

# **CROATIA BETWEEN AGGRESSION AND PEACE**

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### **INTRODUCTION**

In the course of the nineteenth century the Turks were forced out of the greater part of south-eastern Europe partly as a result of international action, partly because of internal instability. Ever since that time the Serbians have laid claim to all the areas outside Serbia where Serbs settled during the time of the Ottoman Empire. It was the fact that Serbs had settled on the west bank of the Drina that was used as Serbian justification for its most recent attempt to expand its frontiers to include Bosnia and Herzegovina and parts of Croatia. These claims are still the main Serbian argument for its policy of aggression against Moslems and Croats.

Since the 1878 Berlin Congress, when Serbia's claim to Bosnia and Herzegovina was denied, official Serbian policy has always involved far-reaching and long-term plans for an annexation of this allegedly lost territory. The assassination in 1914 of Archduke Franz Ferdinand, heir to the Austrian throne, was one manifestation of their plan. This act triggered off the first World War. The assassination was ultimately advantageous for the Serbs: after the war the newly created Kingdom of Yugoslavia was ruled by a Serbian dynasty, and it was a Serbian army that provided the means for Serbian expansion through the "Serbianization" of non-Serbian ethnic communities and territories. It was to this end that a dictatorial regime was imposed able to employ various methods of coercion, including the expulsion of non-Serbs, the settlement of Serbs in non-Serbian areas, domination by a Serbian military police and a bureaucratic apparatus which used blatant terrorism and linguistic and cultural manipulation to achieve its aims. Growing discontent among non-Serbian ethnic groups in Yugoslavia was responsible to some extent for the country's rapid disintegration at the outbreak of the Second World War. This event clearly demonstrated that the idea of "Yugoslavia" was not viable. The united resistance of the Yugoslav peoples against Fascist occupation, together with the interests of Soviet imperialism, whose agents in Yugoslavia helped to organise that resistance led to a revival of the Yugoslav state in 1943, while the war was still in progress. What was envisaged this time was a federal republic designed as a community of Yugoslav nations with equal rights - Serbs, Croats, Slovenes, Montenegrins and Macedonians. The stress on equality was calculated to encourage all the Yugoslav nations to offer the greatest possible resistance to the occupying powers. However, once the war was over, the old imperialistic ambitions of the Serbs re-emerged in certain areas (in the army, the police, the central civil service, the Communist Party). Tito, the unchallenged leader of post-war Communist Yugoslavia, himself a Croat by nationality, succeeded by shrewd manoeuvring and concessions, but also by the exercise of dictatorial authority, in preserving an illusion of peace and stability. Well aware, however, of the country's internal stresses and the deep rooted hegemonistic trend in Serbian political thinking, Tito created and left as his legacy the 1974 constitution, by which Yugoslavia acquired the features of a confederation. Although there was Serbian opposition to it from the start and although its implementation was hampered by the monolithic structure of the ruling Communist Party, no serious attempt was made to revoke it formally during Tito's lifetime. Tito had envisaged strict regulations designed expressly to make any change in the constitution as difficult as possible, but in a country with such a delicate balance of interests, it was not easy to ensure that issues would be resolved without dispute.

The question, "What will happen after Tito?", was frequently heard during the 70's and even earlier. The answer came not long after his death. The Yugoslav crisis culminated in bloody war, and a brutal attack by Serbia on those Yugoslav republics which Tito's Communist regime had given the status of federal entities, and which had no desire to find themselves, once again in the post-Communist world imprisoned in a centralised state under blatant Serbian domination.

Immediately after Tito's death in 1980 the Serbs launched a vigorous political offensive aimed at changing the 1974 Constitution. As part of their offensive they abolished the constitutional autonomy of Kosovo and Vojvodina. This was tantamount to the formal beginning of the disintegration of Yugoslavia. At the same time Serbia launched a propaganda campaign against Croatia and Slovenia who were the strongest potential opponents of centralisation accusing them of secessionist ambitions. According to the Serbs the inefficiency of the federal structure was proved by growing economic problems and cessation of development during the 80s (due to the foreign debt crisis).

It is particularly interesting that the break-up of the federal scheme for Yugoslavia, a break-up which was begun by the most conservative forces in Serbia (conservative intellectuals mainly associated with the Serbian Academy of Arts and Sciences, monarchists and the Orthodox Church) was adopted on the eve of the collapse of the Communist regime by those same Communists, as a way of retaining and reinforcing their power on the basis of nationalistic and expansionist indoctrination. It was in fact the Serbian Communists and the Yugoslav Army, where Serbs provided the overwhelming majority of the officer corps, who set the seal on the break-up of Yugoslavia and imparted to that process its most brutal features.

Yugoslavia was bound to fall apart, because Serbia confronted the national groups of which it was formed with an unacceptable choice: either to live in a centralised Yugoslavia dominated by Serbia, or to allow Serbs to form a state of their own design on the ruins of Yugoslavia. But a centralised Yugoslavia, given their previous experience, was unacceptable to all non-Serbs, as a result of which the Serbs, taking advantage of their vast superiority in numbers, disposition and weapons, set out to create their "Greater Serbia" by force of arms.

The international community did far too little to stop this. Although all the nations who wished to secede from Yugoslavia had agreed to make use of their democratic right to self-determination as guaranteed in the Constitution, and confirmed in every case by a referendum, the world watched the ensuing conflict passively. The tolerance shown to the Serbian cause by the international community was reflected in the fact that the Serbs were able to retain for their own use the weapons of the Yugoslav Army, one of the most heavily armed forces in Europe, as well as the factories producing military supplies and equipment, while the United Nations banned the import of arms to defend the other Yugoslav nations. Thus these nations were virtually defenceless and had to protect their freedom with the small number of weapons they had managed to seize. This explains the extreme brutality of the war once it had started. It was fought between a well-armed and well-trained professional army and a civilian population totally unprepared to defend itself. The aggressor had at his disposal a whole arsenal of modern weapons - aircraft, rockets, tanks, long-range artillery and naval forces - and had been prepared by years of religious and political indoctrination, which induced in the attackers a well-nigh hysterical mood of conquest and was bound to end in fearful destruction and loss of life on the part of the victims. In a matter of a few months during which Croatia was the victim of Serbian aggression, far more damage was done than had been done in the whole of the Second World War. When Croatia succeeded, in spite of all odds, in stopping the Serbian advance and inflicting considerable losses on the attackers, though at the cost of heavy loss of life, the Serbs turned to the seizure and "ethnic cleansing" of Bosnia and Herzegovina at the expense of the local Croats and Moslems. It is a tragedy which is still being played out. In Bosnia peace is still a long way off, especially if Serbian annexations are recognised and no way to impose a just peace is found.

The international community, alas, has made no adequate response to these events. It failed to understand, or was unwilling to admit, that the conflict in what was once Yugoslavia was a brutal and genocidal war with the aim of creating a "Greater Serbia". Lack of understanding, indecision, disunity, inconsistency and failure to take action led to an intensification and widening of the conflict and not to its reduction. In failing to adhere to the rules of conduct which it itself proclaimed, the international community had undermined its own credibility and opened up the possibility that there will be new victims and new suffering among the population of this region.

## **THE BREAK-UP OF YUGOSLAVIA**

### **The Part Played by Serbia**

From the moment it was promulgated the Yugoslav Constitution of 1974 forced fierce opposition from Serbian nationalists of various political complexions - mainly on account of its confederal element, especially the considerable degree of autonomy granted to Vojvodina and Kosovo. A programme for the revocation of the 1974 Constitution and for the formation of a unitarian state was drawn up in the Serbian Academy of Arts and Sciences (SANU). It was they who in 1986 composed what has come to be called the "Memorandum", outlining a policy for the creation of "Greater Serbia". It clearly describes a plan for the political union of Serbs in Serbia and those outside the Serbian border, and for the abolition of autonomy in Vojvodina and Kosovo. As a political manifesto the Memorandum was a device for the destruction of Yugoslavia, promoting, as it did, the idea of the "total national and cultural integration of the Serbian people", regardless of where they lived. It envisaged all Serbs in one state, whether it was called Greater Serbia or Yugoslavia. This policy was a direct threat to all the non-Serbian peoples in Yugoslavia. The Memorandum was a blueprint for the division and disintegration of the country. The man who was to put the plan into practice emerged in the person of Slobodan Milosevic, who became the leader of the Serbian Communist Nationalists at the eighth session of the Central Committee of the League of Communist of Serbia in 1987.

With his arrival the policy of the Memorandum began to be put into practice. As a first step a populist and nationalistic movement was started, made up of members of the Serbian League of Communists, various extreme nationalist groups, intellectuals, the Serbian Orthodox Church and the media. It made use of mass meetings to bring pressure to bear on all those who opposed it or did not subscribe to its aims. It was in fact an alliance of left-wing (government) forces and right-wing forces which had just begun to organize openly.

The first aim of the populist movement was to reconstruct Serbia within the federation. To this end strong political and moral pressure was brought to bear on politicians in the autonomous provinces of Vojvodina through mass meetings under the guise of an anti-bureaucratic revolution. Meetings of this kind were held throughout Serbia during 1988 and 1989 and inflamed Serbian nationalist sentiment.

On 28 March 1989, on the crest of this wave, amendments to the Serbian constitution were enacted, by virtue of which Serbia became a single unitarian state with central authority applying to the entire territory. De facto the autonomy of Hungarians and Albanians was abolished by the abolition of the autonomous status of Vojvodina and Kosovo, and the federal constitution of 1974 was thus abrogated. On 28 June 1989, in a speech in Kosovo, Slobodan Milosevic declared that any opposition to this vision of a new order in Yugoslavia would be crushed by force of arms. On 29 September 1989 a new constitution was approved and the federal constitution of Serbian 1974 was finally buried. In the formal legal sense, by its new constitution, Serbia dealt a fatal blow to the Yugoslav federation. It was through this violent, unilateral change to the 1974 constitution by Serbia that Yugoslavia ceased to exist and not because of secession by Slovenia and Croatia - a Serbian argument that has been accepted by some people in the West. There now followed an attempt to reconstruct Yugoslavia on Serbian lines, an attempt to realize the plan outlined in the Memorandum, by the expansion of Serbia. Following the national homogenization within Serbia, the Serbian leadership set about homogenizing the Serbian population throughout the territory of Yugoslavia ("All Serbs in one state"), regardless of the ethnic structure and the rights of other nations.

### **The Position of Croatia**

The Communist leadership in Croatia did not react to the Serbian political offensive until the end of 1989, inhibited no doubt by the high proportion of Serbs in the state and Party apparatus ("the Croatian silence"). At the end of 1989, however, it was decided to allow multi-party elections in Croatia, and consequently a set of democratic, non-communist parties emerged: the Croatian Democratic Union (HDZ) - the Croatian Social Liberal Party (HSL) and a number of other smaller parties. The Croatian Peasant Party was revived, along with a number of other parties. On 15 February 1990 the Croatian Parliament (Sabor) passed a motion calling for multi-party parliamentary elections, and on 20 February issued a declaration on electoral principles. Voting took place in two rounds in April and May, and the Croatian Democratic Union gained a majority. Thus, a democratically based regime was established.

Even in the run-up to the elections Belgrade had launched statements concerning the "threat" to Serbs in Croatia the aim being to mobilize the Serbs in Croatia to oppose the new government and use them to realize the Greater Serbia plan. The Serbian minority was organized in the Serbian Democratic Party (SDS), which gained five parliamentary seats in the first multi-party elections. To begin with it seemed as if these members, in spite of their extreme political views, would respect the rules of parliamentary procedure. But the SDS soon declared that it was boycotting such procedure and henceforth had recourse to terrorist tactics, instigating an armed rebellion of the Serbian minority against the democratically elected authority of the Republic of Croatia. The first open sign of rebellion was the obstruction of road and rail communication in all those parts of Croatia where there was a sizeable proportion of Serbs (known as the "barricade revolution").

### **Discussions on the Restructuring of Yugoslavia**

The political crisis in Yugoslavia grew increasingly acute as Serbian pressure to alter the constitutional structure of the rigidly centralized state mounted. The leadership in Slovenia and Croatia drafted and proposed a confederative model for restructuring the country. It became increasingly obvious, however, that Serbia meant to impose its will by force. The threat of force seemed all the more real in that Serbia had long held a dominant position in the Federation, especially in the Army and the police.

The Presidium of Yugoslavia several times discussed possible constitutional changes. At one of these sessions in the middle of September 1990 a joint Croatian and Slovene proposal for a confederation was rejected. Any discussion on the reorganization of Yugoslavia in fact turned out to be fruitless. Serbia was determined to impose its own solution at any price, refusing to envisage any solution of the position of Serbian ethnic communities outside Serbia other than their inclusion in a single sovereign state, federative in form, but centralistic in effect, and under Serbian domination. The Serbs would not consent to any other arrangement for the restructuring of Yugoslavia.

### **Croatian Reaction to Serbian Threats of Aggression**

Through its intervention Serbia radicalized relations within Croatia, and exploited the terrorist wing of the Serbian minority in the interests of the Greater Serbia plan.

At the end of December 1990 a new constitution was promulgated in Croatia which declared the Republic of Croatia to be "an integral and indivisible democratic social state in which power is derived from the people and belongs to the people as a community of free and equal citizens" (Article 1). On 21 February 1991, in view of the increasingly real prospect of an attack on Croatia by the Yugoslav National Army, the Croatian parliament passed a motion on the defence of constitutional order in the Republic of Croatia and a resolution accepting a procedure for secession from the Federal Republic of Yugoslavia, which envisaged the possibility of association within a union of sovereign republics.

Serbia now began to intervene more and more openly in the internal affairs of the Republic of Croatia, especially by exerting influence on the Serbian minority. For this reason, on 17 April 1991, the Republic of Croatia published a declaration accusing the National Assembly of the Republic of Serbia of interfering in its internal affairs, and the following month, on 2 May 1991, a motion approving a referendum on the sovereignty and independence of Croatia. This referendum was duly held on 19 May 1991. It consisted of two questions.

1. "Are you in favour of the Republic of Croatia as a sovereign and independent state which guarantees cultural autonomy and all civil rights to Serbs and members of other nationalities in Croatia, entering into a union of sovereign states with other republics (in line with the proposal put forward by the Republic of Croatia and Slovenia as a means of resolving the political crisis in the Socialist Federal Republic of Yugoslavia)?"

