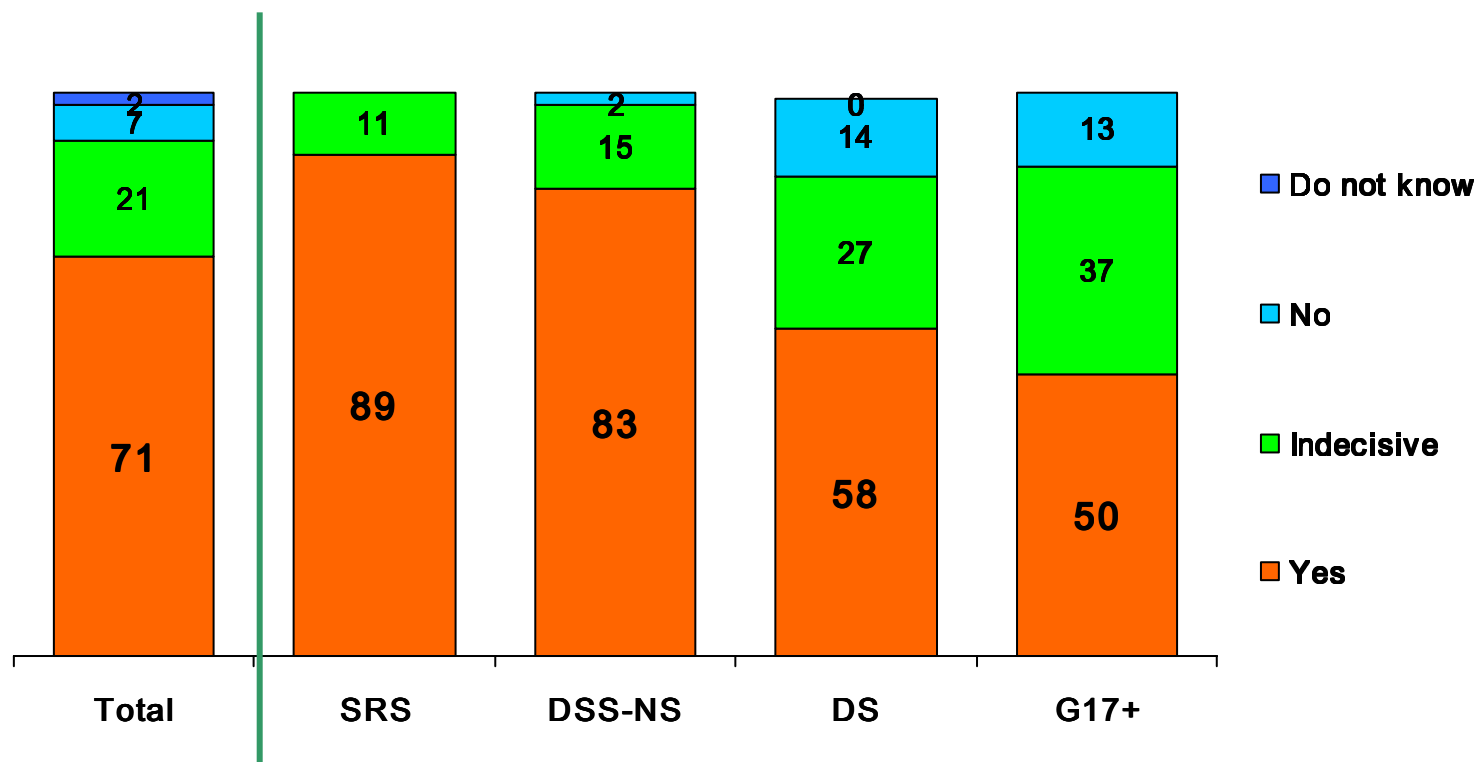
Reasons for thinking it is better to conduct war crimes trials in Serbia than in the Hague



Most citizens are consistent in thinking that it is better to try war crimes in Serbia than in the Hague, and state the reasons for such thinking that adjudication would be more fair

Opinion of the domestic judicial authorities in charge of war crimes

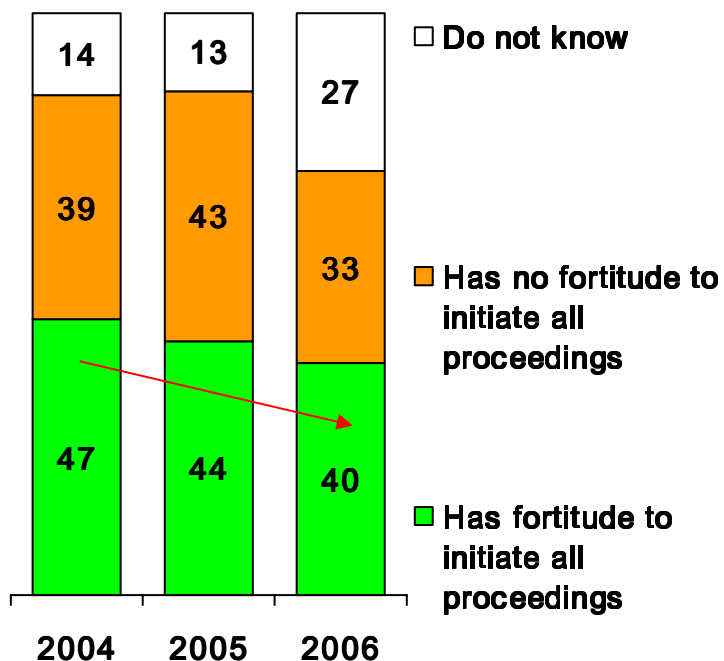
Is it better to try war crimes in Serbia than in the Hague?



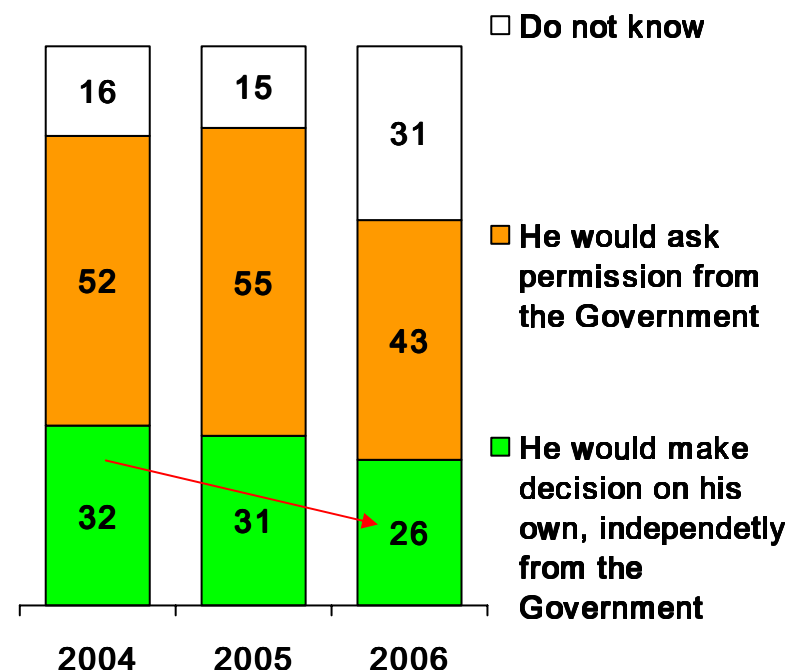
SRS and DSS-NS supporters in significantly larger percentage consider it better to conduct war crimes trials in Serbia than in the Hague

Opinion of the domestic judicial authorities for war crimes

Do you think that the War Crimes Prosecutors' Office has the fortitude to initiate all proceedings for war crimes?



