

# **SOURCES AND ACTORS**

## **New Studies of the Yugoslav Wars of the 1990s**

Editor: Dragan Popović



# **SOURCES AND ACTORS - NEW STUDIES OF THE YUGOSLAV WARS OF THE 1990s**



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**Editor: Dragan Popović**

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**Reviewers:**

**Dr Dubravka Stojanović**

**Dr Radina Vučetić**

**Dr Olga Manojlović Pintar**

**Proofreading: Nevena Bojičić**

**Design: Jelena Šušnjar**

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## TABLE OF CONTENTS

|                                                                                                                                                                                             |     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| FOREWORD.....                                                                                                                                                                               | 4   |
| <b>REVIEW OF SOURCES ON THE YUGOSLAV WARS OF THE 1990s,</b><br>Dragan Popović .....                                                                                                         | 10  |
| <b>CONTROVERSIAL VERDICTS OF THE ICJ AND THEIR CONTRIBUTION<br/>TO HISTORY: THE CASES OF PERIŠIĆ AND GOTVINA,</b><br>Katarina Beširević.....                                                | 39  |
| <b>ČELEBIĆI CAMP– TRANSFORMATION OF THE LOCAL<br/>COMMUNITY AND THE WAR,</b><br>Andrija Mihajlov .....                                                                                      | 83  |
| <b>WARS IN YUGOSLAVIA IN THE WEEKLY TIME (1991–1995),</b><br>Sanja Lukić.....                                                                                                               | 117 |
| <b>NARRATIVE ANALYSIS OF REPORTING ON THE SIEGE<br/>OF VUKOVAR IN THE DAILY NEWSPAPER POLITICA,</b><br>Žika Petaković .....                                                                 | 156 |
| <b>PEACE CARAVAN OF EUROPEAN CITIZENS: A CONTRIBUTION TO<br/>THE RESEARCH OF ANTI-WAR INITIATIVES AND ALTERNATIVE<br/>MOVEMENTS IN YUGOSLAVIA DURING THE 1990S,</b><br>Miloš Tirnanić ..... | 182 |
| <b>INTERNATIONAL HUMANITARIAN INTERVENTIONS<br/>IN BOSNIA AND HERZEGOVINA AND KOSOVO:<br/>A COMPARATIVE ANALYSIS,</b><br>Maja Stojanović.....                                               | 199 |
| <b>AUTHORS' BIOGRAPHIES .....</b>                                                                                                                                                           | 223 |

\*For the European Union, this designation does not prejudice positions on status and is in accordance with UNSC Resolution 1244/1999 and the Opinion of the International Court of Justice on the declaration of Kosovo's independence. For UNDP, all references to Kosovo should be understood in the context of Security Council Resolution 1244 (1999).

## FOREWORD

The anthology “Sources and actors - new studies of the Yugoslav wars of the 1990s” emerged from the research of young scientists, mostly historians, who deal with various aspects of Yugoslav and post-Yugoslav history. The motivation for the collection lies primarily in the evident lack of quality research on one of the darkest and most painful episodes of our past. Avoidance of the study of the Yugoslav wars at the end of the 20th century can undoubtedly be explained by the sensitivity of the topic, by the complex political situation still dominated by the ideas and people that led to the wars, by conformism and by scientific escapism. However, while this can be explained, it can hardly be justified. More than 30 years have passed since the outbreak of the Yugoslav wars, and justifications for avoiding an honest and scientifically based approach to many topics from that era are untenable.

One aim of the anthology is to demonstrate a wide range of possibilities for researching the Yugoslav wars of the 1990s on the basis of available sources and documents. Another is to indicate the variety of actors whose actions can be investigated. Besides the military and political elites, who have already been the subject of a large amount of research, albeit primarily abroad, there remains a whole series of important actors such as members of local communities, the media, international organizations and anti-war activists, who will be discussed in this anthology. Wars and everything that follows them, including the breakdown of all norms and rules, personal breakdowns and traumas, re-

distribution of social wealth, crimes and so on, are such complex phenomena that they always require new and creative approaches to their study. There is quite sufficient material on both sources and actors to enable examination of every aspect of the Yugoslav 1990s from all sides, and this Collection is precisely an invitation to that collaborative work.

Problems with the accessibility of archives, whether physical availability or lack of political will, are a frequent excuse for avoiding research on the wars of the 1990s. The papers in this anthology show that this is merely an excuse. The Yugoslav wars left behind a huge number of sources that can be analysed and studied. The collection opens with an introductory paper by Dragan Popović, who gives a brief overview of existing sources on the topic. Among the sources, particular analysis has been devoted to the archive of the International Criminal Tribunal for the former Yugoslavia (ICTY) and its excellent potential for researchers. The reports of international and domestic institutions and organizations, which contain a large amount of data and analysis, are also considered. An overview of other sources such as memoir materials, media and textbooks, is also provided to demonstrate the wealth of available historical sources.

Documents produced by the warring parties encompass an overwhelming ocean of sources. There are minutes, wiretapped conversations, orders, maps, instructions, legal documents, financial documentation, accounts, orders, lists, statements of defendants or witnesses from various legal or quasi-legal proceedings... All this has been hidden or is still hidden in various archives, with highly questionable procedures and an even more questionable political will to make it available to researchers and the interested public. However, an important part of the documentation has become available through the digitalization of the ICTY's huge archive. Through court proceedings, both the prosecution and the defence presented tens of thousands of pieces of evidence, presenting

to the public most of the important sources for understanding and documenting the Yugoslav wars, and especially the war crimes that accompanied them. The archive of the ICTY is still nowhere near scientifically researched, although it is a wealth of historical sources that can hardly be found anywhere else.

In her work, Katarina Beširević shows the value of judgments as a source, using the example of two judgments that caused considerable controversy in both the legal and lay public. The verdicts against Perišić and Gotovina were used for political attacks on the Tribunal, while the paper analyses both their disputed statements and established facts. Precisely the facts, established above all by first-instance judgments, are an important source for historians and other scientists. Beširević shows how even these verdicts, later overturned in the second-instance proceedings, are full of important analysis of sources and established facts and are therefore especially useful in shedding light on historical circumstances, independent of the sentence itself and the decision on punishment for specific defendants. Andrija Mihajlov also uses the archives of the ICTY as a source, but focuses on the local community in Konjic, a multi-ethnic town whose community experienced a drastic transformation during the war and instead of a harmonious coexistence became known for one of the first camps for Serbs in Bosnia and Herzegovina - the Celebić camp. It is these relations within the local community, including the collective memory of the distant past and neighbourly relations immediately before the war, that are the subject of the study in this paper. Using the individual experiences of prisoners, the depth of the transformation of the community from good neighbourly relations to relations marked by crimes against civilians and prisoners are presented.

The wars of the 1990s were broadcast live, with many television recordings and photographs. Not only the domestic but also the world press wrote about them extensively. Domestic and foreign media thus became a particularly rel-

evant, but also easily accessible source for studying the 1990s, of course, with the application of all the rules of the historiographical method to such sources. At the same time, the media is an important actor through which the bearers of social power spread their own narratives, but also a source that cannot be bypassed. At the same time, it is a source not only in the traditional sense of a transmitter of important information, but also one that tells us what policies were promoted and how public opinion was influenced. Using the example of the American magazine *Time*, Sanja Lukić has precisely shown how one of the world's most important media interpreted reality, how it created and managed narratives, and what can be concluded from that reporting about international relations and the geopolitical circumstances of the 1990s. On the other hand, Žika Petaković has analysed the formal characteristics of the text in *Politica* during the siege of Vukovar from August to November 1991. The analysis of narrative techniques reveals the ideological positions and ways in which the desired narrative is presented to readers in accordance with the war policy of the time. This demonstrates how newspaper texts as a source can be read in different ways, and in each of those readings a different method of analysis can reach important and interesting conclusions.

The importance of the topic brought a large number of oral memories in the form of confessions, memoirs, autobiographies or interviews. Still-living actors are available to researchers for additional clarifications and to recreate memories, with all the advantages and pitfalls of the oral history method. These are all valuable sources that have specific methods of verification and that scholars should use much more, naturally in combination with other sources. Combining the press as a source and interviews he conducted with the actors, Miloš Tirnanić presents in his article an anti-war action - the visit to Yugoslavia by the Peace Caravan of European citizens in September 1991. Apart from the action itself which had a wider, European character, the paper

also deals with the reactions of intellectuals and politicians, showing the wider attitude of important social actors towards alternatives to belligerent policies, but also towards the concepts of pacifism and anti-militarism in general.

An important source for the study of history lies in the decisions of international organizations, primarily United Nations resolutions. The Yugoslav wars were a hot topic for the whole world, and certainly for an organization like the UN, whose mandate is to guard world peace and security. To stop the wars in Yugoslavia, the UN had to resort to completely new solutions, to create legal practice on the fly based on existing rules, and to do all this while balancing the interests of the great powers. The struggle between international law and international politics was intense in those years, thanks to the specific historical moment created by the end of the Cold War. In the work of Maja Stojanović, we can follow a specific aspect of that struggle - attempts to legally and institutionally legitimize the military interventions of the international community in Bosnia and Herzegovina in 1995 and in the FRY in 1999. The immediate reasons for these interventions, wars and war crimes in BiH and Kosovo, had enough common characteristics for the interventions to be compared, and yet they were also different enough to require an additional analysis of the behaviour of the UN Security Council in both situations.

