



YUCOM

---

Komitet pravika za ljudska prava / Lawyers' Committee for Human Rights  
17 Svetogorska Street, 11000 Belgrade, Republic of Serbia Tel/Fax: +381 11 33 44 235; 33 444 25; 3238 980  
e-mail [yucomoffice@gmail.com](mailto:yucomoffice@gmail.com)  
[www.yucom.org.yu](http://www.yucom.org.yu)

---

## Human Rights and Democracy Violation Early Warning *Weekly Newsletter* No. 23

1. Serbian Ambassador to The Netherlands, **Radoslav Stojanović**<sup>1</sup> said Aug. 27, 2008 in an interview to *Reuters* that he intended to request from the ICTY on Sep. 7, 2008 permission to visit the detained ICTY indictee and former Bosnian Serb leader **Radovan Karadžić**. The Ambassador added that he would request his Government to make available any documentation necessary for the trial "if Karadžić deems it possible that the Government of Serbia may contribute to his defense", as well as that he would offer **Karadžić** financial aid.

Ambassador **Stojanović** stated that Serbian Government "has the obligation to get in touch with Karadžić and offer assistance to him not because it sympathizes with him but because the former President of the Republic of Srpska was arrested on Serbian territory, as well as in order to ensure a fair trial". According to Ambassador **Stojanović** and media reports, **Karadžić** was offered a monthly amount of €200.

In another development **Karadžić** demanded from the ICTY to drop the case against him because the trial was "impossible" since he was allegedly deprived of his rights and was helpless in the face of a demonizing campaign systematically conducted against him. **Karadžić** continues to insist that a deal had been struck with US negotiator **R. Holbrooke** to guarantee him impunity in return for his withdrawal from all offices and political life altogether. He also claims that the US is plotting to "liquidate" him. He goes on to say that a "judicial liquidation" is made possible by means of altering the Tribunal rules "at anybody's will", "conducting trials after a hybrid, bastard judicial system" by chambers where judges from NATO countries play key roles" whereas "the absence of judges from Orthodox and Slavic countries, as well countries from the free world, is conspicuous and defying".

---

<sup>1</sup> As an International Law expert, Amb. **Stojanović** represented Serbia against Bosnia and Herzegovina in a genocide case before the *International Court of Justice* 2006/07.





## YUCOM

---

Komitet pravnik za ljudska prava / Lawyers' Committee for Human Rights  
17 Svetogorska Street, 11000 Belgrade, Republic of Serbia Tel/Fax: +381 11 33 44 235; 33 444 25; 3238 980  
e-mail [yucomoffice@gmail.com](mailto:yucomoffice@gmail.com)  
[www.yucom.org.yu](http://www.yucom.org.yu)

---

It is apparent that **Karadžić** attempts to "politicize" his case and permanently evade avowing himself towards crimes he is charged with, which represents a right granted to him as an indictee. Nevertheless, it remains unclear on what grounds an official representative of the Serbian State – in this case her Ambassador to The Netherlands – bases his offer of assistance to **Radovan Karadžić** who is not a citizen of Serbia (according to the information released by competent authorities, the identity card the latter had on his person when apprehended was a forgery). Even if the *National Council for Cooperation with the ICTY* had made such a decision claiming that it is based on the *Cooperation with the ICTY Act*<sup>2</sup>, the question remains open whether a decision to that effect can be based on the said Law only because of the fact that **Karadžić** was arrested on Serbian territory after hiding for more than twelve years; even if such a decision were to be anchored in the said Law -- and it cannot be – it is impermissible from a moral point of view, that Serbia should assist him in any way, even symbolically.

On the other hand, **Dušan Ignjatović**, Director of the Government's *Bureau for Cooperation with the ICTY* addressed the media a day after Amb. **Stojanović's** statement, to say that Serbia has no obligation whatsoever towards **Radovan Karadžić** because the latter has not surrendered voluntarily, nor is he a citizen of Serbia. Nevertheless, it remains unclear whether Amb. **Stojanović's** statement or **Mr. Ignjatović's** clarification represent official standpoints of the state of Serbia: it should be remembered that Serbian ambassadors to foreign countries are forbidden to give public statements while in their home country without an express permission of the Foreign Ministry.

---

<sup>2</sup> „The decision to establish the National Council shall include: its composition, tasks and authority, in accordance with the UN Security Council Resolution 827 and the ICTY Statute, and especially in relation to the indictees' status, assistance to their families, position of witnesses, access to archives and other issues of relevance to the cooperation».





YUCOM

---

Komitet pravnika za ljudska prava / Lawyers' Committee for Human Rights  
17 Svetogorska Street, 11000 Belgrade, Republic of Serbia Tel/Fax: +381 11 33 44 235; 33 444 25; 3238 980  
e-mail [yucomoffice@gmail.com](mailto:yucomoffice@gmail.com)  
[www.yucom.org.yu](http://www.yucom.org.yu)

## Outlook:

Democratic institutions and human rights in Serbia are in jeopardy not only because ICTY's legality and legitimacy are cast discredit on; the danger increases dramatically when State authorities express two completely contradicting views on an issue of great political sensitivity, such as the arrest of war crimes indictee **Radovan Karadžić**. It is in such environment that institutions' authority is called in question, and, more importantly, it becomes apparent that there is ambivalence in these institutions' attitude towards the **Karadžić** case itself.