Will the War Crimes Prosecutor be independent in proceedings or will he be exposed to political pressures?



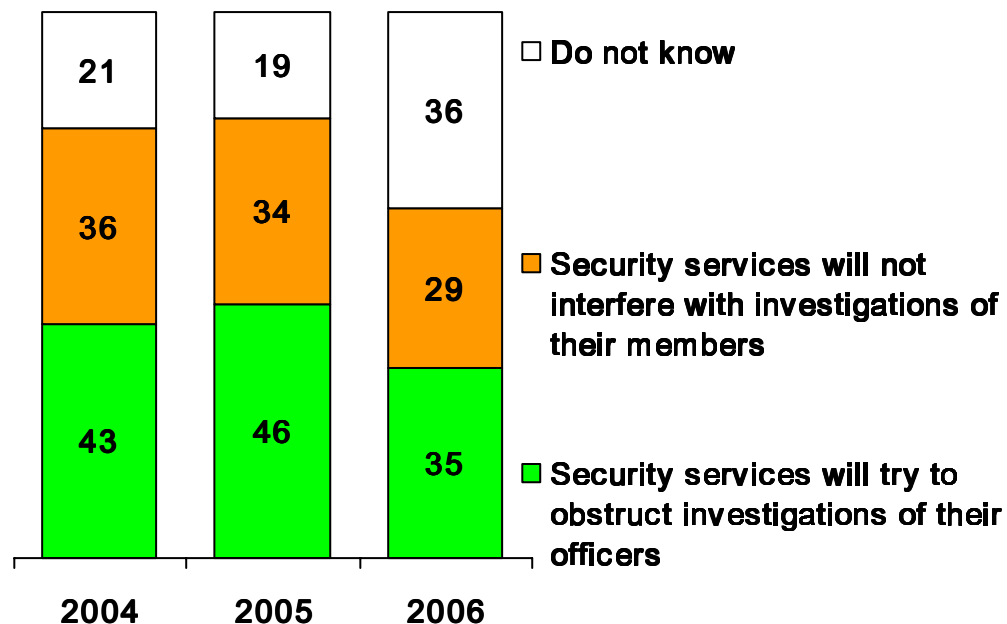
Although majority of citizens consider our judicial system ready to adjudicate war crimes, less than half of citizens think that the War Crimes Prosecutor's Office would have the fortitude to initiate all proceedings, and only every fourth citizen (less than in previous years) consider that the Prosecutor would be independent in his decisions

Opinion of the domestic judicial authorities for war crimes

Will the judges of the War Crimes Chamber of the Belgrade District Court resist the public pressure and public opinion during the proceedings in progress or those that are expected to commence



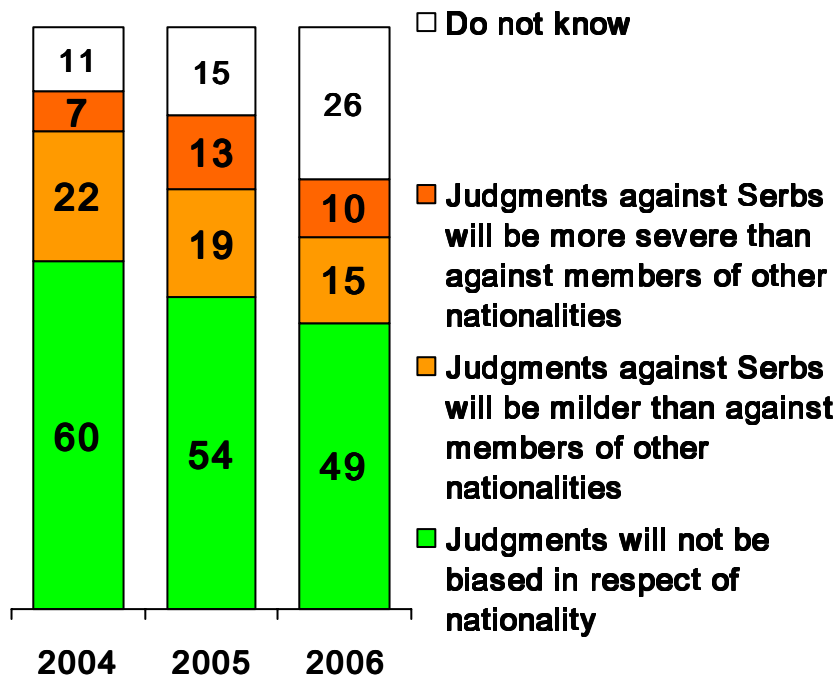
Will the security services attempt to obstruct investigation of their officers?



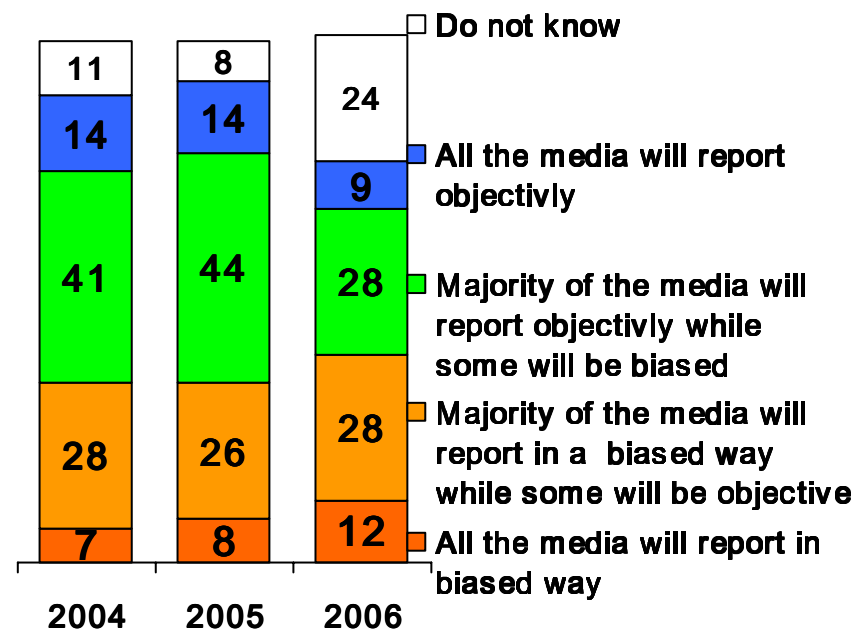
The number of citizens who think that judges will be able to resist public pressure has considerably decreased as compared to previous years. However, also the number of citizens has decreased who consider that security services would attempt to obstruct investigation of their officers. An increased number of citizens hold no views on this issue

Opinion of the domestic judicial authorities in charge of war crimes

Will the judgments of domestic courts be biased in respect of nationality of the accused: if Serb, if Croat, if Bosniak, if Albanian?



