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Terror in the Balkans: The Croatian War and Operation Storm

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Terror in the Balkans: The Croatian War and Operation Storm

How Franjo Tudjman Got Away with Ethnic Cleansing

Senior Project Submitted to

The Division of Social Studies

of Bard College

by

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Annandale-on-Hudson, New York

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Dedication

This senior project is dedicated to my family, my parents: Olga Smagarinskaya and Brian Coleman, and my sister: Taya Coleman.

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This senior project would not have happened without the help of my advisor who has helped me out tremendously with putting this together: Gregory Moynahan. I also want to thank Sean McMeekin, and Oleg Minin for being on my board.

To every professor who has taught me at Bard, and also at CUNY Hunter, and helped shape my college experience into what it has become, I want to thank you all.

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Introduction

President Franjo Tudjman and much of his inner circle were able to avoid accountability for the largest ethnic cleansing that took place during the Yugoslav wars. This was either due to death or lack of evidence, but the three Croatian nationals who were indicted for war crimes committed against Serb civilians were later acquitted of all charges and celebrated as war heroes. The actions of Tudjman's government and army clearly constitute ethnic cleansing, one of the very few crimes for which an appeal to state sovereignty is not a valid reason.

Even if the Serbian war crimes were on a larger scale, their existence did not outweigh the need for a thorough investigation of Tudjman's actions within Croatia's own borders against the Krajina Serbs, who were supposedly protected by international, Yugoslav, and Croatian law. The international community however, failed to hold Croatia accountable for its actions against the Krajina Serb minority living within its borders and justice for all those who suffered under the brutality of Operation Storm still remains elusive to this day.

Against the backdrop of the Yugoslav wars, Belgrade's support of Serbian paramilitary groups and their direct involvement in the destructive and awful 1991 siege of Dubrovnik helped lay the foundations for Western solidarity behind the Croatian cause for independence. In partially destroying the ancient city, famed and traveled to by tourists from all over the world, the Serbs presented themselves to the world as barbarians who were incapable of fighting a fair war.

In destroying the city of Dubrovnik, Belgrade inadvertently alienated the Croat-Serb minority from the world's eyes and resulted in them becoming easy targets for ethnic cleansing by the Tudjman regime. In addition because of the Croatian government's appeals to Western security, their political shift towards the West, and Croatia's geostrategic location in regards to the NATO peacekeeping operations against Serbia, Tudjman and his government were able to

authorize a military offensive that included multiple crimes against humanity and get away with it. In the midst of the brutality of the Yugoslav civil wars, in August of 1995, this largely unnoticed military offensive: “Operation Storm”, took place within the border region of Croatia and Serbia known as Krajina. Glorified by some, and lamented by others, the military offensive ended up forcing 200,000 Serb civilians to flee their homeland¹²³, a home which they had lived and shared with Croatians for centuries.

The Croatian Army and the Croatian political leadership orchestrated this military offensive and heavily inflicted violence upon the Krajina Serbs both during and after their exodus. For years, Serbs and Croats had lived side by side in Krajina, with practically no issues involving ethnicity or religion. However in just under thirty-six hours⁴ Franjo Tudjman, the first President of a newly independent Croatia, effectively cleansed his nation-state of the Krajina Serbs - who in the eyes of his nationalist government, were a longtime issue that needed to be dealt with.

This rapid escalation into violence between Serbs and Croats was partly a result of the European Community’s inability to deal with the situation, with Germany’s pressurizing behavior leading the European Community to prematurely recognize the illegal acts of independence from Croatia and Slovenia. Germany’s goal in recognizing Croatia and Slovenia was to send a warning to Serbia, but by accepting the legality of a unilateral act of secession, the European Community had inadvertently made the situation at hand far worse than it had already been. Recognition of Croatia backfired and provided the perfect environment for a territorial war

¹ Human Rights Watch, Impunity For Abuses Committed During “Operation Storm” and the Denial of the Right of Refugees to Return to The Krajina, August 1996, Vol. 8, no. 13 (D)

² "The Prosecutor of the Tribunal Against Ante Gotovina CASE NO: IT-01-45-I", *ICTY.org*, International Criminal Tribunal for the former Yugoslavia, 21 May 2001.

³ “Operation Storm IT-06-90, The Prosecutor vs. Ante Gotovina, Ivan Cermak, and Mladen Markac”, *ICTY.org*, International Criminal Tribunal for the former Yugoslavia.

⁴ Human Rights Watch, Impunity For Abuses Committed During “Operation Storm” and the Denial of the Right of Refugees to Return to The Krajina, August 1996, Vol. 8, no. 13 (D)

and ethnic hostilities. Instead of a negotiation process that involved all parties, the European Community had made its choice and put its support behind the Croatian government.

It was this same Croatian government that less than four years later, directly instituted one of the largest ethnic cleansing events of the late 20th century, in expelling hundreds of thousands of ethnic Serbs from their homeland in Western and Central Slavonia as well as the Krajina. The Croatian government is to blame for this crime against humanity, but the European Community and the United States failed to understand the gravity of the situation before them, and also failed to hold Tudjman and his inner circle accountable for their crimes. To an extent, this was a result of the United States and the international community's concern primarily being the protection of Bosnia. Croatia's war crimes within its own territory were overlooked because of the Serbian government's direct involvement in supporting war crimes outside of its own borders, primarily within Bosnia and also in Kosovo.

Overview of Operation Storm

According to the Croatian Bureau of Statistics, between 1991 and 2001 the number of Serbs living in Croatia dropped by 380,000 people, or from 12.3% of the total population to just above 4%.⁵ There are no other words to describe a mass exodus of so many people in such a short period of time other than *ethnic cleansing*. Importantly, the majority of those who fled Croatia did so during the events of Operation Storm which in total took just under 4 days.⁶ The speed of the military operation and its timing are vital to understanding how the Croatian government was able to get away with ethnic cleansing.

⁵ Croatian Bureau of Statistics, "Population By Ethnicity, 1971-2011 Censuses", 1991 Census + 2011 Census, https://web.dzs.hr/Eng/censuses/census2011/results/htm/usp_03_EN.htm.

⁶ Human Rights Watch, *Impunity For Abuses Committed During "Operation Storm" and the Denial of the Right of Refugees to Return to The Krajina*, August 1996, Vol. 8, no. 13 (D).

During August of 1995, the international community's attention was mostly concentrated on the actions of the Serbian government outside of its borders. It was widely known across the world that Slobodan Milosevic, the nationalist president of what remained of Yugoslavia, was helping fund and aid paramilitary groups in Croatia, Bosnia, and Kosovo, and that his armed forces were taking part in war crimes. The United States and Europe's concerns in the Yugoslav crisis mainly centered around containing Milosevic's ambitions to create, what the International Criminal Tribunal of the Former Yugoslavia calls, a "Greater Serbian" state.⁷

If for some reason unbeknownst to the majority of humans, one wishes to ethnically cleanse their state of an unwanted minority: Franjo Tudjman's strategy of waiting until the world's eyes are on his nemesis and neighbor, then quickly and brutally forcing, by way of violence and destruction, the minority group to flee for the safety of their lives works very efficiently.

Without ignoring the reality that 200,000 people had to pack up *everything* they owned and escape their homes, that their families had lived in for centuries, for the very fear of their lives, there is no other way to explain what happened in the early days of August 1995 outside of the words ethnic cleansing. Understanding this reality in no way diminishes the reality that Serbian paramilitary groups also took part in ethnic cleansing, and in a much more violent manner. But we, as historians especially, cannot ignore the fact that the same Croatian government that is in power today was behind one of the largest ethnic cleansing campaigns that took place on the European continent since the Holocaust. We cannot ignore the reality, that as of writing this paper, there is not a single person that has been held accountable for the crimes against humanity that took place during the few days that was Operation Storm. We also cannot

⁷ Gotovina et al judgment Vol. 2, Case No.: IT-06-90-T, United Nations International Criminal Tribunal for the Former Yugoslavia, Prosecutor vs. Ante Gotovina, Ivan Cermak, Mladen Markac, 15 April 2011.

ignore how and why the United States and the rest of the international community ignored Operation Storm.

The consequences of Operation Storm were enormous for the Serb population of Croatia, and can be summarized as thus:

- 11,000 square km. of “historically Croatian territory” was returned to the control of Tudjman’s government in Zagreb.
- Krajina, as a proxy-state of Serbs in Croatia, was effectively destroyed in its entirety with Serbs expelled and fleeing to Serbia and Bosnia.
- Towns and villages as well as public infrastructure were destroyed by means of Zagreb’s scorched earth policy.⁸
- Large scale plunder and destruction of private homes by explosions and arson were done throughout the operation as well as continuing for months after the operation had ended.⁹
- 526 Serb civilians killed reported by Human Rights Watch, 1,192 claimed by Serb authorities.¹⁰

The Krajina Serbs, an entire culture and people that had enjoyed living in the same area alongside other ethnic groups for centuries, is now a practically non-existent identity. Tragically it seems that the future is bleak for any sense of justice being seen for those that remain affected by Operation Storm to this day. But the events of Operation Storm have for far too long been mostly ignored by the collective Western powers since the end of the Yugoslav wars, and it is far

⁸ “Operation Storm IT-06-90, The Prosecutor vs. Ante Gotovina, Ivan Cermak, and Mladen Markac”, ICTY.org, International Criminal Tribunal for the former Yugoslavia.

⁹ Ibid.

¹⁰ Human Rights Watch, “IMPUNITY FOR ABUSES COMMITTED DURING OPERATION STORM AND THE DENIAL OF THE RIGHT OF REFUGEES TO RETURN TO THE KRAJINA INTRODUCTION”.

time that scholars, academics, and historians bring more light to the ethnic cleansing of an entire people.

Chapter I

Croatian history is much intertwined with that of the Hapsburg Empire, which explains the particular affinity that the Germanic nations expressed in the 1990s for the country's sovereignty. Following the collapse of the Kingdom of Hungary after the Battle of Mohacs in 1527, the Croatian and Hungarian nobility convened among themselves to decide on a new king¹¹, a somewhat common practice. The majority of the nobles present at the Cetin parliament chose to align themselves under the rule of the Hapsburg Empire and their Austrian king, Ferdinand I.¹² Later on, the Habsburgs annexed the Kingdom of Slavonia, which comprises some of modern day Croatia, from territories conquered in their wars with the Ottomans.¹³ Eventually after the Austro-Hungarian Compromise of 1867, when the Habsburg Empire officially became known as the Austro-Hungarian Empire, the Kingdom of Croatia-Slavonia was created – which serves as the basis for the modern day territory of the Republic of Croatia.¹⁴

Much later on, in the early nineteenth and twentieth centuries, the ideology of Pan-Slavism became popular among much of the South Slavic world which included Serbia, Croatia, and Slovenia. During this era, Croat intellectuals and churchmen were some of the most enthusiastic advocates of a union of all Southern Slavs.¹⁵ In the wake of Austria-Hungary's embarrassing defeat during the Great War and their collapse, Italy sought to occupy territories in the northern Adriatic Coast promised to her after the end of the war, so a new united Southern Slavic state with Serbia, who was a member of the victorious Entente, was the natural path to protect Croatia's territorial integrity from Italian claims.¹⁶

¹¹ "Povijest saborovanja" [History of parliamentarism] (in Croatian). Sabor.

¹² Kruhek, Milan, "Cetin, the city of the electoral assembly of the Kingdom of Croatia in 1527, Karlovac County, 1997.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Christopher Cviic, *Remaking the Balkans*, Chatham House Papers (London, Great Britain: Royal Institute of International Affairs, 1991), pg. 68.

¹⁶ Ibid.

Bitter Disappointment: The Beginning of Croatian Doubts on Yugoslavia

Post-1918 Yugoslavia for the Croats, unfortunately proved to be a bitter disappointment. This was a result of the government in Belgrade being unable to prevent Italy from acquiring the territory that was promised to her under the Treaty of London, which was a blow to Croatian national interests.¹⁷ Another reason for the disappointment of Croatian intellectuals and other groups was that within Yugoslavia, Croatia lost its much enjoyed autonomous status as one of the “historic nations” of the Habsburg empire.¹⁸

In August of 1939, the relationship between Croats and Serbs seemed to be improving as Croatia became a separate unit within the state called *Banovina Hrvatska* - although arguably with less autonomy than it had in Austria-Hungary.¹⁹ Interestingly, the arrangement was supported by Croatia’s population of ethnic Serbs, who had actually grown to mistrust fellow Serbs in Belgrade who ran the government and had in general come to feel that their interests would be better protected by the authorities in Zagreb.²⁰ Therefore, it would be wrong to assume that Croatian and Serb relations were always sour or that of animosity, as this time period shows the opposite was in fact true.

¹⁷ Cviic, *Remaking the Balkans*, Page 68.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid.

But this new autonomous Croatian unit was rejected by the majority of the political parties in Serbia, which very much echoed the Serbian Orthodox Church's intense opposition to the proposed concordat with the Vatican in 1937, which would have given the Roman Catholic church equal status to the Serbian Orthodox Church.²¹ One can only speculate whether or not giving the Roman Catholic church equal status would have changed the trajectory of Yugoslav history, especially with the later repression of Orthodox in Croatia under the Nazi puppet-state. But the Serbs did not accept the Croatian wish for equal status, and this lack of recognition of a traditional Croatian identity and national autonomy aggravated the Croats' already strong sense of insecurity in regard to the much more powerful Serbs.²² The possibility of Serbianization loomed above the heads of the Croats on a near daily basis, with much of it disguised in propaganda and the education system as "Yugoslavism".²³ The fact that Croats and Serbs were extremely close linguistically only worsened the feeling of insecurity²⁴, for throughout history linguistic closeness has proven to facilitate assimilation.

The Independent State of Croatia: Ante Pavelic and the Ustasha

During the Second World War, the Balkans was invaded by Nazi Germany and Yugoslavia was brought into the Reich's fold. Established as a puppet state on the 10th of April 1941 – the state included all of modern day Croatia and Bosnia-Herzegovina, as well as parts of modern day Slovenia and Serbia²⁵ – effectively being a Greater-Croatian state.

²¹ Cviic, *Remaking the Balkans*, pg. 68.

²² Ibid.

²³ Ibid, pg. 69.

²⁴ Ibid.

²⁵ "Yugoslavia", *Holocaust Encyclopedia*. United States Holocaust Memorial Museum.

Suppression of the Croatian language and identity in Socialist Yugoslavia

Even though Croatian participation in the ranks of Tito's partisans was substantial,²⁶ Croats felt weary and ill-at-ease in Tito's post-1945 Yugoslavia. One of the many possible explanations was the dominance of Croatian-Serbs within Croatia, with many of them joining Tito's partisans in order to escape Ante Pavelic, the leader of the Ustasha (Croatian Nazi-puppet state), and his brutal genocide.²⁷ But even long after World War Two, Croatian-Serbs were over-represented in the new communist republic's *nomenklatura*, with Croatian-Serbs being 19.4% of all party members in 1987 while only consisting of 11.6% of Croatia's population.²⁸ This was most likely done by Tito in order to appease Serbian nationalists who had supported the royalist guerilla leader, Draza Mihailovic (who Tito executed), during the Second World War.²⁹

But throughout most of Yugoslavia's history, any and all manifestations of Croatian national feeling were seen with suspicion by the Croatian-Serbs, who were in power. Any manifestation of Croatian national identity was branded as "separatism" or "nationalist extremism" and a "threat to the official doctrine of brotherhood and unity"³⁰ - the classic communist slogans used to put down any identity outside of those accepted by the state.

An example of Yugoslav state suppression of the Croatian identity can be seen in the 1967 Language Declaration, signed by 18 Croatian cultural institutions and 140 scholars, writers, and intellectuals. The declaration's intent was for the return to the post-1945 position, when the government had granted full constitutional recognition to four languages - Croatian, Macedonian, Serbian, and Slovene.³¹ It also demanded the usage of standard Croatian in the education system and in the mass media throughout the Croatian republic instead of the

²⁶ Ibid.

