

UN Officer Witnessed Arson and Looting

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Witness believed Croatian troops and police were attempting to cleanse area of Serbs.

A United Nations officer testifying in the trial of three Croatian generals said he saw Croatian troops commit arson and looting in the Serb-held area around the town of Knin during a military operation in 1995.

Former United Nations intelligence officer Phil Berikoff said he believed these atrocities were aimed at ensuring that so-called "Chetniks" would not come back.

While the term Chetnik, which originally referred to royalist fighters during the Second World War but came to apply to Serb paramilitaries during the Balkan wars of the Nineties, Berikoff said he heard it being used to describe all Serbs.

The three generals are on trial accused of command responsibility for crimes allegedly committed against Serb civilians during Operation Storm, launched by Croatia with the objective of re-taking the Krajina region.

Of the accused, Ante Gotovina was in overall command of the operation, Ivan Cermak was commander of the Knin garrison, while Mladen Markac was a special police commander.

The generals are accused of taking part in a joint criminal enterprise aimed at cleansing the Serb population from parts of Croatia.

According to the indictment, Croatian forces precipitated a mass exodus of Serbs from the region, initiated by Operation Storm, which ran from August 4 to 8, 1995. The indictment says that at least 30 people were killed in Knin, and at least 150 others died in the whole of the Krajina region from August to November 1995.

The witness - a Canadian who also worked for the tribunal prosecution for seven years - was based at UN headquarters in the area from July 17 to September 5, 1995.

Berikoff was a communications officer responsible for maintaining contacts between the UN base in Zagreb with the HQ in Knin. He had contact with the UN high command in Knin, UN observers, and Croatian forces.

During the second day of Operation Storm, August 5, he said he left the UN facility in Knin and circled the area, seeing "many villages in flames".

In the villages of Kistanje, Cetina and Donji Lapac, he said he witnessed Croatian soldiers - along with both special and civilian police - looting and destroying houses.

After the five-day operation ended, the burning and looting continued, he said.

“Sometimes we were driving through that area and saw marks on houses, and on some other occasions, we saw members of civilian police or HV [Croatian army] marking those houses which were not to be touched,” said the witness.

He explained how the houses marked as Croatian were left untouched, while unmarked houses belonging to Serbs were destroyed.

The witness said he thought this was a deliberate attempt by Croatian forces to prevent Serbs from returning.

To explain why he thought this, Berikoff recalled a conversation he had with then Croatian mayor Ivan Juric, who told him that the looting and burning of Serb homes was to prevent Chetniks returning to Krajina.

The witness said the term was commonly used by some Croats to refer to all Serbs.

“No matter if [they were referring to] soldiers, civilians, women or children. That was a common term used by Croats when speaking and describing members of Serbian nationality,” explained the witness.

This week, Berikoff also gave testimony which revised previous statements he made to the International Criminal Tribunal for the former Yugoslavia.

He said he had changed his mind since he told investigators of the Office of the Prosecutor, OTP, that Knin – the administrative centre of the Serb-held territory – was indiscriminately bombarded by Croatian troops.

In the three statements he gave to the OTP in 1996 and 1997, Berikoff said that at least 100 civilian buildings were hit in the attack on Knin on August 4 and 5, 1995. He said at that time that this proved the town was shelled indiscriminately.

However, in the fourth statement given to the OTP in 2007, he came to another conclusion. “There were military targets in Knin, and the shelling was not as unselective as I first thought, and it was carried out with adequate weapons [for the intended purpose],” he told Hague judges, in reference to his fourth statement.

“There were facilities that could be considered military targets,” he said, adding that these included an army barracks, a factory and railway station.

When asked to explain why he changed his initial statement, he said that during the offensive, “it seemed that it all came down on Knin”.

The witness explained that when he looked at maps and aerial images at a later date, he realised the shelling had not been as unselective as he had previously thought.

However, he repeated his view that the collateral damage was significant and much of the shelling was unnecessary "because there were no Serbian forces left in Knin".

During cross-examination by Gotovina's attorney Greg Kehoe, Berikoff confirmed that there was a Serb rebel liaison centre and command post in Knin. If he had he been a Croatian army commander, he said, he would have first attempted to destroy the enemy's communications by targeting these facilities.

Asked about the weapons the Croatians used to destroy buildings, Berikoff said that these were "appropriate" for the purpose, and that he would have used the same himself.

He also allowed the possibility that the collateral damage in Knin could have been caused not by the Croatians, but by the "other side".

"The Serb forces could have used missile launchers to protect their withdrawal," he said.

During his testimony, Berikoff said that he thought some estimates of the number of civilians killed in Knin during the offensive had been exaggerated.

At the time of Operation Storm, Berikoff wrote in his diary that he had seen between 300 and 400 dead civilians in Knin. He later removed the entry from the diary.

"I distanced myself from that estimate, because I did not see the bodies," he said in response to questioning by Gotovina's lawyer.

The witness explained he had got the information from his superior, Colonel Andrew Leslie, who has already testified in the trial.

"Many people, including me, had a tendency to exaggerate. That piece of information was an exaggeration," said Berikoff.

On August 4 and 5 1995, Berikoff went into town several times and saw about 15 or 20 wounded people in and around the hospital. Some of them appeared to be soldiers, while others were only partially dressed in camouflaged uniform, said the witness.

Gotovina's lawyer showed him a statement by another international official saying that the schoolhouse, situated next to the police station in Knin, served as lodgings for 500 Serb combatants.

"I was not interested and it was not my duty to establish what individual buildings were used for," replied the witness.

Berikoff confirmed that the Canadian UN battalion was dispatched to the Knin hospital on August 4 to evacuate the wounded. Asked if those were soldiers, he said there were military-aged men among them.

At the end of his testimony, the witness told the court that on there were some local gangs on the ground that were beyond the control of the Croatian army and were “many times even better equipped than [the] military”.

Berikoff went on to say that those paramilitary gangs “showed disobedience” and “acted differently from the military”.

“It is like that everywhere, from Somalia to the rest of the world,” he said, indicating that these units were loyal to local warlords and not to the regular Croatian military.

The trial continues next week.

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