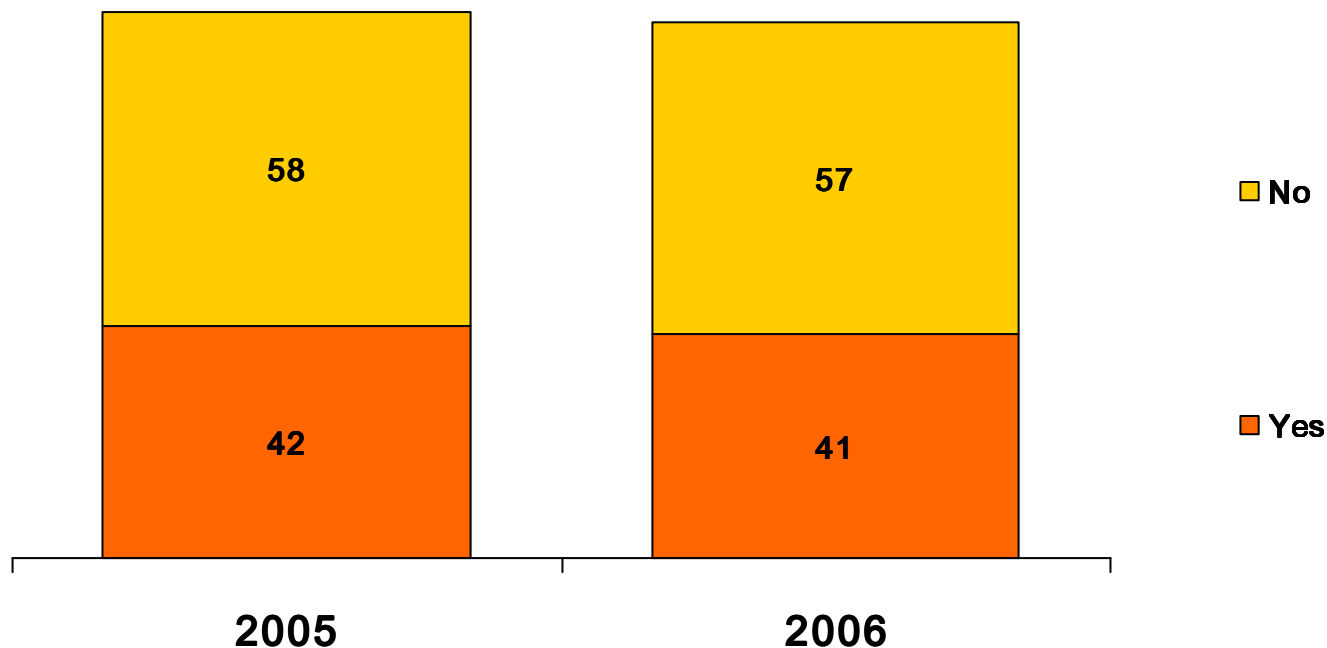
How will the media inform on proceedings before the War Crimes Chamber of the Belgrade District Court?



As compared to previous years a lesser number of citizens expressed conviction of impartial adjudication in respect of the nationality of the accused, while there is a rise in those who doubt the objective of media informing of procedures before the War Crimes Chamber of the Belgrade District Court

Opinion of the domestic judicial authorities in charge of war crimes

Have you heard that some cases currently before the Hague Tribunal will be transferred to the domestic war crimes court?



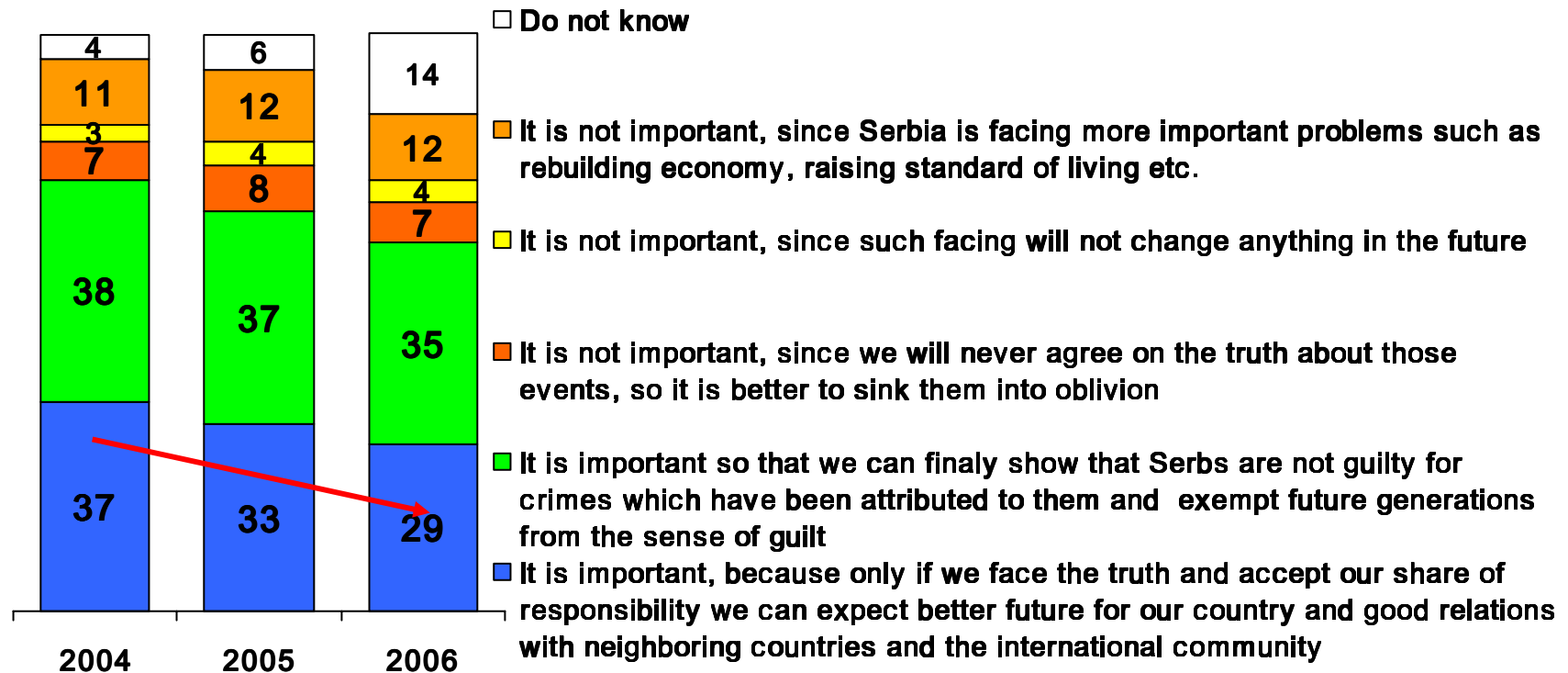
More than half the citizens are still not aware, even in this year, that some cases will be transferred to the domestic war crimes court.