²⁷ Ibid.

²⁸ Cviic, *Remaking the Balkans*, pg. 69.

²⁹ Ibid.

³⁰ Ibid.

³¹ Ibid.

government favored Serbo-Croatian,³² which to the signatories of the Declaration - was merely a political language whose purpose was to enforce the official Yugoslav doctrine of “unitarism.”³³

Clearly there were elements of the Croatian population that did not view Yugoslavia with much positive regard. Instead, Yugoslavia was seen almost as an occupying force against the Croatian cultural and historical identity. As a result of this, in 1971 Tito cracked down on the Croatian intellectuals and enacted a purge, which was in part an element of the much larger all-Yugoslav crackdown on liberals, technocrats, and other perceived anti-socialists.³⁴ In a similar case with the suppression of the 1968 Prague Spring in Czechoslovakia, the 1971 Yugoslav purge had a prolonged and profound effect on society and gave way to Croats viewing themselves as the “silent republic”.³⁵ One of the more harmful effects of this era was the fact that there was now zero possibility for anything like the pre-1941 anti-Belgrade alliance between the Croat majority and the Serb minority in Croatia.

Ostracized from Yugoslavia - A New Path for Croatia

Croats saw themselves as increasingly ostracized from the Yugoslav project, and Croatia’s Serb minority increasingly had nothing shared with the Croats. Within this growing cultural rift, there was no prospect of any joint ethnic struggle for democracy or civil rights in Yugoslavia. It is a bleak scenario, which could have most likely been avoided if not for the mismanagement by Tito of the Croatian people’s wishes for their language to be recognized, and for their culture to be preserved. The crackdown on Croatian identity in the 1970s unfortunately cemented Croatia’s path back towards a highly insular ethnic nationalism that viewed Yugoslavia

³² Cviic, *Remaking the Balkans*, pg. 70.

³³ Ibid.

³⁴ Ibid.

³⁵ Ibid.

as a purely Serb project. In some aspects this was not far from the truth, as the Yugoslav political apparatus was by far dominantly represented by ethnic Serbs. However, interestingly, Tito himself - the orchestrator of the anti-Croatian purge - was half Croatian himself.

After the events of the 1970s, increasingly among Croats the emphasis became centered around a purely “national” struggle against the perceived foreign Belgrade regime - which itself led to less emphasis on aiming toward democracy, pluralism, and most importantly, civil rights.³⁶ This was not the case everywhere in Yugoslavia however, as the nationally homogenous Slovenia’s situation lay in direct contrast to that of Croatia’s. In Slovenia, the fight for sovereignty and independence went alongside the fight for democracy.³⁷

Croatian Nationalism

These long held frustrations against Belgrade finally gave way to an overwhelming victory for the right-wing Croatian Democratic Union Party (HDZ), which presented itself as the “most Croat of all political parties” according to Tudjman,³⁸ in Croatia’s first multi-party elections of May 1990.³⁹ The Croats at first pursued a confederal model for Yugoslavia alongside Slovenia, which ended up failing and led to Croatia proclaiming itself as a sovereign state on the 25th of June, 1991 - if agreement was not reached, which it never did.⁴⁰

Croatian nationalism, being the ideology of the HDZ, worried the Croat-Serbs living in the newly established republic. Within the majority of ethnic Serb areas of Croatia, the response to the HDZ can be best characterized as a “vehement rejection” of any independent status for Croatia within a Yugoslav confederation, “let alone full independence.”⁴¹ Fear of revenge attacks

³⁶ Cviic, *Remaking the Balkans*, pg. 71.

³⁷ Ibid.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Ibid.

was also prominent, as many Croat-Serbs had been the ones who were in power during the communist era. The rejection of Croatian nationalism was fast, and had historical precedent - as the last Croatian nationalist state that Serbs had lived under was the Nazi one. But Croatian Serbs began to show opposition to practically any change in the status quo *before* multi-party elections of May 1990 even happened.⁴² Secret arming of local Serbs by the Milosevic regime began happening around this time too,⁴³ with this all leading to the August 1990 armed rebellion against the Croatian state after the HDZ's election victory.

These Croatian Serbs viewed themselves as part of something which they called *Krajina*, which in the Slavic languages means borderland. Their culture and identity was tied to the fact they lived on the borderlands between the Habsburg Empire and the Ottoman Empire, and they were militantly proud of their heritage. Now, they were yet again split and on the borderland between what they saw as their ethnic homeland and what they saw as their mortal enemy.

In the early stages, the new Croatian authorities attempted to quell this rebellion, but every time they tried the Yugoslav federal army moved in to "stop ethnic clashes".⁴⁴ Importantly, an estimated 70% of the Yugoslav army's officers were Serbs,⁴⁵ but it was still a conscript army that drew its units from all the nations and ethnic minorities of Yugoslavia. But many Slovenes and Croats had begun to leave by this point, and by later stages in the war there would be practically none left.⁴⁶

The rebellion eventually escalated into a full-scale war in August 1991, and took the form of extreme brutality and violence. Serb irregulars, trained, armed, and openly supported at times, by the Yugoslav army, fought against the newly established Croatian Army over large territories

⁴² Cviic, *Remaking the Balkans*, pg. 72.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ Ibid.

of land that both sides viewed as either historically belonging to Croatia, or to the Serbian people. The distinction is important, as Croatia saw these lands as rightfully part of their historical territory. Whereas the Serbs viewed the areas like Krajina and Slavonia to be rightfully part of the greater Serbian *narod*, which in Slavic languages translates to people but in the larger sense and not just a group of people. It can be likened to the way that Armenians view Artsakh, or Nagorno-Karabakh, as part of the Armenian people's land, whereas the Azeris view it as rightfully part of their historical territory.

By December of 1991, UN peacekeeping troops were inserted between the Croat-Serbs and the Croatians, and the front lines began to stabilize.⁴⁷ There were occasional attacks that were able to break through the peacekeeping operations, but there was a lot more international pressure as of this point so the attacks from both sides decreased around mid December of 1991.⁴⁸ By the time that the first round of fighting between Croatians and Croat-Serbs stopped in January of 1992, just a few months later, about a third of Croatian territory was under Serb control.⁴⁹ According to Cviic, by the end of 1991 - the war had already claimed 18,000 Croatian casualties and some 14,000 had gone missing.⁵⁰ According to the United Nations High Commissioner for Refugees, the number of displaced people and refugees in Croatia, in October 1991, totalled around 418,000, with over a third of Croatia's infrastructure destroyed and 100,000 houses demolished.⁵¹

Against this backdrop, the newly elected nationalist Croatian government saw itself as having the duty to reclaim the areas lost to the Serb rebels. The Croat-Serbs saw themselves as

⁴⁷ Mojzes, Paul, "Balkan Genocide", *Holocaust and Ethnic Cleansing in the Twentieth Century*, Plymouth, U.K., Rowman & Littlefield Publishers Inc., 2011, pg. 154.

⁴⁸ Ibid.

⁴⁹ Human Rights Watch, Impunity For Abuses Committed During "Operation Storm" and the Denial of the Right of Refugees to Return to The Krajina, August 1996, Vol. 8, no. 13 (D).

⁵⁰ Cviic, *Remaking the Balkans*, pg. 73.

⁵¹ UNHCR, *Information Notes on Former Yugoslavia*, no. 10/1994, October 1994, Office of the Special Envoy for Former Yugoslavia, Borba, Belgrade, 11 July 1991, pg. 18.

having the duty to protect the land that they had lived on for centuries against what they perceived as a nationalist threat to their very existence. In many ways, these worries were not for naught, as this paper will show: the Croatian government made sure that no Serb will ever be able to rebel against the Croatian state again, because Croatia got rid of almost all of them in just a few days - in what they refer to as “Operation Storm”.

Media Coverage of Operation Storm

Reporting on conflicts has become a norm of society, and the conflict in Yugoslavia was no different – it was heavily documented and reported on throughout the entire 1990s. Articles from this period show that public opinion was not fully on the side of Croatia, and the crimes being committed by the Croatian government were not hidden from the public eye. It was no secret that Croatia was involved in military campaigns that killed, tortured, and raped innocent civilians as early as 1993, two years before the start of Operation Storm. The question then is: how and why did the Western world forget about it?

Coverage of Operation Storm was prevalent, and the actions of Tudjman were condemned by multiple media outlets. Contemporary media coverage from the New York Times makes it clear that there was public outcry over Operation Storm, and the Croatian government’s failure to adhere to the guidelines of war. For example, a 1993 article by Anthony Lewis in the New York Times reported that United Nations military observers criticized the indiscriminate bombing of cities, the rampage of looting and burning of homes and livestock, the poisoning of wells to make sure that Serbs would not return, and the killing of around 150-350 civilians in military actions which were seen as acts of revenge and were mainly perpetrated against the elderly and disabled who had not been able to flee to Serbia.⁵² The claims of the United Nations

⁵² Lewis, Anthony, “Abroad At Home; The Guilty Men”, *New York Times*, 29 Oct. 1993.

are backed up by evidence provided by the International Criminal Tribunal, in its overview of Operation Storm and its aftermath.⁵³ From this article we can observe that it was not only the United Nations, and other organizations that are part of the wider international community, that were aware of the war crimes in the Krajina region. The wider public in general, or at least those who read the news, were also aware of the crimes being committed by the Croatian state on its soil. These crimes by the Croatian armed forces were as early as 1993, which is two years before the events of Operation Storm. In the same article, Anthony Lewis describes how the “Croatian forces in Bosnia have now added their names to the genocide list” in their actions during the massacre of Stupni-Do, where there were 37 deaths reported by the ICTY⁵⁴. We see that the news was aware of the exact death tolls, as well as the perpetrators of the crimes.

Lewis writes further, “President Franjo Tudjman of Croatia is overdue to be called to account.”⁵⁵ Public sentiment was still shaping itself in regards to the Yugoslavia crisis, as it was still a fresh and new conflict. Croatia’s status as an ally of the democratic West was not fully cemented until the more egregious actions of the Serbs later on in Kosovo. It is interesting to see that there were calls in Western media for Tudjman’s indictment as early as 1993, but as time goes on there are less and less articles on Tudjman and more on the Serbs and their crimes. This is most likely because Serb crimes were undeniably on a larger scale both in terms of number and violence. But during the first few years of the Yugoslavia conflict, there is a clear sense that Tudjman and his government were not adhering to international regulations on warfare, and at worst - intentionally committing crimes against humanity. We can see that the operations

⁵³ International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, Case No. IT-03–73-PT, IT-01–45-PT, PROSECUTOR v. IVAN CERMAK AND MLADEN MARKAC + v. ANTE GOTOVINA, *Decision on the Prosecution’s Consolidated Motion to Amend the Indictment for Joinder*, 14th July 2006.

⁵⁴ “Prosecutor v. Ivica Rajić a.k.a. Viktor Andrić, Case no. IT-95-12-S, Sentencing Judgement”. *ICTY.org*, International Criminal Tribunal for the former Yugoslavia, 8 May 2006.

⁵⁵ Lewis, “Abroad At Home; The Guilty Men”.

undertaken by the Croatian armed forces in the early stages of the conflict were not lauded as acts of liberation by media in the West, but rather seen as provocative and illegal acts bordering the definition of ethnic cleansing. The same cannot be said for the way that Operation Storm is seen by the wider public today - as the dominant narrative is now of it being the last major battle of the liberation war against Serbia. Obviously, it is a lot more nuanced than that.

In a 1995 New York Times article again written by Lewis, he condemned the actions of the Croatian military a second time. He writes that “we [the international community] have a heavy responsibility to rein in the excesses of the Croatian President, Franjo Tudjman. For it is clear now that his army – at his command – has done terrible things in the Krajina region since defeating the Serb forces there.”⁵⁶ The Lewis article’s claims here align with the ICTY report that states: between August 4th of 1995 to November 15th 1995 the Croatian military was involved in unlawful killings, the plundering of public and private property, the burning of homes, and ultimately the large scale deportation of around 150,000-200,000 Serbs from Krajina.⁵⁷

If such information was readily available to contemporary media organizations such as the New York Times as well as being understood by the ICTY, it is undeniably confusing then as to how the Croatian government was able to avoid indictments. The answer most likely lies in Croatia’s deeply important geostrategic role in NATO’s peacekeeping operations in the Balkans and Croatia’s “on the books” commitment to democratic values and peace. Interestingly, Lewis also writes that Operation Storm was given the go-ahead by the Clinton administration, which would coincide with the administration’s view on Serbia as Clinton had once remarked that bringing Serbia to its knees was a precondition for peace.⁵⁸ As the largest European ground battle

⁵⁶ Lewis, “Abroad At Home; The Guilty Men”.

⁵⁷ "The Prosecutor of the Tribunal Against Ante Gotovina CASE NO: IT-01-45-I".

⁵⁸ McCellan, Dorothy, “Operation Storm: Ending Humanitarian Disaster and Genocide in Southeastern Europe”, 20 Mar 2021, International Journal of Social Sciences.

since the end of the Second World War⁵⁹ - Operation Storm in every sense fulfilled that obligation. Therefore, the United States' rightfully vested interest in preventing Serbia from committing atrocities against the Kosovar Albanians more or less enabled Croatia to get away with committing her own atrocities.

Unfortunately as is the case, a lesser evil was accepted in favor of preventing the greater. While some might defend this way of thinking on some level, the distinction between two evils in the context of crimes against humanity surely is not necessary nor just. If there is to be an international body of justice, then it should be expected that the organization takes an impartial and full view - however, the lack of charges brought forward against Tudjman's administration and the later acquittal of the sole three who were indicted, it is clear that the ICTY, the European Community, and the United States took a blind eye to Croatia's actions, and the reasons as to why do not make too much of a difference to those who were affected by them.

In further reporting on Croatia in a 1999 article aptly named "Let's Not Forget Milosevic's Partner in Crime" written for the New York Times, Peter Maass writes that "President Franjo Tudjman of Croatia is hardly an innocent lamb, and if the war crimes tribunal in the Hague hopes to be seen as an impartial arbiter of justice, it should match its indictment of Mr. Milosevic with a move against Mr. Tudjman."⁶⁰ As has been made obvious as of now, the war crimes tribunal never did end up bringing any sort of indictment against the Croatian president, and only ended up charging three lower ranking officials and even then, let them go after overturning each of their convictions. This article makes it clear that even four years after the events of Operation Storm, the media and therefore large swathes of the public still saw Tudjman as a guilty actor. Peter Maass, going as far as to argue that the Clinton administration

⁵⁹ Ibid.

⁶⁰ Maass, Peter, "Let's Not Forget Milosevic's Partner in Crime." *New York Times*, 31 May, 1999.

had a moral obligation to offer the Tribunal the “crucial intelligence” that it needed about Tudjman’s links to the atrocities committed by the Croatian military in Bosnia and Krajina.⁶¹ However the author does concede, as most in the West probably felt at the time, that it is unclear whether or not the Clinton administration would actually be able to “summon the moral wherewithal to help the tribunal pursue a dictator who has become a useful American ally in the Balkans.”⁶² It is important to note that at the time, the NATO led peacekeeping operation in the Balkans was staged from many Croatian ports and airports⁶³, making the idea of turning against Croatia all the more difficult for the Clinton administration and the wider NATO membership.

Croatia’s role in the peacekeeping offensive was in many cases a vital geo-strategic necessity for NATO, as Bosnia was not secure enough and Slovenia was too far away. But being a strategically important location should not absolve its government and president from being prosecuted for crimes against humanity. When forces directly linked to President Tudjman were reported to have used the same tactics as the Serb paramilitaries in Bosnia and Krajina by major media outlets such as the New York Times, where was the indictment against the leader? As Peter Maass writes, “If justice is blind, why should Mr. Milosevic be indicted and not Mr. Tudjman?”⁶⁴ The questions remains perplexing and unanswered, yet we can obviously point to several of the key factors that enabled Tudjman to dodge any accountability for his knowingly committed crimes against humanity. Moreover, the very fact that major Western media outlets like the New York Times were picking up on the criminal actions of the Croatian government makes it impossible to believe that the international community was not well aware of it as well.