This anthology is only a small contribution to whetting the interest of the scientific community in Serbia and the region for more complex studies of numerous topics from the end of the 20th century on the territory of Yugoslavia. The authors have shown that there are many sources and actors, that wars and related events can be approached from many angles, that multidisciplinary research is required to verify scientific hypotheses that arise by themselves. The anthology is partly a continuation of previous research collected in the compendium "Reviews of the Wars of the Nineties - a collection of works by young researchers" edited by Marijana Toma and Ivan Jovanović in 2022. They have

both been supported by UNDP, which was essential for not only these two compendiums, but also the entire process that led to them, including various educational programmes. They are connected by the initiators of the whole process - professors at the Department of Contemporary History of the Faculty of Philosophy in Belgrade, Dubravka Stojanović and Radina Vučetić. We can all thank these two for the fact that young scientists have for years been researching the Yugoslav wars of the 1990s. This gratitude goes far beyond formal recognition for mentoring work with the authors of this anthology, which was also valuable and decisive for the final result. In the end, the hope remains that the efforts made by the authors will bear fruit and will generate new interest and lead to new studies of the Yugoslav 1990s. We owe it to society and to ourselves, not only as scientists but also as citizens whose interest is that the experience of the Yugoslav wars should never be repeated.

**Dragan Popović, Doctor of Historical Sciences**

**Belgrade**

**[dragan@policycenter.info](mailto:dragan@policycenter.info)**

## **REVIEW OF SOURCES ON THE YUGOSLAV WARS OF THE 1990s**

**Summary:** This paper provides an overview of the most important sources for studying the Yugoslav wars of the 1990s. The most important collection of sources is undoubtedly court archives, especially the ICTY archive, which contains tens of thousands of documents, photographs, maps, videos and material evidence. Reports of international and domestic organizations and institutions are also presented, particularly valuable for the study of war crimes and other forms of wartime violence. As a particularly interesting and useful source, the media, textbooks and other sources are presented, from which much useful information important for this topic can also be extracted. At the end, the specifics of memoir material and oral history when used as historiographical sources were also analysed.

**Key words:** historical sources, 1990s, Yugoslavia, wars, war crimes, research, ICTY.

### **Introduction**

The Yugoslav wars of the 1990s are one of the most studied events in the

last three decades among scientists in various fields around the world. The influence they exerted on many fields, from international relations and international law, through studies of nationalism, transitional justice and the culture of memory, all the way to historiography, sociology, cultural studies, media theory and even forensic anthropology, has long been noted and recognized in science. Nevertheless, in Yugoslavia itself, the critical study of wars is still an incident, an unusual occurrence in petrified societies trapped in the toxic narratives of nationalist ideology. Many serious scientists therefore hesitate to study wars, and especially to draw conclusions from the material that is available. One of the defence mechanisms used is the argument that there is no source, that the time distance is insufficient and that passions are still stirred up. This paper will present various sources available to scientists and researchers. The sources in question are about the wars themselves, not about the disintegration of Yugoslavia or about its history, which is sometimes studied in order to find reasons and causes of wars. Due to limited space, the review will be brief and by no means comprehensive. However, even this leaves no room for doubt that there are enough sources for the study of any topic related to the Yugoslav wars. Moreover, there are few events in history that are so well documented and about which there are so many different sources widely available to anyone interested.

## Court archives

Wars are specific historical events, also in their being accompanied by war crimes. Along with the crimes come the efforts of various judicial authorities to sanction the perpetrators and thereby establish the legality violated by the extraordinary circumstances that prevail in every war, to bring justice and at least partial satisfaction to the society and the victims. The Yugoslav wars

were provoked at a time when the processes of globalization were at their peak and when it seemed that the world was moving in the direction of establishing much greater cooperation and common rules, including the establishment of institutions for investigating and punishing violations of international humanitarian law. In response to the wars in Yugoslavia, the UN Security Council formed an ad-hoc tribunal in 1993 - the International Criminal Tribunal for the Former Yugoslavia (hereinafter the ICTY or the Tribunal). The tribunal was established in reference to Chapter VII of the UN Charter, which deals with the preservation of peace and security in the world, and the UNSC expressed its belief that the prosecution and punishment of war criminals would contribute to the “restoration and maintenance of peace”.<sup>1</sup>

As a result of the large number of trials, a huge archive remains. It is thought to consist of about 10 million pages of written documents and another three million pages of trial transcripts. Also, the Tribunal has various material sources, including pieces of clothing, blindfolds, various items found in mass graves including documents, wristwatches, pieces of clothing and jewelry, personal documents, religious items... Among the items are, for example, a wooden rifle that Croatian units gave to prisoners when they used them as human shields, parts of a Serbian army shell that fell on Markale in 1994, a model of the headquarters of the Zvornik Brigade or the driver's license of a victim found as a trophy with Hague indictee Duško Tadić.<sup>2</sup> Both were collected either in the field, by the work of investigative teams and the engagement of international military forces, or as a result of the cooperation of the states of the former Yugoslavia with the Tribunal. ICTY investigators used international peacekeeping forces to gather evidence in their investigations as far back as the 1990s. For example, in March 1998, investigators with a court order entered

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1 UNSC resolution 827 of 25 May 1993

2 See an exposition of this evidence on the web site of the Tribunal's Successor Residual Mechanism: International Residual Mechanism for Criminal Courts, A Glimpse Through the Open Doors of the Archives, <https://www.irmct.org/specials/glimpse-into-the-archives/index-bcs.html>, (Nov. 10, 2024).

the barracks of the Zvornik Brigade in Karakaj and took away a huge number of documents that were crucial in shedding light on the circumstances of the crimes in Srebrenica in 1995. According to the testimony of the investigators, during March 1998 more than 200,000 documents were transferred to The Hague<sup>3</sup>. The investigators often took account of to everything they came across, so it would later be classified in the Tribunal and assessed as to its importance for the trials. That is why the Hague archive contains such a large number of documents, from minutes and military orders to receipts from restaurants and petrol stations.

The most valuable part of the Hague archives, the one used in the court proceedings, has been digitalized and is available online for researchers.<sup>4</sup> This is a huge advantage for people dealing with 1990s Yugoslavia. Without the Tribunal, most of these documents would still be embargoed, and many of them would never see the light of day because of their secret classification. The tribunal marked a very small number of documents as secret and prohibited access to them, primarily at the request of Serbia. These are minutes from the sessions of the Supreme Defence Council and other documents that are assumed to bring Serbia into direct connection with the war in Bosnia and Herzegovina.<sup>5</sup> However, even when it comes to the minutes of the SDC, most of them are available and can be found on the web site of the Tribunal.<sup>6</sup> There are also numerous decisions, orders, instructions, either by civil or military authorities during the wars, which are marked as military secrets but thanks to the Tribunal are available to researchers. Transcripts of intercepted conversations

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3 Lara J. Nettelfield and Sarah E. Wagner, *Srebrenica in the Aftermath of Genocide*, (New York: Cambridge University Press, 2014), 188.

4 Unified court documentation Mechanism, ICTY and Rwanda Court Consolidated Judicial Docket, <https://ucr.irmct.org/>, (Nov. 10, 2024).

5 Archive of the ICTY, Milošević case, First and second decision of the Trial Chamber on the admissibility of evidence of the Supreme Defense Council of 23 September 2004.

6 The minutes are separated and arranged on the web site of the Helsinki Committee for Human Rights in Serbia, where they are easy to search: Helsinki Committee for Human Rights, [https://www.helsinki.org.rs/serbian/nprogram\\_t01.html](https://www.helsinki.org.rs/serbian/nprogram_t01.html), (November 10, 2024).

and the diaries of various actors during the war are also important.<sup>7</sup> It is interesting that some of the protected materials were published contrary to legal regulations, which is the case with the reports of the Serbian secret service that Serbia gave to the defence of Vojislav Šešelj, and he decided to publish them in their entirety.<sup>8</sup>

The tribunal also has a large collection of maps, including topographical and military maps. In addition to war maps confiscated from the headquarters of various units, there are also maps on which witnesses or victims marked places and objects during the trial. The Public Relations Service (Outreach) of the ICTY has also made several documentaries about crimes in the former Yugoslavia (including films about specific crimes that the court dealt with, such as sexual violence or torture).<sup>9</sup> Part of the archive is also a huge number of photographs taken by the Tribunal's investigators during investigations, especially when excavating mass graves and visiting places of detention, as well as footage taken during the war, some of which attracted enormous public attention, such as the shooting of six young men from Srebrenica at Trnova 1995.<sup>10</sup>

Specific sources in the Tribunal's possession are reports of experts from various professions that were used in the trials. These are reports that were specially made for individual trials, and cover topics from the historical background of the conflict, through the consideration of different ideologies, to the analysis of military and civilian structures, legal acts, forensic evidence, all the way to the reports of pathologists and medical experts.<sup>11</sup> What is important

7 The most famous are the diaries of Ratko Mladić, which he kept throughout the war and which are in 20 volumes of nearly 5,000 pages, Dejan Anastasijević, „Dnevnici Ratka Mladića“, Vreme, 20. oktobar 2010, <https://vreme.com/vreme/putovanje-na-kraj-pameti/>, Dejan Anastasijević, „Dnevnici Ratka Mladića“, Vreme, 20. oktobar 2010, <https://vreme.com/vreme/putovanje-na-kraj-pameti/>, (November 10, 2024)

8 See more about this case in: Dragan Popović, „Krvavi trag srpskih radikala od 1991. do 1993. godine“, in: Ogladi o ratovima devedesetih – zbornik radova mladih istraživača, ur. Marijana Toma i Ivan Jovanović, (Beograd: UNDP, 2022), 72 – 95.

9 All films are available on the website of the Tribunal's outreach service: <https://www.icty.org/bcs/outreach/dokumentarni-filmovi-0>, (10 November 2024).

