

IT-95-5/18-I
D11370-D11364
06 AUGUST 2008

Dr Radovan Karadžić

Subject: Official submission concerning my first appearance and my immunity agreement with the USA

To
PRE-TRIAL CHAMBER
Judge A. Orić

In case there are any misgivings at all about the nature of my first appearance before the Chamber and the attendant submission, which was filed after I was not permitted to present it orally,

As a self-represented accused, I now wish officially to move that facts be established in order to lay the groundwork for the case, so that it can proceed within the limits of lawfulness.

The facts I am about to present seriously endanger the very essence of the proceedings and rule out the possibility of their lawful conduct. That essence is as follows:

In 1996, in the name of the USA, Richard Holbrooke made the statesmen and ministers who were my authorized representatives an offer which I will outline in brief. There is no doubt that this offer was made in the name of the USA, not only because our officials received him as the authorized emissary of the USA, but also because when we met in person and I told him of my discussions with President Carter, Mr Holbrooke told me before very credible witnesses that he respected President Carter, but he was now working for President Clinton. That is literally what he said!

The offer was as follows: I must withdraw not only from public but also from party offices and completely disappear from the public arena, not give interviews and not even publish literary works, in a word, become invisible long enough for the Dayton agreement to be implemented in full. When a Greek journalist afterwards incautiously published my conversation with a member of the Greek parliament as if it had been an interview, Mr Holbrooke began a huge media witch-hunt because I had in his opinion broken the agreement, and so the Greek journalist had to confess how the said text had come into being.

In this way, not only was I silenced so that I could not defend myself in the media or deny the ocean of lies which has come down upon me to this day, but my prospects of defending my interests and rights were curtailed.

In the name of the USA, Holbrooke promised that the Serbian Democratic Party would not be prohibited from taking part in the elections and that no more of our officials would be removed from the electoral lists (as happened at the following elections, but not at those held in 1996).

As for me, Mr Holbrooke undertook on behalf of the USA that I would not be tried before this Tribunal and that I should understand that for a while there would be very sharp rhetoric against me so that my followers would not hamper the implementation of the Dayton agreement. The USA kept its promise to ease the pressure on the SDS and Mr Holbrooke himself boasted in the press that he had persuaded me to withdraw not only from public but also from party offices. There is evidence of this in the media, which contain proof that there was an agreement.

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he proposals that US Secretary of State Mrs Madeleine Albright made to the President of Republika Srpska, Biljana Plavšić, that I get out of the way and go to Russia, Greece or Serbia and open a private clinic or at least go to Bijeljina – just as long as I left Pale – are completely in keeping with this agreement, which was not Holbrooke's private business but a matter of state. It is on the basis of these proposals by US Secretary of State Mrs Albright that I worked in Belgrade in order to earn a living because I did not have any other means to support myself.

Apart from the incident with the Greek journalist, for which it was made clear that I was not responsible, I fulfilled my side of the agreement on the first day and I kept to it for a very long time.

I was careful how I moved about in the first few months after I had put the agreement with the USA into effect, not because of the international forces, whom I used to pass quietly and without demonstration, but because of possible adventurers and glory hunters.

However, our intelligence services noted many aggressive activities by international forces in places from which I had just departed. These actions were clearly organized in order suddenly to liquidate someone, not at all to arrest him, but when they failed they were declared to be exercises, although notice is always given in advance when there are exercises so as not to alarm the public.

The intention to liquidate me was more than obvious, as has been confirmed by the current statements of Mr Holbrooke, who regrets that there is no death sentence here and it therefore cannot be pronounced on me, although that is what he would like.

There is evidence that the USA and Mr Holbrooke himself did want to keep their promises, because Mr William Stuebner has told the media that someone called him from the State Department and urged that Chief Prosecutor Goldstone refrain from hunting me and General Mladić (because I had sought the same status for him), but Mr Goldstone threatened to resign if this happened.

It is clear that, unable to fulfil the commitments he had undertaken on behalf of the USA, he switched to Plan B – the liquidation of Radovan Karadžić.