⁶¹ Ibid.

⁶² Maass, “Let’s Not Forget Milosevic’s Partner in Crime.”

⁶³ Ibid.

⁶⁴ Ibid.

Western Intervention Backfires

Democratic Nationalism Supported

To put everything that happened during Operation Storm into perspective, a historical background is necessary. During the years leading up to the crisis in Yugoslavia, Western mediation actually had the opposite effect intended. Instead of a reversal of the crisis, the West provided the perfect grounds for the mounting escalation of nationalist violence. External intervention and decision-making on the part of the West reinforced the neo-liberal state-building program of the 1980s with disastrous consequences.⁶⁵ Within the context of this state building, nationalist party leaders who became popular first due to elections, albeit running within tumultuous and dysfunctional coalitions, were promoted by Western institutions.

Inadvertently politicians like Tudjman and Kucan, both nationalist leaders ended up being supported by elements of the international community, because these leaders would more easily allow for their states' integration into the neo-liberal global market. The EC's concern was also that of defense and security, and part of this agenda was drawing countries out of the Soviet orbit, and eventually crippling the Soviet sphere of influence in Europe. Yugoslavia's breakup was a critical time for the EC, and in many ways it sought to use the situation as a way to integrate wealthier countries like Slovenia and Croatia into its fold.

Opponents of Nationalism Weakened

This intervention within Yugoslav politics inadvertently weakened the *opponents* of nationalism in Yugoslavia, who instead put the ideals of democracy, market relations, and the guarantees of individual rights in *every* state to be more important than nation-state building. Western intervention created an environment in which the citizens of Yugoslavia had lost many

⁶⁵ Woodward, Susan L., *Balkan Tragedy: Chaos and Dissolution after the Cold War*, NetLibrary, Inc., 1999.

of their protections for their own individual rights and liberties, and also destroyed much possibility of any alternative to the nationalist dogma within the citizens' resident republics. This approach can be labeled as the "national-self determination program" - and it was the principle ideology used to reinforce the independence of both Croatia and Serbia.⁶⁶ This form of nation-state building may have worked in more homogenous communist societies such as the Baltic states, Hungary, Romania, Albania, etc., but within Yugoslavia, the international community paid no attention to the conditions of Yugoslav multinationality and the shared rights to national sovereignty guaranteed by the Titoist system. Ignoring the principles of Titoist doctrine, the international community viewed Yugoslavia as just another communist state that needed to be transitioned into multiple nation-states with their own national identities. This created a situation in which the only way forward was war over territory, and this fight for territory morphed into a fight for international recognition, which would become just as important as territorial control. To the Western powers, the way forward with the crisis was following the Helsinki Process - part of which includes the "peaceful resolution of disputes, inviolable borders, and human rights."⁶⁷ Under this principle in theory, any political outcome favorable to the West was one that did not involve the use of force and violence, but in practicality with countries like Germany *insisting* on recognizing Slovene and Croatian independence, in addition to the principle of inviolable borders within a multiple-nation system like Yugoslavia, any outcome that involved peace was far from reality.

⁶⁶ Ibid.

⁶⁷ The Helsinki Process: An Overview, prepared by the Helsinki Commission Staff, United States Commission On Security And Cooperation in Europe, June 2021.

Wider Consequences of Croatian and Slovene Independence

Even though the West claimed to only be interested in the protection of human rights and not taking sides in the conflict, the truth was different. In July 1991 the EC met to discuss the crisis and by December 16th, the Brioni Agreement was signed. This EC agreement effectively ended the sovereignty of the Yugoslav state by pursuing the German sponsored policy of “preventive recognition”, which would lead to the recognition of Croatian and Slovene independence. Accepting the independence of Croatia and Slovenia as early as 1991 with the rest of Yugoslavia completely shocked, was the match to ignite the flame of violence. Within the context of the crisis, the recognition of Croatia and Slovenia, under the argument of “national self-determination” and “inviolable borders” meant that the EC accepted without question the sovereignty of all the republics within Yugoslavia as *independent* states. This was like a dagger in the heart of the federal government and what remained of their efforts to preserve the unity of the federation. Although Germany and the EC argued that Serbian opposition to Slovene and Croatian independence, as well as the ambitions of Slobodan Milosevic were driving Yugoslavia to conflict, the Brioni Agreement actually allowed Serb nationalists the unexpected opportunity for their *own* engagement in the ideology of “national self-determination” on a much larger scale than before. Serb nationalist politicians were quick to use the opportunity to gain popular sentiment, but at the same time the federal government was trying to figure out how to preserve the unity of the state without having Europe condemn them.⁶⁸

The independence of Croatia and Slovenia were deemed illegitimate by the federal government and the Yugoslav People’s Army (YPA) was sent in to curb the secession. Even though at this time early in the conflict, the YPA was not fully dominated by Serb nationalists or the ideology yet, under the Helsinki principle and the standard set by the Brioni Agreement, the

⁶⁸ Woodward, *Balkan Tragedy: Chaos and Dissolution after the Cold War*.

YPA were treated as a hostile, occupying force within the borders of Slovenia and Croatia which transformed the institution from a federal force into an independent actor within a political contest.⁶⁹ Of course in reality, the YPA was still an army made up of multiple ethnic groups and not fully on the side of Serbia yet, which would only happen later in the conflict.⁷⁰

The Practical Difficulty of “Inviolable Borders”

Defining a Nation State by Ethnicity

The principle of national self-determination can mean different things within a state like Yugoslavia, and territory might not always define the borders of a “nation-state” in the way that they operate in Western Europe. The Balkans have always been an extremely diverse place for its relatively small size, and within Yugoslavia the dominant ethnicity had traditionally always been the Serb people. The issue is that Serbs did not just live within the borders of the Socialist Republic of Serbia, but were populated all around the Yugoslav federation in many of the republics. As an example, according to the 1991 Croatian population census, 12.16% of the Croatian population were ethnically Serb⁷¹. The land in Croatia which they lived in had been majority ethnically Serb for centuries, and during the years of unified rule under the Yugoslav federal system, this did not pose any issue. But due to the international community’s insistence on *national self-determination* and *inviolable borders* under the same lines drawn by the Yugoslav Federal government, Serbs were all now living among separate republics with some like Croatia becoming explicitly nationalist in their rhetoric and political agendas. This would prove to be disastrous for the security of the region and society at large would completely shift

⁶⁹ Ibid.

⁷⁰ Ibid.

⁷¹ Croatian Bureau of Statistics, “Population By Ethnicity”, 1991 Census, https://web.dzs.hr/Eng/censuses/census2011/results/htm/usp_03_EN.htm.

after the EC's acceptance of Croatian and Slovene independence, very much because of this mentality of national self-determination. However, for the Croatians and Slovene people the process and idea of a "nation-state" might have been more akin to the Western European standard, the Serbs did not view it in the same way and saw their *people* as being divided.

When a Nation Builds a State

Historically, Western nation-states have been created by a *state* rather than by a *nation*, but the application within the context of the Yugoslav crisis was reversed and the West's implementation of the Brioni Agreement effectively forced *nations* to build *states* instead. Some people believe themselves to be a nation without ever having been a state in history such as Slovenia, but the problem with the Brioni Agreement outside of Slovenia is that centuries of warfare, migration, and other various factors in the rest of Yugoslavia makes it so that any one nation's territorial claim can only be one layer of the truth, history, and archaeology of the land they claim. Inevitably, the same land will be claimed by separate nations which is extremely messy, conflicting, and directly leads to violence and warfare. People who had lived on the same land amongst one another were now living in separate nation-states with a mixed ethnic identity among the populations. As well as the mixed populations, not every republic within Yugoslavia was self-sufficient economically and many were not ready for independence as a sovereign state. Since Yugoslavia had functioned as a federal state for decades, and the breakup of the country was not prepared for, countries such as Bosnia, Macedonia, and Montenegro - which had been dependant on the larger economies of Serbia, Slovenia, and Croatia - were now facing the prospect of being cut off from resources, and trade goods that they had enjoyed for decades. Unlike the other socialist countries that were transitioning into free-market democracies, like

Hungary and Czechoslovakia, Yugoslavia was set up in a way that was highly contingent on its status as a federation, not as a collection of self-sufficient economies.

The Unique Case of Slovenia

In the case of Slovenia's relatively easy transition into independence, the EC was sorely mistaken in their assumption that the rest of the crisis would play out the same way. Slovenia was much more ethnically homogenous than any of the other republics, and closely related to the history of both Austria and Italy as well as bordering both EC member states. In the 1991 population census for Slovenia, ethnic Slovenes accounted for 88.31% of the total population⁷², which is comparable with Central European countries like Czechia, Slovakia, and Hungary. Because of the homogenous population, carving a nation-state out of Slovenia was no challenge for the EC, and Slovenia saw relatively little violence during the Balkan wars. Slovenia's economic status, as a longtime trading partner with Western markets and its GDP per capita which was 3,908 in euros in 1991⁷³, also helped its stabilization into a democratic and sovereign state. However, it was arguably Slovenia's independence that gave false hope to the EC in regards to the region's development into a group of coexisting sovereign states.

⁷² Statistical Office of the Republic of Slovenia, Census of population, households and housing 2002.

⁷³ Slovenia GDP per capita, World Economic Outlook Databases, International Monetary Fund.

Chapter II

Perspectives of Key Western Actors

One cannot dispute the fact that Yugoslavia failed as a state: however the reasons arguably have as much to do with the country's financial mismanagement as they were to do with ethnic tension. From the late 1970s all the way throughout the 1980s, Yugoslavia experienced a continual fiscal crisis that steadily destroyed the economy. Extensive government borrowing over two decades ultimately became unsustainable by the late 1980s. Subsequent austerity measures designed to address the country's mounting debt problems considerably exacerbated the social problems facing the country and contributed to the degradation of national unity. In 1973, Yugoslavia's debt was \$4.7 billion, and after years of austerity measures imposed by the IMF and World Bank, in 1987 it had reached \$21.961 billion⁷⁴. The Yugoslav dinar dropped from being worth \$15 in 1979 to \$1,370 in 1985⁷⁵; Yugoslavia's status as a wealthy socialist country was falling apart, and fast. Starting in the 1980s, around half of the total income from exports went to servicing Yugoslavia's enormous debt and net personal income declined by 19.5%, with unemployment reaching around 1.3 million at its peak⁷⁶. Along with economic weakness and internal ethnic divisions, the behavior and decision-making of key European governments and the United States also clearly played a role in Yugoslavia's downfall. The perspectives of these governments may also help to explain their subsequent reactions, and inaction, following the Krajina crisis and Operation Storm.

⁷⁴ OECD Economic Surveys: Yugoslavia 1990, p. 34

⁷⁵ Mieczysław P. Boduszynski: Regime Change in the Yugoslav Successor States: Divergent Paths toward a New Europe, p. 64-65

⁷⁶ Ibid.

Germany & Austria: The Concept of Jus Sanguinis

Both Germany and Austria were of the opinion that Yugoslavia had not been sufficient enough in its efforts to supplant parochial and cultural identities in favor of a unified one and thus Yugoslavia was an artificial or failed state. The successful Croatian bid for independence mostly came out of the efforts of German Chancellor, Hans-Dietrich Genscher and his administration in Bonn, as well as the Austrian government⁷⁷. More reluctant to the idea however, were the United Kingdom, France, and Russia. This pairing of sides resembles that of the First World War, and it does not stop there. The view of many British politicians at the time of Yugoslavia's breakup was that of "an instinctive Protestant fear of Catholicism" and an "uneasy feeling that the dissolution of one multinational state in Europe - Yugoslavia - could not encourage a similar process in the United Kingdom, [in regards to Ireland]"⁷⁸. British media in particular was provoked to such a degree that it "vented itself in the newspapers suggesting that Genscher had gone mad or resembled Hitler", and the idea that the Germans were acting in a provocative and aggressive manner was widespread⁷⁹.

It is clear that Croatian independence was a large issue for the European Community so in 1991 an arbitration committee was set up to deal with the legal issues surrounding the breakup of Yugoslavia: the Badminter Commission. However it had ruled that Croatian independence should not be recognized due to the new Croatian constitution failing to incorporate any protections for minorities, which was required by the European Community⁸⁰. In 1991, ethnic Croats only made up 78.10% of the total population⁸¹, and the new constitution failing to give

⁷⁷ Tanner, Marcus, "A Nation Forged in War; Third Edition", *Danke Deutschland*, Yale University Press, 1997.

⁷⁸ Ibid.

⁷⁹ Ibid.

⁸⁰ Rich, Roland, "Recognition of States: The Collapse of Yugoslavia and the Soviet Union", *European Journal of International Law*. 4 (1): 36–65, 1993.

⁸¹ https://web.dzs.hr/Eng/censuses/census2011/results/htm/usp_03_EN.htm

protection to 21.9% of the population was a grievous issue. But rather than actually changing the constitution in order to fit within EC guidelines, President Tudjman simply wrote a letter to the EC assuring them that it would be remedied and Croatia was given independence right away⁸². Croatia's independence had been granted on the condition that it would create constitutional changes on minority rights, which arguably never happened. Therefore Croatia's independence was predicated on a lie. However the thinking for Croatia's independence also carries with it the historical Germanic idea of citizenship through blood: or, "Jus sanguinis"⁸³ Within this ideological framework, the very idea of an ethnically mixed nation is an impossibility. This view carries with it baggage, as well as not fully taking all of the facts into account.

Yugoslavia's failure as a state is no doubt a fact: however the reasons for its breakup, as shown before, were more to do with financial management over the years and its massive international loans to Western creditors. The view held by many in the West that Yugoslavia's failure was solely due to its mishandling of ethnic divisions among its citizens is a false reading of history, or in many cases a purposeful distortion of the truth. Years of foreign economic intervention during the 1980s, a political system that was unable to manage its own affairs, austerity measures imposed for almost a decade, and the degradation of national unity were all important factors in the eventual collapse of Yugoslavia, or it becoming what is classified as a "failed state". Even if the Yugoslav federal government was able to control the cultural identity of its citizens, the issues facing the country would have inevitably led to some sort of conflict regardless of cultural or parochial legitimacy.

⁸² Rich, Roland, "Recognition of States: The Collapse of Yugoslavia and the Soviet Union", *European Journal of International Law*. 4 (1): 36–65, 1993.

⁸³ Tanner, Marcus, "A Nation Forged in War; Third Edition", *Danke Deutschland*, Yale University Press, 1997.

It is highly unlikely that Croatia would have been able to secure her independence if not for the significant help of Germany and Austria, her two historical allies.

Britain and France: A Different Perspective

Out of the European states that were trying to handle the Yugoslav situation, Germany and Austria were somewhat unique in having no territorial or autonomy issues within their respective states. Austria and Germany were and are still both very stable territorially, with no disputes or real issues in that regard. However the same cannot be said for Britain, France, and Spain - all who were also part of the negotiation processes that took place in the early 1990s. All three former colonial empires were reluctant to join in the rush to recognize the independence of the republics of Yugoslavia, because of their own internal issues of secession and regional autonomy.⁸⁴ Britain's main secession issues were over their control of Northern Ireland, Spain's being Catalonia and the Basque Country, and France's being Corsica. The politicians of each of these states knew that it would be hypocritical of them to act too quickly on recognizing the unilateral secession of various republics from their legal state. If Spain recognized the independence of Croatia and Slovenia while the federal government of Yugoslavia was actively protesting their independence, Catalonians and the Basque people would take that as a direct precedent for their own respective independence. Due to these mitigating factors, the media coverage and political outlooks of both Germany/Austria and Britain, France, Spain were different in regards to the Yugoslav crisis. British journalists such as Ed Pearce, Richard West, Nora Beloff, and Basil Davidson all are examples of journalists who wrote pieces that were either critical of EC and US actions, as well as critical pieces on the actions of the Croatian

⁸⁴ Tanner, Marcus, "A Nation Forged in War; Third Edition", *Danke Deutschland*, Yale University Press, 1997.

government⁸⁵. But even if the United Kingdom, France, and Russia were all somewhat opposed to the idea of Croatian independence, a united Europe was more important than anything else at this point, and thus the European Community went along with Germany and Austria's aggressive moves to create an independent Croatian state.