10 Archive of the ICTY, case Mladić, P2581, Film *Škorpiona*.

11 Vladimir Petrović, „Društveni naučnici kao veštaci u Međunarodnom krivičnom sudu za bivšu Jugoslaviju i drugde“, Filozofija i društvo, 3 (2007), 103-116.

to note about all sources in the Tribunal's archive is that they have undergone a verification procedure specific to criminal proceedings. This means that according to the rules of the accusatory procedure, both sides had the opportunity to check each piece of evidence, point out possible doubts and submit counter-evidence. This gives additional weight to each of the primary sources collected and presented at the Tribunal, because they are always accompanied by very rigorous analyses, both by the opposing party and by the court panel itself. Of course, these analyses do not oblige researchers, but they are certainly useful when applying the historiographical method of evaluating the collected material.

The online archive of the Hague Tribunal is searchable, but it is not always easy to find a document in the sea of documents and evidence. Some organizations have made it easier to navigate the Tribunal's database by selecting the most important documents, arranging them by crime scene or providing a chronological overview of major crimes and military operations. On the basis of an agreement with the Hague Tribunal, the Belgrade Fund for Humanitarian Law copied part of the Tribunal's archive and stored it in its archive in Belgrade. That work is still ongoing, and so far more than 115,000 documents and videos of about 10,000 days of trials have been copied. The list of all those who appeared at the trials, by day, is particularly valuable.<sup>12</sup> This list enables an easier and faster review of the archives of the ICTY, because judgments often do not specify the date on which a witness testified, which makes it all the more difficult to find a transcript of his testimony. BIRN (Balkan Investigative and Reporting Network) has also done a lot to make the Hague archives more transparent and accessible. Among other things, BIRN has created an online map of mass graves in the former Yugoslavia, where it is possible to search by grave all documents, reports, photographs, testimonies, judgments and other

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<sup>12</sup> HLC, Archive of Trials before the ICTY, [http://www.hlc-rdc.org/?page\\_id=17545](http://www.hlc-rdc.org/?page_id=17545), (10 November 2024).

sources related to each of the graves.<sup>13</sup>

The SENSE agency was a specialized media agency that followed the work of the Tribunal in detail and reported on it. Since 2017, the agency has been transformed into the Center for Transitional Justice (CTJ), based in Pula, whose mission is to preserve the legacy of the Tribunal and ensure the availability of judicially determined facts. For this purpose, a digital archive has been set up that contains reports from all the trials that SENSE worked on, as well as reports from the trials before the International Court of Justice that were conducted by the states of the former Yugoslavia against each other.<sup>14</sup> With the help of audiovisual documents from the Tribunal, CTJ also produced digital interactive narratives about certain events during the wars of the 1990s.<sup>15</sup> During its work, SENSE also produced seven documentaries about various crimes and trials for crimes, including films about Srebrenica, Sarajevo, the trial of General Krstić, but also about the personalities of Radovan Karadžić and Ratko Mladić, and about the tribunal itself.<sup>16</sup>

The ICTY is not the only court that tried war crimes in the Yugoslav wars. Domestic courts also tried crimes to a greater or lesser extent, either by the Tribunal assigning to them cases that it assessed that the domestic courts could

13 BIRN, Bitter Land – Mapiranje masovnih grobnica u bivšoj Jugoslaviji, <https://massgravesmap.balkaninsight.com/?lang=bs>, FHP, izveštaji sa suđenja za ratne zločine u Srbiji, <http://www.hlc-rdc.org/?cat=292>, (10. novembar 2024); FHP, suđenja za ratne zločine u BiH, <http://www.hlc-rdc.org/?cat=236>, (10. novembar 2024); FHP, suđenja za ratne zločine na Kosovu, <http://www.hlc-rdc.org/?cat=238>, (10. novembar 2024); Documenta i grupa organizacija za ljudska prava, suđenja za ratne zločine u Hrvatskoj, <https://documenta.hr/pracenje-sudenja-za-ratne-zlocine/>, (10. novembar 2024).

14 CTP, arhiva, <https://arhiva.sensecentar.org/>, FHP, izveštaji sa suđenja za ratne zločine u Srbiji, <http://www.hlc-rdc.org/?cat=292>, (10. novembar 2024); FHP, suđenja za ratne zločine u BiH, <http://www.hlc-rdc.org/?cat=236>, (10. novembar 2024); FHP, suđenja za ratne zločine na Kosovu, <http://www.hlc-rdc.org/?cat=238>, (10. novembar 2024); Documenta i grupa organizacija za ljudska prava, suđenja za ratne zločine u Hrvatskoj, <https://documenta.hr/pracenje-sudenja-za-ratne-zlocine/>, (10. novembar 2024).

15 CTP, interaktivni narativi, <https://www.sensecentar.org/hr/production/interactive-narratives>, (10. novembar 2024.)

16 CTP, dokumentarni filmovi, <https://www.sensecentar.org/hr/sense-news-agency/documentaries>, FHP, izveštaji sa suđenja za ratne zločine u Srbiji, <http://www.hlc-rdc.org/?cat=292>, (10. novembar 2024); FHP, suđenja za ratne zločine u BiH, <http://www.hlc-rdc.org/?cat=236>, (10. novembar 2024); FHP, suđenja za ratne zločine na Kosovu, <http://www.hlc-rdc.org/?cat=238>, (10. novembar 2024); Documenta i grupa organizacija za ljudska prava, suđenja za ratne zločine u Hrvatskoj, <https://documenta.hr/pracenje-sudenja-za-ratne-zlocine/>, (10. novembar 2024).

judge, or by the fact that the trials were the result of investigations by domestic prosecutors' offices. The archive from these trials is not available online like the Hague, but judgments, indictments and similar documents are available which can also be of importance to researchers.<sup>17</sup> In addition, the reports of civil society organizations that followed these trials and made very detailed reports are of great importance.<sup>18</sup> From those reports you can see almost everything that happened in court, witness statements and presented evidence, but also the atmosphere of the trial, analysis of the actions of the judicial authorities and the police and similar which all together is also a rich source for researching not only the Yugoslav 1990s, but also their consequences and the relationship of post-war societies towards their own war heritage.

### Reports of organizations and institutions

Organizations for the protection of human rights, both international and domestic, were active from the very beginning of the Yugoslav wars. One of the main tasks of such organizations is to investigate crimes and other important events, collect evidence, record it in the form of reports and later publicly distribute the material for various purposes. These jobs, at least in reputable organizations, are taken very seriously and subject to strict rules of research and analysis. Thanks to their work this enables a large amount of evidence to be collected and examined and as such made available to researchers and **scientists. Among the large number of organizations that have produced infor-**

<sup>17</sup> Predmeti ratnih zločina pred Apelacionim sudom u Beogradu, <http://www.bg.ap.sud.rs/lt/articles/sluzba-za-odnose-sa-javnoscu/aktuelni-predmeti/ratni-zlocini>, (10. novembar 2024); Predmeti pred specijalizovanim većem na Kosovu, <https://www.scp-ks.org/sr/cases>, (10. novembar 2024); Sudska praksa Suda BiH, <https://www.sudbih.gov.ba/Court/Practice>, (10. novembar 2024).

<sup>18</sup> The trials were observed by a number of organizations, and some of the reports are available at: FHP, izveštaji sa suđenja za ratne zločine u Srbiji, <http://www.hlc-rdc.org/?cat=292>, (10. novembar 2024); FHP, suđenja za ratne zločine u BiH, <http://www.hlc-rdc.org/?cat=236>, (10. novembar 2024); FHP, suđenja za ratne zločine na Kosovu, <http://www.hlc-rdc.org/?cat=238>, (10. novembar 2024); Documenta i grupa organizacija za ljudska prava, suđenja za ratne zločine u Hrvatskoj, <https://documenta.hr/pracenje-sudenja-za-ratne-zlocine/>, (10. novembar 2024).

mative and important reports, the international ones stand out: Human Rights Watch, Amnesty International, United States Institute for Peace or Institute for War and Peace Reporting.<sup>19</sup> Domestic organizations did even more work, especially where states were unwilling to investigate. Important examples are the reports made in Croatia by the Croatian Helsinki Committee and Dokumenta - Center for Facing the Past<sup>20</sup>, and in Serbia by the Humanitarian Law Fund, the Helsinki Committee for Human Rights or the Sandžak Committee for the Protection of Human Rights and Freedoms.<sup>21</sup> The HLC has also created a special website, the Zone of Irresponsibility, which contains interactive materials, including videos, maps and infographics on cases of war crimes committed by Serbian units throughout Yugoslavia, for which no one has been held accountable.<sup>22</sup>

Specialized reporters or teams of international organizations whose task is to collect the factual basis for the decisions made by these organizations do similar work. Since we are dealing with organizations that involve a large number of countries with many conflicting interests, here too care is taken to hire good researchers and to be careful when drawing conclusions and recommendations. From the very beginning of the Yugoslav wars, these reports had enormous weight, both for decision-makers and for public opinions in different countries. Among them reports have been issued that are still widely cited

19 BOSNIA-HERZEGOVINA, Rape and sexual abuse by armed forces, AI, index: EUR 63/01/93; BOSNIA-HERZEGOVINA, "To bury my brother's bones", AI, index: EUR 63/15/96; The Fall of Srebrenica and the Failure of UN Peacekeeping - Bosnia and Herzegovina, HRW, October 1995; CROATIA Impunity for Abuses Committed During "Operation Storm" and the Denial of the Right of Refugees to Return to the Krajina, HRW, August 1996; Civilian Deaths in the NATO Air Campaign, HRW, February 2000;

20 Vojna operacija „Oluja“ i poslije, (Zagreb: HHO, 2001); Sjećanja na rat u Pakracu, Lipiku i okolnim mjestima, (Zagreb: Documenta, 2010).

