

The trial of Radovan Karadžić in 2012 and the problem of Serbian responsibility for the war in Bosnia and Herzegovina

One of the negative symbols of the war in Bosnia and Herzegovina (1992 and 1995) is the former president of the Republic of Serbia created in 1992 (*Republika Srpska, RoS*) in BH - Radovan Karadžić. Apart from the leader of the Army of the Serbian Republic in Bosnia (*Vojska Republike Srpske, VRS*), General Ratko Mladić, known as the “Butcher of Bosnia” or the “Executioner of Srebrenica”, he is treated as one of the main war criminals of, not only, the war in Bosnia, but also the war in the whole former Yugoslavia.

Within the a few consecutive months of 2012, especially August, September and the beginning of October, his trial taking place at the International Criminal Tribunal for the former Yugoslavia (ICTY) entered a new phase - the defense of Karadžić formally began, but the proceedings are most likely far from being over and a lot more time will pass before a sentence passed. For years he has been believed, not only thanks to Western media and public opinion, to have contributed to the outbreak and escalation of the conflict in Bosnia. This tragedy was accompanied by the occupation of Sarajevo lasting several years and the massacre of Bosniaks in Srebrenica (July 1995) committed by Mladić's troops. A psychiatrist, author of several volumes of verse, became one of the most important figures at the Post-Yugoslavian political scene and, since 1989/1990, the leader of the very important Serbian Democratic Party (SDS). However, most importantly, in 1992 he became the President of the then-created Republic of Serbia in BH.

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The main political goal of R. Karadžić was to expand the borders of the Republic of Serbia and join with the Federal Republic of Yugoslavia, which provided basis for many accusations concerning his willingness to create the “Great Serbia” together with Slobodan Milošević. R. Karadžić was afraid that the Muslims and the Party of Democratic Action (SDA) of Alija Izetbegović would dominate Bosnia. This politician and his political party were considered by the Serbs to be Muslim fundamentalists and there was a belief that they wanted to create a “Muslim country” in Bosnia and Sandžak.

The political downfall of R. Karadžić in 1996-1997 was a consequence of the changes in the political constellation resulting from the Dayton Agreement and the fact that he was accused of “war crimes” by the West, together with Ratko Mladić and a significant group of Serbian politicians and military men. In the years 1997-2008, the former President and General Mladić were “hiding”. Unofficially it was known that they were under the secret protection of Serbian services and other prominent politicians from Belgrade. His arrest as “Dragan Dabić, an alternative medicine doctor” took place in July 2008. For the former prosecutor of the ICTY, Carla del Ponte, who was previously responsible for his case and prosecution, this was a “great day” (as well as for the media and so called public opinion).

The transfer of Karadžić to The Hague was a part of the policy of the President of that time, Boris Todić, aimed at the integration of Serbia with the EU. It also affected the image of the support campaign for Belgrade aimed against the unilateral declaration of independence of Kosovo in February 2008.

The generally understood conflict in Yugoslavia (especially later on in Kosovo in 1997-1999) was very complicated in terms of the dynamics of the ethno-religious conflicts taking place in Europe at the end of the 20th century. The image of the Bosnian conflict, created by the West according to the needs of great politics and the support of Muslim Bosniaks and Catholic Croats, clearly pointed to the Serbs as the “sole perpetrators” and “aggressors”. They were eagerly and frequently referred to as “war criminals” and blamed for ethnic cleansings and other injustices. The propaganda of the West and the opponents of the Serbs did not want to admit “for the greater good” that war crimes and ethnic cleansings were used by all the sides of the conflict, not only the Serbian military.

The image of these events, widely propagated in media and movies, was not created in accordance with actual events and the deeds of individual politicians, but the interests and needs of superpowers, namely the USA and other Western countries protecting the Croats, Bosniaks or Russians, who actively supported the Serbs as their “Balkan allies”. There is, therefore, a need to objectively and deeply study the actual political



activity and responsibility of Radovan Karadžić and other Serbian politicians and military men during the war of 1992-1995. It is not enough to simply uncritically perpetuate the image and evaluation of their deeds created according to the needs for “news” and “events” aimed at raising emotions. Diligent analysis of what actually happened is necessary. One can say that this media portrait was justified from the point of view of politics (but not ethics), because it was very effective. It helped the opponents of the Serbs to win the war with propaganda and psychology first. Next, it created the climate and support of the world’s public opinion for the intervention of NATO (operation Deliberate Force). This helped the victorious Muslim-Croat offensive in September and October 1995, which endangered the political existence of the Republic of Serbia.

The propaganda and emotional image, the former President of the Republic of Serbia and other important Serbian personas were burdened with, makes it difficult to establish their actual criminal responsibility. However, it is not a challenge only for lawyers, historians or politicians, but also for media experts. It was the propaganda that, to a significant degree, perpetuated the image of the conflict, its sides and individual figures, including Radovan Karadžić and other influential politicians - President of the Federal Republic of Yugoslavia, Slobodan Milošević, as “villains”, while Alija Izetbegović, the President of BH, and Franjo Tuđman, the President of the Republic of Croatia, both being classic autocrats, were portrayed as “democrats” and “victims of aggression”, with their true faces carefully hidden.

Radovan Karadžić and, even more so, Ratko Mladić were ideal negative characters for the Western media propaganda machine supporting the Bosniaks and Croats in their war with the Serbs. The former was believed to support the idea of the “Great Serbia”, ethnic cleansings and an ethnically homogeneous Serbian state in BH and to be responsible for the siege of Sarajevo and the massacre in Srebrenica. The latter became the media “face” of the Serbian conquest in Bosnia, which at its peak moment covered 70-72% of the Republic, and the battles for Sarajevo. He was considered to be related to virtually every war crime perpetrated by the VRS and paramilitary troops (paravojnici). The General became a living symbol for all the evil that took place in Srebrenica.