United States: Human Rights and Civil Liberties

Outside of Europe, the United States' foreign policy on Yugoslavia at this time was focused on human rights abuses and civil liberties rather than economic cooperation as it had been in the past. The United States also had supported the independence of the Baltic states from the Soviet Union during this time, but it did not theoretically support the independence of Ukraine at the time for fears of it becoming a destabilizing factor to the integrity of the rest of the Soviet Union. This foreign policy was somewhat well at the time and in the context, as the Baltic states were much more ethnically homogenous as well as stable in terms of their governments, and thus very suitable candidates for independence. As well as this, the Baltic states had a history of independence prior to the Second World War, when the Nazis occupied them and eventually the Soviets after. However, the United States did not apply this same rhetoric or thinking to the Yugoslav situation and was adamantly supportive of Croatian independence as well as the government of Franjo Tudjman. American media coverage and political views on the crisis were predominantly anti-Serb and pro-Croatian, and the American monopoly on international power at the time not only emboldened the Croatian nationalists to take power, but also to commit war crimes without fear of any real or legitimate punishment or reprisal. Tudjman, the Croatian leader at the time of their independence was by no accounts your typical "democratic leader" that

⁸⁵ Ibid.

one would expect from any Western state in the 1990s. His image in the West however was that of a fair leader who was committed to the ideals of democracy in his country. Mention of Tudjman's Catholic-Croatian crypto-fascist nationalist politics was not very prevalent in American media coverage, nor in the political view of the Croatian government.

The Shaping of United States Foreign Policy on the Yugoslav Crisis

During the early 1990s, as the United States' foreign policy views on the Balkans shifted towards a heightened concern for human rights, the attitude and actions of Serbia's government shaped United States foreign policy. A focus on Serbia from the early days of the conflict became inevitable for the United States, and in this happening - focus on Franjo Tudjman and his government's war crimes was lessened. Leading up to the breakout of hostilities, U.S. Secretary of State from 1989-1992, James A. Baker III, attended a CSCE (Commission on Security and Cooperation in Europe) Ministerial in Berlin with the intent to come up with some form of a solution to the increasingly unstable Yugoslav crisis - which, according to Warren Zimmerman, the U.S. Ambassador to Belgrade, was an "intricate and intense web of political conflict [and] 'top-down' competitive nationalism, the leaders of almost every republic jockeying for advantage in the rapidly disintegrating Yugoslav federation."⁸⁶ During the Berlin CSCE Ministerial, the organization had decided to involve itself directly in the internal controversy happening in Yugoslavia, one of its members. In these early months of the conflict, the CSCE decided to issue a statement that called for a "peaceful solution of the current crisis."⁸⁷

Thus when traveling to Belgrade to talk with the leaders of the Yugoslav republics, Baker's goal in mind was to "shock" the leaders into accepting two basic realities: the need to

⁸⁶ Baker III, A., James, "The Politics of Diplomacy", New York, *G.P Putnam's Sons*, 1995, pg. 479.

⁸⁷ Ibid.

negotiate their differences without any unilateral acts, and to understand that the international community would by no means tolerate any use of force.⁸⁸ This was the message all of Baker's European colleagues in Berlin had urged him to take to Belgrade, and in his own words: "was one I was ready to deliver, because the President and I had grown quite concerned that Yugoslavia was about to implode."⁸⁹ Baker began by asking each representative "personally and as a political leader" to reaffirm their adherence to the Helsinki Conference and its guiding principle,⁹⁰ "that all disputes must be resolved peacefully, borders must not be changed except by consent, and human rights must be protected, particularly minority rights."⁹¹

Although later on in the conflict, both Croatia and Serbia violated the Helsinki Conference's principles, Serbia violated the *border* rule in such a way that was entirely unacceptable. From the international community's point of view, Serbia therefore was trying to create a "Greater Serbia" state, in its violations of internationally recognized borders. In contrast, Croatia's war crimes took place within their borders which afforded a level of protection, in that the government could argue that it was rightfully defending its own territorial integrity.

Human Rights, Peace, and Hope - Before the Storm

Both the United States and the international community at large took the stance that any path forward in dealing with Yugoslavia must be dealt with peacefully. The United States made it clear that it would "oppose the use of force or intimidation to resolve political differences,"⁹² and condemned any form of unilateral secession - articulating that it would "lead to disaster, a point [Baker] underscored with the Slovenians and Croatians."⁹³ Of course, the international

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² Baker III, "The Politics of Diplomacy", pg. 480.

⁹³ Ibid.

community was by no means opposed to a peaceful, consensual negotiated settlement between the republics, but unilateral acts were condemned - which is in line with international law. As well as this, the issue of human rights - particularly that of minority groups - was outlined by the United States to the Yugoslav leaders, with Baker raising concern of the treatment of Albanians in Kosovo, Hungarians in Vojvodina, and importantly Serbs in Croatia. The United States' plan to keep minority rights protected was to promote the idea of renewed democracy in the Balkans. "These [minority] rights could best be protected, [Baker] told each of [his] interlocutors, through what we [the United States] called a democratically renewed Yugoslav union."⁹⁴ The attempt at such a union, according to Baker, would have been completely up to the Yugoslavs themselves. Whether it be a federal or confederal state was up to them, but the international community did make it known that any attempt to split Yugoslavia among ethnic lines would be condemned and only lead to "bloodshed and the denial of minority rights."⁹⁵

US-Serbia-Croatia Initial Talks

Looking in from the outside, the international community had made a firm commitment to Yugoslav territorial integrity with existing republic borders, and a desire to create some form of democratic unity. Unfortunately, the outcome was not so, and Yugoslavia did become split among ethnic lines.

The United States' involvement in the Yugoslavia conflict early on mostly involved discussions with the leadership of each republic. James Baker writes about his meetings with the leaders in his memoir, and through his lens it is clear that the United States viewed Milosevic's Serbia as the main instigator for the conflict from the outset. Baker, in a meeting with Milosevic,

⁹⁴ Ibid.

⁹⁵ Baker III, "The Politics of Diplomacy", pg. 481.

said to him directly “I [Baker] must tell you that we regard your policies as the main cause of Yugoslavia’s present crisis. You [Milosevic] could be helping lead the way to a prosperous, democratic union that would benefit all the peoples of Yugoslavia. Instead, you [Milosevic] are propelling your people, your republic, and Yugoslavia toward civil war and disintegration.”⁹⁶

These words would prove to be prophetic, in the worst sense of the meaning.

Importantly however, the understanding that Serbia was principally to blame would shape the United States’ view on the Yugoslav wars and how to deal with them. In Baker’s words: “If you [Milosevic] insist in promoting the breakup of Yugoslavia, Serbia will stand alone.”

It was Milosevic’s inability to follow international regulations set forth on the inviolability of borders along with his open support of ethnic cleansing campaigns against Bosnians and Albanians that ultimately created a situation in which the United States was forced to overlook the negative and criminal elements of Croatia in order to maintain some level of influence in the region. Later on, Croatia would become a vitally important ally in the crackdown of Milosevic’s brutal regime.

That is not to say the United States did not have its concerns about Tudjman and his government. Baker makes it clear that Tudjman was on the radar, and after an unsuccessful meeting to discuss the potential of war breaking out with him, sarcastically points out that “obstinacy seemed to be a trait that cut right across ethnic lines – at least so far as Kucan, Tudjman, and Milosevic went. Reason was the last thing they wanted to hear.”⁹⁷ But more importantly, Baker was made aware of a potential plot between Milosevic and Tudjman to divide Bosnia between themselves - which the Bosnian leader, Izetbegovic had claimed the two had seriously considered.⁹⁸ Tudjman’s nationalistic aims were not hidden from the eye of the

⁹⁶ Ibid.

⁹⁷ Baker III, “The Politics of Diplomacy”, pg. 482.

⁹⁸ Ibid.

international community, and the potential for collaboration between the nationalist Croatian and Serbian governments would have been a catastrophe for the wider region. Although Baker does not mention it, all indications point to the possibility that the United States made a clear warning to Tudjman not to go through with any sort of plans with Milosevic to carve out the Bosnian republic.

Unilateral Acts of Secession

British Prime Minister Major aptly described the situation at hand on May 22nd, 1992: “Once in, where does it end?”⁹⁹ The international community had come to the Yugoslav crisis with a false sense of security. The assumption that the republics would abide by the Helsinki Accords and respect international law was a foolish one, and would eventually lead to the Europeans and Americans being blindsided by the unilateral acts of secession done by Croatia and Slovenia. After both republics had declared their independence, the United States had no choice but to condemn both as illegal unilateral acts of secession.¹⁰⁰ The United States issued statements criticizing both Ljubljana and Zagreb for their declarations which “foreclosed any possibilities of a peacefully negotiated breakup, all in violation of the Helsinki Accords.”¹⁰¹ The critical question now was what to do with this, and how to proceed forward with initiating some form of peace process. It is clear that the United States did not see this as a good sign, and for good reason. But even if this is the case, the United States’ view on Croatia would shift after Serbian war crimes became the dominant focus of the Yugoslav crisis. The unilateral act of secession would later be seen as almost necessary, as a way of leaving the cruel grip of Serbia. In reality, it set forth the chain reaction of events that lead to intense violence and destruction all over the Balkans.

Why the European Community Took Charge

During Operation Desert Storm, which took place mainly in February of 1991, the United States took charge. American vital interests were at stake so thus the United States made a clear effort to dominate the negotiation process. However, this turn of events ended up leaving many

⁹⁹ Baker III, “The Politics of Diplomacy”, pg. 634.

¹⁰⁰ Ibid, pg. 635.

¹⁰¹ Ibid.

of the European leaders and diplomats with the need to be “more assertive and involved in developments affecting the international community.”¹⁰² This background explains why Germany took such an assertive role in making sure that Croatia and Slovenia’s acts of unilateral secession would be internationally recognized and therefore legitimate claims to independence. According to Secretary Baker, the talk at the time in Brussels, Paris, Bonn, Rome and other European capitals was of an emerging European superpower¹⁰³, and if Europe’s plan was to assume its mantle as a great power once again, then the Europeans would have to take the leading role in managing the Yugoslav crisis which was happening in their backyard. More critically, European interests were threatened by the Yugoslav crisis¹⁰⁴, and therefore the security of all of Europe and her investments in countries like Croatia and Slovenia were at an all time danger. The European Community saw the Yugoslav crisis as of massive importance and necessary to deal with as soon as they could. That being said, it is clear through the bold actions of particularly Germany in her recognition of the unilateral secessions of Croatia and Slovenia that Europe also wanted to prove it could deal with her own problems without the need for the United States.

This fit well with the United States policy on Yugoslavia, as it did not see Serbia as being a direct threat. Secretary Baker said, “Milosevic had Saddam’s appetite, but Serbia didn’t have Iraq’s capabilities or ability to affect America’s vital interests, such as access to energy supplies.”¹⁰⁵ Whereas for Western Europe, energy routes through Turkey and Azerbaijan, as well as some of the routes coming from Ukraine would have been at a direct threat from the Yugoslav crisis. The Balkans is a vital area for trade and European connection to the worldwide market. It was imperative that Europe get control of Yugoslavia and put an end to its problems. But in

¹⁰² Baker III, “The Politics of Diplomacy”, pg. 636.

¹⁰³ Ibid.

¹⁰⁴ Ibid.

¹⁰⁵ Ibid.

recognizing Croatia and Slovenia's independence - it did the exact opposite of containing the problem.

Germany's Croat-Slovene Affinity

The Germans, and also the Italians to a lesser extent, had a "real affinity for the Croats and Slovenians, while the British and French tended to be the strongest supporters of Serbia, having had close relations with them during World War II."¹⁰⁶ Germany's premature acceptance of Croatian and Slovenian sovereignty, on December 23rd, was of great concern to many diplomats and politicians across Europe at the time. It also severely affected the efforts of both Hans Van Der Broek, the chair of the rotating EC presidency, and Lord Carrington - who had both been desperately trying to keep the rest of the EC in check.¹⁰⁷

Germany's view of the situation was radically different to the other European powers, who all were understandably wary of recognizing an illegal separatist republic. Chancellor Kohl, the leader of Germany at the time, was reported to have stated that the recognition of the two republics, Croatia and Slovenia, would "would force Serbia to face its isolation in Europe and to suspend hostilities"¹⁰⁸. Kohl also reportedly received a standing ovation at a meeting with his fellow members of the Christian Democratic Party, when he stated that "the Croats will not be left alone."¹⁰⁹ The German center-right was firmly behind the Croatian cause, but it also extended to other areas of German politics as well. Norbert Gansel, the spokesperson at the time for the opposition party: the Social Democrats, argued that Kohl had actually caved into European demands and dragged out the process instead of immediately recognizing the sovereignty of

¹⁰⁶ Baker III, "The Politics of Diplomacy", pg. 637.

¹⁰⁷ Ibid, pg. 639.

¹⁰⁸ Tagliabue, John, "Kohl to Compromise on Yugoslavia." *New York Times*, 18 Dec. 1991.

¹⁰⁹ Ibid.

Croatia and Slovenia.¹¹⁰ Gansel's opinion was that in delaying the recognition of Croatia and Slovenia, the international community had allowed the Serbs time to plan and begin another offensive, and "leave only corpses and ruins in Croatia."¹¹¹ Clearly both sides of German politics were firmly behind the Croatian cause for independence, which for the politicians was a message warning the Serbs against taking any further actions that would lead to violence. The rest of the international community however, was not on the same page as Germany, and viewed the unilateral actions of Croatia and Slovenia as disruptive to the United Nations peacekeeping efforts, as stated by the Bush administration.¹¹²

Van Der Broek and Lord Carrington were particularly concerned that because of Germany's acceptance of Croatian-Slovenian secession, the conflict in Yugoslavia was slipping away from the control of the Community and that they would be forced to request the intervention of the United Nations Security Council.¹¹³ In Secretary Baker's words, Van Der Broek was "concerned both about the impression this would leave regarding Europe's ability to manage a conflict in its own backyard and the possibility that some in the Security Council might not want to take on Yugoslavia as a U.N. operation."¹¹⁴ (the Chinese, specifically.) Beijing considered Yugoslavia to be an internal affair, and Van Der Broek was worried they would hinder any possibility of working with the Security Council.

The American diplomat, Dennis Ross, shared these concerns greatly. According to Ross, "U.S. interests will not be served by uncoordinated, ad hoc declarations and recognitions - or rejections. They will best be served if we can help develop the philosophical and practical framework within which this and future independence moves in the East, and around the world

¹¹⁰ Tagliabue, "Kohl to Compromise on Yugoslavia." *New York Times*.

¹¹¹ Ibid.

¹¹² Ibid.

¹¹³ Ibid.

¹¹⁴ Ibid.

are decided.”¹¹⁵ Germany’s acceptance of the ad hoc declaration of independence would eventually force the United States to follow suit, and the warnings of diplomats like Van Der Broek and Ross would go unheeded. Baker would aptly put it: “recognition of Croatia and Slovenia would only make a bad situation worse.”¹¹⁶ Even if the intentions of the German government were noble, they clearly backfired and created a situation where violence was one of the only answers.

Breakdown of Peace

Germany’s actions had severely undercut the efforts of Lord Carrington and Van Der Broek’s attempt of reigning in the EC. All of the warnings were eventually for naught, as the rest of the EC went along with Germany and decided to recognize the two breakaway republics of Croatia and Slovenia in January of 1992.

