

Gotovina Arrest Tightens Screws on Serbs

Author: [Janet Anderson](#)

Belgrade under pressure to follow Croatian lead and produce fugitives or at least information resulting in arrests.

Fugitive Croatian general Ante Gotovina is due to be transferred to The Hague shortly to face war crimes charges.

His arrest in the Spanish Canary Islands has been greeted with relief in Croatia, because it unlocks the prospect of full integration into the European Union. However, there is also anger that the reputation of one of their nationalist heroes could be tarnished.

By contrast, the timing of the arrest could hardly be worse for Serbia, where the screws are tightening on its failure to cooperate fully with the Hague.

And at the tribunal, there is jubilation that one of the top three indictees is finally in custody and that the prosecutor's strategy of heavy pressure, plus reward for information leading to arrests, appears to have paid off.

Gotovina was indicted in 2001 for alleged war crimes and crimes against humanity committed during the 1995 Croatian offensive Operation Storm to retake the Serb held Krajina region.

To the Croatian public, Gotovina is still the respected hero of a defensive war which liberated one-third of Croatia.

He is so popular that posters with his picture, captioned "hero not criminal", are still showing up all over Croatia.

On the night of December 8 riot police broke up a small protest against his arrest in Zagreb, and peaceful rallies have been planned for all Croatian cities on December 11.

But the demonstrations so far are significantly smaller those held over the past few years against cooperation with the tribunal.

Nevertheless, an indictment against the hero of Operation Storm - which explicitly mentions the founder of Croatia's ruling party, the HDZ, late former president Franjo Tudjman, as a member of a "joint criminal enterprise" designed to expel Serbs out from Croatia - is still seen by many Croatians as an affront to their national identity.

"With Gotovina, the Croatian state is indicted too," said Ljubica Lalić from HSS [Croatian Peasants' Party], when the announcement of the arrest was made in parliament. "The Croatian government must now to put every means at its disposal to defend, not only Gotovina, but the Croatian state itself."

Croatian prime minister Ivo Sanader argued that it is in Croatia's interest to establish the full truth about Gotovina as well as generals Mladen Markač and Ivan Čermak, also charged in relation to Operation Storm, another Croatian general Rahim Ademi, whose trial has been transferred back to Zagreb, and six Bosnian Croats indicted by the tribunal.

“Croatia will do its best so that full truth is established,” said Sanader.

He made it clear that there is no alternative to cooperation with the tribunal. “We are bound to respect domestic legislation as well as our international obligations,” he said.

Dutch trial observer Heikelina Verrijn Stuart says a trial may force Croatia to “face their own responsibilities”.

“It is easier to move on if you can look the monster of your own history in the eyes,” she said, arguing that the case could even be transferred to Zagreb.

Gotovina's continued liberty was a major obstacle to negotiations between Croatia and the EU on future membership. It was only on October 3, after a seven-month delay, that membership talks were finally given a green light after chief prosecutor Carla Del Ponte told the EU that Zagreb was cooperating with the tribunal.

“This reaffirms the prosecutor's strategy,” said Edgar Chen of the Coalition for International Justice, admitting that he, along with other observers, was surprised by Del Ponte's apparent softness on Croatia earlier this year.

Prosecution sources now say October's positive assessment was made possible because they had information from the Croatian authorities which led to Gotovina's arrest.

“This is a litmus test,” continued Chen. “If Croatia couldn't get its criminal law system in line with EU norms, then what about all the other requirements?”

In neighbouring Serbia there has been a gloomier reaction to the arrest.

Today six fugitives remain at large, all of them Serbs. The most prominent are Radovan Karadzic, Bosnian Serb leader, and Ratko Mladic, the commander of the Bosnian Serb army.

Belgrade is now under heavy pressure to follow Croatia's lead and produce either fugitives or at least information leading to their whereabouts.

“Belgrade's arguments that it is doing everything to arrest Karadzic and Mladic now look rather specious,” said Chen, pointing out that Croatia had apparently provided information leading to Gotovina's arrest even though he was out of the country.

The four other indictees are: Vlastimir Djordjevic, former Serbian police chief; Zdravko Tolimir, former Bosnian Serb intelligence officer; Stojan Zupljanin, one time chief of police in Banja Luka and later an adviser to the Bosnian Serb president; and Goran Hadzic, the former president of the so-called Republic of Serbian Krajina.

Vojislav Kostunica's government in Belgrade has, in part, tried to copy Croatia's model of cooperation with The Hague.

A year ago, they promoted the idea of "voluntary surrender" to the tribunal, which led to a large number of prominent generals being accompanied to The Hague by local officials, but the most prominent cases have not been resolved.

A separate issue is access to documents and archives, particularly military archives. The head of the Serbia Montenegro National Council on Cooperation with the Hague tribunal Rasim Ljajic confirmed December 9 that seven missing pages of dossier on Maldic had been found at Serbia & Montenegro Army premises and handed over to the Hague.

He said that those responsible for missing pages had to be identified to reveal the identity of those who are obstructing cooperation with the ICTY.

Ljajic met this week with Del Ponte who came to Belgrade to announce the news of Gotovina's arrest and pile the pressure on the Belgrade authorities. Ljajic said after talks with Del Ponte that the Gotovina arrest "made them more difficult for us".

"They were quite upset with this," said a prosecution source present at the meetings.

Sources close to Serbian government told IWPR that the authorities see the Gotovina arrest as bad news, "because they have no longer have a neighbour with same kind of problem ... that it is not only Serbia which is unable to arrest most wanted fugitives".

"We may expect to come under increased pressure and we must meet this pressure halfway before we are backed up against the wall to discharge all our remaining obligations," Ljajic told Serbian State TV after the talks.

"The authorities in Serbia will have to do more to fulfil what was promised in terms of cooperation," a well-informed political analyst from Belgrade and head of VIP News Services Bratislav Grubacic told IWPR.

"There are in phase of buying time," added Grubacic, suggesting that a way of stalling on indictees may be for the Belgrade authorities to negotiate some access to the archives.

Over the last weeks, there have been few signs that any of the fugitives will soon be placed behind bars.

On December 7, when asked about the whereabouts tribunal fugitives, Serbian police minister Dragan Jovic replied the police are conducting search operations "all the time" but so far have no information on where the fugitives are hiding.

"They don't have contact with Ratko Mladic so it is hard to believe that something significant could happen soon," said Grubacic.

Opinion polls in Serbia suggest that opinions have been shifting among Serbs to support the handover of indictees to the Hague tribunal. According to Belgrade Strategic Marketing agency analysis conducted in the winter of 2005, 47 per cent of the population in Serbia support handing over, while 40 per cent are against.

Del Ponte warned the Serb authorities that her report next week to the UN Security Council on Serbia's cooperation with the tribunal will be negative "because they [the Serbian authorities] finally need to turn words into action".

Her words were given immediate support by EU commissioner Olli Rehn at a joint press conference in Brussels held with Serbian president Boris Tadic. "Significant progress is needed on cooperation with ICTY. This remains critical criteria... There is no compromise on this," he said.

Janet Anderson is IWPR's programme manager in The Hague. Daniel Sunter is an IWPR contributor in Belgrade. Goran Jungvirth is an IWPR contributor in Zagreb.

Location: [Serbia](#)
[Croatia](#)

Source URL: <https://iwpr.net/global-voices/gotovina-arrest-tightens-screws-serbs>