2. "Are you in favour of the Republic of Croatia remaining in Yugoslavia as an integral federal state (in line with the proposal put forward by the Republics of Serbia and Montenegro as a means of resolving the political crisis in the Socialist Federal Republic of Yugoslavia)?"

93.24% of votes were cast for the first proposal and no more than 5.38% for the second, i.e. for Croatia remaining in Yugoslavia.

On the basis of the referendum the following motions were passed:

1. "The Republic of Croatia, as a sovereign and independent state guaranteeing cultural autonomy and all civil rights to Serbs and members and other nationalities, may enter into a union of sovereign states with other republics. 2. The Republic of Croatia will not remain within Yugoslavia as an integral federal state." On 25 June 1991, the parliament of the Republic of Croatia (at the same time as the Slovene Assembly) passed a constitutional motion declaring the sovereignty and independence of the Republic of Croatia, and this motion became Article I of the constitution. By this motion, Croatia began the process of dissociation from the other federal republics of Yugoslavia. It also began the process which was to lead to international recognition. Henceforth, only the legislation of the Republic of Croatia was valid in Croatia. In this way Croatia reclaimed all those rights and obligations which, under the constitution of Croatia within the Socialist Federal Republic of Yugoslavia, had been surrendered to the Socialist Federal Republic of Yugoslavia. It was stated that "the procedure for the transfer of rights and obligations will be regulated by a constitutional bill".

The constitutional motion was accompanied on 25 June 1991 by a Declaration proclaiming Croatia to be a sovereign and independent Republic, and a Charter of the rights of Serbs and other ethnic groups within the Republic of Croatia. This motion and the Declaration of the sovereignty and independence of the Republic of Croatia were in response to the aggressive attitude of the Republic of Serbia and the Yugoslav National Army towards Croatia and the Croatian people during 1989, 1990 and 1991.

Opposition to the authority of the Republic of Croatia by members of the Serbian minority intensified, especially in the so-called Krajina which according to the Serbian plan was supposed to become part of Greater Serbia. Terrorist groups from the militant wing of the Serbian Democratic Party openly aided and abetted the operations of the Yugoslav National Army, which was increasingly becoming a Serbian army. Armed conflict that had started in the spring of 1991 escalated at the beginning of August in the same year. In Croatia open warfare was knocking at the door. Terrorists of the minority attacked Croatian towns, police stations and other institutions. The Army, i.e. the Yugoslav National Army, acted the part of "impartial peacemaker", but in fact supplied the insurgents with arms and every other kind of equipment.

Soon what had been terrorist gangs became official organizations. With the aid of the Yugoslav Army and extremists among the Serbs in Croatia, Serbia now embarked on a war of conquest. It was not a civil war, but simply a campaign of conquest in which the Yugoslav National Army and other Serbian forces began the systematic destruction of Croatia. In September 1991 the Yugoslav Minister of Defence, General V. Kadijevic, despatched the first armoured column from Belgrade into Croatia, and by the end of September 1991 all-out war was raging in the country. The Serbian army bombed and shelled Croatian towns and cities by land, sea and air - Vukovar, Osijek, Vinkovci, Sisak, Karlovac, Gospic, Zadar and Sibenik. For days on end the whole of Croatia was subject to air raid warnings and general alerts.

The Army and Serbian rebels wrecked hospitals, nursery schools, schools, industrial plants and power stations. They burned down entire villages and murdered the Croatian inhabitants. In September Osijek was shelled heavily for 36 hours on end, and Vinkovci suffered the same fate. Vukovar was persistently and systematically destroyed until nothing was left but ruins. Other places in eastern and western Croatia, in Lika, Banija and Dalmatia were similarly attacked. Cultural treasures and historical cities like Dubrovnik were treated in the same ruthless manner: Serbs and Montenegrins bombarded Dubrovnik with every weapon. In September, October and November 1991 Croatia found itself fighting for bare survival.

In response to the aggression, and in order to ensure its own survival, the Croatian parliament on 8 October 1991 declared that it was severing all official and legal ties with Yugoslavia. This political act of self-defence was necessary to preserve the collective existence of Croatia faced with a combined military attack by the Yugoslav Army, the Republic of Serbia and part of the Serbian minority in Croatia the aim being to keep Croatia in Yugoslavia by force. After this attack and all that Croatia suffered as a result, it could not possibly remain in a common state with Serbia.

The Croatian leadership did all it could through its long-standing offer of a confederative agreement to resolve the Yugoslav crisis. But Serbia and the Yugoslav Army were now on the way of establishing Serbia. The war soon made abundantly clear what Serbian and Yugoslav war aims really were. Their prime object was to force Croats and other non-Serbian inhabitants of Croatia to mass exodus through brutal terror and the burning or demolition of Croatian villages and towns. The Serbian Fascist leader, Vojislav Segelj, proposed the use of napalm bombs in the battle against the Croats. A second war aim was the destruction of cultural monuments in order to obliterate the Croatian national identity and destroy any evidence that Croats had ever existed on the territory of Croatia. A further object was to destroy the

economic and ecological conditions essential to the life in Croatia. The ultimate aim was to set up a rump Yugoslav state or Greater Serbia that would incorporate occupied Croatian territory. In this way Serbia tried by force to redefine the frontiers between the republics of a Yugoslavia that in fact no longer existed.

### **Croatia's International Situation**

On 7 July 1991, following a brief war between the Yugoslav National Army and Slovenia, a ministerial delegation of the European Community arrived in Yugoslavia. The ministers held discussions with representatives of all the republics. This was the start of the internationalization of the Yugoslav political crisis. The ministerial trio were meant to prepare the way for discussions between the conflicting parties. On 7 July 1991 a joint declaration was issued (the Brioni declaration) laying down the principles for a peaceful resolution of the crisis. A codicil to the declaration envisaged the presence in Yugoslavia of a group of observers from the European Community. Their first task was to supervise the withdrawal of the Yugoslav National Army from Slovenia. Croatia, faced with the imminent threat of war, asked for the observer's mission to be extended to include Croatia. This was done by a memorandum of agreement involving the extension of the observer's activities and their missions in Yugoslavia from 1 September 1991 on the basis of the Brioni agreement of 7 July 1991. The course of events suggested that Europe would not be able simply to stand aside. A Declaration on Yugoslavia was issued at an extraordinary meeting of the European Community on 3 September 1991 in the Hague. Stating that "the Community and its member states call on all parties strictly to observe their obligations under the cease-fire agreement and the Memorandum of Agreement. On the basis the Community and its member states will convene a Conference on Yugoslavia under its auspices in the Peace Palace in the Hague, on 7 September 1991, and will simultaneously establish arbitration procedure". In this declaration the extension of the European Community's observer mission to Croatia was confirmed. Who was to be present at the Peace Conference on Yugoslavia? In the first place, the Presidium of the Socialist Federal Republic of Yugoslavia, the federal government and the presidents of the republics. The proceedings were to be chaired by a British diplomat, Lord Carrington. The task of the Conference was to adopt an arrangement that would satisfy the conflicting aspirations of "the Yugoslav republics on the basis of the following principles: the inadmissibility of unilateral changes in frontiers through the use of force, the protection of the rights of all nations of Yugoslavia, taking full account of their aims and aspirations". The international Conference on Yugoslavia then got under way. Thus, on 4 November 1991 the Hague Convention, better known as the Memoranda on the Convention (the fourth version of the EC Convention of the Hague Conference, Den Haag, 4 November 1991) was passed. The first Article of the First Chapter stated:

"1. New relationships between the republics will be based on:

- a) the sovereignty and independence of the republics with internationally recognized character and status for those republics which wish it;
- b) the free association of republics with internationally recognized character and status, as provided for by this Convention;
- c) comprehensive arrangements that include a mechanism for the supervision and protection of human rights and the special status of particular groups and regions; d) a common state consisting of republics with equal rights for those republics which wish to remain within a single common state;
- e) the involvement of European institutions, where this seems appropriate;
- f) the recognition of the independence of those republics which wish it, within their present frontiers, unless otherwise agreed". The second Chapter called for a guarantee of civil rights and the rights of particular ethnic groups.

Croatia was interested in every respect in the first alternative - a sovereign and independent state with internationally recognized character and status within its existing frontiers. In an opinion handed down by the arbitration commission of the Conference on Yugoslavia on 25 June 1991 it was stated that the republics had expressed a wish for independence. Croatia and Slovenia had confirmed this by referendum on 25 June 1991 and had passed legislation abrogating their political and legal links with the Socialist Federal Republic of Yugoslavia. Macedonia had done the same on 8 September 1991, while Bosnia and Herzegovina's parliament had passed a resolution on the republic's sovereignty on 4 October 1991 which had been opposed by the Serbian representatives. It was further stated that the federal institutions of the Socialist Federal Republic of Yugoslavia did not meet the requirements of

representation in a proper federal state, that recourse to force had brought about armed clashes between different parts of the federation, and that the federation itself had proved incapable of taking any steps whatsoever to prevent such clashes, since it was the federal government itself which had provoked them. "The arbitration commission of the Conference on Yugoslavia considered that the Socialist Federal Republic of Yugoslavia was in process of disintegration; that the republics were obliged to solve the problems of successor states which might arise from this process, in conformity with the principles and rules of international law and with special concern for human rights and the rights of ethnic minorities; that those republics which wished to do so might form new associations which would have democratic institutions of their own choice".

Seeing that the arbitration commission of the Conference on Yugoslavia had observed that "the Socialist Republic of Yugoslavia is in process of dissolution", and since similar developments were taking place in Central Europe, particularly in the Soviet Union, at the request of the Council of Europe "ministers had assessed the situation in Eastern Europe and the Soviet Union with the object of working out a new approach to relations with the new states". In that sense leading European politicians agreed on "a common policy in regard to the procedure for recognizing these new states", on condition that they adhered to the charters of the United Nations, the Conference on European Security and Co-operation and the Paris Charter guaranteeing human and ethnic rights of minorities, the inviolability of frontiers, international agreements and international arbitration. The European Community then discussed international recognition of the new states in Eastern Europe and the Soviet Union. In a Declaration on Yugoslavia issued on 16 December 1991 the Community invited all the Yugoslav republics to declare whether they wished to be recognized as independent states; did they accept the obligations contained in the afore-mentioned guidelines, did they accept the stipulations in the draft convention, particularly those in Chapter II on human rights and the rights of national and ethnic groups discussed by the Conference on Yugoslavia, did they mean to go on supporting the efforts of the General Secretary and the Security Council of the United Nations and the continuation of the Conference on Yugoslavia. Applications from those republics which returned an affirmative answer would be submitted by the Chairman of the Conference to the arbitration commission for their view before the date on which a decision on recognition of the republics would come into force. A questionnaire was also compiled stating the criteria for international recognition. The Republic of Croatia completed the questionnaire, stating that it fulfilled all the conditions for international recognition that had been laid down by the European Community.

Croatia unconditionally accepted all the "criteria" for the independence of the new states in Eastern Europe, as well as a declaration on Yugoslavia agreed by a meeting of the council of ministers of the EC in Brussels. The "criteria" were accepted by the parliament of the Republic of Croatia, along with all relevant obligations, i.e. the Charters of the United Nations, the Conference on European Security and Co-operation and the Paris Charter. Human rights were guaranteed by the 1990 Constitution of the Republic of Croatia, while Paragraph 3 of the motion of 8 October 1991 specifically guaranteed the rights of minorities and ethnic communities. These were once more confirmed on 4 December 1991 in a Bill of Rights which laid down the rights and liberties of individuals and the rights of communities and ethnic and national minorities in the Republic of Croatia. All these rights were further guaranteed and confirmed by articles of the Constitution, particularly Article 12(2), 15 (cultural autonomy) and Article 83, a charter of the rights of Serbs and other minorities in the Republic of Croatia, which had been adopted by parliament on 25 June 1991.

On the basis of the EC documents, the independence of the Republic of Croatia was recognized on 15 January 1992.

## **Establishment of Peace and Security in the Republic of Croatia**

### ***The Vance Plan***

When the Republic of Croatia was internationally recognized more than a quarter of its territory was occupied by the Yugoslav National Army and Serbian paramilitary formations. These forces immediately began the brutal expulsion of all the remaining Croatian and other non-Serbian inhabitants of the occupied territory, simultaneously destroying all cultural and religious evidence of the existence of the Croatian people in these areas. They threatened a further escalation of hostilities, with even greater loss of life and destruction of property.

In order to create conditions for the peace and security essential for discussions on Croatia, but also for solving the Yugoslav crisis, the idea of a UN peace-keeping operation in Yugoslavia was suggested. Cyrus Vance, the special envoy of the Secretary General of the United Nations, discussed the proposal

with the Yugoslav leadership. The plan envisaged that the UN peace-keeping force would be under the command of the Secretary General of the United Nations. The continued presence of the peace-keeping force in Yugoslavia would depend on the situation on the ground "until discussions brought about a total cessation of hostilities". The idea of a peace-keeping plan, "which would not prejudice the outcome of the discussions", depended essentially on the designation of zones under the protection of the United Nations (UNPA). These were intended to be demilitarized zones, and demilitarization was to be ensured by UN units. The zones in Croatia under UN protection were meant to be the areas "for which the Secretary General believed that special arrangements were necessary to maintain a cease-fire. They would be those areas where the Serbs constituted a majority or a sizeable minority of the local population". The plan provided for three UNPA sectors: Eastern Slavonia (Beli Manastir, the area east of the city of Osijek, Vukovar, a number of villages in the furthest eastern parts of Vinkovci); Western Slavonia (Grubisno Polje, Daruvar, Pakrac, the western parts of Nova Gradiska, the eastern parts of Novska); the "Krajina" (Kostajnica, Petrinja, Dvor, Glina, Vrgin Most, Vojnic, Slunj, Titova Korenica, Donji Lapac, Gracac, Obrovac, Benkovac and Knin). The plan provided protection for all the inhabitants of the UNPA zones, and was meant to ensure the return to their homes of all those who had been driven out by force.

Not one of these undertakings has been fulfilled to date. On the contrary: the murder and expulsion of Croats from UNPA zones has continued unabated under the eyes of the United Nations forces. Under the "protection" of UNPROFOR the entire Croatian population of the town of Ilok (7000 people) was expelled, while terrorist attacks with artillery and rockets on Croatian towns and the civilian population have continued unabated.

