

Bosnian Serb leader Karadzic claims US granted him immunity

Paul Mitchell
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Defence lawyers for Bosnian Serb leader Radovan Karadzic this week demanded the International Criminal Tribunal for the former Yugoslavia (ICTY) drop all charges against him because of an alleged immunity deal with US diplomat Richard Holbrooke. Karadzic claims he was offered immunity from prosecution at the end of Bosnia-Herzegovina's 1992-1995 war in return for stepping down from his position as leader of the Serbian Democratic Party and disappearing from public life.

"At the time the agreement was entered into, I had no doubt that Richard Holbrooke had promised that I would not be prosecuted at the ICTY and that he had the authority to make that promise," Karadzic declared.

Karadzic has insisted that Holbrooke, "acting on behalf of the US ... suggested to my high-ranking representatives that I should stop all kinds of political and public activities, give no interview and publish no articles and books. In other words, they wanted me to disappear for quite a long period of time until the full implementation of the Dayton accord ... Mr. Holbrooke said he would allow me to avoid facing war crimes charges in exchange for keeping a low profile. He also warned me that my personality would be facing very harsh criticism to prevent my supporters from undermining the implementation of the Dayton accord.... In line with our deal, [former Secretary of State under President Bill Clinton] Madeleine Albright proposed to the President of the Republika Srpska, Bilyana Plavsic, that I should leave for Russia, Greece or Serbia to open a private medical clinic there."

The indictment against Karadzic alleges his responsibility for crimes of persecution, extermination, murder and forcible transfer, which "contributed to achieving the objective of the permanent removal of Bosnian Muslims and Bosnian Croats from Bosnian Serb-claimed territory". He is charged with eleven counts, including the siege of Sarajevo between April 1992 and November 1995, and the massacre of approximately 8,000 Bosniaks at Srebrenica in July 1995-officially the largest mass murder in Europe since

World War Two.

Karadzic disappeared at the end of the war following the signing of the November 1995 Dayton Accord, which partitioned the former Yugoslav republic into two ethnically based entities-the Republika Srpska (RS) and the Federation of Bosnia-Herzegovina (the Muslim-Croat alliance). After thirteen years in hiding, he was arrested in the Serbian capital of Belgrade in 2008 disguised as Dragan Dabic, a doctor of alternative medicine.

According to his defence team, Karadzic was not present when an unwritten agreement on immunity was made in July 1996 in Belgrade. However, there were 15 witnesses including Holbrooke and six other US representatives, former Serb President Slobodan Milosevic, Interior Minister Jovica Stanisic, RS assembly speaker Momcilo Krajisnik and RS foreign minister Aleksa Buha. There was also evidence from three former US state department employees, and a declassified cable from former US ambassador to Bosnia John Menzies, stating that he was told that Holbrooke had said the tribunal would soon "disappear". Karadzic's lawyers have had permission from US authorities to interview Lawrence Butler who worked as an attaché in the US Embassy in Belgrade and was present during talks between Holbrook and Milosevic. They are also pressing Swedish Foreign Minister Carl Bildt for information about the alleged deal.

Holbrooke, now US special envoy for Pakistan and Afghanistan, has denied Karadzic's allegations. He said that in July 1996 he travelled to Belgrade and negotiated a signed an agreement witnessed by Milosevic forcing Karadzic to resign his political positions. "I negotiated a very tough deal. He had to step down immediately from both his posts as president of the Serb part of Bosnia and as head of his party. And he did so," he said. "But when he disappeared, he put out a piece of disinformation that I had cut a deal with him if he disappeared we wouldn't pursue him. That was a completely false statement."

RS foreign minister Aleksa Buha claims that he was

present at the agreement during which “Holbrooke strongly promised that The Hague tribunal would be history for Karadzic if he withdrew from politics forever.”

Former chief prosecutor at the ICTY, Carla del Ponte, said in 2004, “I am investigating the story of an agreement between Karadzic and Holbrooke.” When asked, “Do you believe that the agreement exists?” Del Ponte replied, “Yes”.

Del Ponte’s spokeswoman Florence Hartmann launched a tirade against the Western powers over the Karadzic case in her book *Peace and Punishment: The Secret Wars of Politics and International Justice*, published in 2007. Hartmann claimed that whether or not there was a formal agreement with Karadzic, US officials “did nothing” when the prosecution repeatedly gave them the exact locations where Karadzic and Bosnian Serb General Ratko Mladic were hiding. Often the US, Britain or France would block arrests and sometimes it was on the personal orders of the country’s leaders.

Hartmann told journalists, “I have quoted officials saying in multiple occasions that a green light from President Clinton, and it appears that a green light from President Chirac was also required, was necessary in order to arrest Karadzic and Mladic. Joschka Fisher, the German minister of Foreign Affairs told Del Ponte, the ICTY chief prosecutor that according to his secret services, Paddy Ashdown, a UK politician who was the international high representative in Bosnia, met with Karadzic at the end of 2003 in Bosnia! Despite all of that, our Western governments continue to tell us, ‘we want the two most wanted fugitives transferred to the Hague but we can’t locate them!’”

“...the reasons why Western powers don’t want to see Karadzic and Mladic on trial is... their very likely intent to put the blame for the crimes they have committed on the international community by saying that they have been given a green or orange light to take over the Srebrenica enclave.

“Western powers created the conditions for mass killings to happen,” she said.

Hartmann maintains that not only have the Western powers been “uncomfortable” with evidence related to Srebrenica appearing in public, but from the day the ICTY was created, “there was an effort to steer justice to justify the actions of the big powers in their response to the war, the genocide.”

“They consistently tried to overlook who was indicted, and then selectively provided evidence and even altered it depending if the Tribunal mandate to establish the truth would harm them or not.”

The ICTY has brought two charges of contempt against Hartmann for revealing information relating to confidential decisions made by judges in the Milosevic trial in her book.

She is set to appear before the tribunal later this year.

Hartmann’s exposure of the murky and murderous role played by the Western powers was reinforced by revelations that former Serbian Interior Minister Jovica Stanisic had a long and secret relationship with the US Central Intelligence Agency (CIA).

In March, journalist Greg Miller wrote in the *Los Angeles Times* about Stanisic’s alleged relationship with the CIA and his meetings with agent William Lofgren from 1992 onwards.

“For eight years, Stanisic was the CIA’s main man in Belgrade,” he explained.

“During secret meetings in boats and safe houses along the Sava River, he shared details on the inner workings of the [Milosevic regime].”

He provided information on the locations of NATO hostages, helped the search for grave sites and helped the CIA set up a network of secret bases in Bosnia.

Stanisic was arrested by Serbian officials in 2003 and soon handed over to the ICTY, but Hartmann claims that the US, British and French governments pressed for his release whilst he awaited trial. Most unusually, the CIA sent a classified document to the ICTY in 2004 “that lists Stanisic’s contributions and attests to his helpful role” during the war. According to Lofgren the CIA document was meant to show “that this allegedly evil person did a whole lot of good.” But as Hartmann pointed out, “Still the fact is that Stanisic was Milosevic’s right hand and that he personally organized three special police units-Arkan’s ‘Tigers’, ‘Red Berets’ and ‘Scorpions’-under his direct control and command of the State Security.”

For the past five years, Stanisic has travelled back and forth between Serbia and the detention centre at The Hague. His trial was postponed last year to allow him to return again for medical treatment.

Karadzic’s trial is scheduled to start later this year, but the prosecution received a setback in March when appeals judges commuted the sentence given to his former right hand man, Momcilo Krajisnik. after reversing his convictions on many of the key charges including murder, extermination and persecution that Karadzic is also accused of.



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