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for the Former  
Yugoslavia

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Tribunal Pénal  
International pour  
l'ex-Yougoslavie

Section des  
Services  
d'administration et  
d'appui judiciaire

**CASE/AFFAIRE NO.** IT-95-5/18-PT **DATE** 19 June 2009 D 20443

**FROM/DE** RAM DORAISWAMY, COURT OFFICER SM

**TO/A**

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<input type="checkbox"/> Trial Chamber I/ Chambre de 1ère instance I	<input type="checkbox"/> Chief of Investigations/ Chef des enquêtes	MR. R. KARADŽIĆ
<input type="checkbox"/> Trial Chamber II/ Chambre de 1ère instance II		<input checked="" type="checkbox"/> Legal Advisers
<input checked="" type="checkbox"/> Trial Chamber III/ Chambre de 1ère instance III		MR. G. PETRONIJEVIĆ MR. P. ROBINSON MR. M. SLADOJEVIĆ
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Order/Warrant/decision issued by Appeals Chamber or Trial Chamber or a Judge on/  
Ordonnance/Mandat/Décision émis(e) par la Chambre d'appel ou les Chambres de 1ère instance ou un Juge le \_\_\_/\_\_\_/\_\_\_

Order/Decision issued by the President on/Ordonnance/Décision émise par le Président le \_\_\_/\_\_\_/\_\_\_

Motion/Request/Application submitted by Prosecution/Defence Counsel/Accused on/  
Motion/Requête/Demande présentée par l'Accusation/le Conseil de la défense le 19/06/2009  
**FIRST SUPPLEMENT TO HOLBROOKE AGREEMENT MOTION**

Response/reply/brief submitted by Prosecution/Defence Counsel/Accused on/  
Réponse/Réplique/Mémoire présenté(e) par l'Accusation/le Conseil de la défense le \_\_\_/\_\_\_/\_\_\_

Decision of the Registrar on/Décision du Greffier le \_\_\_/\_\_\_/\_\_\_

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THE INTERNATIONAL CRIMINAL TRIBUNAL  
FOR THE FORMER YUGOSLAVIA

CASE No. IT-95-05/18-PT

IN TRIAL CHAMBER No. 3

Before: Judge Iain Bonomy, Presiding  
Judge Christoph Flügge  
Judge Michèle Picard

Registrar: Mr. John Hocking

Date: 19 June 2009

THE PROSECUTOR

v.

RADOVAN KARADZIC

*Public*

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FIRST SUPPLEMENT TO  
HOLBROOKE AGREEMENT MOTION

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The Office of the Prosecutor:

Mr. Alan Tieger

Ms. Hildegard Uertz-Retzlaff

The Accused:

Radovan Karadzic

1. Dr. Radovan Karadzic hereby supplements his *Holbrooke Agreement Motion* with the declarations of three men who were present in his office in Pale on the evening of 18 July 1996 and who can confirm that he believed that he had been promised by Richard Holbrooke that he would not be prosecuted in The Hague.<sup>1</sup>

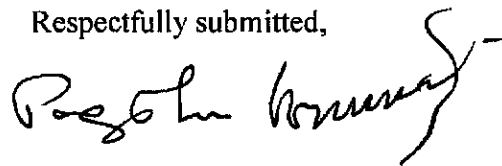
2. These witnesses came forward and contacted Dr. Karadzic's legal advisor after learning about the filing of the motion concerning the Holbrooke Agreement through the news media. Therefore, their statements were not available at the time the motion was filed.

3. This now brings to 18 the total number of witnesses who can corroborate the existence of the Holbrooke Agreement.

4. Further supplements may be filed by Dr. Karadzic depending on the outcome of interviews with Minister Carl Bildt of Sweden,<sup>2</sup> Lt. General Douglas Lute and Colonel John Feeley of the United States,<sup>3</sup> and review of documents from the United Nations<sup>4</sup> and the Office of the Prosecutor (Wesley Clark statements).<sup>5</sup>

Word count: 331

Respectfully submitted,



Radovan Karadzic

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<sup>1</sup> Their declarations are corroborated by Dr. Karadzic's appointment diary for 18 July 1996 which lists "Punisa Lucic and guests" as being present in his office that evening. See Annex C to *Holbrooke Agreement Motion*.

<sup>2</sup> *Order Pursuant to Rules 54 and 70* (18 June 2009)

<sup>3</sup> *Motion for Subpoena to Lt. Gen Douglas Lute and Colonel John Feeley (Ret)--United States of America* (17 June 2009)

<sup>4</sup> *Motion for Request for Cooperation to United Nations: Holbrooke Agreement* (21 May 2009)

<sup>5</sup> Letter to Office of the Prosecutor containing additional information from Florence Hartmann (15 June 2009)

# **ANNEX AD**

Thursday, June 11, 2009

Haifa,

Fax: 00 1 208 694 61 61

## STATEMENT

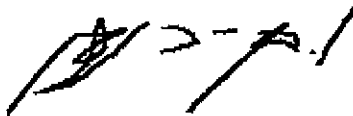
Under full moral and legal responsibility, I the undersigned, Victor Ben-Cnaan, born on May the 7th, 1946, in Walbrzych, Poland, citizen of Israel, ID number 06504449-7, state the following:

During 1996 I was the director of "GLOBE HOLDINGS INTERNATIONAL" Registered Office in Pale, Republika Srpska. On a number of occasions, my co-worker Mr. Punisa Lucic and I were invited to discuss several business proposals with the President of Republika Srpska, at that time, Dr. Radovan Karadžić.