### **Attempt at a Final Peaceful Solution of the Crisis on the Territory of Former Yugoslavia**

#### ***The London Conference on Yugoslavia***

Under the auspices of the British Prime Minister, John Major, who was at the time Chairman of the European Community, and the Secretary General of the United Nations, Boutros Ghali, a conference on Yugoslavia was held in London between 26 and 28 August 1992. Representatives of four former Yugoslav republics and the Federal government of Yugoslavia, of twelve EC countries, the five permanent members of the UN Security Council, neighbouring countries, Canada, Japan, Turkey, Saudi Arabia and others took part. The London Conference was designed as a permanent consultative body "until a final solution to the problem of former Yugoslavia was found". There were special groups (for Bosnia and Herzegovina, humanitarian questions, minorities, the successor states, economic relations, the establishing of confidence and security). The Conference stressed a number of principles: 1. the solving of problems by agreement; 2. the cessation of hostilities; 3. no recognition of territory seized by force; 4. respect for human rights; 5. respect for the rights of ethnic groups and minorities; 6. condemnation of "ethnic cleansing" and the alteration by force of the existing ethnic balance of populations; 7. adherence to the terms of the 1949 Geneva Convention; 8. respect for the independence, sovereignty and territorial integrity of all the states in the region; 9. reciprocal recognition; 10. a guarantee of humanitarian aid. The London Conference also adopted certain resolutions relating to the cessation of the use of force, the delivery of humanitarian aid, the abolition of concentration camps, the introduction of sanctions, offences against international humanitarian conventions. In addition, there was an important declaration on Bosnia (cessation of hostilities, recognition of Bosnia and Herzegovina, the inviolability of frontiers, the rights of all members of ethnic groups and minorities in line with the UN Charter and the statutes of the Conference on European Security and Co-operation, the return of refugees and displaced persons, the establishment of democratic structures, etc.), Serbia and Montenegro undertook to put an end to their intervention in Croatia and Bosnia and to do everything in their power to stop Bosnian Serbs seizing territory by force of arms and expelling the local non-Serbian population. They undertook to respect the rights of citizens of Vojvodina, Kosovo and Sandjak, to guarantee the security and inviolability of frontiers, to normalize relations with Croatia, to do away with concentration camps, etc.

The London Conference, with all its principles and resolutions, however, remained no more than a dead letter. From the holding of the Conference, right down to the end of August 1993, the majority of its principles, recommendations and binding clauses have been infringed countless times without the international community making any effective response.

The London Conference was no more than a vain attempt to solve the crisis in Yugoslavia. As mediator in London and The Hague, Lord Carrington proceeded on the assumption that the aggressor and the victim (Serbia and Croatia respectively) should be treated on an equal footing, and that Yugoslavia could be preserved. He utterly failed to grasp the significance of a conflict between two irreconcilable political

stances: the aggressive Greater Serbian attitude and the defensive role of Croatia. One of the major mistakes of this attempt at mediation was the failure to place the weapons of the Yugoslav National Army in Slovenia and Croatia under effective control.

Wrong assessments, indecision, false optimism instead of effective pacification led to an escalation of hostilities. Carrington's mission made it possible for the Serbs to "buy time", which they used to seize even more territory. This process continued under Carrington's successor, Lord Owen, practically to the point where the Serbs had occupied all those areas they thought indispensable for the establishment and consolidation of Greater Serbia. The Croats and Moslems in Bosnia and Herzegovina, once they at last understood that the international community, in spite of all its declarations to the contrary, intended to recognize the results of the Serbian occupation, themselves became involved in a battle to secure a modicum of living space for themselves from what was left of Bosnia and Herzegovina. The international community could breathe more easily, because, after failing to act, it had now found its alibi in this "war of all against all".

### **WERE CROATIA (AND SLOVENIA) GUILTY OF SECESSION?**

Even today the main reason for the disintegration of Yugoslavia is not clear to many people. Slobodan Milosevic and his military and political leadership insisted (and still insist) that international documents should specify as the main reason for the dissolution of Tito's Yugoslavia "the secession of Croatia and Slovenia". Their reasons were twofold: firstly, Serbia and Montenegro could then go on figuring as the successor state to Yugoslavia; secondly, they might appear to be justified - even retrospectively - in using force first against Slovenia, subsequently, in an even more violent fashion, against Croatia, and finally against Bosnia and Herzegovina. Following its declaration of independence Slovenia had attempted to take over customs posts on its frontiers although at the same time expressing a wish for the confederative reform of the Socialist Federal Republic. The Serbian military leadership at once declared this to be an act of secession, and used it as the pretext for an armed attack "to protect the territorial integrity and identity of the Socialist Federal Republic of Yugoslavia". The outcome for the Serbian political and military leadership was catastrophic. The war against Slovenia lasted no more than a few days and ended with a relatively limited degree of destruction and relatively few casualties. Considering the brief duration of the campaign, its coverage in the media and the fact that the Slovenian "fire brigade" managed to thrash the mighty Yugoslav National Army, it seemed likely that the Army had no heart for a military operation in Slovenia. The suggestion was even made that the conflict had been no more than a kind of charade. In fact, the plan for a Greater Serbia had never involved the inclusion of Slovenia. On the other hand, the former head of the Yugoslav Counter-Intelligence Service (KOS), Aleksandar Vasiljevic, claims that the Yugoslav Army had a detailed plan for the removal of the Slovene as well as the Croatian leadership. The plan allegedly involved the arrest of President Milan Kucan and Dr. Franjo Tudman, together with the entire leadership of the two republics ("NIN", 12 June 1992). But, judging by events, it appears that the proponents of the "preservation of Yugoslavia", i.e. the champions and advocates of Serbian expansionism, were not particularly interested in a Yugoslavia that included Slovenia.

In keeping with its century-old "national megalomania Serbia even today lays claim to Bosnia and Herzegovina and to a large part of Croatia, up to a line running from Virovitica through Karlovac to Karlobag.

As long ago as 1844 Ilija Garasanin, the progenitor of Serbia's national policy and the founder of Serbian expansionism, wrote that the central aim of Serbian policy must be "not to confine itself within its present frontiers, but to seek to embrace all those Serbian populations that surrounded it" (Ilija Garaganin, "A Draft / A Programme for the Foreign and National Policy of Serbia at the end of 1844"). A century later, a new champion of Serbian expansionism, Stevan Moljevic left a note to the effect that the Serbs had "the duty, first and foremost, to create and organise a homogeneous Serbia which would incorporate the entire ethnic territory where Serbs live, to secure its strategic centres and lines of communications as well as an economic base that will provide there free economic, political and cultural existence for all time" (Stevan Moljevic, "A Homogeneous Serbia"). Serbia was particularly attracted by the prospect of annexing the Croatian parts of the Adriatic coast.

This is why the declaration of independence by Slovenia, Croatia and Bosnia and Herzegovina was seen by Serbia as an attack on its vital interests. Its aggression was meant to bring those republics to heel but also to unite all Serbs in one state. The proclamation of independence by the new states was used by Serbia as a pretext to destroy them by force of arms and to keep them in Yugoslavia.

Serbia had already prepared itself intellectually for a final showdown with the non-Serbian nations of Yugoslavia. There is ample evidence of this in the press and in articles in periodicals, both in Yugoslavia and abroad. These articles are suffused with hatred of the non-Serbian nations of Yugoslavia, they glorify alleged Serbian sacrifices and call for retribution and revenge. The following excerpt is both typical and prophetic:

"Vengeance, then, must be the main political aim that takes precedence over all others... Since such vengeance is not feasible at the moment, our political tactics must be so framed that we and the Croats are placed in a situation where revenge will be possible... Those who wish to be revenged on the Croats because of what has happened in the past ought to seek the preservation of Yugoslavia, because it is only within a common political structure that this revenge may be most effectively accomplished... It might easily be staged in the form of major political unrest calling logically for a restoration of public order in such circumstances that the Croats are at a disadvantage, let us say without weapons or other technical and organisational means of defence." (Dr. Kajica Milanov: "Serbian Thought", Melbourne 1969). In Croatia the course of events was such that it might have been dictated by Milanov. Disturbances were systematically arranged so as to provide the pretext for "a restoration of public order". The Federal Army first of all armed those sections of the Serbian population which had been indoctrinated with the Greater Serbia idea. These groups then set about creating chaos in Croatia by blocking roads and wrecking railway lines, stopping and molesting travellers, sniping and murdering. These acts of banditry were accompanied by propaganda against Croats and the new Croatian government as an alleged threat to the Serbs. All this came to a head with a "spontaneous" rising in Knin against the new Croatian authorities. In order that the Serbian aggression might be staged as intervention to restore order with the Croats being placed at maximum disadvantage, it had been arranged that they should be unarmed and virtually defenceless. The Yugoslav National Army had first of all disarmed the Croatian territorial defence force (which every republic had as a peacetime element of the National Army). The Army was then able to enter on the scene as the restorer of order.

The war waged by the Serbs in Croatia was represented at that time (and is still being represented) as a defence of Serbian rights through the use of armed force. Serbia took cover behind the Yugoslav Army and the federal institutions. The "secession" of Croatia was nothing but a pretext for the use of force. When their ultimate plan failed, the Serbs settled for those parts of Croatia they had already seized (and which had by then been "cleansed" of Croats), and they assented to the arrival of UN troops. They were then at liberty to direct their aggression against Bosnia and Herzegovina. While UNPROFOR guarded their conquests in the Croatian "regions", the Serbs transferred their troops and equipment to the neighbouring republic without the slightest hindrance. They then continued even more ferociously the process that had begun in Croatia.

Serbia was prepared to wreck any Yugoslav state that did not guarantee Serbian hegemony. The moment it felt that its domination of the future Yugoslavia might be in doubt, it went to war. The disintegration of Yugoslavia is a consequence of the Serbian quest for hegemony through force, its threat of force - and ultimately its brutal use of force.

## **FRONTIER AND TERRITORIAL ISSUES**

### **The Frontier Dispute**

As the Yugoslav political crisis grew more acute in the second half of the 80s, the issue of the existing frontiers of the republics was raised by Serbia along with a series of other contentious problems. Already in the SANU Memorandum of 1986 the existence of autonomous regions inside Serbia had been attacked and dissatisfaction had been expressed with the status of Serbs in Yugoslavia generally. The same document indicated the direction that Serbian expansionism would take in the immediate future. "The Serbs in Croatia have never in the past been so acutely threatened as they are now ... if no solution is found, the consequence may be harmful in a number of ways, not only for relations in Croatia but for relations in Yugoslavia as a whole." Serbia soon afterwards openly questioned existing republican frontiers, and even before the free elections of 1990, two views on the republican frontier issue had emerged in the majority of republics: on one side were the Serbian revisionist arguments, on the other the arguments advanced by all the other republics, including Croatia, whose frontiers were being disputed by the Serbs.

#### ***Serbian and Croatian arguments regarding frontiers***

The Serbian and Croatian views on the nature and significance of the then existing frontiers between republics not only differed; they were diametrically opposed. The only legitimate, internationally

recognised frontiers, according to the Serbs, were the external frontiers of Yugoslavia, i.e. the republican frontiers were repeatedly referred to in Serbia as merely administrative boundaries, implying that they were arbitrary, incidental and liable to be changed. In line with this view, the sovereignty of the Yugoslav republics, or at least sovereignty within their existing frontiers was denied. In the Serbian view only Yugoslavia was a sovereign state, and within that state only nationalities, not republics, had sovereign status. Hence, any declaration of sovereignty within the frontiers of individual republics - so that their frontiers thereby became international frontiers - was unacceptable.

It was claimed, moreover, that no one nation might bring about the secession of members of another nationality who wished to remain within Yugoslavia. For that reason, in the case of the "secession" of individual republics - the declaration of independence by Slovenia and Croatia was called "secession" by the Serbs - common frontiers with the seceding republics would be determined by the rump of Yugoslavia. In defining these frontiers, it was further claimed, the principle of self-determination would be applied to ethnic communities which did not wish to leave Yugoslavia. Considering that the Serbs were the only party in favour of "keeping" Yugoslavia, the right of self-determination would apply only to them, so that one nation would in fact be determining the frontiers of all the others. It was indeed claimed that Yugoslavia had come into existence by the free will of its constituent nations, and that the right of these nations to self-determination had been exhausted by their entry into the state of Yugoslavia, so that the only legitimate choice left was the right of various nationalities to remain in Yugoslavia. Mihailo Markovic, a member of the Serbian Academy and Vice-Chairman of the Socialist Party of Serbia, declared in April 1991, "The right of secession, however, applies to nationalities and not to republics, the frontiers of which were arbitrarily drawn between 1943 and 1945. This means that sections of ethnic communities living in republics with majorities opting for secession have the right to choose the status quo. In that case we must be prepared to defend with all available means the right of the Serbian people to stay in Yugoslavia, in cases where others wish to secede".

Radical Serbian politicians were even then openly claiming that Yugoslavia had come into existence exclusively thanks to the determination and the efforts of Serbia following the First World War. Their argument in fact suggested that territories that had once been part of the Austro-Hungarian Empire were actually Serbian territorial acquisitions, and that Serbia alone had the right to determine their extent and to fix their boundaries.

In opposition to these Serbian arguments, the claims of the non-Serbian populations were based on the preservation of the republican frontiers that had been fixed following the Second World War. The legal basis for this view was embodied in the 1974 Yugoslav Constitution, according to which the Yugoslav republics were defined as states, not just administrative units, so that the European principle of the inviolability of frontiers applied to them. The inviolability of the territory and the frontiers of the republics was explicitly guaranteed in the 1974 Constitution, and similar provisions were embodied in the constitutions of the individual republics.

Calling on historical sources related to individual frontiers, Croatia demonstrated that the republican borders were deeply rooted in history. Croatia's borders in particular were very clearly defined during the wars against the Turks in the 17th and 18th centuries, and they remained stable from that time until the founding of Yugoslavia. Stretches of the Croatian frontier, as redrawn in 1945, which departed from the historical boundaries were as a rule fixed to the disadvantage of Croatia. Thus, for instance, the eastern part of Srijem was taken from Croatia in 1945 and made part of Serbia's autonomous province of Vojvodina. Only now for the first time in history was Serbia able to extend its territory to the area north of the rivers Sava and Danube. Boka Kotorska, historically part of the Croatian province of Dalmatia, was included into Montenegro, although it had never previously belonged to that state.

In spite of the fact that the redefining of Yugoslavia's internal boundaries was detrimental to its territorial integrity, Croatia had accepted the new frontiers and was prepared to stand by that view.