Facing the truth and the role of domestic judicial authorities in its acceptance

Facing the truth and the role of domestic judicial authorities in its acceptance

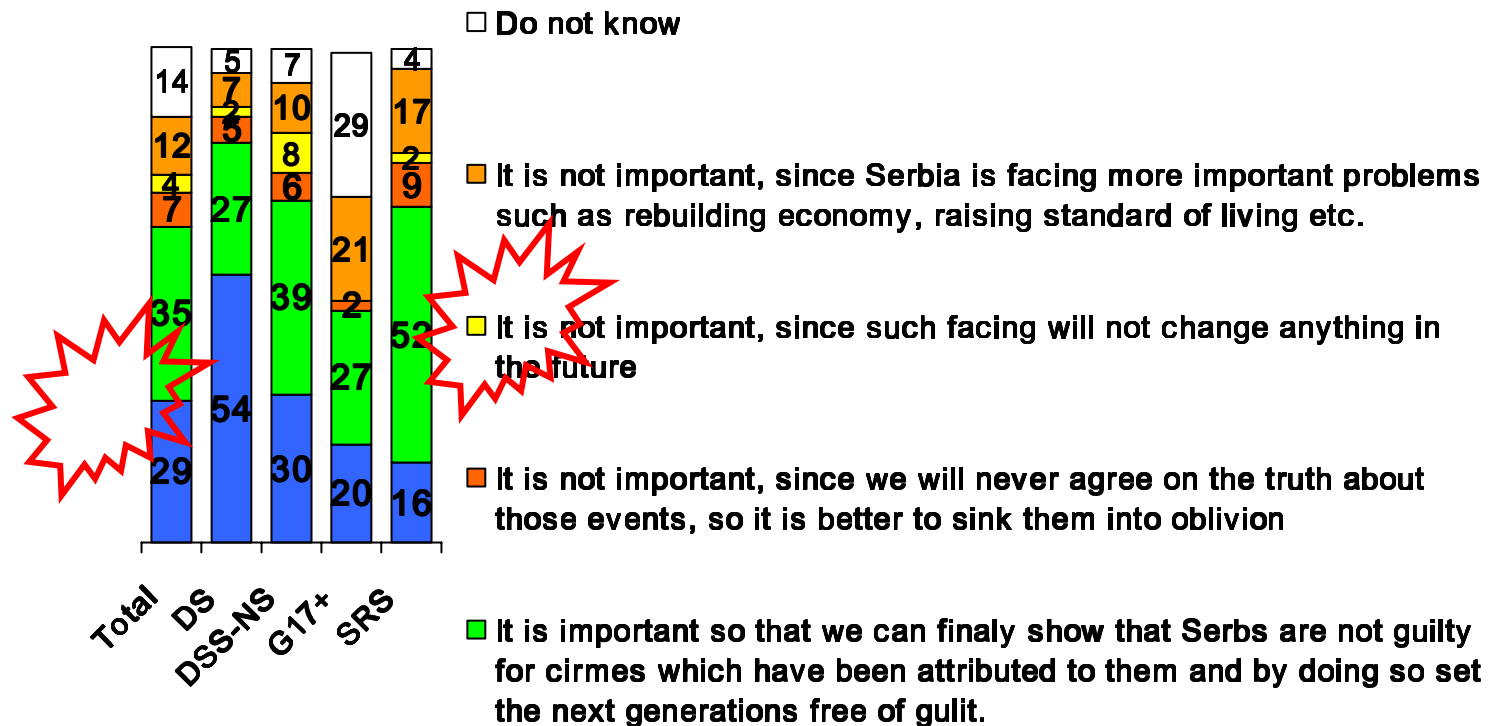
Is facing up to events in the wars in the former SFRY important for the future of the country?



The trend continues also in this year of the decrease in number of citizens who consider that facing up to the truth and accepting responsibility is important for the future of the country as the only road towards a better future and good relations with neighbors and the international community

Facing the truth and the role of domestic judicial authorities in its acceptance

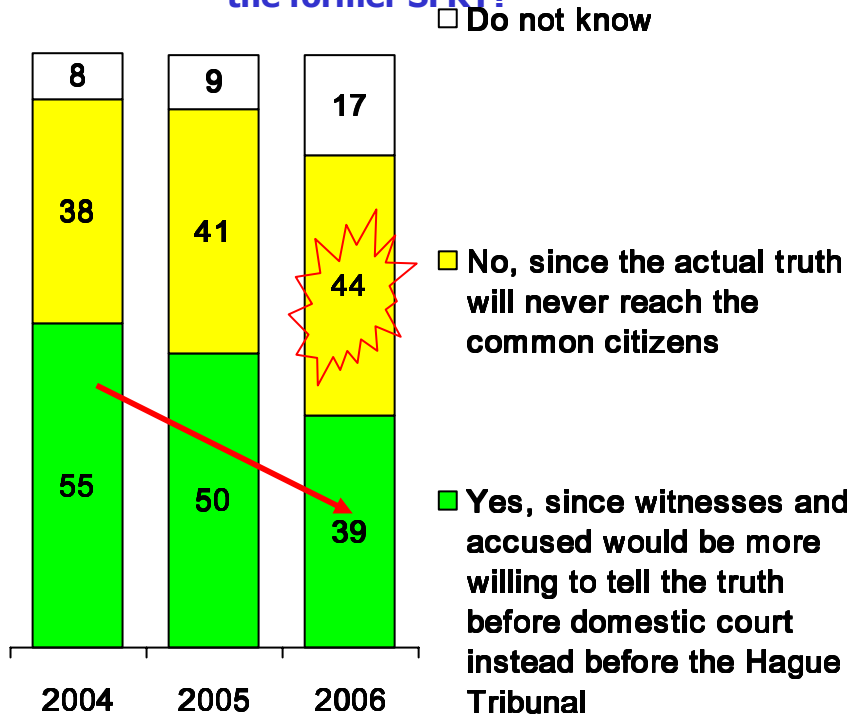
Is facing up to events in the wars in the former SFRY important for the future of the country?



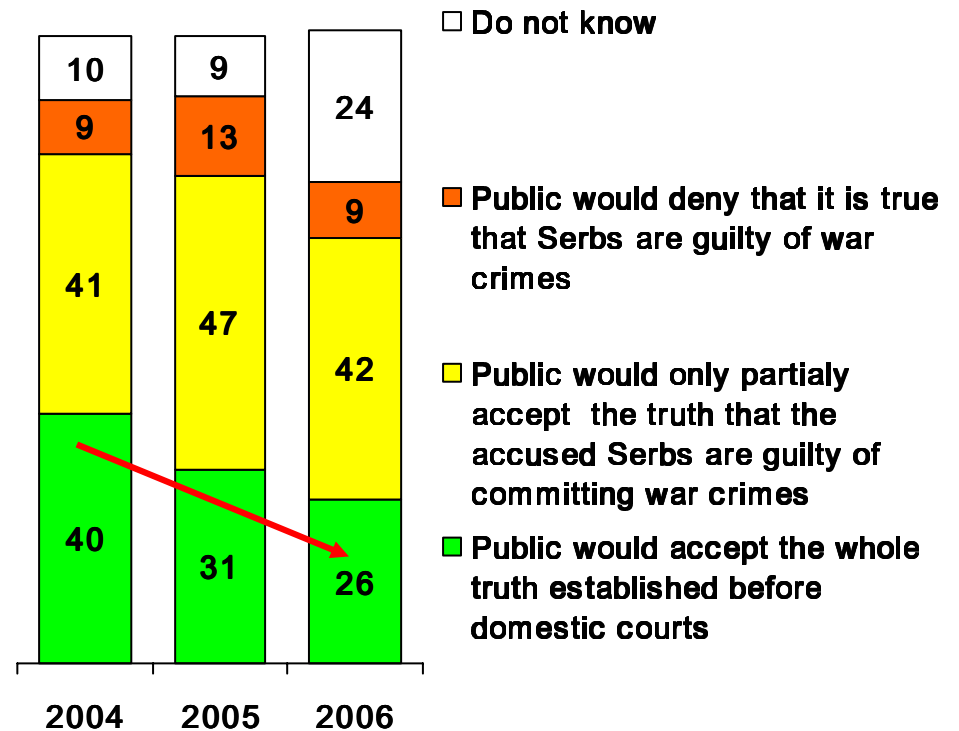
As regards the viewpoint on the importance of facing the truth for the future of Serbia the biggest contrast is between DS and SRS supporters

Facing the truth and the role of domestic judicial authorities in its acceptance

Would trials before domestic courts contribute to awareness of the truth on events during wars in the former SFRY?