Cyrus Vance, former Secretary of State under Jimmy Carter, argued that the United States should take a month before following the EC’s decision. He believed it would have an important “restraining effect on the Serbs” and would discourage “Milosevic and Tudjman from carving up Bosnia.”¹¹⁷ It is clear that the United States’ main concern with the region was particularly with Bosnia, and as a result of this - the later war in Bosnia and the atrocities committed by Serbian paramilitary groups would be of huge concern to the United States.

Therefore, with Bosnia being the central concern of the United States, the most sensible option would be recognizing Croatia and attempting to cajole Tudjman over to the Western side. Vance, Baker, and Warren Zimmermann (Ambassador to Yugoslavia) would further agree that recognition of Croatia would be seen as a “way to reinforce stability, especially if the outcome of

¹¹⁵ Baker III, “The Politics of Diplomacy”, pg. 638.

¹¹⁶ Ibid, pg. 639.

¹¹⁷ Ibid.

the Bosnian referendum clearly favors independence.”¹¹⁸ This was a pragmatic hope in that recognizing Bosnia the situation would lead to a way of internationalizing the problem and thus prevent Serbia and Croatia from meddling with Bosnia. But interestingly not everyone was on board. Larry Eagleburger, briefly Secretary of State, argued that a “halfway policy on recognition would invite Serbian and Croatian adventurism in Bosnia and in Macedonia.”¹¹⁹ Eagleburger also argued that in recognizing Croatia and Slovenia, who had pursued independence unilaterally and in violation of the Helsinki Accord, then the United States also has an obligation in recognizing the independence of Skopje and Sarejevo who had done so in a peaceful way.¹²⁰ In only recognizing Croatia and Slovenia, Eagleburger argued this would itself create real instability in the region and allow for nationalist players to take advantage of the situation.

It is extremely clear through Secretary Baker’s writings and the numerous testimonies of various diplomats that the main concern was safety, and particularly that of Bosnian safety for the United States.

¹¹⁸ Baker III, “The Politics of Diplomacy”, pg. 640.

¹¹⁹ Ibid.

¹²⁰ Ibid.

Chapter III

Tudjman Government Engaged in War Crimes

Against this backdrop, the Tudjman's government finished what the Ustasha set out to do in the Second World War: create an ethnically pure Croatian nation. Tudjman was far from committed to the ideals of democracy, which usually entail freedom and equality amongst its citizens in the West. But, Tudjman's democracy was a democracy for *Croatians* and not for others. Tudjman's government was involved in the heavily orchestrated plan to rid the Croatian country of its minority Serb population, which was more or less finished by August of 1995. A state that claims it is a democratic institution but is involved in a highly organized cleansing of its population is what many political scholars would label fascism. The Serbs in the Krajina part of Croatia who were forced to leave their homes, murdered, raped, and have their villages set on fire by Croatian troops were not fascists, or enemies of the state. They were people who were stuck in a conflict and in a country that was all of a sudden targeting them for their ethnicity. The leadership of the Serbian state as well as the Croatian state were both fascist, ultra-nationalist, and undemocratic.

Precedents Leading to Krajina

Rising Inter-Ethnic Tensions

By the late 1980s, inter-ethnic tensions began to intensify in Croatia along with the rest of Yugoslavia at large. The hostility between ethnic Croats and ethnic Serbs living in Croatia saw a particular rise in its scale after the Croatian elections of May and April 1990.¹²¹ These elections saw the victory of the Croatian Democratic Union or HDZ, which won a majority of seats in the

¹²¹ Background Report on Croatia, Human Rights Watch, <https://www.hrw.org/reports/1997/croatia/Croatia-02.htm>, 1997.

parliament and elected as its leader, and therefore president of Croatia, Franjo Tudjman.¹²²

Directly after the HDZ's victory in the Croatian parliament the country experienced a wave of intense Croatian nationalism¹²³, which mirrored the rise of nationalism among the ethnic Serbs of Croatia who sought to achieve political autonomy in the areas of which they constituted a demographic majority.¹²⁴

Demands for Political Autonomy in Ethnic Serb Regions

Within this socio-political situation, in October 1990 ethnic Serbs declared an autonomous region around the town of Knin, and created their own government institutions.¹²⁵ During this time, rebel Serb leaders declared the creation of the Serbian Autonomous Region of Krajina (Srpska Autonomna Oblast (SAO) Krajina, which was formerly referred to as the Community of Municipalities of Northern Dalmatia and Lika.¹²⁶ The leaders of the newly declared SAO Krajina created the Serbian National Council, which effectively acted as the parliament of the Knin based SAO Krajina.¹²⁷ On March 16, 1991, the Serbian National Council declared Krajina's independence from Croatia, and at the same time tensions rose between Serb and Croat extremists in Eastern Slavonia, with armed conflict beginning as early as May 1991.¹²⁸ In May, Rebel Serb extremists in the town of Borovo Selo, north of Vukovar, killed thirteen Croatian police officers who were attempting to rescue two other police officers who had been taken hostage by the Serbs earlier.¹²⁹

¹²² Background Report on Croatia, HRW.

¹²³ Ibid.

¹²⁴ Ibid.

¹²⁵ Ibid.

¹²⁶ Ibid.

¹²⁷ Ibid.

¹²⁸ Ibid.

¹²⁹ Ibid.

In June 1991, as Slovenia and Croatia declared their independence, militant Serbs attacked and sought to establish control over Serb majority areas¹³⁰, including much of the region near the border of Serbia across the Danube River, Eastern Slavonia, and parts of the counties of Baranja and Srijem. These were declared part of the Serbian Autonomous Region of Eastern Slavonia, Baranja and Western Srem.¹³¹ In addition, Serbian militants assumed control over parts of Western Slavonia, mostly in and around the town of Okucani.¹³²

The Establishment of the Republic of Serbian Krajina

Milan Babic, then president of the SAO Krajina, along with Goran Hadzic, leader of the SAO Eastern Slavonia, Baranja and Western Srem, announced that the areas were being joined to form a single Serbian "state" in Croatia, on December 19th 1991.¹³³ Effectively, these two Serb majority regions officially declared their independence from Croatia and declared a new state: the Republic of Serbian Krajina (Republika Srpska Krajina - RSK).¹³⁴ As fighting between Serbs and Croats intensified, leaders of the RSK quickly mobilized armed civil defense and volunteer groups to defend the territory.¹³⁵

Tensions between Zagreb and the Knin based RSK were not going to disappear, thus throughout this time period Yugoslavia federal government's armed forces, the JNA, intervened in the fighting between Serbian militants and Croatian security forces.¹³⁶ However even if the JNA's intentions were to act ostensibly as a peacekeeping force in the area, their actions ended up supporting and consolidating Serbian territorial gains.¹³⁷ The JNA's reputation suffered as a

¹³⁰ Background Report on Croatia, HRW.

¹³¹ Ibid.

¹³² Ibid.

¹³³ Ibid.

¹³⁴ Ibid.

¹³⁵ Mirkovic, Damir, "Croatian Liberation of Western Slavonia and Krajina" pgs. 14-24.

¹³⁶ Background Report on Croatia, HRW.

¹³⁷ Ibid.

result, and naturally Zagreb saw even more reason to continue in its journey towards sovereignty. By September of 1991, it was clear that the Yugoslav government had given up on even trying to maintain the appearance of peacekeeping, and the JNA and various paramilitary groups from mainland Serbia begun to directly support the military efforts of the rebel Serbs in Croatia¹³⁸. The situation was made even worse because almost every town in the rebel Serb areas had mixed populations of Serbs and Croats.¹³⁹ The newly elected Croatian government declared the establishment of the RSK a rebellion, and quickly organized a military force: the Croatian National Guard.¹⁴⁰ Armed Serbs built barricades on many roads throughout Krajina, Central and Eastern Slavonia, and reports of bomb threats stopped traffic multiple times.¹⁴¹

The Expulsion of Non-Serbs from the RSK

Serbian forces eventually assumed control of over 30 percent of Croatia and instituted a systematic persecution campaign that imprisoned and expelled Croats, Hungarians and other non-Serbs living in territory they had captured.¹⁴² The RSK leadership established control over Eastern Slavonia by late 1991, which resulted in the expulsion of over 80,000 ethnic Croats from the region.¹⁴³ In expelling the minority Croat population from Krajina, the RSK leadership created a situation where Croatia was understandably intent on revenge and retaliation. There is the solid argument that the RSK leadership brought their downfall on themselves, but in no way does this excuse the atrocities committed later by the Croatian military against innocent civilians living in Krajina and Slavonia. Violence against a minority population under the cause of retaliation is by no means legal by any international standard.

¹³⁸ Background Report on Croatia, HRW.

¹³⁹ Mirkovic, “*Croatian Liberation of Western Slavonia and Krajina*”.

¹⁴⁰ Ibid.

¹⁴¹ Ibid.

¹⁴² Background Report on Croatia, HRW.

¹⁴³ Ibid.

Attitudes of Serbs and early violence

The fact that the Serbs represented a majority in the Krajina area held little significance during the Yugoslav period. However, upon Croatia becoming an independent state this now meant something completely different. All of a sudden the population of Krajina was a minority in their own “home”. Due to the principles of the aforementioned Helsinki Agreement: with its clause of inviolable borders, Croatia was now faced with a situation in which their nation-state was not purely Croatian. Naturally the rise of the HDZ led to major backlash and opposition from the Serb minorities of the Krajina, as the only comparable recent Croatian nationalist government was the fascist state during World War Two in which tens of thousands of Serbs were massacred in concentration camps all over Croatia.

In January of 1997, the Croatian newspaper *Hrvatska ljevica* released information¹⁴⁴ stating that around 70,000 Serbs were expelled from the Central Slavonia region of Croatia in the autumn of 1991.¹⁴⁵ During this operation in Central Slavonia, *Hrvatska ljevica* stated that the Croatian military burned down 183 predominantly Serb villages; in the town of Slavonska Pozega alone, 20 houses were dynamited by the Croatian military.¹⁴⁶ Public buildings, power lines and transformers, health clinics, schools, churches, monuments, and even war memorials for veterans of the Second World War were all subject to destruction and arson by the Croatian military in the autumn of 1991.

¹⁴⁴ Mirkovic, “*Croatian Liberation of Western Slavonia and Krajina*”.

¹⁴⁵ Ibid.

¹⁴⁶ Ibid.

Violence against Serbs: Vukovar

Between August and November 1991, Serbian forces and the JNA jointly took siege and destroyed the city of Vukovar, which was multi-ethnic and Eastern Slavonia's largest city.¹⁴⁷ However, during and before the fighting Croatian paramilitaries terrorized Vukovar's Serbian citizens.¹⁴⁸ These soldiers were led by Tomislav Mercep, a leading party official in the HDZ, and was "Secretary of the People's Defense" for a while.¹⁴⁹ He was not some criminal who was recruited by a shady party member, but an official of the HDZ himself.

According to reports and data collected by NGOs in Vukovar, during Mercep's reign of terror - 86 Serbs were disappeared or murdered by Croat troops¹⁵⁰. Croatian national guardswoman, Ksenija Piplica, who was arrested by a Belgrade court in July 1992, recounted some of the events in detail. She gave the court a description of how several members of the Croatian National Guard had transported three detained Serbs in a pick-up truck to the Danube, shot all three and then dumped their bodies into the water. It is also alleged that armed thugs cruised the streets daily, blowing up homes and cafes, and randomly arresting Serbs¹⁵¹. These violent tactics directly led to the exodus of around 13,374 Serbs from Vukovar, according to records of refugee arrivals in Belgrade¹⁵². Even some Croat officials from Vukovar were concerned about Mercep's actions, and on August 18th, 1991, the Zagreb appointed bureaucrat in charge of Vukovar wrote to Tudjman, complaining of Mercep and his troops' violent behavior¹⁵³. Mercep said himself in an interview after the fall of Vukovar, "there were cases of people losing

¹⁴⁷ Background Report on Croatia, HRW.

¹⁴⁸ Stover, Eric (2007). *The Witnesses: War Crimes and the Promise of Justice in the Hague*. Philadelphia: University of Pennsylvania Press. p. 146.

¹⁴⁹ Stover, *The Witnesses*

¹⁵⁰ Hedl, Drago (29 April 2005). "Regional Report: Vukovar Serb Killings Investigated". *Institute for War & Peace Reporting*.

¹⁵¹ Ibid.

¹⁵² Ibid.

¹⁵³ Ibid.

their lives.”¹⁵⁴ The actions in Vukovar were known by the Hague, who had started to build a case against Mercep, but at the end of the day no accountability was really taken for the actions - and Mercep remained free and ran several veteran associations as well as having tried a run at politics again in 2000 - running for president of Croatia.¹⁵⁵ What is more damning is that the Croatian government under Tudjman was very aware of Mercep’s actions, as they themselves were the ones who arrested him, but only after the Hague had started to build a case. But like most of the Croatian war crimes, the horror of the crimes committed by the Serbs completely overshadowed them and allowed for Croat war criminals to evade accountability and justice.

Dubrovnik - The Serb Attack

From October 1991 to the end of May 1992, the Croatian army and the city of Dubrovnik was under intense siege from Serb paramilitary groups alongside the Yugoslav army. Dubrovnik’s siege attracted international attention,¹⁵⁶ and international condemnation. Located in the south of the country in Dalmatia, near Montenegro, it is a city that is famous for its medieval walled port city that is wonderfully preserved, and has historical ties to the trading giant: Republic of Venice.¹⁵⁷

Dubrovnik, and its suburbs were attacked by Serb units but mostly by Yugoslav army infantry made up of ethnic Montenegrins.¹⁵⁸ The Croatians held their positions during the siege, but the city was plundered, destroyed, and shelled over 1,000 times - causing immense damage.¹⁵⁹ The suburban towns of Konavoski Dvori and Dabova were totally destroyed, with

¹⁵⁴ "Regional Report: Vukovar Serb Killings Investigated".

¹⁵⁵ Ibid.

¹⁵⁶ Mojzes, "Balkan Genocide", pg. 154.

¹⁵⁷ Ibid.

¹⁵⁸ Ibid.

¹⁵⁹ Mojzes, "Balkan Genocide", pg. 154.

nothing left at all.¹⁶⁰ Reports state that Serbian and Montenegrin irregulars went on rampages, sparing nobody and causing entire populations of villages to flee.¹⁶¹ Resistance to these savages was hopeless for the civilians, who saw their villages, farms, fields, orchards and livestock destroyed and burned down,¹⁶² for no rational reason.

The Aftermath of Dubrovnik - Croatian Revenge?

This was unbridled hatred and evil, there is no explaining the actions that were taken by the Yugoslav army in Dubrovnik, an army which was supposed to be the professionally trained armed forces of the country that's job was to defend its people. Dubrovnik had proved that the JNA had taken the side of the Serbian rebels firmly, and had broken their promise to keep the warring factions apart from each other and defend the Yugoslav people. This set in motion a radically new stage for the conflict between Serbia and Croatia, in which no obvious military or political gains for the Serbs could be easily discerned. Furthermore, Serbia's explicit involvement in the destruction of Dubrovnik placed the Serbian government in the international spotlight and exposed Serbia's irrationality and the "capriciousness" of their character.¹⁶³ Dubrovnik changed a lot, but most importantly the siege of Dubrovnik resulted in a lot of Western sympathy for the Croatian cause, which before was not nearly as unified as it now was. The Serbs had shown themselves to be absolute savages and incapable of fighting like a nation-state and more like terrorists.

However the effect that Dubrovnik had on the Krajina Serbs was detrimental. Since Belgrade had now alienated itself internationally, the Serb minority in Croatia were now easy

¹⁶⁰ Mojzes, "Balkan Genocide", pg. 154.

¹⁶¹ Ibid.

¹⁶² Ibid.