### **Frontiers and the Distribution of Nationalities**

It was not possible to draw ethnic boundaries on the territory of Yugoslavia, and minorities were bound to be included in the new states. It was not disputed that 24% of Serbs lived outside Serbia, but it was equally true that 22% of Croats lived outside Croatia. The dispersion of the Croats was not significantly less than that of the Serbs, but Croatia had never demanded the annexation of those areas of other republics that were inhabited by Croats. The distribution of both Serbs and Croats was significantly affected by the fact that the majority of both these nationalities living outside Serbia and Croatia were settled in Bosnia and Herzegovina, where, along with the Moslems, they formed three constitutive

nations. Serbian propaganda was keen to make this fact known, without, however, admitting that the Croats there were in the same position as the Serbs.

As far as minorities in Croatia were concerned, from the very start of the Yugoslav political crisis members of all non-Croatian ethnic groups had been guaranteed all their national rights, while the Serbs, as the second most numerous nationality, had been guaranteed local self-government and other forms of autonomy. The annexation of Croatian territory with Serbian majority populations (11 municipalities according to the 1991 census) to Serbia itself was not physically feasible, since these areas were remote from the borders of Serbia. Moreover, in these areas (i.e. in the 11 municipalities) no more than 25% of the Serbs living in Croatia were settled. From this fact alone it was amply evident that the alleged concern of Serbia for Serbs living in Croatia was no more than a mask for territorial expansion. In fact the maximum Serbian demand was for the amputation of all Croatian territory east of a line running from Virovitica through Karlovac and Ogulin to Karlobag. If this demand had been realised, Serbia would indeed have acquired the 11 municipalities with Serbian majorities, but it would also have annexed large areas of Croatia the whole of Slavonia and Dalmatia, for instance, where the percentage of Croats was many times greater than that of Serbs, and where there were indeed a negligible number of Serbs or none at all.

The fact that Serbian demands for new frontiers was purely unilateral and totally unjustified is shown by the Serbian attitude to non-Serbs in Serbia itself. Serbia raised the so-called issue of Serbs in Croatia, although Croatia, with 78% of Croats was, except for Slovenia, the republic with the most homogeneous population. It is a degree of homogeneity by no means exceptional by European standards.

Serbia, on the other hand, with a proportion of about 65% Serbs, is less homogeneous than Croatia. The territorial integrity of Serbia, however, could not be called in question - in the Serbian view - because the principle of self-determination does not apply to Albanians, Hungarians and Bulgarians living in Serbia. The minorities question was stated to be a purely "internal" issue, although non-Serbian communities form huge majorities in areas bordering on Hungary, Albania and Bulgaria. If ethnic criteria were to be consistently applied, the annexation of these parts of Serbia to neighbouring states would be technically fairly simple. Serbia excluded the possibility of secession by these non-Serbian populations by declaring that the external borders of Yugoslavia were inviolable. What was intended to apply to Serbs in Croatia was not accepted by Serbia in reference to Albanians, Hungarians and Bulgarians, or even to Moslems in the Sandjak or Croats in Vojvodina.

Since the Serbian view was discriminatory and totally unacceptable to the other nations of Yugoslavia, and since Serbia could not impose it by political means, it set out to achieve its territorial ambitions by direct action. To this end it used the Yugoslav National Army and other federal institutions, where Serbs formed the majority. The prime target was Croatia and the aim was obviously the forcible imposition of revised frontiers or the seizure of large areas of Croatian territory (more than 50%). The aforementioned Mihajlo Markovic said in this connection in August 1990, when the Serbian aggression was in full swing: "The Yugoslav Army has to establish new frontiers... after that we can discuss a final solution."

## **THE WAR AGAINST CROATIA**

### **The Intelligence War**

The war in Croatia had two phases: the first phase was characterised by intensive intelligence and counter-intelligence operations on the part of the Yugoslav National Army; the second phase involved the open armed attack on Croatia.

Already in the summer of 1990 Croatia was faced by an unseen but formidable enemy - the intelligence services of the Army, of which the most notorious was the counter-intelligence service, known as KOS for short. In addition to the military police and the military security service involved in purely counter-intelligence operations in the barracks of every military district and the larger garrisons throughout the country, there were counter-intelligence groups - KOG - also made up of intelligence experts who had set up a dense intelligence network.

Specially trained staff, officers and NCO's of the KOGs operated under counter-intelligence rules, exclusively in civilian clothes; they possessed the most up-to-date equipment for monitoring and tapping communications and for undercover surveillance and represented an elite within the military security hierarchy. They were the "untouchables" operating in strict secrecy, even in their contacts with their own army. All their reports went to the relevant department in Belgrade, and the commandant of the Zagreb military district found on his desk only crumbs of information, censored surveys, or generalised

impressions of secret KOG operations in Croatia. The KOG's principle function was supposed to counter foreign intelligence services, but they were in fact more concerned with the observation and investigation of the "enemy within". Thus two parallel and independent intelligence systems existed, connected above all to the civilian political department of the police, then called the State Security Service (formerly known as UDBA). These arrangements were introduced after 1966 and maintained in Croatia until the collapse of the ruling League of Communists which neither controlled the KOG's nor knew anything of their activities, even in the broadest outline. In various "critical" periods at the end of the 1960s, in the 1970s and on into the 1980s, the Army in Croatia skilfully manipulated a vast amount of independently compiled material by which it demonstrated to the Communist party and the police that it was "always one step ahead" and was hence the central intelligence agency when it came to protecting the existing order. When a change of government came in the spring of 1990, the KOGs were already prepared. Making various forecasts in February 1990 as to the likely results of the elections counter-intelligence officers estimated that in March 1990 the Croatian Democratic Union (HDZ) was likely to gain up to 50% of the votes in an election, most of them in the Zagreb area. That was enough to prompt secret action (largely without the knowledge of the Croatian authorities), in which weapons were removed from the arsenals of the Croatian territorial defence forces (about 257 - 260,000 items of small arms and artillery). The official Party forecast was that the League of Communists along with Racan's reformist wing would share power with what was then a coalition of "national understanding", with the HDZ gaining at most one third of the votes. Franjo Tudman (leader of the HDZ and later president of the Republic) might be given one of the less senior ministerial posts (education or tourism, perhaps technology and science).

The actual outcome of the election was a severe blow to the Communist regime. It lost power overnight, and the Yugoslav National Army failed to go into action at once. In August 1990, when the well planned "barricade revolution" was implemented by a section of the Serbian population, and the military flight controllers in Bihac turned back Croatian police helicopters on their way to restore order in Knin, the general staff in Belgrade felt it had sufficient pretext to begin planning full-scale armed intervention. But then something happened which greatly surprised the professional officer corps of the Yugoslav National Army: Martin Spegelj, a retired major general and erstwhile commander of the Fifth Military District in Zagreb and popular in the Army, became Minister of Defence in the new Croatian government. As former commander of the Fifth Military District, Spegelj was extremely well informed and was able to reorganise the Croatian police and security apparatus, and convert it into a purely military force.

Federal military agents kept a close check on the conversations of the leading Croatian ministers and their confidential advisers, tapping and recording them wherever possible. The Army analysts soon realised that, if it came to confrontation with the Yugoslav National Army, then Croatia was determined to take drastic action - ranging from a total blockade of all barracks and other military facilities to surveillance of apartments and houses occupied by senior officers in the Fifth Military District. In order to do this, Zagreb decided to upgrade the armament of its police force.

### **Open Aggression**

In June 1991 the Yugoslav National Army decided finally to "pacify" Croatia. It committed huge forces to this operation. When the all-out war against Croatia began in July 1991, the Army had at its disposal 19,029 artillery pieces of various kinds - 1,799 anti-tank guns, 4,200 recoilless rifles, 6,400 mortars. The heavy artillery comprised 1,934 guns, there were 250 self-propelled guns, 4,286 anti-aircraft guns and 160 multiple rocket launchers. Croatia was faced with what was literally the second strongest artillery force in Europe and beyond.

The attack on Croatia was carried out by a total of 100,000 officers, other ranks and members of paramilitary formations, 1,600 tanks, 1,150 armoured troop carriers, 489 war planes and 165 helicopter gunships; the Croatian coast was blockaded by 200 warships of 39 various types. Through combined attacks with artillery and aircraft the Army began systematically to destroy 45% of Croatia, 95% of their targets being civilian buildings and installations. Although the Yugoslav National Army ruthlessly and systematically destroyed those areas and installations it had earmarked as its prime targets, it did not succeed in destroying or disarming what it had gone to war to destroy - the 20,000 members of the Croatian police force and National Guard. On the contrary, within only 100 days and under constant enemy fire, a Croatian army had been created, which by November 1991 had increased to 10 times its original size. By the beginning of 1992, 220,000 men and women were fighting in the Croatian armed forces and expending up to 5 million rounds of ammunition a day in fierce battles with the enemy.

Not counting their forces stationed in Bosnia and eastern Herzegovina, at the end of 1992 Serbia had at its disposal an army of 135,000 men on active service (including no less than 90,500 officers, NCOs and

regular soldiers) plus 400,000 reservists (see Table 1). The Serbian forces in Bosnia operated with a further 70,000 trained soldiers, 300 tanks, 180 armoured troop carriers, 400 large calibre guns, not counting light field artillery and rocket launchers. The total strength of the Banja Luka Corps, including volunteers from Serbia, was 100,000 men, backed up by 50 combat aircraft and a squadron of helicopters stationed on the airforce base in Banja Luka. In the course of 1992 Serbia deployed its artillery over the whole territory it controlled: 3,000 artillery pieces of all calibres were stationed in Bosnia, 4,000 in Montenegro, while more than 10,000 guns were sited in Serbia itself, in Vojvodina and Kosovo. All the armament factories and arsenals were also situated on Serbian home ground. Serbia was fully prepared for a war of attrition lasting several years, in which its artillery would play a major strategic role.

**Table 1. The total number of Serbian Weapons Stationed on the territory of Serbia, Montenegro and Bosnia and Herzegovina (end of 1992).\***

Type	Numbers	Production	Reserves of ammunition for a war lasting
automatic and semi- aut. rifles	2.2 mil.	stepped up	5 years
sub-machine guns	600,000	current	3 years
machine guns	25,000	current	18 months
single-round bazookas	200,000	stepped up	12 months
multi-round anti-tank grenade launchers	4,000	stepped up	12 months
guided anti-tank launchers	1,500	current	6 months
hand-held anti-aircraft launchers	2,000	stepped up	10 months
mortars	5,600	current	3 years at a rate of 500,000/month
recoilless rifles	4,000	current	2-3 years
light anti-aircraft guns	3,900	current	15-18 months
heavy artillery	3,400	current	2 years
self-propelled guns	220	-	12 months
multi-barrelled rocket launchers	150	current	800,000 rockets, 128 and 262 mms
tanks	1,000	temporarily suspended	100 and 125 mm shells for 12 months
armoured troop carriers (armed)	925	on a reduced scale	"Maljutka" anti-tank rockets, light cannon and machine-guns
aircraft (operational)	450**	temporarily suspended (some being serviced in Batajnica and Zemun)	standard bombs cluster bombs and rockets for 8-10 months
helicopters (gunships and transport)	136 "Gazela" and Mi-8	temporarily suspended	anti-tank rockets, unguided projectiles
ground to ground rockets, tactical and medium range	50-60 launchers	improved	?
Fuel	?	embargo on supplies	stocks for 6 months of intensive fighting plus topping up from private sources
air-to-air rockets (aircraft)	600	servicing and modifications	-
air-to-ground rockets (aircraft)	400	-	-
ground-to-air rockets (anti-aircraft)	200 launchers	stepped out	500-600 rounds
frigates/corvettes	4	-	all ships, rockets and ammunition concentrated in Boka Kotorska
patrol/rocket launchers	60	halted	"
mine-sweepers	8-10 operational	suspended	"

landing craft	40	suspended	"
submarines	5	suspended	"
mini-submarines	6	suspended	"
naval helicopters	16	suspended	stationed at the naval base in Tivat

*\* These data and deductions are based on recent British, American, French, German, Austrian, Italian and Swedish sources. The margin of possible error in this table amounts to +/-2%. The table quotes a scale of expenditure of reserve munitions on the assumption that hostilities occur daily.*

*\*\* The presence of Russian volunteer pilots allegedly flying MIG-21 and MIG-29 fighter-bombers is deduced from intercepted radio messages in Russian between pilots of attacking aircraft.*

## War Damage

The attack on Croatia has had the gravest consequences, both in terms of damage to property and installations and in disruption of the lives of the population. No overall estimate of war damage can yet be made, because the destruction still continues daily.

### a) Casualties

Losses in human life are irreplaceable. According to figures issued by the Information and Research Department of the Ministry of Health and the Croatian General Medical Staff, on 23 August 1993, since the start of hostilities in Croatia 6,651 persons have lost their lives and 24,028 have been wounded.

These figures refer to casualties of which we have proof, and there are grounds for fearing that the number is significantly higher, since, according to figures issued by the Croatian Red Cross, 13,700 persons are still missing. The most tragic situation is obviously that of Vukovar, where 2,642 persons are still unaccounted for. The largest number of dead and wounded was recorded in the district of eastern Slavonia, where material damage is also greatest. The scale and nature of the war is most clearly indicated by the fact that, in all the areas which fell to the attackers, the number of dead and wounded civilians is significantly greater than the number of casualties among the police and soldiers. In the course of the war a large number of children have been killed or injured: 702 children have been wounded, and 162 killed. In the course of 1993 and the two preceding years thousands of soldiers and civilians from Croatia have been detained in concentration camps in occupied areas of Croatia, but also in Serbia, Montenegro and Bosnia and Herzegovina. This detention, involving illtreatment, poor diet and psychological humiliation has left indelible marks on the psychological condition of these people. Many of those who suffered in the concentration camps were frail and elderly individuals, children and women.

### b) Damage to property and installations

Material damage is one of the first and most obvious signs of the war in Croatia. It was not caused exclusively by fighting. Much of it was the result of the deliberate wrecking of buildings and facilities by the aggressor on territory he had already occupied. Estimates by the State Institute for Macroeconomic Studies and Forecasts and by the Ministry of Culture state that 590 towns and villages have suffered damage (with 854 communities being subjected to attack): 35 of them have been razed to the ground, and 34, including several major towns and cities, have suffered significant damage. Moreover, 323 historical sites and settlements have been destroyed or damaged. 210,000 houses destroyed or burned down, equivalent to 12% of the housing stock in Croatia.