21 Among the large number of reports, see, for example, reports of crimes in Sandzak: Hronologija zla i neizvjesnosti – pregled kršenja ljudskih prava i sloboda u Sandžaku u SR Jugoslaviji (Srbiji i Crnoj Gori) 1991-2000, (Novi Pazar: Sandžački odbor za zaštitu ljudskih prava i sloboda, 2020); Otmica u Štrpcima - Analiza suđenja za ratni zločin: Činjenice, pravna pitanja i političke implikacije, (Beograd: FHP, 2003); Bukovica, (Beograd: FHP, 2003); then reports on other crimes throughout Yugoslavia: Šeki Radončić, Kobna sloboda - Deportacija bosanskih izbjeglica iz Crne Gore, (Beograd: FHP, 2005); Podujevo 1999 – van svake sumnje, (Beograd: FHP, 2006); Fahri, Musliu, Masakr u Suvoj Reci – mart 1999, (Beograd: Helsinški odbor za ljudska prava, 2010); Dosije: Zločini nad Hrvatima u Vojvodini, (Beograd: FHP, 2019). 2019).

22 FHP, Zona neodgovornosti, <https://zonaneodgovornosti.net/>, (11. novembar 2024).

today and are considered a generous source of information about wars, such as the report on war crimes by the UN commission headed by Sherif Basiuni, the report of the special rapporteur of the UN Human Rights Commission, Tadeusz Mazowiecki, the report of the OSCE verification mission to Kosovo in 1999 or the report of the UN Secretary General on Srebrenica in 1999.<sup>23</sup>

Particularly valuable are the databases of victims, missing persons and other victims created by civil society organizations in the former Yugoslavia. Due to states' lack of interest in listing the victims or their intention to misuse the numbers to achieve the goals of nationalist ideology, civil society organizations took on this task in order to at least partially enable families and entire societies to realize their right to the truth. This work is done in accordance with the highest standards established during the work of various state fact-finding commissions around the world. Based on these experiences and with the help of specialized institutions and organizations from different countries, the victims were listed by the Fund for Humanitarian Law (in Serbia, Montenegro and Kosovo), Dokumenta (in Croatia) and the Research and Documentation Center (in Bosnia and Herzegovina).<sup>24</sup> In addition to these, a great deal of work has been done by various victims' associations who also have their own lists, together with collected testimonies and sometimes material evidence from the crime scene.

## Media and textbooks as sources

23 Final Report of the United Nations Commission of Experts Established Pursuant to Security Council Resolution 780 (1992), S/1994/674; Report of the Secretary-General pursuant to General Assembly resolution 53/35: The Fall of Srebrenica, A/54/549 (1999); Kosovo: as seen, as said - Analysis of the OSCE Verification Mission Kosovo; State of human rights October 1998 - June 1999, OSCE, 1999; The reports of the UN Human Rights Commission and its rapporteurs on the former Yugoslavia are available at: UN, Digital Library, <https://digitallibrary.un.org/>, (11 November 2024).

24 Mirsad Tokača, *Bosanska knjiga mrtvih – Ljudski gubici u Bosni i Hercegovini 1991 – 1995 I-IV*, (Sarajevo: IDC, 2012); *Kosovska knjiga pamćenja. Knjiga prva: 1998 – da ljudi pamte ljude*, (Beograd, FHP, 2011); *Kosovska knjiga pamćenja. Knjiga druga: 1998-2000 – dostojanstvo za nestale*, (Beograd: REKOM/FHP, 2024). Videti i spiskove žrtava iz Srbije i Crne Gore na internet stranici FHP: <http://www.hlc-rdc.org/?-cat=266>, (11. novembar 2024).

One indispensable source for research in the 1990s is the media, electronic and printed. One should always bear in mind the dual role of the media. On the one hand, they are an important actor in historical events, they create narratives and influence the development of society. On the other hand, they are a historical source that must be analysed like any other source of historical material. When looking at the period before 1990, and in many countries such as Serbia after 1990, the media operated in the specific environment of the party state. In the party state, the media played an even more important role in creating public opinion, because they were often controlled and united in a common front with the authorities to produce dominant narratives.<sup>25</sup> The media was thus more of an instrument than an actor, and the government's efforts to control the population were drastically eased. Of course, this was never absolute nor was all the press just an instrument all of the time. Some of the printed newspapers, depending on the development of the socio-political situation in the country, managed to be more or less autonomous actors, to promote alternative solutions and narratives or to question what the government advocated, using the professionalism of editors and journalists. In Serbian in the second half of the observed decade, the most widely circulated newspapers and public television (there were no private ones at that time, but only Radio Television Belgrade - RTB, along with television stations of other republics and provinces) became important contractors for Slobodan Milošević, first helping him to establish firm control over the Serbian party, and then accompanying him in his campaign to the provinces, other republics and finally to the whole of Yugoslavia.<sup>26</sup>

25 Numerous studies have been written about the role of the media in the Yugoslav wars, of which, as an example, we highlight: Mark Thompson, *Production of War - Media in Serbia, Croatia and Bosnia and Herzegovina*, (Belgrade: Medija Centar/Radio B92, 1995); *Media and War*, eds. Nena Skopljanac Brunner et al., (Zagreb/Belgrade: Center for Transition and Civil Society Research/Argument, 2000); Kemal Kurspahić, *Crime at 19:30 – Balkan media in war and peace*, (Belgrade: Dan Graf, 2003).

26 On Milošević's use of the media as a weapon for preparing wars, see, for example: Snježana Milivo-

Media reports are in any case a historical source, because they reveal not only what happened (reported by the media), but also what was important to the politics that used or controlled the particular media at that moment. It should also be remembered that the print media in the 1980s and early 1990s were incomparably more influential than today, that they were published in circulations unimaginable today (some of them were measured in the hundreds of thousands) and that in the pre-Internet era they were the only source of information for people besides TV and radio. While access to the print media archive is possible through libraries, the TV Belgrade archive, as the most important television archive in the former Yugoslavia, is still unorganized and almost inaccessible to researchers. Considerable help is provided by documentaries and other programmes that used a large number of important TV programmes from this station and thus made them available to the public.<sup>27</sup>

Apart from the media, other forms of description of historical events can be useful sources. Textbooks for all levels of education bear the state seal and thus signify the sanctioned version of history accepted by the state and officially promoted through the education system. Especially useful information for the analysis of the Yugoslav wars can also be extracted from the way in which the textbooks already treated the subject during the wars of the 1990s, and how the narratives changed together with state policy or when the elements of wartime reality were emphasized. Apart from textbooks, other teaching aids can serve as a source, especially atlases and geographical maps (which changed on the fly during the 1990s), appendices to language teaching, reading material, additional literature and similar.<sup>28</sup>

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jević i Jovanka Matić, *Ekranizacija izbora*, Beograd: Vreme, 1993; Aljoša Mimica i Radina Vučetić, *Vreme kada je narod govorio. Odjeci i reagovanja u Politici, 1988 – 1991*, (Beograd: Filozofski fakultet, 2008); Reči i nedela – Pozivanje ili podsticanje na ratne zločine u medijima u Srbiji 1991 – 1992, ur. Bruno Vekarić, (Beograd: Centar za tranzicione procese, 2011)

27 Arhital production films are particularly important, such as the series *Slike i reči mržnje*, which deals with the media's role in causing wars. All movies are available at: <https://www.youtube.com/playlist?list=PL4LlkKrHT-5Ik-GKNVSxt69sB6n1N8ILF>, (11. novembar 2024.)

28 See an excellent overview of the theme of the wars of the 1990s in textbooks in Serbia in: *Ratništvo*,

## Memoirs

Autobiographies, various kinds of remoiniscences and memoirs, are an indispensable source for studying the wars of the 1990s. They are especially common in critical social moments, which the end of the 1980s was, not only for Yugoslavia, but also for the whole world. There are few actors of the Yugoslav crisis who did not leave records of their own actions or their views on past events.<sup>29</sup> However, in crucial moments for entire societies, the reworking of one's own past and adaptation to the dominant collective memory, with the rejection of parts of the biography that do not fit into the new value framework of society, come to the fore. Memory, even this personal and highly individual one, is never freed from the social context, but, as Todor Kuljić notes, "self-remembering is a process of processing experience and a constitutive part of identity creation, always between reconstruction and reproduction".<sup>30</sup>

Autobiographical works must be treated with due caution, according to the rules of the historiographical method, cross-checking with other sources and with considering the context both when they were written and when they were published. Nevertheless, they are not rejected, neither as a historical source from which certain information can be obtained (especially if it is a matter of first-hand testimony), nor as an object of study within the framework of historiography. Their study is especially valuable from the viewpoint of the culture of memory, because often such records give us an insight into how that culture is built, what is taken and what is avoided from the historical table, and why certain events or personalities are important for the collective

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patriotizam, patrijarhalnost, ur. Vesna Pešić i Ružica Rosandić, Beograd: Centar za antiratnu akciju, 1994; Dubravka Stojanović, *Prošlost dolazi – Promene u tumačenjima prošlosti u srpskim udžbenicima istorije 1913 – 2021*, (Beograd: XX vek, 2023), 143-188. For a regional overview see: Ratovi 1990-ih u regionalnim historiografijama. Kontoverze, interpretacije, nasljeđe, ur. Dubravka Stojanović i Husnija Kamberović, (Sarajevo: Udruženje za modernu historiju, 2021), 245-296.

29 For a partial overview of the most cited memoirs published in the 1990s, see: Sabrina Ramet, "Views from Inside: Memoirs concerning the Yugoslav Breakup and War", *Slavic Review*, 61, 3 (autumn 2002), 558-580.