This agreement, which should have brought me peace and freedom, thus became a source of great danger to my life, and to the life and safety of my family and even my friends. The best example of this is the brutal raid on the home of the priest Jeremija Starovlah in Pale, during which no one even tried to arrest anyone but only

to kill the men they found. Jeremija Starovlah and his son Aleksandar thus spent weeks and months on the brink of death in a complete and deep coma, which they barely survived.

Mr Holbrooke's wish for my disappearance, if possible before I unveiled this and other truths, is today still fresher and stronger, and the actions aimed at bringing this about are tireless. This is attested to by his laments about there being no death penalty for him to pronounce against me.

It is against such actions and pressure on the public opinion, as well as the atmosphere in which acquittal is not probable that I have to prepare my defence. Additionally, I am to prepare my defence whilst my life is danger because I am sitting in a place known to him and his friends. I do not know how long the arm of Mr Holbrooke or Mrs Albright is, or of anyone from that team, or whether that arm can reach me anywhere in the world if they know my whereabouts.

It is because of this and because of the fact that an agreement between the USA and me has been breached that I wish to challenge the legality of the proceedings in their entirety as well as any individual step thereof.

So that we may ascertain whether this case is legally tenable, I propose that you consider the present Motion and order:

that Richard Holbrooke appear before you and declare under oath whether or not there was such an agreement and whether the USA complied with its obligations from that agreement;

that Mr William Stuebner appear before you under oath and give evidence on the circumstances concerning demands from the State Department that he approach the Chief Prosecutor, Mr Richard Goldstone, and request that the Indictment against me be suspended – a video-recording of this exists in the media;

that the former Chief Prosecutor, Mr Richard Goldstone, appear before you and declare under oath whether he was facing demands that the Indictment against me be suspended and whether he threatened to resign in case this should come about;

that the government of the Republic of Serbia be ordered to submit results of an investigation conducted by the Special War Crimes Prosecutor's Office in Serbia as to whether there was such an agreement;

that statements be taken from credible witnesses, such as Mr Aleksa Buha, Mr Vladimir Nadazdin, Mr Vladislav Jovanović and Mr Živorad Jovanović ...;

that Mrs Madeleine Albright appear before you under oath and give evidence on the circumstances surrounding offers she made to the then President of Republika Srpska, Mrs Biljana Plavšić, concerning my immunity and desisting from prosecution.

Given the responsibility of the Trial Chamber to uphold lawfulness and legality of all judicial steps and proceedings in general; given further that the Defence

is in an unequal position and lacks resources to obtain depositions as referred to above; and given finally that justice should not be dependent on resources,

I request that you consider the present Motion before proceeding further with the case.

Thank you.

Date

Dr Radovan Karadžić
/signed/

05 AUG. 2008

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Dr Radovan KARADZIC

Predmet: sluzbeni podnesak u odnosu na moje prvo pojavljivanje, koji se odnosi na sporazum sa SAD o mom imunitetu

PREDPRETRESNOM VECU

Na ruke sudije A. Orija

Ako ima bilo kakvih nedoumica u pogledu prirode moga prvog istupanja pred Vecom, I podneska koji ga je pratio, I koji je podnesen nakon sto mi nije bilo dopusteno da ga usmeno predstavim,

Ovim putem sluzbeno, u svojstvu sopstvenog branioca podnosim zahtev da se, u cilju utvrdjivanja pretpostavki za nastavak ovoga procesa u granicama regularnosti, uzme u razmatranje ovaj podnesak I utvrdi cinjenicno stanje:

Cinjenice koje cu izneti ozbiljno ugrozavaju samu sustinu procesa, I iskljucuju mogucnost regularnog odvijanja postupka. Sustina je u sledecem.

Godine 1996. mojim opunomocenim predstavnicima, drzavnicima I ministrima, g. Ricard Holbruk je u ime SAD izneo ponudu, koju cu ukratko predstaviti. Nema nikakve sumnje da je ponuda izneta u ime SAD, ne samo zato sto su ga nasi funkcioneri primali kao ovlascenog predstavnika SAD, vec I zato sto je, u prethodnom direktnom susretu, sam g. Holbruk meni, pred vrlo kredibilnim svedocima, kad sam mu prenosio svoje razgovore sa Predsednikom Karterom, rekao da on postuje Predsednika Kartera, ali da on sada radi za Predsednika Klintonu. Doslovno tako!