Croatia is a tourist country, and the destruction of a significant proportion of its tourist facilities will have grave repercussions on the revival of this important branch of the economy. Estimates suggest 10% of tourist facilities having been destroyed or damaged. The economy as a whole has suffered enormous damage. About 30% of the country's industrial capacity has been put out of action by destruction or occupation. Agriculture has also suffered untold damage, ranging from the slaughter or theft of livestock to the destruction or looting of agricultural machinery. Much land has been left to deteriorate and it will require great efforts to get it back into cultivation.

A particularly difficult situation has been created through the destruction of communications, 33 bridges destroyed and 24 damaged, among them the Maslenica bridge, which is of vital importance to Dalmatia. Its destruction meant that one fifth of the total population of Croatia, who live in Dalmatia, together with their whole economy, have become dependent on a single ferry link. Damage and occupation have caused major impairment of communications, many basic links having been cut or disrupted, e.g. the railway lines Zagreb-Vinkovci (via - Okucani) and Zagreb-Split (via Knin). There is no traffic on 37% of

the rail network. 92 railway engines were either stolen or put out of action, along with 475 carriages and as many as 1,445 goods wagons. Some thousands of kilometres of arterial, regional or local roads were damaged or occupied together with a number of river ports. An entire navigable reach of Europe's largest river, the Danube, was occupied. Not even the postal services could function as they did before the war. Many arterial routes have been severed. No fewer than 223 telephone exchanges (about one third of the number Croatia had before the war) have been put out of action. About 200,000 subscribers have been cut off on account of the war and the occupation. Not even hospitals, schools or university buildings were spared. 9 major hospitals and countless smaller medical centres were totally destroyed or damaged as were 469 nursery, primary and secondary schools, university departments and student centres. The children of displaced families are forced to continue their education in overcrowded schools in those parts of Croatia that are still free.

The occupiers also seized a number of local water authority facilities and electrical installations. The whole of Dalmatia was cut off from the Croatian power supply system and reduced to purely local sources of electrical energy and uncertain supplies from Bosnia and Herzegovina.

Numerous museums, libraries and historical towns were ruthlessly attacked. 479 ecclesiastical buildings were damaged and most of those that survived the actual fighting were later damaged by the insurgents when they occupied parts of Croatia. Many items of cultural value on displays in museums and galleries, where they survived the destruction of the war, were looted and are now in the museums and galleries of Serbia, in private collections in the "Socialist Republic of Yugoslavia", or elsewhere in Europe.

A number of wireless and television relay stations were destroyed and occupied, and at one point it was impossible to transmit or receive radio and TV programmes in Croatia. A considerable number of transmitting studios together with all their equipment, as well as printing presses, were destroyed. Not even cemeteries and churchyards were spared, the attackers shelled them in an attempt to obliterate evidence that they were occupying territory that had been inhabited for centuries by Croats. National parks and nature reserves, part of the world's nature heritage, e.g. the Plitvice Lakes, the River Krka, Kopacki Rit, were deliberately damaged.

### **c) Refugees and displaced persons. Europe's greatest refugee crisis since the Second World War**

The initial damage wreaked by the war and the first homes that were deliberately set alight released a flood of refugees in Croatia. In the middle of 1991 the first displaced persons were forced to leave their homes after constant harassment and ill-treatment by Greater Serbia rebels to seek refuge in other parts of Croatia or else abroad. One of the greatest waves of refugees was set off when Baranja fell (Baranja had, incidentally, a majority of Croats in its population), and tens of thousands of people had to leave their homes. Many took refuge in Hungary, since routes into other parts of Croatia were blockaded. With the fall of Petrinja, Hrvatska Kostajnica and, especially, of Vukovar a further major population exodus took place. To receive them numerous hotels were opened in central Croatia, Slavonia, Zagreb, and on the Adriatic. Apart from hotels, worker's holiday homes, motels and camps were also commandeered. Figures from the Office for Refugees and Displaced Persons show that refugees were billeted in 225 Category B hotels (or in accommodation of equivalent standard) and in 97 buildings of a somewhat lower standard, as well as in 32 refugee and transit centres. The feeding of refugees and displaced persons housed in private accommodation was organised in a further 60 facilities. The homes of Croatian citizens were generously opened to take in relations, friends and acquaintances. Accommodation with families throughout Croatia was a fundamental feature of the care taken of refugees and displaced persons.

Demands for a return home to the occupied areas of Croatia have been made with increasing frequency by the refugees themselves, and also by the institutions caring for them. Up till now return has been possible only for displaced persons (and refugees who sought refuge abroad) whose homes were in areas affected by the war, which were, and which have remained under the control of the Croatian authorities.

It ought to be emphasised in this connection that UNPROFOR to date has been unable to arrange the return of a single refugee to the UN Protected Areas. In fact, their assumption of responsibility for these areas has not in any way reduced the expulsion of the Croatian and other non-Serbian inhabitants. Expulsions have continued to the present day, with the last remaining groups of Croats being driven from their ancestral homes. Old people, the blind, the sick and infirm who would not or could not leave their homes have not been spared: they have suffered ill-treatment, harassment, hunger and even murder. This state of affairs is referred to in many reports and in statements by UN officials.

The basic policy pursued by the aggressor in the occupied areas of Croatia is ethnic cleansing. Not a single non-Serbian ethnic community is able to survive the tyrannical conditions imposed by the Greater Serbia militias. Given this anarchy and the Greater Serbia policy being pursued in the occupied territories, Croatia has been unable so far to solve the problem of the return of its refugees. About 330,000 Croatian refugees and displaced persons are still waiting to return from Croatia and a number of neighbouring countries mainly in Western Europe. These are not only persons of Croatian nationality. In Croatia at present there are large numbers of individuals of other nationalities who have been forced to leave their homes, including even Serbs. There are about 7,000 Serbs with refugee status in Croatia, and even more Hungarians, Slovaks, Ruthenians, Ukrainians and others. At the same time the number of refugees from Bosnia and Herzegovina was steadily growing, and also - which is not generally known - from Vojvodina and Kosovo. About 279,000 refugees from Bosnia and Herzegovina have taken refuge in Croatia, while many more passed through Croatia on their way to other countries. About 38,000 refugees have entered Croatia from the other republics of former Yugoslavia. Among the refugees from Bosnia and Herzegovina Moslems predominate, and about 150,000 of them are at present being cared for in Croatia. All this constitutes an enormous burden on the Croatian economy: the cost of caring for refugees comes to about 62 million US dollars each month, and a great deal of this is met from the Croatian budget.

It is estimated that the total cost of war damage in Croatia exceeds 21,000 million US dollars, equivalent to 4,500 US dollars per head of the country's population. Since the destruction of homes and other facilities is still going on, especially in the Zadar and Sibenik, area, war damage costs continue to rise daily. A special problem may arise through the forceful imposition of town planning ideas that are totally out of keeping with the period and the environment to which they are to be applied: Serbian architects, for instance, are planning to rebuild the ruins of Vukovar with its baroque town-centre in a "Byzantine style".

Any prolongation of the status of refugees and displaced persons in the case of many families from occupied areas of Croatia and Bosnia and Herzegovina is bound to give rise to fresh problems and tensions and adversely affect, not only the social and psychological state of these people, but also the social stability of the entire population of Croatia. Croatia is obliged to cope with the problems of refugees until they are able to return to their homes, and the task will become increasingly difficult and complex as the people concerned become more and more restive. The chances of a more effective solution to the problems caused by the war will depend on the speed and efficacy of the UN peace-keeping operation, of which an essential feature must be the voluntary return of refugees to their homes. It is the rapidity of this return and the comprehensiveness of its organisation that will determine how soon the consequences of the war can be eliminated throughout Croatia and particularly in the areas under United Nations protection. In the absence of rapid action to return refugees to their homes there will be at least three major consequences: first, growing unrest among Croatian refugees (and refugees from Bosnia and Herzegovina); secondly, the economic exhaustion of Croatia on account of the need to set aside funds to care for the refugee population; and thirdly, the acknowledgement of the Greater Serbian annexations and agreement to a change of European frontiers by the use of force.

#### **d) The occupied areas**

The occupied areas of Croatia - calculated according to the situation on the battle-fronts on the day the armistice was signed in Sarajevo (2 January 1992) - amount to almost 15,000 square kilometres, or 26.5% of the state territory.

**Table 2. Population of the occupied territories (figures from the 1991 census; occupation as on 3 January 1992).**

Occupied territory	Total population	Croats %	Serbs %	Others %
Eastern Slavonia	193,513	44.5	35	20.5
Western Slavonia	21,072	31.9	58.7	9.5
Banija, Kordun eastern Lika	195,642	27.1	66.8	6.1
N. Dalmatia	138,865	41.7	55.3	2.8
<b>Total</b>	<b>549,083</b>	<b>37.1</b>	<b>52.4</b>	<b>10.5</b>

Thus in these areas, according to the 1991 census there were 549,083 inhabitants or 11.5% of the total population of Croatia. In the population of the occupied areas, Serbs represented 52.4%, Croats 37.1%, and members of other nationalities (Hungarians, Ruthenians, etc.) 10.5%. In order to "protect" the

allegedly "threatened" Serbs in Croatia, territory was seized which contained an almost equal number of non-Serbs, most of them Croats! For the vast majority of non-Serbs occupation has meant physical liquidation or brutal expulsion from the occupied areas. That the true object of military operations directed against Croatia was not the "protection" of Serbs, but the seizure of Croatian territory is also shown by the fact that Serbs in the occupied territories registered in the 1991 census as resident in Croatia account for no more than 49.5% of the total of Serbs living in the country.

More than half of the Serbs living in Croatia have gone on living intermingled with Croats in those parts of the country that have been continually under the authority of the legitimate Croatia government.

The true nature of the Serbian aggression is also shown by figures relating to the nationality mix in the occupied community. Table 2 shows that, of 1,074 municipalities in the occupied territories, a Serbian majority was registered in only two thirds, while in the remaining third other nationalities predominated, mostly Croats.

**Table 3. Occupied settlements showing the nationality mix (figures from 1991 census; occupation as of 3 January 1992)**

Nationalities	No. of municipalities	% of occupied settlements
Croatian majority	330	30.7
- more than 50%	14	1.3
- less than 50%		
Serbian majority	698	65
- more than 50%	10	0.9
- less than 50%		
Other settlements***	22	2.1
<b>Total</b>	<b>1,074</b>	<b>100</b>

**\*\*\* One municipality had an equal number of Serbs and Croats; 13 had Hungarian, 3 had Ruthenian, 1 a "Yugoslav" majority, 4 were depopulated.**

Most villages with Croatian majorities have been burned down or razed, so as to obliterate any evidence of the existence of a Croatian population. Other homes of expelled Croats, Hungarians and Ruthenians and other non-Serbian nationalities have been used for resettlement of Serbs from Serbia, Bosnia and Herzegovina and other parts of Croatia. An attempt is being made to change by force the original nationalities mix of the occupied areas to the advantage of the Serbs.

How deceitful the argument about the "protection" of the Serbs was is best illustrated by the nationality mix of the population of the Croatian territory of Baranja. According to the 1991 census, in that region, which coincides more or less with the municipality of Beli Manastir, there were 54,265 inhabitants, of whom 41.9% were Croats, 26.5% Serbs, 16.5% Hungarians. 16.1% declared other nationalities. Of 52 settlements in Baranja, Serbs represented more than half of the population in only 8, while in another 6 settlements they were the largest single ethnic group with less than 50%. Here, the alleged "protection", in fact the ethnic cleansing of a territory forming an integral part of the Croatian state, was carried out on behalf of a bare quarter of the local population. This, like other examples from the occupied areas, confirms quite clearly that the aim of the Serbian aggression was the annexation of Croatian territory, in other words, to change by force the internationally recognised frontiers of Croatia.

## **UNPROFOR IN CROATIA**

### **Introduction**

To understand the military and political situation in the Republic of Croatia since the autumn of 1991 one must be aware of the part played by the United Nations and the action taken to bring to an end the armed conflict between the Republic of Croatia and the Yugoslav Army, Serbia and Montenegro and local Serbian rebels. The United Nations role was expressed in a variety of ways, directly and indirectly, but its main and most complex expression was in the stationing of the UN protective forces (UNPROFOR) as a force designed to keep the peace on the territory of Croatia. Although the military presence of the United Nations as a peace-keeper was not in itself decisively important, and did not lead to the result initially envisaged, it still had an influence on the development of the military and political situation in Croatia and neighbouring territories, an influence which has persisted until the present day.

## **Internationalisation of the Conflict**

When Croatia was attacked by the vastly superior forces of the Yugoslav Army, Serbia, Montenegro and Serbian insurgents within its own borders, the Croatian leadership tried from the very start to internationalise the conflict and to gain adequate support and aid from the democratic forces of the world, especially of the western democracies. On the whole such aid was not forthcoming, and especially damaging to Croatia was the embargo imposed on the export of arms to the territory of a disintegrating Yugoslavia, which ensured a vast superiority for the Yugoslav Army and the numerous Serbian paramilitary units, which had available enormous stocks of weapons and ammunition. True, the European Community did send an observer mission (ECMM) to watch what was happening and report to their governments, and also to mediate between the warring parties. Already at the time of the Brioni Declaration of 7 July 1991, however, it was obvious that the crisis could not be peacefully resolved by the mediation of the Mission.

The sudden flaring up of the war and Croatian military successes took the world by surprise. In spite of vast military superiority the attacking forces failed to defeat Croatia, and this opened up the prospect of a protracted war and made the collapse of Yugoslavia seem inevitable. In October and November 1991, in spite of Yugo-Serbian gains, the powerful offensive against Croatia had been halted. This major military, political and moral victory brought Croatia to the threshold of international recognition, and the aggressor was forced to revise his military and political objectives, relinquishing his aim of conquering the whole of Croatia and limiting himself to the occupation of those areas which he considered could be incorporated into Greater Serbia.