¹⁶³ Ibid.

targets for ethnic cleansing by the nationalist Croatian government whose membership consisted of people who long sought to eradicate the Serb presence in their nation. Milosevic's brutal attack on Dubrovnik, in many ways, provided the perfect cover grounds to attack and eliminate the rebel Serb states controlling a third of Croatian territory and at the same time ethnically cleanse Croatia of its Serb population.

Reports of Serb aggressions, like Dubrovnik, easily reached Western media outlets at the time but after this, less was reported on the Croats,¹⁶⁴ who happened to be ramping up their ethnic cleansing project. The Serb forces had behaved in accordance to Tudjman's expectations, which was in a barbaric fashion. In doing so, this effectively concealed that Serb towns and villages all throughout Croatia were being razed to the ground by the HDZ, and that scores of Serbs were being massacred from towns such as Gospić, Karlovac, Virovitica, Sisak, Ogulin and others.¹⁶⁵ It also concealed the fact that almost half a million Serbs had to abandon their homes.¹⁶⁶ Unfortunately for the Krajina Serbs, Milosevic, in attacking and almost destroying Dubrovnik - made it possible for the Croatian government to commit flagrant and obvious human rights violations and for these actions to be disregarded by the international community.¹⁶⁷ The Krajina Serbs were able to be eradicated as a people, in one of the largest exodus of human beings in Europe during the latter 20th century.

¹⁶⁴ Mojzes, "Balkan Genocide", pg. 155.

¹⁶⁵ Stitkovac, Ejub, "Croatia: The First War", *Yugoslavia's Ethnic Nightmare: The Inside Story of Europe's Unfolding Ordeal*, Lawrence Hill Books, New York, 1995, pg. 163.

¹⁶⁶ Croatian Bureau of Statistics, "Population By Ethnicity, 1971-2011 Censuses", https://web.dzs.hr/Eng/censuses/census2011/results/htm/usp_03_EN.htm.

¹⁶⁷ Stitkovac, "Croatia: The First War", pg. 163.

War Crimes in the Medak Pocket (September 1993)

When the Croatians led the attack on the Medak Pocket in 1993, it caused such an intense uproar from the international community that they eventually had to back off and lay low.¹⁶⁸ In September of 1993 during the Medak pocket offensive near Gospić: the UN Command 2nd Battalion under the leadership of Lt.-Col. Jim Calvin, a Canadian, was in the process of trying to negotiate a separation between the Croats and the Serbs¹⁶⁹. However, the UN 2nd Battalion of peacekeepers were suddenly surrounded and attacked by Croatian soldiers and were forced to engage with them in a heavy firefight lasting over 20 hours¹⁷⁰. The battle in total lasted over eight days, and saw four Canadian soldiers wounded in the fight, and is considered the largest battle that Canadian soldiers have gotten into since the Korean War¹⁷¹. It is now known to many as “Canada’s Forgotten Battle”, and members of the Canadian military still mark the anniversary of it to this very day¹⁷².

After the battle, soldiers of the 2nd Battalion were able to see for themselves the carnage and destruction left behind by the Croatian soldiers in the village of Lički Čitluk¹⁷³. Gen. Wayne Eyre, chief of the defense staff, led the recon unit that discovered the massacre of civilians and the ethnic cleansing that took place in the Medak pocket¹⁷⁴. The experience was apparently haunting for the Canadian troops, and before the publication of the CBC article, Gen. Eyre had never spoken publicly on the matter¹⁷⁵. “It was surreal, I guess is probably the best term”, said Gen. Eyre in the article, adding descriptions of the death and mutilation that surrounded him and

¹⁶⁸ Mojzes, “Balkan Genocide”, pg. 154.

¹⁶⁹ Mirkovic, “*Croatian Liberation of Western Slavonia and Krajina*”.

¹⁷⁰ Ibid.

¹⁷¹ Brewster, Murray, “‘We could hear the burning’: Canada’s top soldier remembers the Battle of Medak Pocket”, 10 September 2023.

¹⁷² Brewster, “‘We could hear the burning’.

¹⁷³ Mirkovic, “*Croatian Liberation of Western Slavonia and Krajina*”.

¹⁷⁴ Brewster, “‘We could hear the burning’.

¹⁷⁵ Ibid.

his troops. He further elucidates that “every building in that village was on fire - the smoke, the flames is something I will never forget. Littered on the ground were hundreds of pairs of surgical gloves that had been used as the Croats got rid of evidence of the dead bodies.”¹⁷⁶ But not every body was rid of by the time the Canadian soldiers had seen them, and alongside the road that the Canadians were using - Croatian soldiers allegedly laughed at them, tauntingly¹⁷⁷. Not a single Serbian resident was found alive in the village of Lički Čitluk nor the surrounding areas¹⁷⁸, a sore testament to the violence inflicted by the Croatian troops.

The Canadian soldiers reported the obvious scenes of ethnic cleansing to their higher ups, and Lt.-Col. Jim Calvin hosted a press conference and accused the Croatians of having something to hide¹⁷⁹. What exactly was being hidden were 312 documented houses and barns destroyed, 130 large animals slaughtered for no apparent reason, 16 bodies found shot up and burned, and 50 bodies that were eventually returned to Serb forces¹⁸⁰.

During the 1993 de-escalation process after the Medak offensive, the international community’s attention also mostly shifted to Bosnia, where the war had begun to really shape itself to be the most brutal and violent one of them all.¹⁸¹ Therefore, Croatian and Serbian war crimes committed in the territory of the Croatian republic were overlooked during this time period,¹⁸² and the rebel Serbs were able to continue control of the Krajina and Slavonia areas until August 1995 when they lost it in Operation Storm.

¹⁷⁶ Ibid.

¹⁷⁷ Ibid.

¹⁷⁸ Ibid.

¹⁷⁹ Ibid.

¹⁸⁰ Mirkovic, “*Croatian Liberation of Western Slavonia and Krajina*”.

¹⁸¹ Mojzes, “Balkan Genocide”, pg. 154.

¹⁸² Ibid.

Operation Flash (Bljesak) (May 1995)

Before Operation Storm, a similar Croatian military offensive was launched against another breakaway state, the Serb Autonomous Oblast of Western Slavonia, formed on August 12th of 1991. During the battle for the region's capital, Pakrac, the town's Croats formed into self-defense groups to fight against the Serb paramilitaries, and fierce fighting took place for control of the town¹⁸³. It was only in 1992, that UNPROFOR troops were able to secure a demarcation line that split the town between its Serb and Croat population¹⁸⁴. During the presence of UNPROFOR troops, the Krajina Serb administration operated a concentration camp, Bučje, in the Serb zone¹⁸⁵, which imprisoned around 200-300 Croats, as well as Serbs who were against the administration¹⁸⁶. Numerous atrocities were reported to have taken place in the camp, and a prominent Croatian peacemaker, Dr. Ivan Sreter was murdered there with his remains yet to be found¹⁸⁷. The horrors that took place under the leadership of the Krajina Serb administration must also never be forgotten, as much as the crimes committed by their Croatian counterparts.

Western Slavonia is characterized by its hilly terrain and relatively poor infrastructure¹⁸⁸, and the Serb paramilitary groups that patrolled the towns during the rebel Serb occupation were poorly equipped¹⁸⁹, and in no real position to successfully wage any conflict against the Croatian state. In a bid to prove that they were not like the Serb paramilitaries, the Croatian government made a pledge to protect the human rights of Serbs living in Western Slavonia during the military offensive, Operation Flash¹⁹⁰. But the Human Rights Watch report states that there were

¹⁸³ Erikson, Kai (2017). *The Sociologist's Eye: Reflections on Social Life*. Yale University Press, pg. 348.

¹⁸⁴ Ibid.

¹⁸⁵ Ibid, pg. 349.

¹⁸⁶ "The Liberation of Bučje". Domovinski rat, Zagreb.

¹⁸⁷ Ibid.

¹⁸⁸ "Hrvatski memorijalno-dokumentacijski centar domovinskog rata".

¹⁸⁹ Ibid.

¹⁹⁰ "The Croatian army offensive in western Slavonia and its aftermath", Human Rights Watch, July 1995.

numerous examples indicating that Croatian troops had threatened, harassed, robbed, beaten, and murdered civilians that remained in the region¹⁹¹. The UN presence in the area was also reported to have been understaffed, underfunded, and long overworked¹⁹² - which poses a serious concern as to the responsibility of the international community in not addressing the situation taking place in Croatia seriously enough. One can easily imagine an alternate scenario where the UN was able to provide more support on the ground to civilians in the area, and protect them from abuses of authority and war crimes. The unfortunate truth is that no matter who is doing the fighting, whether it be Serb paramilitaries or Croatian troops, war crimes come along. Human rights monitors play an essential role in keeping situations such as these from taking place as *well* as ensuring inter-ethnic reconciliation¹⁹³.

Operation Flash came as the first major victory for the Croatian military in the war. The result however was the exodus of 40,000 Serbs from Western Slavonia¹⁹⁴, leaving a precedent for the future, foreshadowing the events of Operation Storm. During the fighting, Croatian troops intentionally targeted Serbian civilians who were fleeing the Slavonian enclave and failed to account adequately for the bodies of those Serbs killed during the offensive¹⁹⁵. Initially, the Croatian government had claimed that there were 350 dead, but then reduced the number to only 188, with the real figure most likely being higher than both¹⁹⁶.

¹⁹¹ Ibid.

¹⁹² Ibid.

¹⁹³ Ibid.

¹⁹⁴ Ibid.

¹⁹⁵ "The Croatian army offensive in western Slavonia and its aftermath".

¹⁹⁶ Ibid.

Krajina & Operation Storm

Swift Destruction of RSK

At the height of the Croatian war, the Tudjman administration along with the Pentagon¹⁹⁷ drew up plans for the recapture of Krajina, the area of Croatia which had declared independence from the state due to the high prevalence of Serbs living there. Croatia's goal during the war was to retake its territory, the borders of which were defined during the time of Yugoslav unity. Not long after, Operation Storm was drafted up as a counter-offensive plan to retake the territory that the RSK had claimed, however it became much more than the simple retaking of territory. The results of the operation were the swift destruction of the RSK as a political and military entity in less than a week.

The brutality from the Serb side had cemented Western support for the Croats by 1993,¹⁹⁸ so the eradication of the Krajina Serb people was almost inevitable in this context. The exodus of 200,000 Serbs from their homeland was unprecedented though, and the only people left were a few people in their eighties and nineties.¹⁹⁹ But these remaining old people were murdered and their land and livestock killed, much reminiscent of the killings and burnings in Dubrovnik in 1991.²⁰⁰ The 200,000 Serbs who left however constituted the single largest ethnic cleansing of the Yugoslav wars, and it produced almost no Western outrage and almost no journalistic or scholarly analysis in the time passed. In a messed up way, it can be argued that people felt like these Serbs deserved it, because of the actions of their government. The same thing can be seen in conflicts today, like in Israel and Palestine - with both sides.

¹⁹⁷ Simons, Marlise, *New York Times* (1923-); Nov. 17 2012: The New York Times pg. A4.

¹⁹⁸ Mojzes, "Balkan Genocide", pg. 156.

¹⁹⁹ Ibid.

²⁰⁰ Ibid.

At that point in time in fighting between Croatia and Serbia, Western public opinion was mostly behind Croatia,²⁰¹ and Serbs were firmly seen as the perpetrators of the wars. If they were the ones that started it all, how indeed could they be then seen as victims? It makes sense if one thinks about it, but tragically it allowed for the Krajina Serbs to be wiped out. By 1998 - Croatia was no longer a pluralistic society, but rather it was for all intents and purposes an ethnically pure nation state which eerily reminds one of some rather unsavory attempts in the past at doing the same thing.

Ethnic Cleansing of Krajina Serbs

Alongside this swift [military] victory came the unprecedented “exodus” of over 200,000 Serbs from Krajina, with the vast majority never to return. Those Serbs that stayed behind: the elderly, disabled, and those with no means of escape, were tortured, raped, and murdered by Croatian military forces as they advanced through Krajina.²⁰² These Serbs were all citizens of Croatia at the time, and should have been afforded the rights of any other Croatian citizen, but were denied them based on their ethnicity alone. The fleeing refugees lost their livelihoods, forced to leave the land they had inhabited for generations. Not only were those that stayed shot and tortured, but there were accounts of the machine-gunning of retreating civilians, interrogations, beatings, torture, and the disappearance of around 1,2000 wounded Serbs and a separate disappearance of around 383 Serbian POWs.²⁰³ According to a New York Times article written in 1995 during the events of Operation Storm:

“[The United States had] a heavy responsibility to rein in the excesses of the Croatian President, Franjo Tudjman. For it is clear now that his army – at his command – has done terrible things in the Krajina region since defeating Serbian forces there. Journalists who followed the Croatian Army into the Krajina in

²⁰¹ Mojzes, “Balkan Genocide”, pg. 156.

²⁰² Mirkovic, “*Croatian Liberation of Western Slavonia and Krajina*”.

²⁰³ Ibid.

August saw the bodies of many Serbian civilians. In recent days there have been fresh, horrifying reports of continued killings of the few Serbs who remained after more than 100,000²⁰⁴ fled the region. Serbian houses are still being burned. Mr. Tudjman maintains that the killings and burnings are the work of ‘uncontrolled elements’ but no one can believe that any longer. What has happened, and is happening, is systematic. The Clinton Administration gave Mr. Tudjman a green light to attack in the Krajina. That makes its moral duty all the plainer: to condemn the Krajina terror and, in the future, to resist Mr. Tudjman’s territorial ambitions in Bosnia.”²⁰⁵

Autumn Rains

A confession by a member of a special unit in the Croatian police, which was more or less a death squad, Miro Bajramović sheds light on the brutality, savagery, and mindset of these war criminals. Bajramović admits to taking part in the torture and murder of numerous civilians with his squad, and personally admitted to killing 72 people (9 of whom were women)²⁰⁶. He claims in his confession that these crimes were committed in the regions of Pakrac, where 280 were killed, Gospić where 110 were killed, Zagreb and Slano. His death squad unit, which officially went by the name “Autumn Rains”, was led by Tomislav Mercep, a Vukovar native who was later convicted of war crimes. Bajramović was himself 30 years old at the time of the killings, and was a mechanical engineer by profession with a wife and four children. He was by all accounts an average Croatian, not some soccer hooligan or gangster as is commonly thought of in the wider world. Mercep, the leader of the death squad, was himself an engineer too. Before the war, these were mostly normal men who had normal jobs and lived normal lives. However under the leadership of the HDZ and Franjo Tudjman, paramilitary organizations such as “Autumn Rains” were set up all over the country in order to divert blame for war crimes, and to

²⁰⁴ Actual number is closer to 200,000.

²⁰⁵ Lewis, Anthony. “Abroad At Home; Leadership And Duty.” *New York Times*, 9 Oct. 1995.

²⁰⁶ Mirković, “*Croatian Liberation of Western Slavonia and Krajina*”.

use them as front line soldiers. Bajramović testimony, along with other corroborative sources, prove the Tudjman administration's explicit role in extensive war crimes.

The Aftermath of Operation Storm

Media & NGO Accounts

During this period the international media offered direct eye-witness accounts confirming that the Croatian army was responsible for the massacre of Serb civilians, arson of villages, and more “terrible things” - which include such acts like the large-scale plundering of private property, the use of UN peacekeepers as *human shields*, and acts of barbarity that are best left unsaid²⁰⁷.

Not only are these atrocities corroborated by New York Times journalists who were there on the field, they are also based on reliable information from international organizations such as Oxfam, the UN Centre for Human Rights, and the International Helsinki Federation for Human Rights²⁰⁸. According to the IHF office in Zagreb, “perhaps 6,000 persons may have disappeared during the Operation Storm and 1,000 since.” The UN Centre for Human Rights field officer coordinator, Edward J. Flinn, also stated during his report on August 30th of 1995: “a large part of Krajina was aflame. Killing was also accompanying the burning.”