30 Todor Kuljić, „Delatni potencijal autobiografije“, *Kritika*, 3, 1 (2022), 53.

memory of the community.<sup>31</sup>

A huge number of politicians, military and diplomatic officials recorded their memories of this period. Some of them also testified before the Tribunal in The Hague as we have already mentioned, which allows researchers to see how their memories have withstood the test of cross-examination in court proceedings. Particularly interesting for researchers is the trial of Milosevic, at which, at the invitation of both sides, numerous actors of public and political life in the 1990s testified, including Ante Marković, Milan Kučan, Stjepan Mesić, Borisav Jović, Zoran Lić, Branko Kostić, Ibrahim Rugova, David Owen, Paddy Ashdown and others.<sup>32</sup> Individuals who rushed to describe their own testimonies during the wars, later became a source not only for research, but also for judicial procedures. In this light, the memoirs of Borisav Jović and Veljko Kadijević are particularly important, they look more like self-accusation than an attempt to justify their own actions.<sup>33</sup>

Prominent among the actors who left records about the period of the Yugoslav wars in the 1990s are politicians who revealed new details suggesting new directions for research. Among the memoirs, those left by the most important actors of the Yugoslav crisis and wars are often cited. However, they are also especially open to criticism for post-hoc justifying of problematic actions or for exaggerating their role.<sup>34</sup> In contrast to such testimonies, some politicians pointed out controversial details from the 1990s and shed new light on some insufficiently explained events. In this category, the memoirs of Hr-

31 See more about this in: Dragan Popović, *Rat sećanja u Srbiji 1980-1990*, (Beograd: XX vek, 2024).

32 The CDT organization has created a special website where these testimonies can be searched by the events of the 1980s and 1990s to which they relate: CDT, *Poslednji tango u Hagu*, <https://tango.sensecentar.org/index.php> (11. novembar 2024).

33 Veljko Kadijević, *Moje viđenje raspada*, (Beograd: Politika, 1993); Borisav Jović, *Poslednji dani SFRJ*, (Beograd: Politika, 1995).

34 The number of such works is huge, and as an example we can single out: Janez Janša, *The Making of the Slovenian State 1988 - 1992. The Collapse of Yugoslavia*, (Ljubljana: Mladinska knjiga, 1994); Stjepan Mesić, *Kako smo srušili Jugoslaviju. Politički memoari posljednjeg predsjednika Predsjedništva SFRJ*, (Zagreb: Globus, 1992); Branko Kostić, *1991 – da se ne zaboravi*, (Beograd: Filip Višnjić, 1996); Branko Mamula, *Slučaj Jugoslavija*, (Beograd: DanGraf, 2014); Alija Izetbegović, *Sjećanja: Autobiografski zapis*, (Sarajevo: TKD Šahinpašić, 2001).

voje Šarinić, Biljana Plavšić, Josip Boljkovac, Drago Kovačević and others stand out.<sup>35</sup> Although they require additional verification and rigorous application of the historiographical method, such sources are still more valuable than the hagiographical works of people who in this way erected monuments to themselves during their lifetime.

Memoirs were also left behind by actors from the international community who were part of peace and diplomatic efforts to stop wars. Those testimonies are also very often cited in the literature, primarily because of the specific angle from which they viewed the crisis and wars in Yugoslavia, which, again, was largely coloured by their own position and the results they achieved. Naturally, most attention has been drawn to the memoirs of peace negotiators, people who, by the nature of their work, had access to the most important actors of the wars, but also to the moments when the most important decisions were made.<sup>36</sup> A large number of interesting data can also be found in the testimonies of ambassadors and other representatives of the diplomatic corps who served in Yugoslavia during the critical years.<sup>37</sup> On the other hand, high officials of the states involved in the Yugoslav wars, although they left records including about their own part in the work, did not delve deeper into the topic, nor did they allow themselves to open controversial issues.<sup>38</sup>

35 Hrvoje Šarinić, *Svi moji tajni pregovori sa Slobodanom Miloševićem: između rata i diplomacije 1993-1995*(1998), (Zagreb: Globus, 1999); Biljana Plavšić, *Svedočim I-II*, (Banjaluka: Trioprint, 2005); Josip Boljkovac, *Istina mora izaći van. Sjećanja i zapisi prvog ministra unutarnjih poslova neovisne Hrvatske*, (Zagreb: Golden marketing, 2009); Drago Kovačević, *Kavez – Krajina u dogovorenom ratu*, (Beograd: Srpski demokratski forum, 2003).

36 Dejvid Oven, *Balkanska odiseja*, (Beograd: B92, 1996); Richard Holbrooke, *Završiti rat*, (Sarajevo: Šahinpašić, 1998); Karl Bilt, *Zadatak mir*, (Beograd: B92, 1999).

37 Among them are the most quoted memoirs of the last American ambassador to the SFRY: Warren Zimmermann, *Origins of a Catastrophe: Yugoslavia and its Destroyers – America's Last Ambassador Tells What Happened and Why*, (New York: Times Books, 1996). See also the interesting memoirs of the British ambassador in Belgrade in the 1990s, focused on the character and work of Slobodan Milošević: Ajvor Roberts, *Razgovori sa Miloševićem*, (Beograd: Službeni glasnik, 2012).

38 See, for example, the memoirs of Bill Clinton or Hans Dietrich Genscher: Bill Clinton, *My Life*, (New York: Knopf, 2004); Hans-Dietrich Genscher, *Rebuilding a House Divided: A Memoir by the Architect of Germany's Reunification*, (New York: Broadway Books, 1998).

Memoirs published by soldiers and other professionals who were part of international peacekeeping forces or worked in various international organizations during the Yugoslav wars are a special type of material. Their views on the war are almost the same as those of domestic actors, which in itself is an interesting fact. Nevertheless, a lot can be learned from their testimonies, especially when it comes to the attitude of various actors in the international community towards the Yugoslav wars, international relations and politics.<sup>39</sup> Apart from soldiers and humanitarians, interesting observations about this period, but also about how the post-war societies in Yugoslavia dealt with the consequences of the wars, were left by people who were involved in the research of war crimes and the prosecution of those accused of those crimes. The memoirs of the chief prosecutor of the Hague Tribunal, Carla del Ponte, naturally attracted the most attention, but no less reaction was caused by the polemical and highly critically intoned book of the former spokeswoman for the prosecution in The Hague, Florence Artman, who, due to what she stated in the book and in interviews, became the only journalist sentenced to prison before this court.<sup>40</sup>

Apart from important officials, politicians, diplomats and soldiers, the memories of other public figures, those who did not always influence politics but recorded how politics influenced society and how the social atmosphere that led to wars or was later a consequence of wars, are also valuable.<sup>41</sup> Some of the memoirs attracted enormous attention even when they were published

39 As a good illustration of this phenomenon, see: Luis Makenzi, *Čuvar mira – put za Sarajevo*, (Beograd: Knjiga komerc, 2019); Michael Rose, *Fighting for Peace: Bosnia 1994*, (London: Harvill Press, 1998);

40 Karla Del Ponte i Čak Sudetić, *Gospođa tužiteljka: suočavanje sa najtežim ratnim zločinima i kulturom nekažnjivosti*, (Beograd: Profil, 2008); Florans Artman, *Mir i kazna - Tajni ratovi međunarodne politike i pravde*, (Beograd: Filip Višnjić, 2007).

41 Interesting testimonies, with a lot of important information, but also interesting impressions, were left by, for example, Vesna Pešić, Živojin Pavlović, Aleksandar Tišma, Vidosav Stevanović, i mnogi drugi: *Možeš ti to Vesna, možeš!*, prir. Nadežda Četković, (Beograd: Krug Commerce, 2000); Živojin Pavlović, *Diarium I - III, Dnevnik 1987 - 1993*, (Novi Sad/Beograd: Prometej/Kwit Podium, 1999); Aleksandar Tišma, *Dnevnik 1942 - 2001 III. Prestajanje*, (Novi Sad: Akademska knjiga, 2020); Vidosav, Stevanović, *Dnevnik samoće - izbor fragmenata 1988 - 1993*, (Beograd: Službeni glasnik, četvrto izdanje, 2010).

posthumously and with a great distance in time, such as Milovan Đilas's writings about the Yugoslav wars.<sup>42</sup> On the other hand, some memoirs are important even for what they kept silent about. Here, the case of Dobrica Ćosić is particularly interesting: in his memoirs he simply avoided mentioning many very important events, such as the genocide in Srebrenica, which in itself is an important testimony about that time, but also about the actors who shaped public opinion.<sup>43</sup>

## Oral history

Oral history is a relatively new methodological discipline that has been gaining a large number of devotees since the 1970s.<sup>44</sup> Actors' testimonies are marked by subjectivity and unreliability of memory, and have long been rejected by historiography as relevant sources. However, with the revival of the memory of the Holocaust and a change of scientific paradigm in almost all social sciences and humanities, oral history also became more popular. Oral testimonies enabled victims, especially members of marginalized and discriminated groups, to find a public voice, which inevitably influenced the democratization of the culture of memory, but also enabled a "more realistic and objective reconstruction of the past".<sup>45</sup> The testimonies have become a kind of non-material compensation for the victims, because they enabled them to tell their story and thus regain at least part of their stolen dignity through active listening by the society they are addressing.<sup>46</sup>

### **The testimonies of victims are today "at the heart of almost all process-**

42 Milovan, Đilas, *Raspad i rat – dnevnik, 1989 – 1995*, (Beograd: Vukotić Media, 2022).

43 Dobrica Ćosić, *Piščevi zapisi 1993-1999*, (Beograd: Službeni glasnik, 1998).

44 For **more** on the theoretical setting of the method, see: Lynn Abrams, *Oral History Theory*, (Milton Park: Routledge, 2010).