In Resolution 713 of 26 September 1991 the Security Council had already expressed its full support for the efforts of international organisations and other states to achieve peace and dialogue in Yugoslavia, and, in particular, offered its aid and support to the observers seeking a cessation of hostilities in Yugoslavia and a resumption of the political process within the context of the Conference on Yugoslavia. It appealed to the warring parties to settle their differences in a peaceful fashion through discussion and instructed the Secretary General of the United Nations to offer his help in consultation with the Yugoslav government. Although Croatia had declared its independence on 8 October 1991 and broken off its legal and political relations with Yugoslavia, the United Nations persisted in regarding Yugoslavia as a legitimate political entity with which official relations might be maintained. After the Geneva agreement on a cease-fire, the lifting of the blockade on the Army's bases and barracks in Croatia and the withdrawal of troops and equipment from those bases, which was agreed on 23 November, after a letter from the Secretary General reporting the appointment of his special envoy, Cyrus Vance, and following the Yugoslav government's move of 26 November relating to the conduct of peace-keeping operations, the Security Council adopted Resolution 721 on 27 November. This resolution called on the Secretary General to submit his recommendations forthwith. The Security Council undertook to debate the Secretary General's recommendations without delay and to pass appropriate resolutions. The Security Council also explicitly called on the two sides in the Yugoslav conflict to honour unconditionally the Geneva agreement of 23 November. The United Nations' peace-keeping operation thus began on the assumption that an armistice was already in force. The Croatian side had been consulted and had agreed to the plan for a peace-keeping operation, seeing this as the only way of achieving a lasting peace without further heavy loss of life and destruction of property.

## **The Peace Plan**

On 11 December 1991 a proposal for a UN peace-keeping operation in Yugoslavia was published as Appendix III to the Secretary General's Report. The plan had been devised by Cyrus Vance, the personal envoy of the UN Secretary General, and Mark Goulding, Assistant Secretary General for political issues. Their proposal became known to the public as the "Vance Plan". All the parties to the conflict gave their assent to the plan as proposed.

The UN peace-keeping operations in Yugoslavia were intended as an interim arrangement with the aim of creating conditions for the peace and security essential for discussion of a definitive overall solution of the crisis. It was stipulated that the UN operation would in no way prejudice the outcome of such discussions. A condition for the implementation of UN operations was "that all sides in the conflict adhere strictly to agreements, especially the agreement on an unconditional cease-fire reached in Geneva on 23 November." The military forces provided by governments of member states of the United Nations were required to be absolutely impartial, and would be permitted to use their weapons only for self-defence.

According to the basic plan, forces comprising troops and police observers (UNPROFOR) would be stationed in parts of Croatia designated as "areas under UN protection" (UNPA). These would be demilitarised, all armed forces other than UNPROFOR would be withdrawn or demobilised, the UN force would guarantee the implementation and maintenance of demilitarisation. The police observers would have the job of supervising the work of the local police force, to prevent discrimination against individuals of what-ever nationality, and to ensure that human rights were respected. The Yugoslav Army was to withdraw from all parts of Croatia. UNPROFOR, in collaboration with UN humanitarian organisations would ensure the safe and peaceful return of displaced persons to the "protected areas".

These were areas where, in the judgement of the UN Secretary General, special measures were required during the transition period before an overall political settlement was agreed, and where a long-term cease-fire would have to be imposed. It was stated explicitly that they were areas where Serbs constituted a majority or a sizeable minority of the population, and where "tension between the ethnic communities had led to conflict." These areas were located in eastern and western Slavonia, in Banija, Kordun, Lika and northern Dalmatia. It was the precise designation of these areas on the ground that governed, in consultation with the local authorities, the stationing of the UNPROFOR advance guard.

Under UN protection, then, were parts of Croatia where Serbs constituted a majority of the population, but also areas where the proportion of Serbs and Croats were equal, or even where Croats were in fact more numerous than Serbs. Taking into account the situation before the UN forces were deployed, the protected areas were mainly under Serbian occupation or control, although certain areas were still supervised by the Croatian army.

**Table 4. Features of the UNPA sectors**

UNPA including sector	counties and boroughs	status before national mix UNPROFOR	UN contingent from		
East	Baranja E. Slavonia, Srijem	Beli Manastir, Vukovar, part of Osijek, part of Vinkovci	occupied	Croat majority, Serbs 35%, Hungarians	Russia, Belgium
West	W. Slavonia	Grubisno Polje, Daruvar, Pakrac, part of Novska, part of N. Gradiska	mainly under equal numbers of Croat control	Serbs and Croats	Canada, Jordan, Nepal, Argent.
North	Banija, Kordun	Kostajnica, Dvor, Petrinja, Glina, Vrginmost, Vojnic, Slunj	occupied	Serbian majority, Croats 35%	Nigeria, Denmark, Poland
South	E. Lika, N. Dalmatia	T. Korenica, D. Lapac, Gracac, Knin, Obrovac, Benkovac	occupied	Serbian majority, Croats 21%	Czech R., Slovakia, France, Kenia

The entire area under the protection of the United Nations was divided for operational purposes into four sectors: Baranja, Eastern Slavonia and Srijem were designated UNPA Sector East. It included the municipalities of Beli Manastir, Vukovar and parts of the municipalities of Osijek and Vinkovci, but not those towns themselves. Sector East is identical in area with the occupied territory of that part of Croatia. According to the 1991 census, the population of Sector East had a Croat majority (44.5%), with Serbs representing 35% of the population.

Western Slavonia was designated UNPA Sector West. The southern part includes occupied parts of the municipalities of Novska, Nova Gradiska and Pakrac, where, in 1991, Serbs formed the largest ethnic group. The larger, northern part of this sector includes the municipalities of Daruvar and Grubisno Polje, areas which had not previously been occupied, and where Croats were in a majority compared with Serbs. The census of Sector West as a whole showed Serbs and Croats as evenly balanced.

UNPA Sector North comprised the occupied municipalities of Kordun and Banija. The 1991 position here was 34.7% Croats and 58.0% Serbs. Thus there was just over 50% Serbs in the sector as a whole while in certain parts for example the municipality of Slunj - Croats were in the majority.

UNPA Sector South comprised the municipalities of Donji Lapac, Titova Korenica and Gracac in the eastern part of Lika and Obrovac, Benkovac and Knin in northern Dalmatia. According to the 1991 census, the proportion of Serbs in that part of Croatia was 75.7% and of Croats 21.2%.

Although the original plan had not provided for this, the situation on the ground made it necessary for UNPROFOR to take control of the so-called "pink zones". This term was applied to parts of Croatian

territory or parts of particular counties or municipalities outside UNPA which remained under Serbian control after the cessation of hostilities. The most extensive "pink zones" were established round Sector South. They included the occupied parts of the municipalities of Sinj, Drnis, Sibenik, Zadar, Gospic and Otocac. In all these municipalities Croats were in a majority. Pink zones were also designated in occupied parts of the municipalities of Ogulin, Duga Resa, Karlovac and Sisak, which also had Croat majorities. No pink zones were designated in UNPA Sectors East and West.

### **Defects of the Peace-keeping Plan**

The plan was well-intentioned but defective in approach. Its initial aims were the achievement of peace, security and respect for human rights, including the return of refugees and displaced persons who had been forced to leave their homes on account of the war. False, however, was the assumption that tensions and conflict in those areas with mixed populations had arisen because the security and human rights of the local Serbs had been threatened by the Croatian declaration of independence. This was the Serbian argument, but the Croatian side showed quite clearly that the local risings among the Serbian population in Croatia were merely part of a wider Serbian and Army strategy to impose their solution of the "Yugoslav crisis" on Croatia by force of arms. The basic problem was actually how to protect Croatia from Serbian aggression, not how to protect the Serbian population from possible excesses on the part of the Croatian authorities. This latter problem can be solved only when the basic problem of the aggression on Croatia which in large measure involves the local Serbs, has been dealt with. This is why the Croatian side was on the whole dissatisfied with the Vance plan. However, it did see in the plan, in conjunction with wider political and diplomatic moves, one means of securing the integrity and independence of Croatia in a peaceful manner without further destruction and loss of life. With acceptance of the Vance plan Croatia's struggle for international recognition began.

The Serbian side, on the other hand, continued its military operations, seeking to consolidate by force its hold on Croatian territory before definitive discussion could be held on the implementation of the Vance plan.

After setback in some areas and faced with the prospect of imminent international recognition of Croatia, the Serbian side agreed in Sarajevo on 2 January 1992 to a cessation of hostilities. Wishing to sign a peace plan before Croatia was internationally recognised, the Serbs gave assurances that they accepted the plan and would cooperate unreservedly in its implementation, at the same time seeking additional guarantees for Serbian communities in Croatia.

At this point the UN committed a fatal error which was to be paid for later and which represented the greatest obstacle to the carrying out of the Vance plan. From alleged concern for the Serbian communities that would come under UN protection, instead of seeking guarantees from the Croats, whose territory and population were involved, Goulding gave his own interpretation of the status of the "protected areas" in the name of the UN, stating that the UN peacekeeping mission would not end until a "comprehensive solution of the Yugoslav political crisis" was found and that the deployment of UN forces would not alter the status quo, so that the laws and institutions of the Republic of Croatia would not apply in areas under UN protection. An interpretation on these lines was entirely at odds with the spirit and sense of the Vance plan and with the thinking of the arbitration commission under the chairmanship of R. Badinter, according to which the borders of Croatia had to be regarded as internationally recognised frontiers, with the local Serbian communities having no right of self-determination. Goulding's interpretation called in question the territorial integrity of the Republic of Croatia, encouraged Serbian separatist aspiration and limited the effectiveness of the UN peace-keeping forces by requiring them to seek the consent of Serbian local authorities which had been installed by force of arms. The Croats protested and incorporated in the Croatian constitution amendments on the protection of human rights and the rights of ethnic communities, including international supervision of these rights. However, this had no real influence on the Goulding interpretation of the status of the "protected areas". Indeed, Goulding's guarantee merely encouraged the insurgent forces to ignore the constitutional guarantees offered by the Croatian government.

In the meantime the process leading to the international recognition of the Republic of Croatia continued. A high degree of co-operation and the guarantees given by Croatia in its constitutional arrangements regarding human and ethnic rights, with special provision for the Serbian ethnic community in Croatia, speeded up the process of recognition of the Republic of Croatia as a sovereign and independent state within its existing frontiers, as well as its admission to the United Nations and other international bodies. Vance's peace plan had explicitly stated that it would not prejudice an ultimate political solution. It ought now to have been modified to take account of new political factors which had been internationally

endorsed, but the UN representatives clung rigidly to the original scheme, which was now no longer relevant, thus prejudicing their attitude to the new facts of the political situation. Waiting for an "overall political solution to the Yugoslav crisis" in a situation where the Yugoslav state no longer existed, while new states on its territory had gained internationally recognised independent status - was tantamount to fostering an illusion which implicitly supported Serbian expansionism.

Lengthy and arduous discussions on this point were held with representatives of the United Nations, and the Croatian leadership repeatedly pointed out the risk of the peace plan being blocked and compromised. The lack of any clear view of the political processes that had led to the crisis and the manner in which the international community might cope with it threw the United Nations into a state of confusion and inertia that was to the advantage of that side in the conflict which had superior force at its command. The Croatian side clearly saw this danger, but it had little choice other than to accept the Vance plan: it could not risk wrecking it and then being accused of rejecting a peaceful solution. Besides, it relied on the logic of the peace plan itself and the impartiality of those who would implement it.

### **The Deployment of UNPROFOR**

On the basis of Security Council Resolution 740 of 7 February and 743 of 21 February 1992, UNPROFOR's operations began with the arrival in Croatia of 50 liaison officers led by Colonel Wilson. This group was augmented by the despatch of a further 25 officers, and on 10 March 1992 the UNPROFOR advance guard under the command of General Satish Nambiar and his staff arrived in Zagreb. Separate agreements on the deployment of UNPROFOR were arrived at with the government of the Socialist Federal Republic of Yugoslavia and the Croatian government. Sarajevo was chosen as UNPROFOR headquarters, although the peace-keeping operation was to be mounted in Croatia. This arrangement was further evidence of the UN's muddled ideas on relations within Yugoslavia and the status of Croatia. It allowed the Serbian side to prevent Croatia being defined in terms of its statehood and to have its territory defined as if it did not include the whole of its area as a sovereign state. UN concessions to the Serbian side were prompted by the need to co-operate with the Yugoslav authorities and local Serbian authorities, but they affected many issues of principle and were not acceptable to the Croats. In defining the agreement on the status of UNPROFOR in Croatia, the Croat side put forward a number of objections in principle, especially in regard to the official record and the definition of certain concepts, so that the agreement was never in fact signed. In its declarations of 10 and 21 February the government of the Republic of Croatia announced that, in accepting the overall plan of UN peace-keeping operations in Croatia, it could accept no responsibility beyond the scope of that plan, or for arbitrary interpretations of the plan, and that it considered that only the laws and institutions, i.e. the legal status of the Republic of Croatia had any validity in the "protected areas".

By UN Security Council Resolution 743 of 21 February 1992, the Secretary General undertook to set up UN protection forces (UNPROFOR) and to deploy them as soon as possible in the crisis areas in keeping with the peace plan. It was stipulated that the duration of the operation would be 12 months, unless the Security Council subsequently decided otherwise. This Resolution once again stressed that the UN peace-keeping plan and its implementation were in no way intended to prejudice an ultimate political solution, but it called on Yugoslavia to co-operate in the Conference on Yugoslavia with the object of arriving at a political settlement in accordance with the principles of the Conference on European Security and Co-operation. The reference to the principles of the European Conference on Security and Cooperation as the basis for a political settlement was a new and very important element, for it laid the foundation for the work of the Conference on Yugoslavia, and, indirectly, for UNPROFOR operations, since the UN's prescription of this basis for the Conference on Yugoslavia necessarily applied a fortiori to the actions of UN organisations such as UNPROFOR. The principles of the Conference on European Security and Co-operation apply, for instance to the inviolability of frontiers, the situation of minorities, respect for human rights, etc. and might constitute important guidelines in connection with obscurities and contentious interpretations of the peace-keeping plan.

Unfortunately, this was not sufficiently borne in mind in drafting the operational plan, which adhered to the Vance plan of December 1991, when the Socialist Federal Republic of Yugoslavia was the sole legal entity under international law: the operational plan was designed as a plan for Yugoslavia and not as a plan for Croatia, which had in the meantime become a new, legitimate, internationally recognised political factor with recognised state frontiers. The command headquarters of UNPROFOR were located in Sarajevo, its logistical bases were seated in Banja Luka, Belgrade and Zagreb, while the engineering battalion for the support of units in Croatia was stationed in Banja Luka. In reply to Croatian objections that the operation was designed for Croatia and that the Republic of Croatia was now an internationally recognised state with its own frontiers, it was invariably stated that the UNPROFOR operation would not

prejudice a political settlement, although it was obvious that this response itself prejudiced the political settlement that had already been arrived at. As far as the stationing of UN forces was concerned, this was always represented as a purely technical military issue and hence the responsibility of the UNPROFOR command, although it obviously had important political implications.

