

Gotovina Prosecution Remarks Upset Croatsians

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Prosecutors claim Croatian officials hatched plan to ethnically cleanse Croatia of Serbs. The opening of the trial of three Croatian army generals in The Hague this week left Croatia wondering if the country's entire wartime political leadership was being prosecuted.

Prosecutors argue that the three indicted generals, together with Croatia's late president Franjo Tudjman and defense minister Gojko Susak, participated in a joint criminal enterprise the aim of which was the ethnic cleansing of Krajina Serbs.

The defence, on the other hand, maintain that Krajina Serbs were ordered by their own leaders to leave Croatia, and that their mass exodus was by no means a consequence of Croatian army's misconduct during the military offensive Operation Storm.

Ante Gotovina, Ivan Cermak and Mladen Markac are charged with orchestrating the permanent removal of Serbs from Croatia between July and September 1995.

Gotovina, who is the most senior Croatian to be brought before the tribunal, was the commander of the campaign known as Operation Storm which allegedly forced up to 200,000 Serbs to flee the Krajina region.

Operation Storm is perceived in Croatia as one of the greatest victories of the Croatian army against rebel Serbs during the 1991-95 war and Gotovina is still seen as a hero, despite war crimes charges against him.

Croatian state television HRT broadcast live the start of the proceedings, and although the ratings were fewer than ten per cent, observers say this is not that low, considering that there was almost no interest in this case just a few weeks ago.

During the first days of the trial, the most influential Croatian daily Jutarnji List also had a special edition on this case, updated daily.

Croatsians are displeased with the opening remarks of the prosecution, in which they said that there was a pre-conceived plan of the Croatian authorities to ethnically cleanse Croatia of Serbs.

The opening of the trial and the prosecutors' arguments were followed closely in Gotovina's hometown of Pakostane.

"I do not believe one word they said, this is just one big farce," said a citizen of Pakostane who wished to remain anonymous. He added that he is "sure Gotovina will be acquitted of all charges because there is no sound evidence against him".

Zeljko Sacic, former commander of special police forces directly subordinated to Markac during Operation Storm, doesn't hide his bitterness with the way the proceedings opened.

"This seems to be a process against Croatia's entire political leadership of that time, which means the whole country is on trial together with Gotovina, Markac and Cermak," he said.

According to Sacic, "If reintegration of Croatia in 1995 was a crime, then we are all members of that criminal enterprise and should be put on trial together with those three generals."

However, Zagreb lawyer Anto Nobile warns this is not how the concept of joint criminal enterprise should be interpreted and that only individuals - not the whole state - are on trial for Operation Storm.

"According to international law, we had a legitimate right to reclaim our territory from rebel Serbs, and that's what Operation Storm was all about. It is quite clear now that as a part of that legitimate war operation, crimes were committed and it's the tribunal's task to show who the real perpetrators were," said Nobile.

Branko Mijic, a columnist for the Croatian daily Novi list, says he is disappointed with the way Gotovina's defence team presented their case in the first week of the trial.

"Unfortunately, their presentation was unconvincing and they did not pay enough attention to the prosecutors' main argument - that Operation Storm and crimes that ensued were part of a carefully constructed plan and that all three generals were members of a joint criminal enterprise, together with President Tudjman."

Some observers expect much tension to emerge between the defence teams during the trial, because they are each likely to try to pin the blame on their two co-accused. Ivica Djikic of the Feral Tribune weekly says this kind of cutthroat defence is inevitable.

"I believe the biggest conflict will arise between Gotovina's and Cermak's defense teams over who actually controlled the troops on the ground during Operation Storm," he said.

"Also, if the prosecutors manage to prove the existence of a joint criminal enterprise - and it will be hard for the defence to contest that - I am sure all three generals will be convicted. The only question is how long their sentences will be."

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