45 Paul Thompson, *Glas prošlosti – usmena istorija*, (Beograd: Clio, 2012), 21.

46 Today, it is almost impossible to find a museum or institution dedicated to the injustices of the past without also containing the oral testimonies of the victims, see for example the oral history collection of the US Holocaust Memorial Museum in Washington: <https://www.ushmm.org/collections/the-museums-collections/about/oral-history>, (November 11, 2024).

es of transitional justice”.<sup>47</sup> Sources in the form of testimony are treated the same as any other – with respect to all the rules of the profession – and are therefore no more ‘unreliable’ than any other source. On the other hand, they can contribute to the illumination of very specific aspects of historical events, above all to shed additional light on the atmosphere that prevailed at the time they describe.<sup>48</sup> Interviews are always a two-way process, not a questioning of the actor by the interviewer but a conversation between two equal interlocutors through which new knowledge is obtained, hypotheses are crystallized and tested, and the existing set of sources and knowledge is supplemented.<sup>49</sup> Oral testimonies appear in a double form – both as a source and as an object of historical studies. Actors’ testimonies (combined with other sources) give us valuable insight into how they formed and selected their memories, why they remembered or forgot them, and how the “social frame of memory” influenced them.<sup>50</sup>

Given the fact that the theory of transitional justice and putting the victims first was absolutely dominant during the 1990s, it is no wonder that oral history is highly represented among sources for the study of the Yugoslav wars. The victims had a need to tell what happened to them, and they encountered a very receptive environment, both scientific and lay. Hundreds of victims’ statements, either in written or audio-visual form, have been recorded, bringing authentic testimonies of human suffering and the horrors of war. Thanks to civil society organizations, some of the victims spoke publicly, in front of

47 Anna Bryson, “Victims, Violence, and Voice: Transitional Justice, Oral History, and Dealing with the Past,” *Hastings International & Comparative Law Review*, 39, 2 (2016), 299.

48 On the benefits of oral history, see an interesting article: Alessandro Portelli, “What Makes Oral History Different”, in: *The Oral History Reader*, eds. Robert Perks and Alistair Thomson, (London/New York: Routledge, 1998), 63–74.

49 On the advantages of such a relational approach in interviews in the social sciences, see: Lee Ann Fujii, *Interviewing in Social Science Research – A Relational Approach*, (London/New York: Routledge, 2018).

50 Sometimes, as Josip Glaurdić points out after more than 40 interviews, the way actors remember events, rightly or wrongly, is the best insight into the event being investigated, Josip Glaurdić, “Yugoslavia’s Dissolution: Between the Scylla of Facts and the Charybdis of Interpretation”, in: *Debating the End of Yugoslavia*, eds. Florian Bieber et al., (Farnham: Ashgate, 2014), 31.

an audience, about what they went through. This was the institution of public listening, a special way to recognize victims by listening to their story. This mechanism is part of a wide range of measures that fall under symbolic restitution and provide victims with at least partial public recognition, especially concerning the background from which the perpetrators came.

Many organizations and institutions have recorded the testimony of victims but also witnesses and actors of war events. Important collections of such sources can be found on the specialized website of the Coalition for REKOM called *Voice of the Victims*. Here, the testimonies from the Hague Tribunal are arranged by crime, for easier navigation.<sup>51</sup> On the same page, there are the databases of victims that have been made available by non-governmental organizations in connection with the wars in the former Yugoslavia.<sup>52</sup> More than 100 survivors of the Srebrenica genocide have left their recorded testimonies as part of the joint project of the Srebrenica Memorial Center and the Balkan Research Network of Bosnia and Herzegovina (BIRN BiH) entitled “Life beyond the Field of Death”, and some of the segments are part of the permanent exhibition of the Memorial Centre in Potočari.<sup>53</sup> The British project *Remembering Srebrenica*, dedicated to preserving the memory of this crime, also has on its website a large number of testimonies, both from victims and other actors of events from Srebrenica and from all over BiH.<sup>54</sup> The Kosovo organization *Oral History Initiative* has collected a large number of recorded interviews with actors of various historical events in Kosovo, including the 1990s. All interviews have been translated into Serbian, Albanian and English.<sup>55</sup> The Croatian organization *Dokumenta* also has its own collection of oral accounts of people who

51 REKOM, Glas žrtava, <https://www.glaszrtava.org/zlocini/>, (11. novembar 2024).

52 REKOM, Glas žrtava, <https://www.glaszrtava.org/zrtve/>, (11. novembar 2024).

53 Srebrenica Memorial Centre and BIRN BiH, <https://zivotiizapoljasmrti.detektor.ba/about>, (11. novembar 2024).

54 *Remembering Srebrenica*, <https://srebrenica.org.uk/category/survivor-stories>, (11 November 2024).

55 *Oral History Initiative*, [www.oralhistorykosovo.org](http://www.oralhistorykosovo.org), (11 November 2024).

suffered political violence in various historical events.<sup>56</sup> On the other hand, a project created at the initiative of the Belgrade *City Cultural Centre*, the *Museum of the Nineties*, collected the testimonies of anti-war activists and other actors who resisted the wars and policies of the Milošević regime during the 1990s.<sup>57</sup>

## Conclusion

This paper presents a part of the rich material that can be used to research and write about the Yugoslav wars of the 1990s. The richest and most accessible is the archive of the Hague Tribunal, which contains a huge number of documents, maps, photographs, videos, and items about almost every Yugoslav war. The problem here is by no means the lack, but the huge number of sources that require good navigation and effort to review and analytically evaluate the materials according to the rules of scientific methodology. Other courts that dealt with war crimes also left behind large archives, albeit a little more difficult to access. Of great importance are the international and domestic organizations that have invested enormous energy to make the vast archives more accessible and searchable. Also important are the reports made by these organizations, which also contain a huge amount of evidence about wars and war crimes. The media, besides often being the subject of research, can also be an important source, both for the events they wrote about and for the way they wrote, which says a lot about the prevailing atmosphere at the time. Memoirs and oral histories are also important sources, of course taking into account their shortcomings and respecting all research rules in order to verify these sources. In any case, the literature on the Yugoslav wars is huge and there is no objective reason why they have not been researched in much more detail and presented to the scientific and general public. Researchers avoiding the wars of the 1990s must find another justification. The story of a lack of sources is

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56 Dokumenta, Osobna sjećanja, <https://www.osobnasjecanja.hr/>, (11. novembar 2024).

57 Muzej devedesetih, <https://museum90.com/category/usmena-istorija/>, (11. novembar 2024).

simply untenable.

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**Dragan Popović, PhD**

**Belgrade**

[dragan@policycenter.info](mailto:dragan@policycenter.info)

## **REVIEW OF SOURCES ON THE YUGOSLAV WARS OF THE 1990S**

**Summary:** The paper provides an overview of the most important sources for studying the Yugoslav wars of the 1990s. The most important collection of sources is certainly represented by the courts archives, especially the archive of the ICTY, which contains tens of thousands of documents, photographs, maps, videos and material evidence. Reports of international and domestic organizations and institutions are also presented, especially valuable for the study of war crimes and other forms of violence in war. As a particularly interesting and useful source, the media and textbooks are presented, from which numerous useful information important for the topic being studied can also be extracted. At the end, the specifics of the memoir material and oral history when used as historiographical sources were analyzed.

**Keywords:** historical sources, 1990s, Yugoslavia, wars, war crimes, research, ICTY.

**Katarina Beširević, research assistant**  
**University of Belgrade, Faculty of Philosophy**  
**besirevickatarina@gmail.com**

## **CONTROVERSIAL VERDICTS OF THE ICJ AND THEIR CONTRIBUTION TO HISTORY: THE CASES OF PERIŠIĆ AND GOTVINA**

**Summary:** The archive of the International Criminal Tribunal for the former Yugoslavia is rich in sources that historians can use to research a decade flooded with history, such were the 1990s in the former Yugoslavia. Through the analysis of two first-instance verdicts of the Hague Tribunal (on Momčil Perišić and Ante Gotovina), this paper shows how historians can refer to documents that are not legally binding to reconstruct various events from the nineties and notes that, although some first-instance verdicts were overturned by the appeals chambers of the ICTY, the facts established by them are no less credible.

**Keywords:** transitional justice, ICTY, Momčilo Perišić, Ante Gotovina, historiography

### **Introduction**

Analyzing the process of Adolf Eichmann's trial, Hannah Arendt wrote that "justice demands that the accused be prosecuted, defended and convicted and that all other, apparently important issues [...] remain aside",<sup>58</sup> a thought

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<sup>58</sup> Hannah Arendt, *Eichmann u Jerusalimu – Izveštaj o banalosti zla*, (Beograd: Samizdat B92, 1999), 11.

she repeated in the epilogue of her book, and which captured the attention of many who after her researched either the Nuremberg trials or those of the International Criminal Tribunal for the former Yugoslavia.<sup>1</sup> Although no one disputes the fact that the primary responsibility of a trial is to determine guilt, the lawyer Lawrence Douglas emphasized that this exclusive view of the purpose of the judicial process is “unnecessarily restrictive”, and that the Nuremberg trials and the Eichmann trial were set up in such a way that they teach us history and shape collective memory.<sup>2</sup> Referring to the same thesis in the context of the trial of Slobodan Milosevic, historian Vladimir Petrović claims that the trials of high-ranking individuals necessarily intertwine law, politics, history and memory, and that the “symbolic aspects” of such processes are often just as important as their “legal outcomes”.<sup>3</sup> The question that arises in the context of this work, and refers precisely to these “legal outcomes”, is what happens at the moment when the court, specifically the ICTY, annuls the first-instance verdicts, and they are as if they were never made, that is, they never became legally binding? This issue will be considered from the point of view of historical science, with the aim of presenting how certain real acts, such as indictments and (repealed) verdicts, can be used as historical sources. This work has the ambition to show how certain verdicts, although they have no legal force, are historically important, which further contributes to the debate about what the purpose of courts like the Hague Tribunal really are.