On July the 18th, 1996, we; Mr. Punisa Lucic, I myself, Mr. Eric Kaplan, Mr. Walter Hein of Power Trading Ltd. 88 Emily Ave. Elmont, New York 11003-4201, U.S.A. phone: 516 352 96 22, fax: 516 225 94 99, (the two latter American citizens) have had a meeting with Dr. Karadžić at 20:00 hours. The meeting continued for almost two hours. The topics discussed were:

- The erection of an international airport – at Sokolac
- Building of 2-3 hydroelectric power stations on the Drina River
- Constructing of 70 km long railway, in order to connect Republika Srpska to the European net
- Renovation of bauxite mine – at Milici
- Reconstruction of crude oil refinery – Bosanski Brod
- Export of logs and timber... and more...

Amidst that meeting Dr. Karadžić left us at the conference room and went to his (attached) Presidential office. After some time Dr. Karadžić came back. When he entered the conference room he apologized, saying that he has had tough negotiations with Mr. Holbrooke. Dr. Karadžić then went on to say that he has agreed to retire from the position of the President of Republika Srpska and the position of party leadership, as well as all other public and political duties in Republika Srpska.



.....  
Victor Ben-Cnaan



.....  
Walter Hein

We were shocked and further inquired on the details. Dr. Karadžić told us that the negotiations were led between him, Mr. Richard Holbrooke and Mr. Slobodan Milošević, by then the President of Jugoslavija. In return for his retirement, Mr. Richard Holbrooke, who was by then US emissary supervising negotiations and implementations of the Dayton Peace Agreement in Bosnia, provided him with strong guarantees that he would not be prosecuted by any legal court under their jurisdiction, including the International War Crimes Tribunal in Hague. We asked if these gentlemen could be trusted, and Dr. Karadžić replied that he would have never accepted the deal if he was not presented with truly serious and strong guarantees.

The President told us that, inter alia, he has agreed to the following:

Not to;

- appear on T/V
- give interviews to any public media
- run for Presidency
- present his candidacy for any political party
- give public speech

Right after that Dr. Karadžić told us that he will not be able to continue working on our business project and that he asked Prof. Biljana Plavšić to relieve him. He has assured all of us that he'll recommend us to her and that there is no reason why she won't continue working with us.

Dr. Karadžić has kept his promise and Prof. Biljana Plavšić has attended the second meeting of ours at which all four of us (Walter, Eric, Punisa and I) were introduced to her.

I agree to the release of this statement to any legal court, including the International War Crimes Tribunal in Hague.

Eye witness to the described events



.....  
Victor Ben-Cnaan  
22(a) Gershon Shofman str.  
34987 Haifa  
Israel  
Phones: +972 54 620 5857 or +7920 425 2200



.....  
Walter Hein  
88 Emily Ave. Elmont  
New York 11003-4201  
U.S.A.  
Phones: +1 516 352 96 22

# **ANNEX AE**

## STATEMENT

Under full moral and legal responsibility, I Puniša Lučić, born on September 28<sup>th</sup> 1957 in Sarajevo, municipality Centar, currently living in Pale, Bosnia and Herzegovina, reachable at the address Trebevička 100 Pale, state the following:

During 1996 I was the employee of "GLOBE HOLDINGS INTERNATIONAL" Registered Office in Pale, Republika Srpska. On a number of occasions, my co-worker Mr. Victor Ben-Cnaan and I were invited to discuss business with the President of Republika Srpska, at that time, Mr. Radovan Karadžić.

In the evening of July 18<sup>th</sup> 1996, Mr. Victor Ben-Cnaan and I, with our American business partners Mr. Walter Hein, Mr. Eric Kaplan, had a meeting set with Mr. Karadžić. During the meeting, which took place in the Presidential conference room, Mr. Karadžić was interrupted and went to his office. After fifteen or twenty minutes Mr. Karadžić came back. He apologized for the interruption, saying that he was called to close the negotiations with Mr. Holbrooke. Mr. Karadžić then went on to say that he has agreed to retire from the position of the President of Republika Srpska and the position of party leadership, as well as all other public and political duties in Republika Srpska. We were shocked and further inquired on the details. Mr. Karadžić told us that the negotiations were led between him, Mr. Richard Holbrooke and Mr. Slobodan Milošević. In return for his retirement, Mr. Holbrook, who acted as the representative of US administration and the person authorized to speak for the International Contact Group and UN Security Council, provided him with strong guarantees that he would not be prosecuted by any legal court under their jurisdiction, including the International War Crimes Tribunal in Hague. We asked if this could be a trap and Mr. Karadžić replied that he would never accept the deal if he was not presented with truly serious and strong guarantees. Then Mr. Karadžić told us that he will be unable to continue working on our business project and that he asked Ms. Biljana Plavšić to continue working with us.

I agree to the release of this statement to any legal court, including the International War Crimes Tribunal in Hague.

Puniša Lučić  
Trebevička 100, 71420 Pale  
Phone: +387 65 52 63 03