Croatian Government Denials

The intensity and widespread nature of the violence could not be hidden from the public for very long and thus criticism of the Croatian government's actions in the Krajina were prevalent both domestically and internationally.

²⁰⁷

Ibid.

²⁰⁸

Mirkovic, “*Croatian Liberation of Western Slavonia and Krajina*”.

From the very beginning, the Croatian administration under the leadership of Tudjman's HDZ denied any responsibility in the atrocities, but even then in 1995 when this was all happening, people were aware of the truth and did not believe the lies of the HDZ. It was undeniably clear through the actions of the Croatian military under the direction of the HDZ, that they had indeed committed war crimes in the Krajina region.

At a press conference addressing the situation and accusations levied against his government of "ethnic cleansing", Tudjman made the "argument" that his government had taken every step in order to try and keep and *protect* Serbs living in Croatia. He explained that migrations and refugees are inevitable in any conflict, and said that after Operation Storm, around 120,000 Croats "returned" to their homes to find them burned down. At the same time, even Tudjman himself acknowledged that his military was responsible for looting, murder, and arson.²⁰⁹

The claim that Croats returned to their villages to find them burned down is somewhat implausible, considering that for the majority of history most ethnic groups in Yugoslavia lived side by side in mixed communities. Although a town might be Serb-dominated, there would be a good chance that there was also a Croatian minority and vice-versa. Does it make sense for those horrified and worried Serbs fleeing their home to be burning down their own villages? The more logical explanation is that Croatian military forces are mainly responsible for the burning and arson of the villages that Tudjman claims were burned down, as is shown through strong evidence from the Human Rights Watch report on Croatia that followed the events of Operation Storm.

Verified Reports of War Crimes

²⁰⁹ Mirkovic, "*Croatian Liberation of Western Slavonia and Krajina*".

If Serbs themselves were burning down their own villages, there would be strong evidence for it as this was a very well documented operation, but the fact remains that Tudjman's administration is responsible for the burning, looting, and destruction of the Krajina in 1995. Furthermore, the August 1996 Human Rights Watch report on Croatia stated that Operation Storm resulted in the deaths of 642 Serbs, and the forced displacement of an estimated 200,000 Serb civilians.²¹⁰ As well as this, Human Rights Watch reported that abuses by the Croatian Armed forces continued on a large scale after the region had already been secured by Croatian authorities - with reports of summary executions of the elderly and infirm, and the wholesale burning of villages.²¹¹ During these months, an extra 150 Serb civilians were executed by Croatian forces and 110 Serb civilians were forcibly disappeared.²¹² Local human rights monitors also reported that an estimated eighty elderly Serb civilians were executed in the months from November 1995 to April 1996, which was long after the Croatian government had asserted control over the region and promised it would guarantee the safety of the Serbs living in the Krajina area.²¹³

The report concludes that the scope and time-frame of the abuses, indicates the Croatian government was both aware of the looting, burning and killing and allowed it to continue with impunity.²¹⁴ Human Rights Watch also lists several high ranking members of the Croatian armed forces who were directly complicit in the actions that took place during Operation Storm and did nothing to stop them, with several figures such as Gojko Susak, Croatia's defense minister; Zvonimir Cervenko, commander and chief of staff of the Croatian Army; and Gen. Ivan Cermak,

²¹⁰ Human Rights Watch, *Impunity For Abuses Committed During "Operation Storm" and the Denial of the Right of Refugees to Return to The Krajina*, August 1996, Vol. 8, no. 13 (D).

²¹¹ Human Rights Watch, "Operation Storm" and the Denial of the Right of Refugees to Return to The Krajina".

²¹² Ibid.

²¹³ Ibid.

²¹⁴ Ibid.

commander of the Croatian Army's Knin corps being named in order to face justice and accountability.²¹⁵ Human Rights Watch further states that President Tudjman, despite his initial conciliatory rhetoric calling for Serbs to remain in the Krajina area, allowed attacks against the Krajina Serbs to continue for months after the offensive.²¹⁶ The report concludes that Tudjman should have been held accountable for the conduct of Croatian troops.

²¹⁵ Ibid.

²¹⁶ Ibid.

Denials of the Croatian Authorities, and the Lies of President Tudjman

On August 4th 1995, President Tudjman issued a statement indicating his administration's determination to "put an end to the suffering and uncertainty of Croatian displaced persons from the occupied areas, and to guarantee to the Croatian Serbs human and ethnic rights within the constitutional and legal order of democratic Croatia."²¹⁷ However, despite the guarantees of basic human rights, Tudjman's Croatian government not only failed to prevent ongoing abuses against ethnic Serbs, but also created unnecessary bureaucratic obstacles and delays that have prevented most ethnic Serbs from the Krajina from returning to their homes.²¹⁸ Even though Tudjman's rhetoric came across appearing to support a multi-ethnic Croatian state, his government continued to pursue policies of ethnic separatism that have consistently been his goal throughout the war.²¹⁹ If Tudjman had been serious about pursuing a multi-ethnic nation state, as his rhetoric suggested, he would have done everything in his power to punish those who were responsible for the atrocities committed against the Serb civilians of Krajina. But even a year after Operation Storm, Human Rights Watch reported that the Croatian government had done absolutely nothing to hold accountable those responsible for serious abuses against ethnic Serbs during Operation Storm and its aftermath.²²⁰ Croatian police officers and members of the Croatian Army who committed summary executions, disappearances, torture, arson, theft and destruction of whole villages, with few exceptions, enjoyed complete impunity for their crimes.²²¹ Even though Tudjman and his administration may have been claiming that they cared for human rights and the civilians who had been forcibly displaced, Human Rights

²¹⁷ Human Rights Watch, "Operation Storm" and the Denial of the Right of Refugees to Return to The Krajina".

²¹⁸ Ibid.

²¹⁹ Ibid.

²²⁰ Ibid.

²²¹ Ibid.

Watch could find no information that supported the Croatian government's claims that it has sought accountability for the crimes committed against Serbs since August 1995.²²²

The Tudjman administration also tried desperately to explain the forced displacement of hundreds of thousands by framing it as a personal choice on the part of fleeing civilians.²²³ However any explanation which accounts for the brutal and depressing flight of close to 200,000 people as “self-cleansing” is a cynical, and elitist take which has absolutely no grounds in the reality of the situation whatsoever. Claiming civilians who had been forcibly displaced had actually voluntarily left is a firm signal of Tudjman and his administration’s stubbornly ethnocentric and nationalist view of the situation at hand. It is reminiscent of statements made by the Azerbaijan government in the context of their conflict with Armenia over disputed territory, , in the Nagorno-Karabakh region, which some see as an ethnic cleansing.²²⁴ Azeri diplomats make the argument that the Karabakh Armenians are simply voluntarily leaving their homeland, which is exactly the same argument that Tudjman’s administration made in the 1990s. Tudjman knew that the civilians fleeing the Krajina, and Western and Central Slavonia were not voluntarily leaving, but he argued so anyways to make his project of ethnic cleansing seem less severe and more palpable to the West.

The Croatian Government’s Refusal to Return Displaced Civilians

In the midst of all this, Tudjman still held on to his clearly false rhetoric about the return of those who had to leave. Even if he professed his hope for the return of Serb civilians, the actions that his administration took say otherwise. Both before, during, and after Operation

²²² Human Rights Watch, “Operation Storm” and the Denial of the Right of Refugees to Return to The Krajina”.

²²³ Mirkovic, “*Croatian Liberation of Western Slavonia and Krajina*”.

²²⁴ Representative of the President of the Republic of Azerbaijan for Special Assignments Elchin Amirbayov, BBC Newshour, September 28th, 2023.

Storm, the Croatian government created numerous legal and practical impediments to the return of Krajina Serbs.²²⁵ Most Serbs from the Krajina region were outright denied Croatian citizenship because their only identity documents were issued by the Republika Srpska Krajina (RSK) authorities.²²⁶ Practically speaking, it would have been impossible for Serbs living in Krajina to have obtained the newly instated Croatian citizenship when the state first gained independence, because they lived under RSK authority, and by denying RSK papers the Croatian authorities effectively barred the citizenship of all 200,000 displaced Serbs. Unfortunately, other documents that might have been able to prove the identity of the forcibly displaced civilians were reported by Human Rights Watch to have been left behind when the civilians fled the Krajina during the offensive, and they were unable to return home to obtain these documents due to the restrictions imposed by the Croatian state and the burning of their homes.²²⁷ Sadly by April 1st 1996, only 3,000 of the estimated 200,000 Serb refugees from Croatia had returned to their homes,²²⁸ and in the year 2011 - the population of Serbs was still at 4.3%, having dropped from 12.6% in 1991.²²⁹

Historically speaking, people have never left their homelands in the hundreds of thousands voluntarily, as we can see through countless examples of forced migration policies and examples of refugees fleeing war. The argument that the Serbs fled voluntarily was nothing more than a disingenuous attempt at diverting blame and attention from the Croatian military to the victims of their aggression. As well as this, there was also pre-existing evidence for Croatian-Serbs to have witnessed before this point to have legitimate reasons for fleeing their homes. As previously mentioned, the violence, brutality, and carnage caused by the Croatian

²²⁵ “Operation Storm” and the Denial of the Right of Refugees to Return to The Krajina”.

²²⁶ Ibid.

²²⁷ Ibid.

²²⁸ Ibid.

²²⁹ Croatian Bureau of Statistics, “Population By Ethnicity, 1971-2011 Censuses”, https://web.dzs.hr/Eng/censuses/census2011/results/htm/usp_03_EN.htm.

military during their operation in Central Slavonia in 1991 as well as there more recent “Operation Flash” in Western Slavonia, which had resulted in the exodus and terrorization of thousands of Croatian-Serbs, was proof in itself to make the situation at hand in the Krajina disturbing and distressing for the local population. Harm done by Serb nationalists towards Croatians was also a well known factor among the Croatian-Serb communities, and fears of revenge attacks were highly commonplace. Historically, Serbs in Krajina had never lived in a nationalist Croatia before, except for the survivors of the N.D.H. (Ustasha regime) during the Second World War, in which Serbs were victims of a genocide. Therefore, it is only fair that Serbs would be cautious, and frightened at the rise of the HDZ and Tudjman’s Croatian-nationalist government. It is clear that the explanations given by Tudjman and his administration were heavily problematic given the evidence that the Croatian army had indeed committed widespread and documented acts of violence and brutality against Serb civilians.

Tudjman Pulled the Strings to Create Pure “Ethnostate”

At the time of these events and for the majority of Tudjman’s time in power, the political system in Croatia was heavily president-centric, in which the Croatian president was granted immense political power and control of both party and government. Croatia did not function under a parliamentary style system that is more commonly seen in Western Europe, but rather functioned as a top-down Presidential-style government, similar to something like Recep Tayyip Erdoğan’s government in Turkey post-2017. Tudjman was also a highly charismatic leader, and had a close relationship with his allies in power. Within Croatia, it was known to most that almost every move and decision made by the Croatian government during the era of Tudjman was done through his approval and command. Miroslav Kolar, a Croatian journalist from the Croatian left-wing magazine *Hrvatska ljevica* (Croatian Left), which was published from

1994-2005, wrote this in an article in the No.10 edition of 1995: “Behind everything that is happening in Krajina after the ‘Storm’ stands the highest instance of Croatian authority, where an inspirator and the supreme commander is undoubtedly the main chief, Dr. Franjo Tudjman.”²³⁰

Franjo Tudjman and his administration did what the Ustasha failed to achieve during the Second World War, in that they had cleansed Croatia of non-Croats and had created a pure ethnostate. The implications of Tudjman’s military operation were not lost on those who were on the ground and had the chance to observe what was happening. At the time, the American ambassador in Croatia, Peter Galbraith, was reported to have stated “the persecution of the few Serbs that stayed (after “Operation Storm”) in Lika, Kordun, and Banija was proof that those who fled were justified in their fear and thus were not voluntary emigres as alleged by the Croatian government. It is clear that those Serbs who left the Krajina did not do so out of a voluntary desire, but rather out of the very real fear and possibility of them being persecuted or worse by the Croatian military. Contrary to the statements set forth by the Tudjman administration, the Serbs were not “optants” but very much expelled refugees, fleeing persecution and desperate to hold on to their very lives.

Parallels with WWII

Franjo Tudjman and his government arguably achieved what the leaders of the Ustasha could not, due to Tito’s partisan victory over Nazi Germany. But the Ustashe genocide of 1941-1944 is intrinsically connected to Operation Storm, as they are both stages in the destruction of the Croatian-Serb people. Both the Ustaha genocide and Operation Storm were driven by ultanationalist, chauvinistic motives that sought to implement an ethnically pure state. Thus, from the expelled Croatian-Serb’s perspective, Hitler’s role in 1995 was therefore played

²³⁰ Kolar, Miroslav, *Hrvatska ljevica* No. 10, Oct. 1995, pg. 15.

by NATO and the U.S. government in their unresolving support for Croatia's government and military. As is often the case in history, the destruction of hundreds of thousands of human beings is nothing more than a trifle, as long as the objectives of superpower states are accomplished.

*"One day this war will be over, and those who have done this thing will answer for it, if we get this thing right."*²³¹ - Brigadier Ramsay, on the Croatian massacre of Bosnians in Stupni-Do, 1993

The joint criminal enterprise

What occurred during Operation Storm was not just the proceedings of a normal military operation, but a planned criminal act. According to the International Criminal Tribunal's indictment of Ante Gotovina, Ivan Cermak, and Mladen Markac - the Croatian government, including Tudjman himself, were directly involved in a joint criminal enterprise that sought to eliminate the Serb presence from Croatia²³². From July to September 30th 1995, the three accused as well as numerous other members of the Croatian government participated in a joint criminal enterprise, "the common purpose of which was the permanent removal of the Serb population from the Krajina region by force, fear or threat of force, persecution, forced displacement, transfer and deportation, and appropriation or destruction of property or other means"²³³. The main report on Operation Storm published by the United Nations International Criminal Tribunal for the Former Yugoslavia, states that the joint-criminal enterprise was in the process of being conceived in the early summer, and was fully implemented in August of 1995

²³¹ Lewis, "Abroad At Home; The Guilty Men".

²³² Gotovina et al judgment Vol. 2, Case No.: IT-06-90-T, United Nations International Criminal Tribunal for the Former Yugoslavia, Prosecutor vs. Ante Gotovina, Ivan Cermak, Mladen Markac, 15 April 2011.

²³³ Ibid, paragraph 12.

and thereafter²³⁴. What stands out the most from the indictment is the others who were *directly* involved in the criminal enterprise, such as President Tudjman, Gojko Šušak, Janko Bobetko, and Zvonimir Červenko²³⁵. All those accused of being involved conspired and cooperated with others who were under their effective control, to carry out crimes against the Serb civilians and their property²³⁶. The Tribunal's assessment proves Operation Storm was planned from its very inception, to be a raid on civilians and their homes and not a legitimate military offensive against a rebel state.

In the proceedings of the Tribunal Chamber, it was found that Croatian military forces and the Special Police committed acts of murder, cruel treatment, inhumane acts, destruction, plunder, persecution, and deportation²³⁷. The Chamber also considered the large amount of crimes committed over such a short time period to be a sign of a widespread and systematic attack directed against the Serb *civilian* population²³⁸. Therefore it was not just paramilitary groups that caused violence but various officers and members of the Croatian government and political structures (including those in municipal organizations and local governments), members and leaders of the HDZ, officers and members of the HV, Special Police, civilian and military police, and other Republic of Croatia security/intelligence services²³⁹. The plan to eradicate Serbs from Croatia's borders went from local policemen all the way to President Tudjman himself, which not only speaks to the level of sophistication that his plan carried, but also the responsibility that those at the top of Croatia's governing institutions held. The result of their plans was the exodus of 200,000 Serbs from Krajina, who had been living there for centuries - and for all intent and purpose, an ethnic cleansing. As well as the overwhelming proof that these

²³⁴ Ibid, paragraph 16.