What would be the public effect of trials before domestic courts if shown that indicted Serbs are guilty of war crimes?

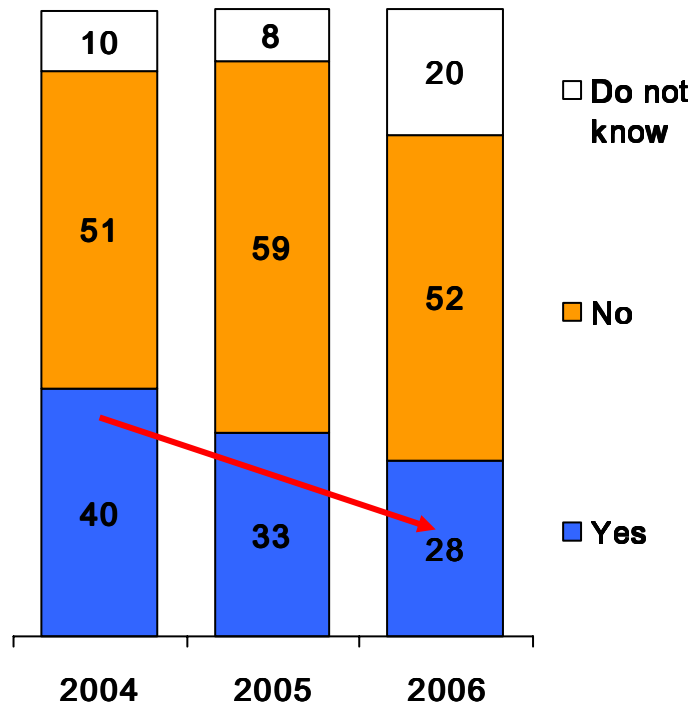


As compared to previous years, there is a significant decrease of the number of citizens who consider that trials before domestic courts would contribute to awareness of the truth, as well as in the number of citizens who believe that the general public would fully accept any truth uncovered before domestic courts.

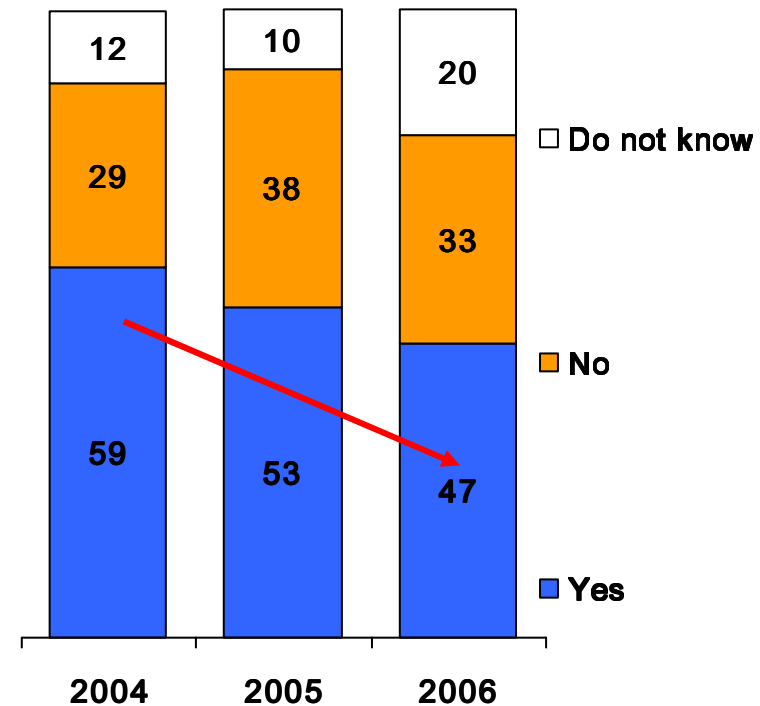
On the other hand, there is a continued trend of increase in the number of citizens who think that the actual truth will never be uncovered

Facing the truth and the role of the Hague Tribunal and domestic judicial authorities in its acceptance

If you witnessed a war crime, would you agree to give a statement to the Hague Tribunal investigators?



Would you be willing to testify before the domestic court?

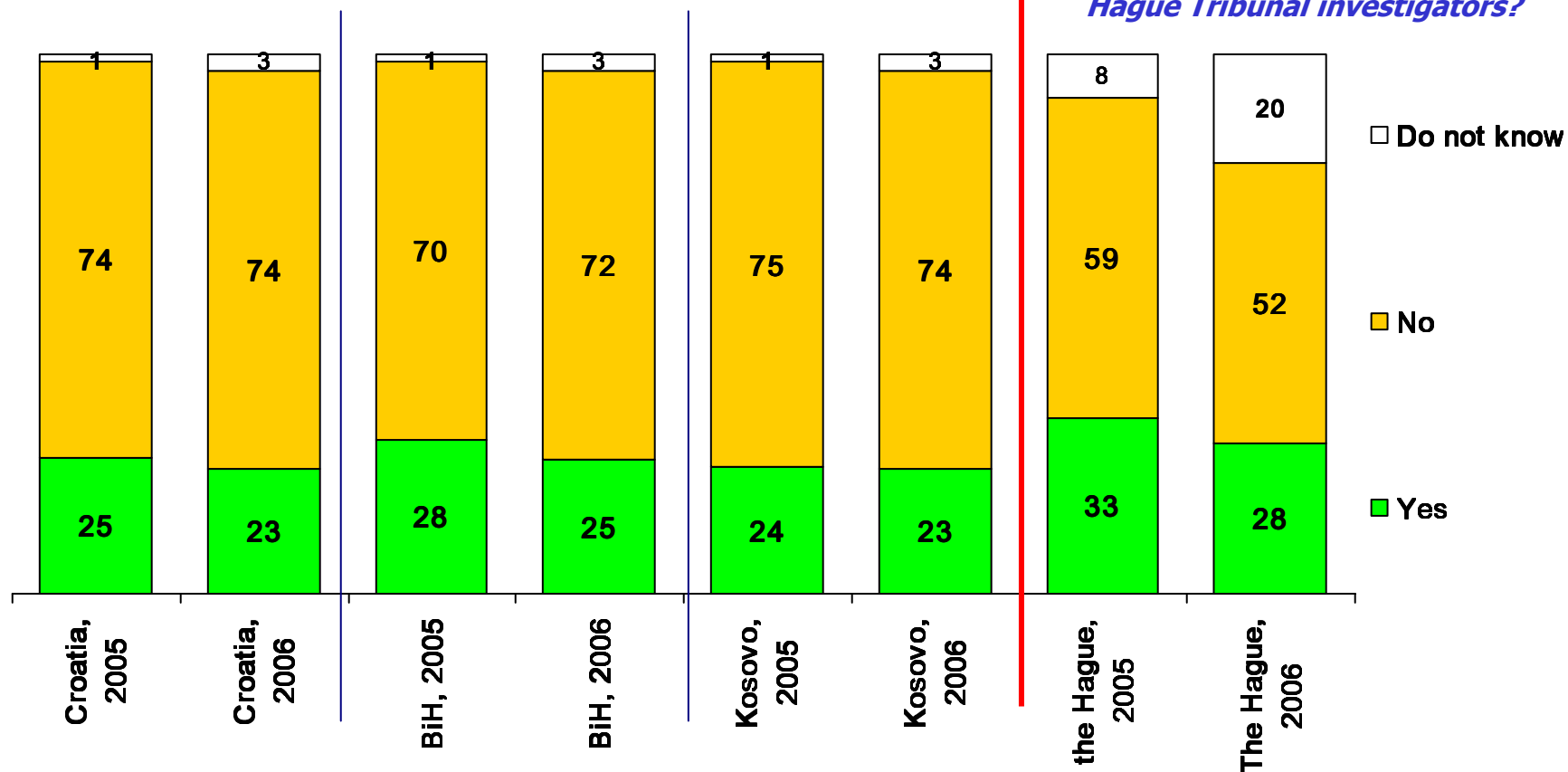


As in previous years a considerably larger percentage of citizens expressed readiness to testify before domestic courts than to give statements to Hague Tribunal investigators. However, the readiness to testify before either court is consistently decreasing from year to year.