Ponuda se sastojala u sledecem: moja obaveza je bila da se povucem ne samo sa javnih, vec I sa stranackih funkcija, da se potpuno uklonim sa javne scene, ne dajem intervju, pa cak I da ne objavljujem knjizevna dela, jednom recju, da budem nevidljiv dovoljno dugo da se Dejtonski sporazum primeni do kraja. Kada je nakon toga jedan grcki novinar neoprezno objavio moj razgovor sa grckim parlamentarcom kao intervju, g. Holbruk je podigao veliku medijsku hajku, jer sam po njegovom misljenju prekrasio sporazum, pa je grcki novinar morao da prizna kako je nastao tekst o kome je rec.

Time ne samo da sam ucutkan, da ne mogu ni da se branim u medijima, niti da demantujem okean lazi, koji se obrusio na mene, sve do danas, nego mi je uskracena mogucnost odbrane svojih interesa I prava.

G. Holbruk je u ime SAD preuzeo obavezu da Srpskoj demokratskoj stranci nece biti zabranjen izlazak na izbore, da vise niko od nasih funkcionera nece biti skinut sa izborne liste, (sto je I ispunio u odnosu na te, prve izbore, odrzane 1996. godine, ali ne I na svim sledecim izborima.

A u odnosu na mene, g. Holbruke se u ime SAD obavezao da necu biti procesuiran pred ovim Tribunalom, I da treba da razumem da ce jedno vreme ostati ostra retorika protiv mene, da moje pristalice ne bi ometale primenu Dejtonskog sporazuma. Obavezu o oslobadjanju SDS od pritisaka SAD su postavale, a sam g. Holbruk se u medijima pohvalio da me je privoleo da napustim ne samo javne, vec I stranacke fukcije, o cemu postoje dokazi u medijima, u kojima postoje I ostali dokazi o postojanju sporazuma.

Predlozi koje je u ime SAD drzavni sekretar g-dja Madlen Olbrajt podnosila predsednici Republike Srpske g-dji Biljani Plavsic: da se sklonim u Rusiju, Grcku, Srbiju I otvorim svoju kliniku, ili da se pomerim makar I u Bijeljenu, samo da odem sa Pala, potpuno su u skladu sa ovim sporazumom, koji nije bio privatni Holbrukov posao, vec drzavna stvar. Na osnovu tih predloga drzavnog sekretara SAD g-dje Olbrajt ja sam, pod drugim identitetom, I radio u Beogradu, da bih se izdrzavao, jer sam bio bez finansija za zivot.

Osim ekscesa sa grckim novinarom, za koji je razjasnjeno da nisam odgovoran, ja sam svoje obaveze iz sporazuma ispunio istog dana, I toga se drzao veoma dugo.

Nekoliko meseci nakon mojeg ispunjenja sporazuma sa SAD, ja sam bio oprezan u kretanju, ali ne zbog medjunarodnih snaga, pored kojih sam prolazio tiho I bez demonstracije, vec zbog mogucih avanturista I lovaca na slavu.

Medjutim, nase obavestajne sluzbe su zapazile brojne agresivne aktivnosti medjunarodnih snaga na mestima koja bih ja neposredno pre toga napustio. Te akcije su bile jasno strukturirane da se neko munjevito likvidira, nikako da se uhapsi, a nakon neuspeha proglasavane su za vezbe, iako se vezbe uvek najavljuju unapred, da se narod ne bi uznemirio.

Namera da me likvidiraju bila je vise nego ocigledna, sto potvrđuju I aktuelne izjave g. Holbruka da zali sto se ovde ne izrice smrtna kazna, pa ni meni ne moze biti izrecena, iako bi on to toliko zeleo.