²³⁵ Ibid, Indictment paragraph 15.

²³⁶ Prosecutor vs. Ante Gotovina, Ivan Cermak, Mladen Markac, Indictment Paragraph 15.

²³⁷ Case No. IT-06-90 Case Sheet, pg. 4.

²³⁸ Ibid, pg. 5.

²³⁹ Prosecutor vs. Ante Gotovina, Ivan Cermak, Mladen Markac, Indictment, Paragraph 16.

numbers provide of the criminal enterprise's intent, the Tribunal's assessment makes it clear that the conclusion of a joint criminal enterprise was not made without sufficient evidence. The Tribunal made a concerted effort to prove that there was a joint-criminal enterprise²⁴⁰, and in assessing whether or not it was - the Chamber considered the discussions held at a meeting that took place on the Croatian island of Brijuni (Brioni), on the 31st of July 1995²⁴¹.

The Brioni Agreement, July 31st, 1995 - Preparations for Operation Storm

Between the end of July and the 4th of August 1995, the final planning stages of Operation Storm were taking place under the auspices of the Croatian military and political leadership²⁴². One of the main factors in the planning of Operation Storm was the Brioni meeting on July 31st, when Tudjman consulted high-ranking military officials on the operation and whether or not their armed forces should go through with the plan to forcibly expel the Serb population and repopulate it with Krajina Croats²⁴³. It was, according to the Prosecution in their indictment, during this meeting the actual motion to forcibly remove the Krajina Serbs fully "crystallized"²⁴⁴. The military officials who met with Franjo Tudjman on that day included Gojko Šušak (Minister of Defense and close associate of Tudjman²⁴⁵), Zvonimir Červenko (Chief of the Croatian Army Main Staff²⁴⁶), Ante Gotovina, Mladen Markač, Davor Domazet, and Mirko Norac²⁴⁷. This was a small meeting of some of the highest positions of power in the country, who at length discussed the importance of Krajina Serbs leaving as a result of the operation²⁴⁸. Ante

²⁴⁰ Ibid, page. 993.

²⁴¹ Case No. IT-06-90 Case Sheet, pg. 5.

²⁴² Prosecutor vs. Ante Gotovina, Ivan Cermak, Mladen Markac, pg. 993.

²⁴³ Ibid.

²⁴⁴ Ibid, Prosecution Final Brief, paragraph 4.

²⁴⁵ IT-06-90 Case Sheet, pg. 6.

²⁴⁶ Ibid.

²⁴⁷ P461 (Minutes of a meeting with Franjo Tudjman and military officials, 31 July 1995), p. 1; D1453 (Cover page of minutes of a meeting with Franjo Tudjman and military officials on 31 July 1995).

²⁴⁸ IT-06-90 Case Sheet, pg. 6.

Gotovina was reported to have said to Tudjman, “A large number of civilians are already evacuating Knin and heading towards Banja Luka and Belgrade. That means that if we continue this pressure, probably for some time to come, there won’t be so many civilians, just those who stay - who have no possibility of leaving.”²⁴⁹ This statement is damning to the argument that Tudjman was not aware, or did not cooperate with the intentions of senior military and political figures in Croatia to forcibly remove civilians from Krajina. Due to his presence and status: Tudjman, the main political and military leader of Croatia before, during, and after the indictment period, was found by the Chamber to be a key member of the joint-criminal enterprise²⁵⁰. The indictment clearly shows that Tudjman purposely intended to repopulate Croatians into the Krajina region, and ensured that this idea was implemented into policy and action through his powerful position as national president and commander of the armed forces.

Tudjman stated to those present that the original political justification for a military offensive into the Krajina region was to lift the blockade at Bihac²⁵¹. This would have worked if the Croatians had decided to go ahead with Operation Storm earlier, but both the U.N. and the Serbs had ruined this plan as the Serbs were currently in the process of withdrawing their forces from Bihac, and the UNCRO was deploying theirs instead²⁵². Even in the midst of this hiccup, Tudjman was nevertheless emboldened to go ahead with the plans, and proposed that Croatia take advantage of the favorable political situation in the country, the demoralization of Serb ranks, and the sympathy Croatia elicited from the international community²⁵³. Tudjman had also already had experience with similar military operations conducted in Western and Central Slavonia, a few years back, and considered that if the military commanders carried out the

²⁴⁹ IT-06-90 Case Sheet, pg. 6.

²⁵⁰ Ibid, pg. 5.

²⁵¹ P461 (Minutes of a meeting with Franjo Tudjman and military officials, 31 July 1995), p. 1; D1453

²⁵² Ibid, pp. 1-2.

²⁵³ Ibid, p. 1; D1453

operation “professionally” then Croatia would not sustain political damage and would instead garner political points within the international community²⁵⁴.

Convictions of Gotovina, Markac, and Cermak

The actions of the Croatian military and political leadership in the Krajina region had been known by the UN, the international media, and others in charge of prosecuting war crimes, but few actions were ever taken in time to convict the key people involved when it was still possible.

In a weak attempt at finding some form of justice, the Hague announced convictions against two generals in 2005, Gen. Ante Gotovina and Gen. Mladen Markac and also the Assistant Minister of Defense and former Commander of the Knin Garrison, Ivan Cermak. General Gotovina, a former member of the French Foreign Legion²⁵⁵ was the Commander of the Split Military District of the Croatian Army, from October 1992 to March 1996 which made him the “overall operational commander” of the southern area of Krajina during Operation Storm.²⁵⁶ Gotovina and Markac were charged with: crimes against humanity (persecutions, deportation and inhumane acts, forcible transfer, plunder, murder, violations of the laws and customs of war, plunder, wanton destruction and devastation not justified by military necessity, and murder and cruel treatment).²⁵⁷ These crimes were alleged to have been committed between at least July 1995 to November 15th 1995,²⁵⁸ coinciding with the time of Operation Storm.

²⁵⁴ Ibid, p. 1; D1453

²⁵⁵ CASE NO: IT-01-45-I", ICTY.

²⁵⁶ Operation Storm IT-06-90, The Prosecutor vs. Ante Gotovina, Ivan Cermak, and Mladen Markac", ICTY.org, International Criminal Tribunal for the former Yugoslavia.

²⁵⁷ International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, Case No. IT-03–73-PT, IT-01–45-PT, PROSECUTOR v. IVAN CERMAK AND MLADEN MARKAC + v. ANTE GOTOVINA, *Decision on the Prosecution's Consolidated Motion to Amend the Indictment for Joinder*, 14th July 2006.

²⁵⁸ Ibid.

Furthermore, as said by the Tribunal - Gotovina knew that the forces serving under him committed all these acts and the Tribunal assessed that he had failed to take any measures to prevent or punish the perpetrators after having been informed by representatives of the international community, which constituted a breach of Article 5, Article 7, and Article 3 of the Statute of the Tribunal.²⁵⁹ Gotovina was also accused of giving his troops “unrestrained freedom to plunder villages when they retook the Serb minority region of Krajina of Croatia”²⁶⁰ and also of directly conspiring with President Tudjman to “conduct the forcible and permanent removal of the Serb population”²⁶¹ from Krajina. Ivan Cermak, Assistant Minister of Defense from 1991-1993 and Commander of the Knin Garrison and Mladen Markac, Commander of the Special Police of the Ministry of the Interior of the Republic of Croatia were charged with similar war crimes for both of their roles in Operation Storm.²⁶²

Gotovina was sentenced to 24 years of imprisonment, with Markac being sentenced to 18.²⁶³

The Overturning of the Convictions

Justice had been served on some level, but it was both far too late and also did not last. Not long after Gotovina and Markac were indicted by the ICTY, they both filed appeals to which both of them came away successful. According to the UN commissioned report on the Tribunal, Gotovina and Markac appealed to the court under the argument that their artillery attacks on the cities of Knin, Benkovac, Obrovac, and Gracac (The Four Towns) were not unlawful - therefore rendering the existence of a joint-criminal enterprise as unsubstantiated²⁶⁴.

²⁵⁹ CASE NO: IT-01-45-I.

²⁶⁰ Conwy, Wales, “Croatian pleads not guilty to war crimes”, *Daily Post*, 13 Dec. 2005.

²⁶¹ CASE NO: IT-01-45-I.

²⁶² The Prosecutor vs. Ante Gotovina, Ivan Cermak, and Mladen Markac.

²⁶³ IT-06-90 Case Sheet, pg. 5.

²⁶⁴ Ibid, pg. 7.

The appeal was entirely based on the argument that the artillery shells fired by the Croatian armed forces could not be proven to have targeted civilians. The initial assessment by the Trial Chamber of the artillery shelling had been made with a 200 meter margin of error given, and therefore all sites that were more than 200 meters away from any legitimate military target were deemed as unlawful.²⁶⁵ The Appeals Chamber Judges Pocar and Agius, dissenting, both argued that the “touchstone” of the Trial Chamber’s analysis concerned the unlawful military attacks on the Four Towns and that these unlawful attacks caused the deportation of hundreds of thousands from the Krajina region.²⁶⁶ The Appeals Chamber had come to the conclusion that the Trial Chamber’s findings on the joint-criminal enterprise were “heavily premised” on their analysis of individual impact sites within the Four Towns (impact analysis),²⁶⁷ which was itself based on the 200 meter margin of error for artillery projectiles, agreed upon by the Trial Chamber.²⁶⁸ It was this 200 meter margin of error argument that brought down the case against Gotovina and Markac, as the Appeals Chamber unanimously held that the 200 meter margin of error was a faulty standard²⁶⁹. The Chamber took the advice of expert witnesses who testified to the variety of factors at play that could have changed the direction of artillery shells, such as the wind and air temperature.²⁷⁰

The Appeals Chamber also argued that the Trial Judgement had contained no specific reasoning or evidence as to how the Trial Chamber had come to the 200 meter standard for artillery shells²⁷¹, which contributed heavily to the Appeals Chamber’s conclusion that no reasonable trial chamber could prove beyond reasonable doubt that the Four Towns were subject

²⁶⁵ IT-06-90 Case Sheet, pg. 7.

²⁶⁶ Ibid.

²⁶⁷ Ibid.

²⁶⁸ Ibid.

²⁶⁹ Ibid.

²⁷⁰ Ibid.

²⁷¹ Ibid.

to unlawful artillery attacks²⁷². Unfortunately for those affected by Operation Storm, it was under the circumstances of this 200 meter margin argument, that the Appeals Chamber of the ICTY stated that no trial chamber could conclude that the only reasonable interpretation of the circumstantial evidence on the record was the existence of a joint-criminal enterprise, with the purposeful intent of removing the Serb population from Krajina by force.²⁷³

Within this context, on November 16th of 2012, the Appeals Chamber reversed by majority, but with both Judge Pocar and Agius dissenting, that Gotovina's and Markač's convictions for crimes against humanity and violations of the laws or customs of war and entered verdicts of acquittal²⁷⁴. The Hague had made its decision, and now there was not a single person who was legally held accountable for the exodus of over 200,000 Serbs from their homes²⁷⁵. As the New York Times reports - Zagreb was filled with "tens of thousands of jubilant Croats, some with tears of joy in their eyes [who] chanted 'Victory' and danced in the streets."²⁷⁶ The ruling not only stripped those affected by the actions of Operation Storm of any justice, but also emboldened the far right and nationalist wings of the Croatian political world and its people. In addition, even though it was 2012, Operation Storm was still extremely relevant in the region as the families of Serbs who had gone missing during the offensive were still begging the Croatian government to speed up the exhumation and identification process of the dead.²⁷⁷

As well, this ruling not only freed two generals who were directly involved in the aforementioned war crimes, but also effectively eradicated the basis of the overriding legal

²⁷² IT-06-90 Case Sheet, pg. 7.

²⁷³ Ibid, pg. 8.

²⁷⁴ Ibid.

²⁷⁵ Impunity For Abuses Committed During "Operation Storm" and the Denial of the Right of Refugees to Return to The Krajina.

²⁷⁶ Simons, Marlise, "Hague Court Overturns Convictions of 2 Croatian Generals Over a 1995 Offensive", *New York Times*, 12 Nov. 2012.

²⁷⁷ "Families of Serbs Gone Missing in 1995's Operation Storm Call For Speedier Identification", Hina Brief News Bulletin, 3 Aug. 2012.

argument used for the convictions. The court had initially ruled that the two generals were part of a criminal conspiracy to expel all Serbs living in the Krajina by means of fear, conceived by President Tudjman,²⁷⁸ but with the overturning of all three convictions - all of a sudden the legal argument surrounding the conspiracy was no longer true, and it was as if the Brioni meeting had never occurred. It is almost hard to believe that the entire legal basis for the joint criminal enterprise was contingent on an argument based around artillery shelling, and nothing more.

²⁷⁸ “Families of Serbs Gone Missing in 1995’s Operation Storm Call For Speedier Identification”.

Concluding Remarks

With so many people leaving their homes and nothing being done about it: the reality of what happened in Krajina, Croatia, during the late summer of 1995 is that there was ethnic cleansing and the world will never see justice for it. In multiple ways that harmed them more than helped them, Belgrade cemented the ability for Zagreb to go through with the mass ethnic cleansing of its minority Serb population, to the point where one can rightfully wonder if there was a negotiation or agreement between Tudjman and Milosevic. When thinking about the scale of the ethnic cleansing alone, one is struck at just how many people had to leave everything they had ever known and become refugees. Then when you take into consideration the timeframe and how quickly it all progressed, the situation seems even worse than it did before.

For many, it may seem as if the Serbs brought destruction and death on themselves and therefore the actions of the Croatian government can be seen as a reaction to the Serb threat. But this view negates the essential fact that these were people who were affected, not soldiers or politicians. The people who had to flee their homes were not Chetniks or violent mercenaries, they were poor people who lived in some of the poorest towns in Croatia. It is unconscionable to sit in the safety of one's home and cast judgment on the innocent civilians of the Krajina because of the actions of their nationalist politicians and representatives in Belgrade. If we did so for everybody else, then we would be obligated to make a lot of people leave their homes. Justice will never be seen for the people who were affected by Tudjman's insane ploy to remove all Serbians from his country.

The world has turned a blind eye to the suffering of 200,000 innocent people, and for what? Only because of the actions of that people's government, which in any other situation would be seen as a complete and utter failure of international order. We never blame people for

the actions of their leaders, and rightfully so - and in the case of the Krajina Serbs, we should not do so either because in doing so we are negating the real fact that they were *ethnically cleansed*. There is no other way to describe it other than those two very heavy words. War is hellish, deadly, and in every case - destructive.

The Yugoslav wars were no different, and in many senses they were far worse than any war that has taken place on the European continent since 1945. Operation Storm, of course, falls into the wider breadth of post-Yugoslavia violence in the region. But whereas the Serbs faced justice in the Hague for the heinous actions taken by the Milosevic regime, the Croats never had to face any sort of justice for their actions. Everyone who was involved in Operation Storm are now living freely somewhere in Croatia, with their family and loved ones, and treated like war heroes, or have passed away. In many ways, it is far too late to even attempt at serving justice for those affected by Operation Storm. To do so now, would be a comical waste of time. However the lack of scholarly analysis and discussion on Operation Storm and the war crimes committed by the Croats remains a concern. Milosevic and his regime, along with what Serbia did in those years, are widely known and understood around the world to be war criminals. There is no question about it, when someone asks about Yugoslavia and ethnic cleansing - the first country that comes to mind is generally Serbia. But is it not time enough that we, especially as historians and scholars, look into all the events and sides of the story? Should we continue to ignore the terrible past of a country so that we can continue to vacation there, and call them our ally? The day that Croatia and the international community fully come to terms with what happened during Operation Storm is the day that the world is able to fully learn from its mistakes and grow. We will most likely never achieve that, and hoping for such an outcome seems at times

pointless. But as scholars, especially as historians, we have an obligation to write about what has happened and why, and hopefully to help those who read understand.

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