Facing the truth and the role of the Hague Tribunal and domestic judicial authorities in its acceptance

Would you testify before courts in neighbouring countries and the courts in Kosovo?

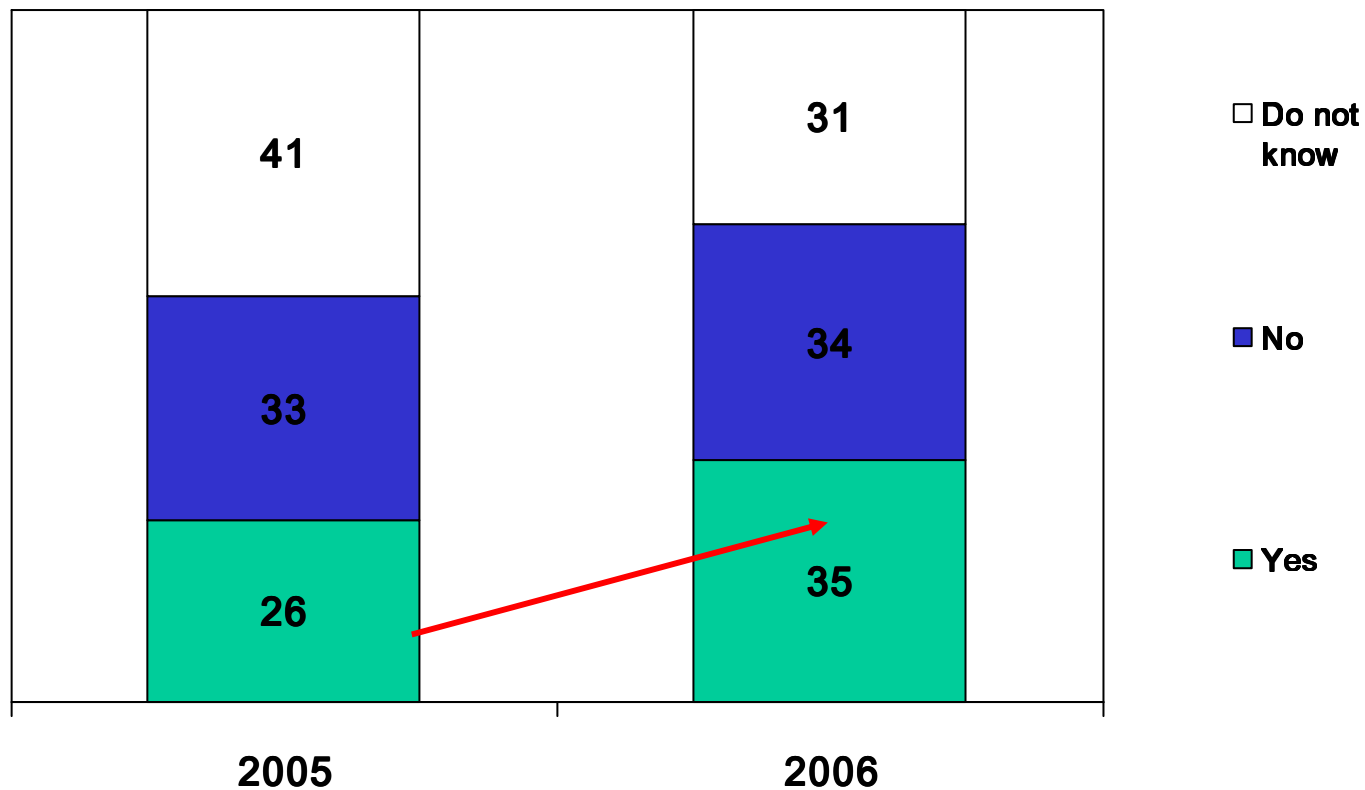
If you witnessed a war crime, would you agree to give a statement to the Hague Tribunal investigators?



An even smaller number of citizens would testify before courts in Croatia, BiH and Kosovo. However, as compared to the previous year due to less readiness to testify before the Hague Tribunal, this difference is considerably smaller.

Facing the truth and the role of the Hague Tribunal and domestic judicial authorities in its acceptance

In your opinion, will trials before domestic courts contribute to the process of reconciliation?



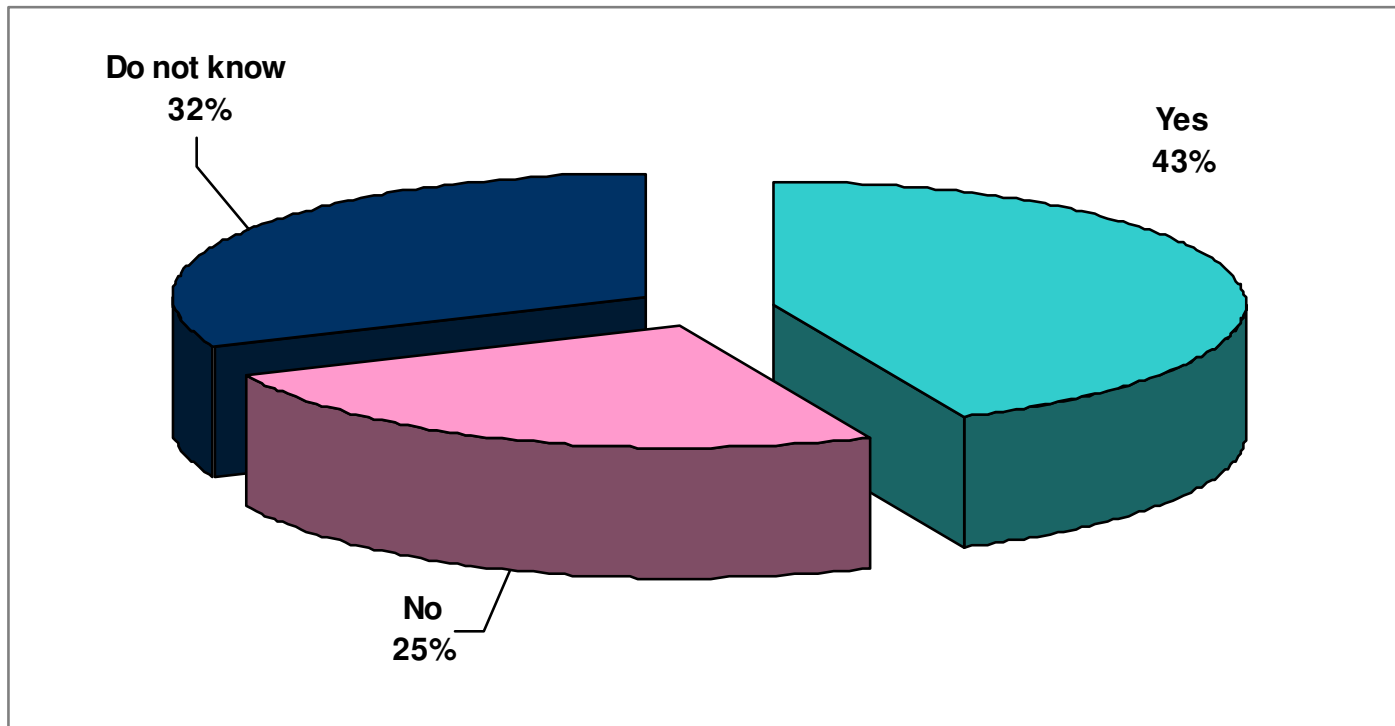
Despite increased doubt among citizens that the real truth will ever be uncovered and increased suspicion of citizens in impartiality of domestic courts (or because of that), there is an increase in the number of citizens who consider that trials before domestic courts would contribute to the process of reconciliation