The stationing of UN command headquarters in Sarajevo was an eloquent expression of the ill-judged nature of the entire operation and of a number of other factors not directly connected with the peace-keeping mission. The fact that the choice of Sarajevo and Banja Luka was a major blunder was illustrated by the problems of communication that cropped up, especially after the war in Bosnia and Herzegovina began, forcing UNPROFOR to move its headquarters, first to Belgrade and then to Zagreb, with the logistic base from Banja Luka also moving to Zagreb. This entailed long delays in the deployment of forces and in the assumption of responsibility for the "protected areas" - not to mention the additional cost. These errors were a result of adhering rigidly to the initial plan, with no account being taken of changes in the international situation, and also a consequence of a wrong estimation of the political and military circumstances.

The "protected areas" in Croatia, which, incidentally, do not constitute an integral geographical entity, are divided into four operational sectors. UNPROFOR was meant to occupy the entire "Protected" territory in depth, and not just hold a cease-fire line. After a withdrawal of the Yugoslav Army they were meant to disarm any remaining military forces, to ensure permanent demilitarisation, to help set up civilian authorities and to assist the return of refugees and displaced persons to their homes. For these purposes 12 infantry battalions were deployed: 2 in the Eastern Sector (along the Danube), 4 in the Western Sector (in western Northern Sector (in central Croatia) and 3 in the Southern Sector (in Lika and northern Dalmatia). The military force also included a headquarters regiment, a traffic control unit, an engineering battalion, and a medical unit. To this personnel must be added 100 military observers, whose job was supposed to be the supervision of demilitarisation. Once they had done the job in Croatia, they were supposed to be transferred to Bosnia and Herzegovina to control the frontier territory adjoining Croatia.

As far as the police contingent of UNPROFOR was concerned, it was decided initially to station 530 police officers in the "protected areas", but this number was subsequently somewhat reduced. A relatively small number of civilian employees were recruited locally.

The total number of personnel engaged in UNPROFOR in Croatia peace-keeping was about 14,000, and it was one of the most extensive operations ever undertaken by the United Nations. An annual budget of 608 million US dollars was approved. The units were lightly armed for purposes of self-defence only and were not authorised to use their weapons for any other purpose. The military strength of UNPROFOR was relatively modest in comparison with modern combat units of the same size, but its political, moral and psychological potential was much greater. In assessing the part played by UNPROFOR, account must always be taken of the major discrepancy between its military potential on the one hand and its moral influence on the other. Another essential feature of the force was that it was multinational, with contingents coming from different nations and traditions. UNPROFOR operations in Croatia involved troops from 27 countries.

### **Aggression on a New Scale**

The date for UNPROFOR's take-over of responsibility for the "protected areas" was originally set for 25 April, but later postponed until the middle of May. Arrangements for the arrival of the troops and for their deployment proved to be more complicated than had been expected, and the battle for Sarajevo and constant violations of the cease-fire in Croatia caused additional difficulties. Heavy shelling of towns and cities in Croatia continued (Osijek, Vinkovci, Dubrovnik, Sibenik), and when the situation became somewhat quieter in Croatia, the war then flared up in Bosnia and Herzegovina, which put UNPROFOR's peace-keeping operation into a totally different context.

This was because the withdrawal of the Yugoslav Army from Croatia helped the Serbian attack on Bosnia and Herzegovina more than the achievement of peace in Croatia. Units of the Yugoslav Army were moved to Bosnia and Herzegovina and committed to the fighting there, leaving UNPROFOR to guard the "protected areas" against any attempt by the Croatian army to regain them. Besides, before withdrawing, the Yugoslav Army had handed over a large part of its weapons and ammunition to local Serbian paramilitary forces and had also transferred some of its troops to these forces. According to the peace plan, all these paramilitary forces should have been disarmed and demobilised, but this never happened. A small number of heavier weapons were stored under the formal supervision of UNPROFOR, but they were stored within reach of local militias. Demilitarisation, which was a vital part of

the Vance plan, was never carried out in practice, for the withdrawal of troops and weapons merely contributed to the scale of the weapons remaining at the disposal of Serbian military formations in the "protected areas".

Moreover, feeling secure because of the presence of UNPROFOR, Serbian authorities in the "protected areas" continued a new form of aggression. They began a mass expulsion of the non-Serbian population from the occupied territories, looting and destroying their property, carrying out ethnic cleansing of these areas with the obvious intention of preventing the return of refugees and of creating conditions for the permanent separation of these areas from Croatia. The presence of UNPROFOR was exploited by the local Serbian authorities in order to block the implementation of the peace plan and to perpetuate the situation brought about by the Serbian attack on Croatia. In this way the UN protection force was used to protect the aggressors, instead of carrying out the peace plan and protecting the interests of the local population and the state to which these areas properly belonged. UNPROFOR was aware of this abuse and frequently protested, taking action to protect the threatened population, but this action never had more than a palliative effect. For the most part the members of UNPROFOR were helpless witnesses to the use of violence without any real chance of preventing it. The Serbian tactic was, by provoking incidents on the cease-fire line, to tie UNPROFOR down to this demarcation line, making sure that the Serbs would not be attacked from that quarter, and at the same time, that UNPROFOR would be unable to control what was happening elsewhere in the hinterland of the protected areas".

UNPROFOR made another major mistake in its interpretation of the Vance plan. By accepting the status of the local "civil authorities" it recognised illegitimate bodies set up in the wake of the aggression. The peace plan had spoken of setting up local authorities on the principle of proportional representation of local ethnic groups. In this respect UNPROFOR made no attempt to do anything at all, but merely accepted the existing arrangements and the local representatives. Besides, the Vance plan had spoken of "protected areas" in the plural, having in mind particular occupied areas of Croatian territory that had never known any other common superior authority than the authority of the Croatian state. UNPROFOR recognised as representative of the local authorities a self-styled "government" in Knin. Of course, UNPROFOR never formally recognised the so-called "Serbian Republic of Krajina" as a state, but by its relations with the Knin "government" it encouraged in the occupying power sense that it was in fact tolerated. UNPROFOR ought to have negotiated only with the authorities of individual communities, for that would have been the proper interpretation of the term local authorities".

### **Pink Zones**

In discussions on the stationing of UNPROFOR in the "protected areas" an issue arose which went beyond the terms of the peace plan. Certain areas in Croatia which had been under the control of the Yugoslav Army were not meant to be included in the "protected areas". The Serbs asked for them to be included, but the Croats did not agree. In the end, however, Croatia consented to accept the aid of UNPROFOR, given the presence of Serbian paramilitary units that were in touch with similar units in the "protected areas", and in view of a threat from the Serbian side that they would reject the Vance plan outright.

On the occasion of a visit by Goulding long discussions were held on this issue. Under the Vance plan Croatia might have insisted that these areas should be handed over immediately and unconditionally to Croatia following the withdrawal of the Yugoslav Army. In order to avoid a fresh outbreak of hostilities, however, Croatia agreed that UNPROFOR and the EC observer mission should assist in reinstating the Croatian authorities there. This was agreed to by the Secretary General of the UN on 26 June 1992, and he expressed his gratitude to the Croatian government for its flexibility in response to the efforts of the UNPROFOR commander-in-chief to find a solution to the problems of the "pink zones".

The UN's insistence on a special status for the "pink zones" was justified by the ethnically mixed character of these areas, a justification which did not appeal to the Croats, since the Croatian state had solemnly guaranteed respect for human rights and the rights of ethnic communities. Croatia nevertheless agreed to the suggestions of "pink zones", expecting that the UN and the EC would employ appropriate means to achieve an agreed solution. To carry out its mission in the "pink zones" UNPROFOR was given an additional 60 military observers and 120 civilian police officers to ensure the reinstatement of Croatian authority in agreement with the Croatian government and other interested parties. The conduct of this Security Council operation was placed under the supervision of an UNPROFOR representative as chairman of a joint committee which included representatives of the EC observer mission, the government of the Republic of Croatia and the local authorities. Once again the UN secretariat understood by "local authorities" the "government" of the self-styled "Serbian Republic of the Krajina", so

that the "pink zones", which the Security Council had decided should be returned unconditionally to the Republic of Croatia, were in fact placed under the authority of a "government" in Knin.

Once the Knin "government" was introduced into the Joint Committee and hence into the process of deciding the status of the "pink zones", the committee's attempt to carry out its mandate was totally frustrated. Instead of co-operating in implementing Security Council Resolution 762, the Serbian side declared that both the "protected areas" and the "pink zones" were part of a single "state" and tried to turn the ceasefire line into that "state's" frontier vis-a-vis Croatia. It thus explicitly rejected the Vance plan and Resolution 762. The Croatian side insisted that the Serbs should at once be presented with an ultimatum requiring them to collaborate in implementing the Resolution, or else the process of restoring Croatian sovereignty in the "pink zones" would continue without the Serbs (if it worst came to the worst, the Security Council would be informed that discussions had failed). The UNPROFOR representative, however, went on trying to persuade the Serbs to cooperate - without success. After several months had been wasted and there had been eight meetings of the Joint Committee and several meetings of a sub-committee, on 9 November 1992 even the UNPROFOR representative realised that not even the first step had been taken towards enforcing the Committee's mandate, and he suspended the Committee's activities. It has never met since then.

### **The "Forgotten Mandate"**

The same thing happened in the "protected areas", where UNPROFOR's responsibility was greater and more direct. UNPROFOR looked on calmly as a Serbian "state" was established in Croatia, as a first step to its integration into other Serbian "states". In accordance with Security Council Resolution 769 of 7 August 1992, by which the recommendations of the Secretary General's report were endorsed, UNPROFOR was given a fresh mandate, namely to take over control of Croatia's international frontiers with Serbia and Bosnia and Herzegovina wherever these frontiers coincided with the "protected areas" and the "pink zones". They would not only check the movement of weapons and munitions but also population movement and carry out customs controls. These instructions were of vital importance, since Serbian military units with all their arms and equipment were crossing into Bosnia and Herzegovina to take part in the war there and then returning unhindered to Croatia. The eastern sector bordering the Danube was being used on a large scale to break the sanctions the UN had imposed on the Federal Republic of Yugoslavia. In this way control of Croatia's international frontiers by UNPROFOR might have made a major contribution to stopping the war in Bosnia and Herzegovina and implementing the Vance plan in Croatia.

In fact, nothing was ever done to carry out this UNPROFOR mandate. Certain members of UNPROFOR in Sector East even themselves took part in breaking the embargo on imports into the Federal Republic of Yugoslavia. Croatian territory under the protection of UNPROFOR was constantly subject to looting and the expulsion of non-Serbs, who were replaced by Serbian colonists. Since the arrival of UNPROFOR more than 600 Croats have been murdered and several thousand have been driven from their homes in Sector East alone. In the other sectors the last remnants of the Croatian population were "cleansed", either by massacre or by expulsion, with UNPROFOR offering no assistance other than by transporting refugees to territory under Croatian control. This applied also to the "pink zones", from which the Croats have been totally expelled.

Looked at overall, the presence of UNPROFOR in Croatia has come nowhere near achieving the planned and expected results. Indeed, it has made it easier for the Serbian insurgents to impose their illegitimate rule, to set themselves up as the sole representatives of the Serbian population of the occupied territories, to carry out ethnic cleansing under UN protection, and virtually to annex Croatian territory to Serbia and the so-called Serbian Republic of Bosnia and Herzegovina. The hesitation and blundering of UNPROFOR has given support to the aggressive action of the insurgent Serbs. The victims of aggression, whom UNPROFOR were supposed to help, were left defenceless, while the aggressor enjoyed protection which allowed him to pursue his aims to a successful conclusion. In this there can be no excuse for UNPROFOR.

In favour of UNPROFOR's one-year mandate is the fact that its presence reduced the scale of hostilities in Croatia and saved the country from further destruction and even heavier loss of life. This would have been even more significant if Serbian aggression had not spread to Bosnia and Herzegovina, seizing and taking advantage of the advent of UNPROFOR which brought about a lull in the fighting in Croatia. It is a moot point whether Serbia could have waged full-scale wars in Croatia and Bosnia and Herzegovina at the same time. As far as Croatia is concerned, even after the arrival of UNPROFOR, not one of the problems caused by the Serbian aggression and occupation has been solved. A question that

increasingly worries the Croatian public in general, and those who have been driven from their homes in particular is how far the UN forces are in a position to guarantee peace, security and territorial integrity. The Croatian public expected of the international community, and the United Nations especially, the return of refugees and the peaceful establishment of legitimate government in the whole of Croatia so that they could carry on with the economic and social reform of their country and look forward with confidence to the future. And this is what they had been promised by resolutions of the United Nations. It is now clear that such hopes and expectations were totally unfounded.

Bearing this in mind, it is not difficult to understand the Croatian government's decision to regain an area round the bridge over Novsko Zdrilo (Maslenica bridge), breaking the deadlock and finding a practical solution for problems that ought to have been solved long ago by UN decisions. The area chosen was adjacent to the wrecked bridge, which was of vital economic importance as a line of communication for the whole of Croatia, especially for its southern region, and for humanitarian action in Dalmatia and Bosnia and Herzegovina. The campaign was limited to gaining control of a narrow strip of territory alongside the arterial road to Zadar, and it was located partly in a "protected area" and partly in a "pink zone". It was territory that had previously been inhabited almost exclusively by Croats. The action was limited so as to avoid drastic consequences for the peace process under the auspices of UNPROFOR. It was also intended to illustrate how essential it was for Croatia to solve the problem of the occupied territories, and to show that it was not inclined to wait indefinitely for a serious attempt to enforce Security Council decisions.

The reaction of UN and UNPROFOR to this campaign was unjustifiably severe. The Croatian side was accused of breaking the truce and resuming the war, with no allowance being made for the fact that Serbian attacks on Croatia had never stopped and that the Serbs had never honoured previous provisions of the peace plan and Security Council resolutions, which had involved a whole series of obligations on their side. Not only did the Serbs fail to fulfil their obligations, they refused even to discuss them, given the attitude of UNPROFOR, whose representatives behaved as if the establishment of a cease-fire was the only point of the peace process, and as if all the other arrangements aimed at bringing about a permanent peace were of secondary importance, their implementation being neither mandatory nor subject to a time limit. This one-sided view enabled the Serbs to block any action that might have developed from the ceasefire, and thus deprive the peace plan of any deeper or lasting significance. It was an attitude that did nothing to contribute to removing the causes of the armed conflict; on the contrary, it opened up the way for a rejection of the Vance plan and neglect of Security Council resolutions - and hence to a resumption of fighting.