1 The correct name of the court is the International Tribunal for the Criminal Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed on the Territory of the Former Yugoslavia. Further in the text, the abbreviated names International Criminal Tribunal for the former Yugoslavia, ICTY or The Hague Tribunal will be used.

2 Lawrence Douglas, *Memory of Judgment: Making Law and History in the Trials of the Holocaust*, (New Haven/London: Yale University Press, 2001), 2. In addition to Lawrence Douglas, this attitude of Hannah Arendt was opposed by others, such as: Richard Ashby Wilson, “Judging History: The Historical Record of the International Criminal Tribunal for the Former Yugoslavia”, *Human Rights Quarterly*, 27/3 (2005), 909-910; Robert J. Donia, “History and the Court: The Role of History at the ICTY”, *Prilozi*, 41 (2012), 13; Fergal Gaynor, “Uneasy Partners - Evidence, Truth and History in International Trials”, *Journal of International Criminal Justice*, 10 (2012), 1257-1275.

3 Vladimir Petrović, “Slobodan Milošević in the Hague: Failed Success of a Historical Trial”, in: *Remembrance, History and Justice: Coming to Terms with Traumatic Pasts in Democratic Societies*, eds. Vladimir Tismaneanu and Bogdan C. Iacob, (Budapest/New York: CEU Press), 2015, 297.

The intertwining of history and law proved to be necessary even at the Nuremberg Trials, which not only made available a large number of documents crucial for the reconstruction of the Holocaust and war crimes, but also the Second World War in Nazi Germany in general, but it also raised a number of important issues, such as the importance of such court processes for researching the past, and as a lesson in the rule of law and for raising awareness of societies in the present and future.<sup>4</sup> Which brings us to the concept of transitional justice, which precisely combines history and law, and this was born at the Nuremberg Trials.<sup>5</sup> Just like after 1945, so in the framework of post-socialism, for the countries of south-east and eastern Europe, transitional justice aims to recognize and acknowledge the crimes of authoritarian regimes in the past, which would delegitimize them and which would contribute to democratization and strengthening the rule of law in modern society.<sup>6</sup> Transitional justice should also contribute to social reconciliation and healing of collective trauma, especially for victims and survivors, which helps the construction of a common history, which then becomes, as we see with Jelena Subotić, a basis for reconciliation.<sup>7</sup>

On the other hand, Lea David critically approaches the aspirations of the institutionalization of human rights and the “imperative of confronting the past”, or the “duty to remember” which, as she states, “implies a precisely defined framework of the past, based on refined categories of victims, per-

4 Patricia Heberer and Jürgen Matthäus, “Introduction: War Crimes Trials and the Historian”, in: *Atrocities on Trial: Historical Perspectives on the Politics of Prosecuting War Crimes*, eds. Patricia Heberer and Jürgen Matthäus, (Lincoln/London: University of Nebraska Press, 2008), XXIII.

5 Kim C. Priemel and Alexa Stiller, “Introduction: Nuremberg’s Narratives – Revising the Legacy of the ‘Subsequent Trials’”, in: *Reassessing the Nuremberg Military Tribunals: Transitional Justice, Trial Narratives and Historiography*, eds. Kim C. Priemel and Alexa Stiller, (New York, Oxford: Berghahn Books, 2014), 3–4.

6 Jovana Mihajlović Trbovc and Vladimir Petrović, “The Impact of the ICTY on Democratization in the Yugoslav Successor States”, in: *Building Democracy in the Yugoslav Successor States: Accomplishments, Setbacks, and Challenges since 1990*, eds. Sabrina P. Ramet et al., (Cambridge: Cambridge University Press, 2017), 135.

7 Jelena Subotić, *Hijacked Justice: Dealing with the Past in the Balkans*, (Ithaca: Cornell University Press, 2016), 3–4.

petrators and observers”.<sup>8</sup> In her book *The Past Can't Heal Us*, the sociologist examines the ideologization of human rights in the context of remembering and studying the past, stressing that the imposed memorialization of human rights often produces negative reactions (contrary to expectations) in societies, strengthening nationalist attitudes and feelings, and that this agenda is almost always inconsistent with the official memory promoted by the state, even when the state declaratively propagates this kind of memory policy.<sup>9</sup> Whichever of the two theses we discard, it is important to bear in mind that this debate has been current (but necessary) in the former Yugoslavia since the nineties, and that the verdicts of the Hague Tribunal, and the Tribunal itself, are one of its main subjects.

The development of transitional justice for post-Yugoslav societies began on 25 May 1993, when Resolution 827 of the United Nations Security Council established the ICTY as a response to the crimes committed in the wars in Bosnia and Herzegovina and Croatia.<sup>10</sup> A total of 161 defendants appeared before the Tribunal, of which 93 were convicted, and among whom were heads of state, prime ministers, ministers, generals, commanders, and other middle or higher ranking individuals of the military and police forces of belligerent states.<sup>11</sup>

As Jovana Mihajlović Trbovc and Vladimir Petrović point out, many saw the ICTY as an institution that was supposed to lead post-Yugoslav societies through the transition, primarily in the context of emerging from war and stabilization (democratization) of these societies. Democratization was not explicitly in the Tribunal's mandate, which was rather to determine the criminal responsibility of leaders, bring justice, give a voice to victims, establish the facts,

8 Lea David, *Prošlost nas ne može izlečiti: Propisano sećanje – opasnosti standardizacije u ime ljudskih prava*, (Beograd: Rekom, 2021), 21–22.

9 *Ibid.*, 218–220.

10 Resolution UNSC 827 of 25 May 1993.

11 See: „Spisak presuda“, Međunarodni krivični tribunal za bivšu Jugoslaviju, <https://www.icty.org/bcs/cases/spisak-presuda> (31. oktobar 2024).

develop international law and help in establishing the rule of law. Nevertheless, aspirations towards the establishment of peace and reconciliation in the region were an important part of the ‘extra-judicial’ aspirations of the ICTY.<sup>12</sup> Despite the fact that it was not clearly defined in what way the Tribunal should contribute to reconciliation, it is believed that the search for truth and emphasizing individual, not collective responsibility is something that should lead to a reduction of tensions in the region.<sup>13</sup> In this context, lawyers see modern international criminal courts (and among them the ICTY) as more ambitious compared to the Nuremberg Trials, which did not have peace and reconciliation as goals in their mandate, but set a precedent for international criminal law.<sup>14</sup>

Without going into detail about the structure of the Tribunal itself, for the purposes of this work it is important to emphasize that the ICTY has left historians with a large number of legal acts, indictments, verdicts, testimonies and other evidentiary materials that can and should be the basis for historical research of the wars of the 1990s. What should be kept in mind, and what Iva Vukušić has emphasized, is that all court archives (including this one), as well as the documents they store, are almost entirely the product of the prosecutor’s office. The Prosecutor’s Office is the one that determines who will be charged and for which criminal acts/crimes, and in this regard, the ICTY contains selected sources necessary for reconstructing the history of the nineties in post-Yugoslav areas.<sup>15</sup> Unlike the Nuremberg Trials, which, by a conscious decision of the prosecution, made mostly documentary material available to

12 J. M. Trbovc and V. Petrović, “The Impact of the ICTY on Democratization in the Yugoslav Successor States”, 135–136.

13 Violeta Beširević, “The fora for justice: some reflections on peacebuilding and reconciliation from the perspective of the Nuremberg and the ICTY trials”, in: *Liber Amicorum Károly Bárd vol. 2: Constraints on Government and Criminal Justice*, ed. Petra Bárd, Budapest: L’Harmattan, 2022, 59.

14 *Ibid.*, 55.

15 Iva Vukušić, “Archives of Mass Violence: Understanding and Using ICTY Trial Records”, *Comparative Southeast European Studies*, 70/4 (2022), 593. Ovaj argument nalazimo i kod: Aldo Zammit Borda, “History in International Criminal Trials: The ‘Crime-driven Lens’ and Its Blind Spots”, *Journal of International Criminal Justice*, 18 (2020), 543–566.

historians, limiting the testimony during the court proceedings themselves,<sup>16</sup> a large part of the ICTY database consists of the testimony of eyewitnesses, survivors, experts or important political, military and diplomatic representatives, of course, enriched with official documents, 1st-person documents, maps, photographs and other sources. In the past two decades, historians have used verdicts and documents of the ICTY as historical sources for various scientific purposes, from the analysis of individual cases, such as the trial of Slobodan Milošević, to the use of historical sources such as photographs and literary works, to the research of war crimes and the actions of paramilitary formations in the wars in Bosnia and Herzegovina and Croatia.<sup>17</sup>

This work aspires to contribute to further development of the historiography of the 1990s, relying on specific material from the archives of the Hague Tribunal, primarily by emphasizing the importance of its first-instance verdicts for researching the past, in particular this decade burdened by history and wars. The focus of the paper is the annulment of the verdicts of two high-ranking military officials in the 1990s in Serbia and Croatia, Momčil Perišić and Ante Gotovina, in order to show that the fact that they have no legal weight does not mean that the events they refer to and which are often described in detail in them did not take place,<sup>18</sup> and that they must still have equal impor-

16 Due to the scope and horror of the Nazi crimes, Robert Jackson, the United States Attorney General at Nuremberg, insisted that the evidence be based on mostly documentary material so that no one could question their credibility. L. Douglas, *Memory of Judgment*, 17; K. C. Priemel and A. Stiller, "Introduction: Nuremberg's Narratives - Revising the Legacy of the 'Subsequent Trials'", 11; Donald Bloxham, *Genocide on Trial: War Crimes Trials and the Formation of Holocaust History and Memory*, (Oxford/New York: Oxford University Press, 2001), 60–63.

