

UN Observer Notes Arson, Looting in Croatian Offensive

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Defence lawyers of indicted Croatian generals challenge validity of witness's account, claiming he was not in a position to see anything first-hand.

A former United Nations observer gave an account of how Croatian troops engaged in organised looting and burning of Serb homes after recapturing the Krajina region in a 1995 operation. But defence lawyers argued that he was in no

Herman Steenbergen was giving evidence in the trial of Croatian generals Ante Gotovina, Ivan Cermak and Mladen Markac. The three men are indicted for crimes committed by Croatian soldiers during the four-day Operation Storm of 1995, in which they retook areas held by Serb rebels since 1991, and also for the destruction and looting of Serb-owned property afterwards.

Steenbergen, now a medical inspector with the Dutch military, was deployed in the town of Gracac as a UN observer at the time of the offensive.

Prosecutors at the Hague tribunal do not dispute the Croatian state's right to bring the Krajina region back under government control, but they condemn the tactics employed, which, they say, left behind a "scarred wasteland of destroyed villages and homes".

The prosecution claims that the Croatian army used excessive shelling to "demoralise civilians and get them to flee".

Steenbergen told the court that from his shelter, he heard shells falling around the town of Gracac at the start of Operation Storm. Two days after the beginning of the attack, when the Croatian army entered the town, he said he saw "organised looting and the burning of Serbian houses".

Steenbergen described how around 20 soldiers, behaving in a hostile manner, physically stopped him and his team from going to check where arson was occurring.

When Steenbergen and other UN officials then told the police that Serb-owned houses were on fire, they were told it was because of poor electrical wiring.

"[The police officer] explained to you that houses were burning because Serbs installed bad installations. Do you have any knowledge that this had happened before?" the prosecutor asked.

"Not to my knowledge," Steenbergen replied.

The witness said he saw people dressed in civilian clothes with orange bands around their arms carrying things out of Serb houses as Croatian soldiers stood by. The goods were later taken away in trucks.

“It wasn’t looting,” said Markac’s lawyer, Goran Mikulicic, during cross-examination, “but a civilian protection mission to disinfect abandoned houses, which included driving away refrigerators and throwing away rotten meat.”

The witness saw things differently.

“What I observed when I was in Gracac... was that refrigerators ... weren’t the only things on the streets,” he said.

Mikulicic showed the witness documents mentioning the presence of a brigade of Serb rebels in the town. But the witness could not remember whether there was such a brigade in Gracac, or whether there were any military targets in the town.

The witness said the Serb rebels were the UN’s only source of information about military positions at the time, and it therefore had no independent means of assessing the location of Serb forces.

Steenbergen confirmed that when Operation Storm started, UN military observers were evacuated to a UN military base manned by Jordanian troops.

Mikulicic said this reduced the significance of the witness’s testimony about shelling in Gracac.

“Mr Steenbergen, at the outbreak of the attack you were in the cellar of the building where you lived in Gracac and after that [you were] in the shelter of the Jordan battalion’s base. And however, from that perspective... reports about the situation in Gracac were being written. What is then the value of those reports? Can you comment on this?” asked Mikulicic.

The witness said the reports were not based solely on his own observations, but on those of the entire team. He added that from the entrance to the cellar in Gracac and from the yard of the building he could see shells falling all around.

After Steenbergen’s two-day testimony, the court heard evidence from a protected witness. The testimony was given behind closed doors.

Prosecutors spent six hours questioning this witness, identified only as No. 86, while the defence team asked for even more time for cross-examination, saying this was “a very important witness”.

This week, the trial chamber instructed the Croatian government to send representatives to a July 18 meeting in The Hague to discuss an earlier prosecution request for documentation from state archives relating to Operation Storm.

The Hague tribunal’s chief prosecutor, Serge Brammertz, submitted an application on June 13 asking the trial chamber to compel Croatia to supply the material.

“Croatia has failed to produce military documents relevant to the artillery operations carried out during Operation Storm,” Brammertz said in the submission. The prosecution also wants documents relating to special police units subordinated to Markac.

Deputy Prime Minister Jadranka Kosor has said that while Croatia is “sincerely and fully” cooperating with the court, the government cannot surrender the documents because it does not have them.

The trial continues next week.

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