The role of the new Constitution and the new government in repairing good neighbourly relations, resolving relations with the Hague Tribunal and the status of Kosovo

The role of the new Constitution and the new government in repairing good neighborly relations, resolving relations with the Hague Tribunal and the status of Kosovo

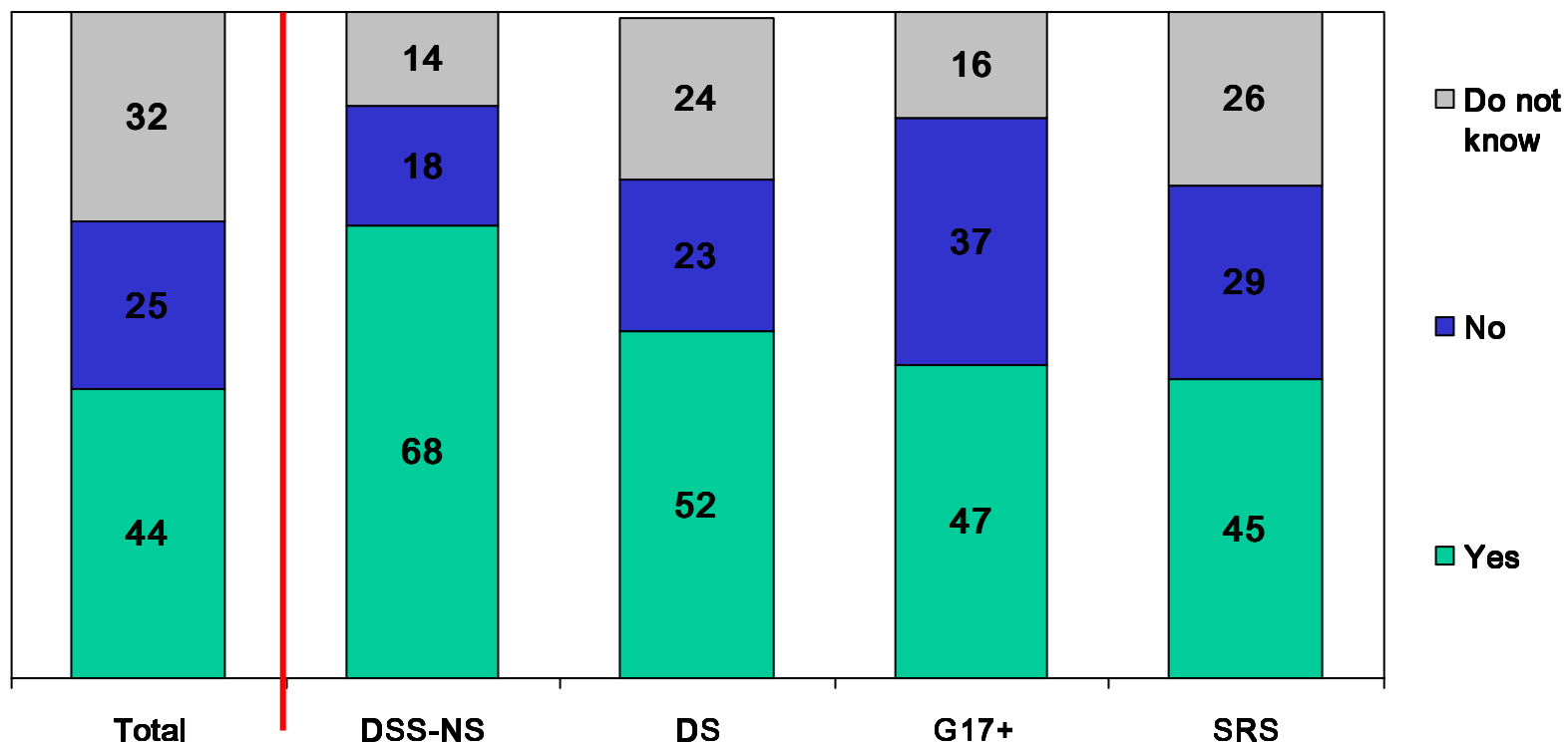
Will enactment of the new Constitution in Serbia promote establishing good neighborly relations between ethnic communities in the region?



More than 40% of citizens expect that enactment of the new Constitution will contribute to establishing good neighborly relations

The role of the new Constitution and the new government in repairing good neighbourly relations, resolving relations with the Hague Tribunal and the status of Kosovo