Because of the position of the West during the Croatian and Serbian wars, the Muslim politicians, high officers of the Army of the Republic of Bosnia and Herzegovina (e.g. Sefer Halilović, Amir Kubura, Mehmed Alagić or Naser Orić) and Croats (Tihomir Blaškić or the mentioned general Gotovina, among others) appeared before the ICTY much later and in fewer numbers. Slobodan Milošević was taken to a Dutch prison in Scheveningen and faced a trial in The Hague. However, the late presidents Alija Izetbegović and Franjo



Tudjman were never imprisoned or even accused, despite the fact that their responsibility for the conflict did not seem much less significant.

Even though the guilt and responsibility of the Serbs, first in 1991-1995, and later in the conflict in Kosovo was indisputable, the investigations and studies concerning the crimes allegedly committed on Albanians clearly show that some of them were media mystification and manipulation. The necessity to remain cautious when it comes to passing seemingly simple judgments was apparent during the trial of Slobodan Milošević (2001-2006), which turned out to be a largely ambiguous matter. Also the role of Karadžić requires closer scrutiny. It is hard to consider him “completely innocent” when it comes to all his charges as he was not able or did not want to stop the large scale ethnic cleansing, accompanied by numerous acts of violence and expulsion of people from their homes. Allegedly, he also did not know about the concentration camps created by the Serbs (they were created by the fighting sides). What also has to be explained is the responsibility of the former President of the RoS for the events in Srebrenica. In this case, General Mladić and his officers, especially the Serbian paramilitary troops such as the “Scorpions”, are much more directly responsible for what happened there.

Final conclusions:

1. The passage of time and the passing away of the Bosnian War participants will make answering certain questions concerning these events increasingly difficult. However, the enormous volume of data that has been collected, including documents, films, and problem literature, offers hope for discovering new facts. These are all tools that can be used alongside the collected witness statements to facilitate evaluating the real extent of the crime/crimes committed by Radovan Karadžić and other Serbs accused of war crimes. It must nonetheless be remembered that the accused constitute a part of a much wider phenomenon of responsibility for atrocities and iniquities which took place between 1992 and 1995, and which involved not only the Serbs but also the Bosniaks and the Croats.

2. The enormous amount of evidence material (hundreds of thousands of file pages) as well as the actions of Radovan Karadžić and his lawyers, who jump at every procedural issue and every uncertainty, will delay the reaching of the verdict and prevent the case from being resolved quickly. One indication for this problem are the motions for a retrial put forward by Karadžić who accused the prosecution of failing to disclose evidence and witness statements advantageous to his case in a timely fashion. The motions were, however,



rejected by the Tribunal in September 2012. While the former president of the RoS is not represented by a defense attorney, he does employ a large group of lawyers.

3. Although propaganda and media (both Western and Bosnian/Croatian, unfavorable to Karadžić) have long portrayed and discussed the Serbian politician in a negative fashion and presented his guilt as a foregone conclusion, his criminal liability is considered far less obvious among Serbs. Belgrade politicians, as well as some of those from Banja Luka, perceive Karadžić (and others) as an ominous relic of the past, a symbol of nationalism and ethnic cleansing who stands in the way of constructing the image of Serbia as a “normal country” wanting to cut ties with the evil past filled with war. The inability to come to terms with their relatively recent past and to prosecute and convict their criminals (with the preferable outcome of life or long-term prison sentences) impedes the Serbs’ progress on their way to Europe and to further integration with Brussels and the EU. Concurrently, “popular public opinion” in Serbia, the RoS, and the Serbian diaspora, counts the former president of the RoS among “Serbian patriots” and “heroes” (along with Ratko Mladić), unjustly persecuted on the basis of “fabricated evidence” by the Western court subservient to Washington. The assessment of these two characters also depends on the respondents’ age. The events of the 1990s still bear much significance for the older generation, but the topic of the two “war criminals” is much less emotional for those who were born after or even shortly before those events.

4. Emotions are the factors determining Radovan Karadžić’s public image, both negative and positive. In the West, in BH, or in Serbia, it is emotions that have the biggest influence on his perception. Practically from the start, both sides of the conflict, Bosnian and Serbian, primarily exhibited a typical “tribal mentality”, i.e. a belief in the “goodness of compatriots” and the “absolute evil” of the enemy. It is this factor, as well as all the amassed crimes, tragedies, and emotions, that hamper the prospects of providing objective assessments and assigning responsibility.

5. The fact that Karadžić and Mladić were arrested and sent to the Hague (in 2008 and 2011 respectively) is an element of a complex political game by Belgrade, rather than something resulting from a simple need of honoring the memory of the war’s victims or holding the criminals responsible for their actions. The main priority here is further integration with the European Union, for which goal the Serbs were and are ready to set up a do ut des exchange that would be advantageous to them. It is not a trait particularly specific for Serbian politics. In 2005, a complex operation of joint Croatian and Western forces resulted in the capture of Ante Gotovina, a respected general who was nevertheless accused of “war crimes” and sent to The Hague. The decision was widely unpopular, but at the same time it



provided political benefits related to the future access of Croatia to the European Union, which is to take place in July 2013.

6. Similarly, capturing Radovan Karadžić and putting him on trial before the ICTY became a prelude for the signing of the SAA (Stabilisation and Association Agreement) treaty with Brussels, while giving up general Mladić in 2011 resulted in another “reward” as Serbia was offered the long-awaited EU candidate status during a summit in Brussels in March 2012.

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