Postoje dokazi da su SAD, pa mozda I sam g. Holbruk, I hteli da ispune svoje preuzete obaveze, jer g. Vilijam Stabner svedoci u medijima da ga je neka licnost iz Stejt departmenta zvala I urgirala da glavni tuzilac g. Goldston odustane od gonjenja mene I generala Mladica, jer sam ja I za njega trazio isti status, ali da je g. Goldston zapretio podnošenjem ostavke u slicaju takvog ishoda.

Ocigledno je da, nemocan da u delo provede obaveze koje je preuzeo u ime SAD, presao na plan B – likvidaciju Radovana Karadzica.

Tako taj sporazum, koji je trebalo da mi obezbedi spokojstvo I slobodu, postao izvor krajnje opasnosti po moj zivot, I zivote I sigurnost moje porodice, pa I prijatelja. Najbolja ilustracija za to je brutalni upad u dom svestenika Jeremije Starovlaha na Palama, tokom koga niko nije ni pokusao da nekoga iz kuce uhapsi, vec da ubije muskarce na koje naleti. Tako su Jeremija Starovlah I njegov sin Aleksandar u potpunosti I dubokoj komi, na granici zivota proveli nedelje I mesece, I jedva preziveli.

Zelja g. Holbruka da ja nestanem, po mogucnosti pre nego sto iznesem ovu, I druge istine, danas je jos svezija I jaca, a aktivnost na njenom ostvarenju neumorna, o cemu svedoci njegovo lamentiranje nad cinjenicom sto nema smrtne kazne, koju bi mi on dodelio.

Pod tom aktivnoscu, pritiscima na javno mnenje I stvaranja atmosphere u kojoj oslobadjajuca presuda nije verovatna, te pod opasnoscu po svoj zivot ja treba da sedim na mestu koje je njemu I njegovim prijateljima poznato, I da spremam odbranu. Jan e znam koliko je duga ruka g. Holbruka, ili g-dje Olbrajt, ili nekog iz tog tima, I da li me ta ruka moze dosegnuti svuda u svetu ako oni znaju gde sam.

Zbog te cinjenice I cinjenice da je izigran sporazum izmedju mene I SAD, ja osporavam regularnost procesa u celini I bilo koje procesne radnje.

Da bismo se osvedocili da li je ovaj process moguc sa stanovista regularnosti, predlazem da ovaj dopis uzmete u postupak I da naredite:

Da se g. Ricard Holbruk pred vama izjasni pod zakletvom da li je bilo sporazuma, ili nije, te da li su SAD ispunile svoje obaveze iz tog sporazuma;

Da se g. Vilijam Stabner pred vama izjasni pod zakletvom na okolnost urgiranja iz Stejt departmenta da preduzme korake kod glavnog tuzioca g. Ricarda Goldstona da se optuznica protiv mene povuce, o cemu u medijima postoji video zapis;

da se bivsi glavni tuzilac g. Ricard Goldston pred vama izjasni pod zakletvom na okolnost da li je od njega trazeno da se optuznica protiv mene povuce, I da li je on zapretio ostavkom u slucaju takvog ishoda.

da se Vlada Republike Srbije obaveze da dostavi nalaze istrage Specijalnog tuzilastva Srbije za ratne zlocine o postojanju ovog sporazuma;

da se obezbede izjave kredibilnih svedoka dogadjaja: g. Alekse Buhe, g. Vladimira Nadazdina, g. Vladislava Jovanovica, g. Zivorada Jovanovica, ...

da se g-dja Madlen Olbrajt pred vama pod zakletvom izjasni na okolnos ponuda koje je ona u vezi sa mojim imunitetom I odustajanjem od gonjenja predstavila g-dji Biljani Plavsic, tada Predsednicom Republike Srpske.

Racunajuci da je u nadleznosti sudskog veca zastita zakonitosti I regularnosti svih pravosudnih radnji I procesa u celini, te da odbrana nema ravnopravan položaj, niti resurse da pribavi ove izjave pod zakletvom, smatrajuci da Pravda ne treba da zavisi od resursa,

Trazimo da pre nastavka procesa postupite po ovom podnesku.

Hvala!

datum

Podnosilac:

Dr Radovan Karadzic