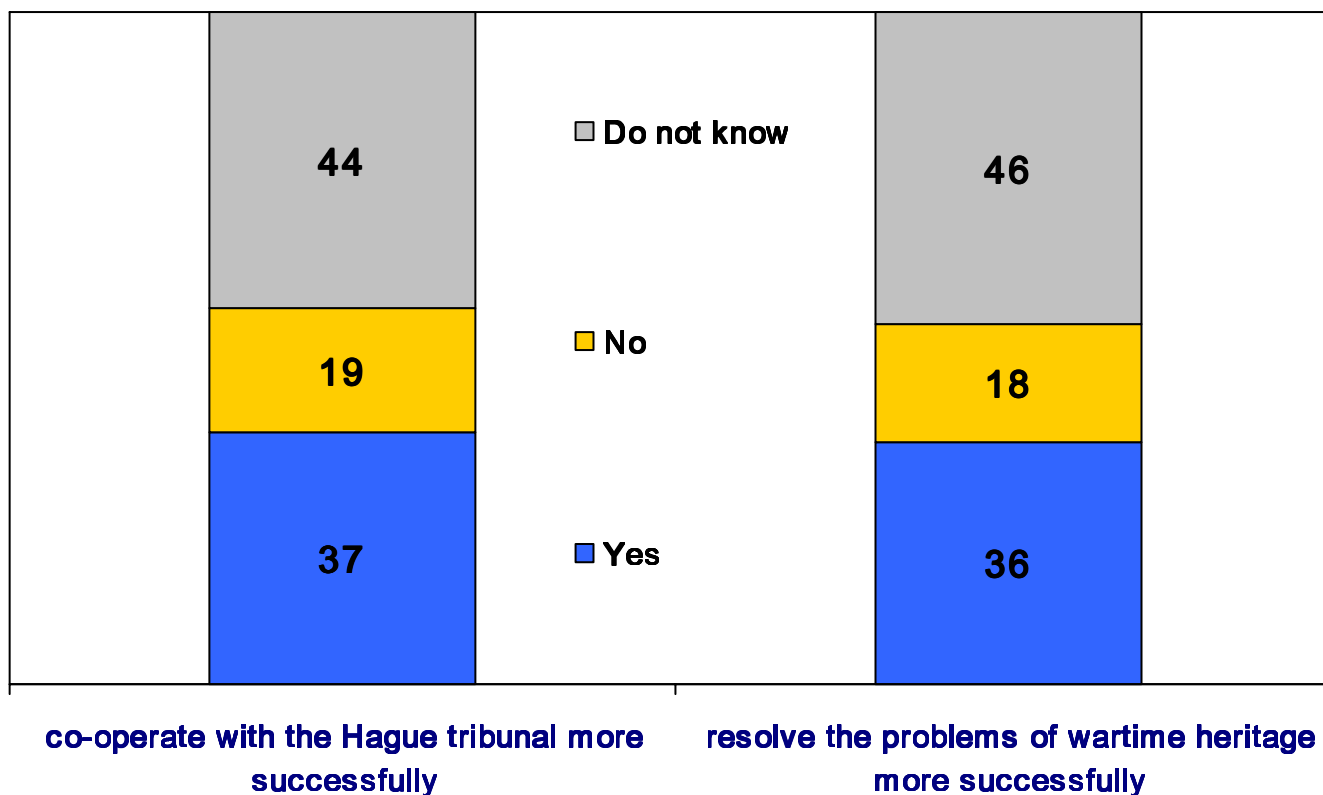
Will enactment of the new Constitution in Serbia promote establishing good neighbourly relations between ethnic communities in the region?



The highest conviction that enactment of the new Constitution will contribute to establishing good neighborly relations is among supporters of the DSS-NS coalition and lowest among SRS supporters

The role of the new Constitution and the new government in repairing good neighbourly relations, resolving relations with the Hague Tribunal and the status of Kosovo

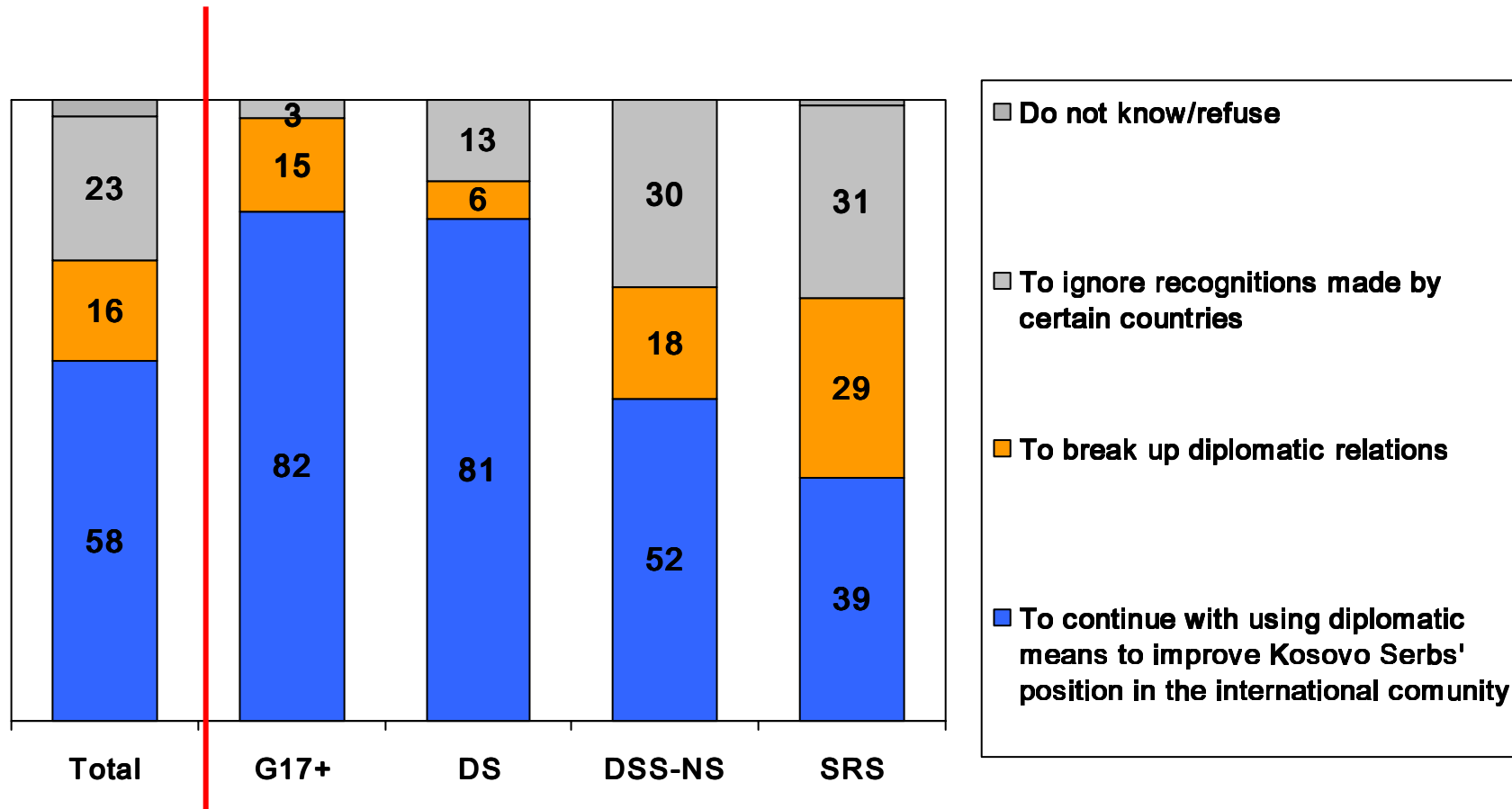
Will the new government, formed after the parliamentary elections in January 2007...



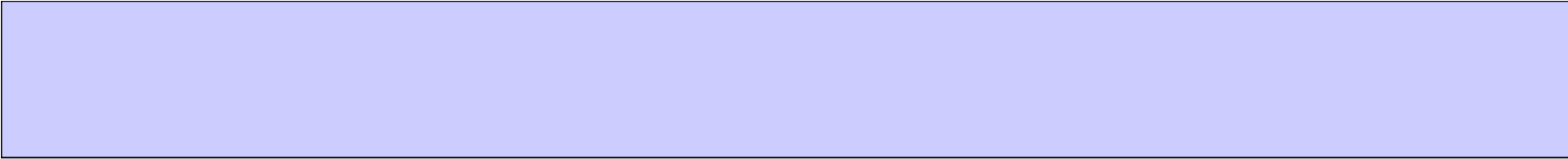
Only just over one third of citizens expect that the new government will cooperate with the Hague Tribunal more successfully and will have more success in resolving the problems of wartime heritage

The role of the new Constitution and the new government in repairing good neighbourly relations, resolving relations with the Hague Tribunal and the status of Kosovo

What should be the stand of the new government to countries that recognise Kosovo as an independent state?



Most citizens are of the opinion that the government should continue with diplomatic relations with countries that recognise Kosovo as an independent state. Such views are least represented among SRS supporters



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