In this respect the Security Council Resolution 802 of 25 January 1993 is defective. It accuses the Croats of adversely affecting the situation in Croatia through its attack on an area under the protection of UNPROFOR, although it concedes that the Serbs had refused to co operate in implementing the peace plan during the preceding months. If, then, the Serbs refuse to carry out Security Council decisions, and UNPROFOR has neither the mandate nor the means to make it do so, why should Croatia be obliged to tolerate indefinitely aggressive action on their part, the sole aim of which is to create a permanent basis for obstruction of the Vance plan? The requirement that the Croats withdraw their forces from the area liberated in the January action confirmed the Serbs in their refusal to co-operate. Even though they were also exhorted to co-operate unreservedly and unconditionally in carrying out the UN peace plan, which entailed the demobilisation of Serbian paramilitary forces. Withdrawal of the Croatian armed forces, as called for by the United Nations Security Council as a preliminary step to the resumption of the peace process, would have had precisely the opposite effect - the elimination of any real threat that would persuade the Serbs to give up their obstruction of the peace process.

### **Whether to Continue the Peace Process - and How?**

Security Council Resolution 807 of 19 February 1993 goes some way towards correcting the one-sided condemnation of Croatia for breaking the cease-fire, although it does refer to Resolution 802 and earlier resolutions. It gives first priority, however, to the maintenance of the ceasefire. The Resolution expressly calls on both sides in the dispute and on others involved "to observe the UN plan for the maintenance of peace in Croatia along with other commitments they have made" but it still does not threaten any kind of real sanctions against the Serbs if they do not comply.

If the Croatian government considers the question of the overall implementation of the peace plan for Croatia in the context of an extension of UNPROFOR's mandate, then it is bound to confront the UN with the following dilemma: will UNPROFOR carry out its obligations within the overall conception of the restoration of peace in Croatia, accepting the political implications of this solution, or will it go on

preserving the status quo, thus enabling the insurgents to strengthen their position and impose a solution that runs counter to the arguments internationally accepted and embodied in UN documents? If UNPROFOR argues that its mission is a peace-keeping operation and that it can do nothing because the warring parties do not respect the ceasefire, then it would be only logical to seek a change in its mandate or else withdraw the force, instead of allowing the side which does not want peace under internationally agreed conditions to prolong the state of war indefinitely.

The cleft stick into which the UN had got itself was clearly illustrated in Security Council Resolution 815, in which, for the first time, at the end of March 1993, UNPROFOR's mandate was extended. The Security Council confirmed its "obligation to see that the sovereignty and territorial integrity of the Republic of Croatia were respected", but provided no means by which this could be done, simply exhorting the parties to the dispute to honour the cease-fire. The search for a solution was simply left to the international Conference on former Yugoslavia. The UN persistently ignored the problem that the insurgent side refused to admit that the areas under UN protection, and even the "pink zones", were an integral part of Croatia, and that this refusal was in fact tantamount to infringement of the sovereignty and territorial integrity of that Republic. If the insurgent so blatantly violates the sovereignty and territorial integrity of Croatia and publicly declares that this is its main aim and object, then it can hardly be expected that it will allow itself to be peacefully integrated into the constitutional framework of the Republic of Croatia. This is why other means of persuasion ought to be used. But when Croatia tried to apply pressure to this end, by liberating part of its occupied territory, in this same resolution the Security Council demanded the withdrawal of Croatian armed forces and the Croatian authorities from that territory, threatening to impose sanctions, if Croatia did not comply. The absence of any idea, of forcing or any will to force the insurgents to observe Security Council resolutions is masked by a meaningless formula implying endless discussions, for which the presence of several thousand professional soldiers and policemen is hardly necessary.

On the occasion of the second extension of UNPROFOR's mandate by Resolution 847 of 29 June 1993, the Security Council once again stressed its determination to see that the sovereignty and territorial integrity of Croatia were respected, this time adding a demand that the railway line between Zagreb and Split, the motorway between Zagreb and Zupanja be reopened, that the Adriatic pipeline be brought back into commission and traffic across the Maslenica strait be resumed. Electricity and water supplies should be restored in all parts of Croatia, including the areas under UN protection. The resolution did not offer any plan by which UNPROFOR might achieve all this: once again it simply appealed to the good will and trust of the parties to the dispute. When the Croatian authorities tried to restore traffic across the Maslenica strait and opened the airfield at Zemunik, i.e. on territory under their control, they were given no support by UNPROFOR, which stuck to their position, that Croatia must withdraw from those areas, allegedly because it had regained control of them by force. A proposal from Croatia that UNPROFOR should take control of the communications and facilities in question was turned down, because it seemed UNPROFOR was not prepared to expose its troops to the risk of attack by the Serbs: they would accept responsibility only if the insurgents agreed. Such was UNPROFOR's concern for the sovereignty and territorial integrity of Croatia, and for a responsibility entrusted to it by several resolutions of the Security Council. In fact, it simply handed this responsibility over to the Serbian rebels.

Croatia is not satisfied with the attitude of UNPROFOR, nor with the evolution of the peace process, in which UNPROFOR was supposed to act as a vital catalyst. Croatia is being urged to accept the continued operation of UNPROFOR on its territory, with the prospect that its influence in bringing permanent peace to the region will be less and less positive. UNPROFOR's mandate, as interpreted and carried out by UN officials, is more and more turning into the opposite of what was originally planned and defined, and Croatia is suffering increasing political damage. It is required to go on seeking a peaceful solution to its dispute with the insurgents among its population, while UNPROFOR activity is becoming less and less productive in the search for a peaceful solution. To begin with, UNPROFOR raised great hopes for the restoration of the peace and respect for human rights on the territory for which it was responsible, but it is now further than ever from achieving the objects of its initial mandate, and is losing more and more of its credibility as an impartial and effective authority.

Events in the recent past have confronted Croatia with a profound dilemma: whether to agree to a further extension of UNPROFOR's mandate and, if so, on what terms. As an independent and sovereign state, Croatia must insist on all decisions of the United Nations being implemented through clearly defined means and in accordance with the precise time-table for UNPROFOR's operations. Moreover, it must ask for the status of UNPROFOR in Croatia to be precisely defined in agreement with the government of the Republic of Croatia. It is essential that UNPROFOR operations in Croatia should be strictly distinguished from UN operations in other regions of the territory of what once was Yugoslavia, since the

lack of such a distinction is liable to place Croatia in an ambiguous and disadvantageous position in regard to other countries. All UNPROFOR's actions must strictly respect the sovereignty and territorial integrity of the Republic of Croatia, for this is the foundation of everything else and governs the functions of UNPROFOR that have been so often reiterated in Security Council resolutions. The desire for peace and co-operation must remain the principle of Croatian policy, but at the same time the legitimate and internationally recognised aims of the Republic of Croatia may not be neglected: to restore peace, security and democratic order on the whole of its territory.

Insistence on the implementation of the Vance plan for Croatia is normal and only to be expected, but it is not just a matter of form, it entails a hardening of attitude towards the Serbian side, which has not the slightest desire to co-operate in the acceptance of that plan. The deadline for UNPROFOR operations was ultimately extended to 30 August 1993, which is in fact a very brief term in which to achieve any significant advance in the realisation of the peace plan. Given the manifest failure of UNPROFOR to carry out its mandate during the past year, which was highlighted by the Croatian military operation, the extension of its mandate offers an opportunity for its review and modification. It would be unrealistic to expect that the peace process might be completed within the most recently specified term, but something fundamental might be done to restore confidence in UNPROFOR's efficacy and provide a basis for yet another extension of its mandate. This confidence has been restored up to a point by Resolution 871 of the Security Council, in which all the territorial integrity of the Republic of Croatia is confirmed. It is emphasised that sanctions imposed on the Socialist Republic of Yugoslavia (Serbia and Montenegro) will not be lifted until the Socialist Republic of Yugoslavia stops supporting Serbian insurgents in Croatia and joins actively in the process of restoring peace in Croatia. The future will show to what extent this resolution will be speedily and effectively put into practice.

## **A PROPOSAL FOR THE IMPLEMENTATION OF THE VANCE PLAN ON THE TERRITORY OF CROATIA UNDER THE PROTECTION OF THE UNITED NATIONS (UNPA)**

On 2 November 1993, in order to ensure the quickest possible implementation of UN Security Council Resolution no. 871 (and other resolutions to which it refers), the President of the Republic of Croatia, Dr. Franjo Tudman delivered to ambassadors of countries accredited to Croatia, and to responsible representatives of the Croatian press and media, the terms of a Peace Initiative. The text of the Peace Initiative (according to the Zagreb daily Vjesnik, 3 November 1993) reads as follows:

1. The Croatian government is prepared, within a period of 15 days to conclude an agreement with representatives of the local Serbian population on the cessation of all hostilities, offering then a guarantee of local cultural autonomy.

2. To that end we propose, within the same period, the announcement of the setting-up of a joint commission which will begin work on resolving all the issues referred to in the Vance plan, and on the implementation of the measures recommended in Security Council Resolution no. 871, with the collaboration of representatives of UNPROFOR and the European Community.

3. We propose that immediate steps be taken leading to the normalisation of the entire social and economic life of UNPA, i.e.:

3.1. The opening without delay of all road and rail communications on the entire territory of the Republic of Croatia, in particular the road and rail links Zagreb-Knin, Zagreb-Slavonski Brod-Zupanja, Novska-Okucani-Pakrac-Daruvar, Sisak-Glina-Bosanski Novi, Osijek-Beli Manastir-the Hungarian frontier, Osijek-Vukovar and Osijek-Vinkovci-Ilok, etc.

3.2. The return forthwith of all refugees to their places of residence under the supervision and with the active co operation and assistance of UNPROFOR and the government of Croatia.

3.4. The undertaking of measures to restore normal life in UNPA, including the restoration of all communications, the provision of supplies to the whole population, including the Serbian population (without discrimination) during the imminent winter season, the resumption of health care and social services, the normal functioning of schools, the supply of electrical energy, the re-appointment of all civil servants, and the incorporation of all other activities and the economy as a whole into the legal system of the Republic of Croatia.

3.5. The drafting of plans and the implementation of measures to include the UNPA on an equal footing in the economic rehabilitation of Croatia.

4. In order to arrive at a political solution of differences and normalisation of social life, Croatia is prepared, in the context of its constitutional order, to guarantee the applications in UNPA of all its legislation and also of all international conventions relating to the rights and liberties of the Serbian ethnic community. To this end it would undertake the following measures:

4.1. The granting of full local autonomy (self-government) within the terms of the Constitutional Law to the districts of Knin and Glina, where Serbs constitute a majority of more than half the population.

4.2. A guarantee of rights of cultural autonomy to the Serbian ethnic community throughout the entire territory of Croatia, in particular the rights to education in their own language and orthography, and the recording of place-names in two styles in areas where the Serbian community constitutes a majority of more than 50%.

4.3. The holding of elections for local - district and municipal - self-governing authorities under international supervision.

4.4. The establishment of special police jurisdiction in the districts of Knin and Glina in which the personnel will be recruited in accordance with the ethnic balance of the population as recorded in the most recent census.

5. A guarantee of full civil and political equality and effective protection of the civil and ethnic rights of Serbs and Croats in Croatia. Croatia is ready to accept the establishment of an international supervisory body and a special Court of Human Rights to which any citizen may appeal after he has exhausted the resources of the normal legal process. The districts of Knin and Glina will have the right to address constitutional appeals to the Constitutional Court of the Republic of Croatia in order to protect their special rights, if they consider that their human rights or the rights of an ethnic community have been violated on their territory.

6. In order to ensure complete confidence in its good faith, Croatia is prepared to propose special international supervision by a mission appointed by the Conference on European Security and Co-operation. This mission would mediate between the majority and minority populations.

7. The Republic of Croatia is prepared to enter into any discussions on a political solution of outstanding problems except discussions that call in question the territorial integrity and sovereignty of the Republic of Croatia.

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Croatia has consistently tried to resolve the problem of relations with its neighbours peacefully. Although faced with Serbia's forcible violation of the constitution and a brutal choice offered to the Croats and other non-Serbian peoples of Yugoslavia - either Greater Serbia or else a centralised Yugoslavia - Croatia was prepared to offer a scheme for a confederative association of republics. But as the Serbia was not prepared even to consider this proposal, Croatia had no choice left but to vote for independence and democracy.

Armed conflict suited the interests of Croatia for less than any other solution. The country had been disarmed by the Yugoslav Army and faced an exceptionally powerful Serbian dominated army. The Croatian people were profoundly convinced that the democratic world, on the threshold of the 21st century, would not permit Serbian threats. But that is exactly what happened. A brutal military assault was launched on Croatia. The genocide, ethnocide and cultural destruction committed by Serbs in Croatia were not a consequence of the war but a planned method for the creation of a Greater Serbia. Not only did the democratic world fail to help in the defence of Croatia - with rather more foresight and determination the horrors of war might have been averted but the imposition of an embargo on arms imports deprived Croatia of any chance of defending itself. It was only at the cost of fearful casualties that Croatia won its independence and international recognition. But severe damage was inflicted in terms of human casualties and economic potential, while significant areas of Croatian territory are still under occupation. Although the international community condemned the aggression, emphasising the principle of the inviolability of the frontiers of internationally recognised states, by ignoring the actual situation on the ground and by unfounded optimism as to the achievement of a permanent peace, it created conditions encouraging aggression in other areas and nourished the aggressor's confidence that he would after all achieve his aims. Can aggression launched with impunity end in lasting peace and democratic order? The international community is apparently ready to lift the embargo on Serbia after the Serbs have achieved practically all they wanted, providing Serbia shows minimum good will and surrenders for instance to the Moslems in Bosnia - a few percent of the territory it has seized! Perhaps it is not too late for the democratic world to grasp that it must, for its own sake, defend the principles it has declared, the principles on which international order is based, wherever they are violated in the world. The Second World War taught us this lesson plainly. For the dead, the dispossessed and the humiliated populations of these Balkan regions it may now be too late, but perhaps it will not be too late for the generations to come.