17 See for example: Iva Vukušić, *Serbian Paramilitaries and the Breakup of Yugoslavia*, (London/New York: Routledge, 2023); Vladimir Petrović, "The ICTY Library: War Criminals and Authors, Their Works as Sources", *International Criminal Justice Review*, 28/4 (2018), 333–348; Vladimir Petrović, "Power(lessness) of Atrocity Images: Bijeljina Photos between Perpetration and Prosecution of War Crimes in the Former Yugoslavia", *International Journal of Transitional Justice*, 9/3 (2015), 367–385; Jelena Jovanović, "Between Allies and 'Hostile' Witnesses: Testimony from High-Level Insiders in the Milošević Case", MA thesis, (Budapest: CEU, 2016); Olivera Lazarević, "Destruction of cultural heritage as a war crime and a crime against humanity: The legal practice of the International Criminal Tribunal for the former Yugoslavia (ICTY)", in: *Ogledi o ratovima devedesetih: Zbornik radova mladih istraživača*, ur. Marijana Toma i Ivan Jovanović, (Beograd: Građanske inicijative, 2024), 168–186.

18 Rachel Irwin, "Do Overturned Convictions Undermine Hague Tribunal?", Institute for War & Peace

tance in the historical consciousness of the societies.

The first-instance verdicts against Momčilo Perišić and Ante Gotovina were handed down in 2011. On this occasion, Perišić was convicted for individual responsibility for aiding and abetting, for command responsibility and for failure to prevent crimes committed during the wars in the Republic of Croatia and Bosnia and Herzegovina, while Gotovina was found guilty as a participant in a joint criminal enterprise (JCE)<sup>19</sup> during the military operation Storm in 1995. The first-instance verdicts were annulled by the appeals panel in 2012 (Gotovina) and 2013 (Perišić), thus losing their legal force. This act was seen as a political move by the Tribunal and led to the questioning of the credibility of the ICTY and to political manipulations of the past in the areas of the former Yugoslavia.<sup>20</sup> The appeals panel acquitted Perišić of criminal responsibility, rejecting the assumption that he knew with certainty about the crimes committed in Sarajevo, Srebrenica and Zagreb; that is, that the trial panel should have more explicitly determined that the assistance Perišić provided, for example, to the Army of the Republika Srpska, was specifically aimed at the commission of a crime,<sup>21</sup> and that the verdict must be annulled “because some elements

Reporting, 21 March 2013, <https://iwpr.net/global-voices/do-overturned-convictions-undermine-hague-tribunal> (16 November 2024).

19 Joint criminal enterprise implies that several persons participate in the crime, that they had a “common criminal intent or purpose”, that the immediate perpetrators commit certain criminal acts in order to achieve this intent, and that the defendant participated in that enterprise, sharing the intent, thereby contributing to the crime committed. “Joint criminal enterprise thus describes the collective nature of criminality.” Vojin Dimitrijević et al., *Haške nedoumice: Poznato i nepoznato o Međunarodnom krivičnom tribunalu za bivšu Jugoslaviju*, (Beograd: Beogradski centar za ljudska prava, 2021), 84–85. See also: Meldijana Arnaut–Haseljić i Sabina Subašić–Galijatović, „Udruženi zločinački poduhvat kroz teoriju i praksu MKSJ“, *Pregled: časopis za društvena pitanja*, 2 (2018), 95– 111.3

20 V. Dimitrijević, *Haške nedoumice*, 151–152; 169.. On the general perception of the ICTY in Serbia, Croatia, Bosnia and Herzegovina, see: Marko, Milanović. “The Impact of the ICTY on the Former Yugoslavia: An Anticipatory Postmortem”, *The American Journal of International Law*, 110/2 (2016), 233–259.

21 According to the verdict of the Appeals Chamber in the case of Momčilo Perišić, it is stated that the *specific orientation* was defined in the second-instance verdict against Duško Tadić, and that it was determined in relation to the *joint criminal enterprise*: “for the *actus reus* of JCE-only ‘acts that are in some way directed to the implementation of a common plan or intention’ are sufficient, while the *actus reus* of aiding and abetting [for which Perišić is accused] requires a

of responsibility for aiding and abetting have not been proven beyond a reasonable doubt”.<sup>22</sup> On the other hand, Gotovina’s first-instance verdict was annulled because the appeals panel considered that it specified a “standard of 200 metres” (if a shell fell 200 or more metres away from the alleged target, the trial panel considered that civilian objects were deliberately targeted) was arbitrary and unfounded in international law, and that it was not possible to prove the existence of indiscriminate shelling, which led to the cancellation of the entire verdict for crimes committed during and after the military operation Storm.<sup>23</sup> How much this affected the importance and credibility of the two first-instance verdicts for the work of historians, we will examine below.

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closer connection between the assistance provided and specific criminal acts: that assistance must be ‘concretely’ and not just ‘in some way’ directed towards the relevant criminal acts.” ICTY Archive, Predmet Perišić, Presuda Žalbenog veća od 28. februara 2013, 31–32.

22 ICTY Archive, Predmet Perišić, Presuda Žalbenog veća od 28. februara 2013, 32.

23 See: ICTY Archives, Predmet Gotovina & Markač, Presuda Žalbenog veća od 16. novembra 2012.

## The case of Momčilo Perišić

Momčilo Perišić (born in 1944 in the village of Koštunići near Gornji Milanovac) was already a member of the JNA when he graduated from the Military Academy of the Land Army in 1966. At the beginning of the wars in Yugoslavia he was stationed in Zadar as commander of the Artillery School Centre of the JNA. Soon after, in 1992, he was appointed commander of the Bileća Corps of the JNA in Mostar. With the transformation of the JNA into the Yugoslav Army, Perišić was appointed Chief of General Staff and Deputy Commander of the Third Army in Niš in May 1993, and just a few months later (August 1993) he was appointed Chief of General Staff of the VJ, a position he held until November 1998.<sup>24</sup> Perišić's indictment before the Hague Tribunal was based on the time he spent as Chief of the General Staff of the VJ during the wars in Bosnia and Herzegovina and Croatia.

Momčilo Perišić was accused before the ICTY of crimes against humanity and violation of the laws and customs of war. He is charged with individual criminal responsibility<sup>25</sup> for aiding and abetting,<sup>26</sup> planning, preparation and execution of crimes in Bosnia and Herzegovina (Sarajevo and Srebrenica) and Croatia (shelling of Zagreb); specifically, for the provision of personnel and logistical assistance to the Army of the Republika Srpska (VRS) and to the Ser-

24 A brief biography of Momcilo Perišić can be found at the very beginning of both the indictment and the first-instance verdict, see: ICTJ Archive, Predmet Perišić, Druga izmenjena optužnica od 5. februara 2008, 1; Prvostepena presuda od 6. septembra 2011, 1.

25 According to international criminal law, individual criminal responsibility implies that an individual can only be held responsible for his own actions, and not for the actions of others or the entire group/organization in which he was involved. V. Dimitrijević i dr., *Haške nedoumice*, 75.

26 For the concept of aiding and abetting, both in the Perišić case and in the legal context in general, see: Antonio Coco, and Tom Gal, "Losing Direction: The ICTY Appeals Chamber's Controversial Approach to Aiding and Abetting in Perišić", *Journal of International Criminal Justice*, 12 (2014), 345–366. We can draw a parallel to the trial of Adolf Eichmann, who was accused of crimes against the Jewish people, crimes against humanity and war crimes, and who believed that he could only be accused of "aiding and abetting" in the extermination of the Jews. Arendt, *Eichmann u Jerusalimu*, 25.

bian Army of the Krajina (SVK).<sup>27</sup> At the very beginning of the indictment, the following is stated: “While performing the duties of the Chief of the General Staff of the VJ, Momčilo PERIŠIĆ [sic], in accordance with the policy and limitations determined by the VSO [Supreme Defence Council], used his authority to provide substantial military assistance to the VRS, knowing that it was largely used to commit the crimes listed in this indictment.”<sup>28</sup> We can see from this alone that the prosecutor saw a connection between the Yugoslav Army and the VRS and SVK, which had to be proved in the involvement of the FR Yugoslavia in wars in neighbouring countries.

Perišić was sentenced to 27 years in prison by a first-instance verdict handed down on 6 September 2011, for the command responsibility for the shelling of Zagreb on 2 and 3 May, 1995,<sup>29</sup> and as an accomplice he was found guilty of crimes against humanity and war crimes in the area of Sarajevo and Srebrenica.<sup>30</sup> Two years later (28 February 2013), the appeals panel annulled the first-instance verdict against Perišić, concluding that not all elements of responsibility for aiding and abetting nor for specific orders were proved “beyond a reasonable doubt”.<sup>31</sup> The appeals panel found that there was not enough solid evidence that Perišić knew that the help he was providing, for example to the VRS was used precisely to commit the crimes listed in the indictment, given that the Army of the Republika Srpska also undertook legal combat activities and did not exclusively commit war crimes.<sup>32</sup> Some legal experts saw the ac-

27 ICTY Archive, Predmet Perišić, Druga izmenjena optužnica od 5. februara 2008, 3–4.

28 Ibid, 3.

29 “[M]ost members of the Chamber were convinced beyond a reasonable doubt that at the time of committing the crimes related to the shelling of Zagreb, there was a command-subordinate relationship between Perišić and the perpetrators of those crimes, that Perišić knew that his subordinates committed those crimes, and finally, that he did not punish them for those actions.” ICTJ Archive, *Perišić Case*, First Instance Judgment of 6 September 2011, 547.

30 “The trial panel concluded that Momčilo Perišić is responsible for murder and attacks on civilians as a violation of the laws and customs of war (Article 3 of the Statute) and for murder, inhuman acts and persecutions as crimes against humanity (Article 5 of the Statute).” ICTJ Archive, Predmet Perišić, Prvostepena presuda od 6. septembra 2011, 548.

31 ICTY Archive, Predmet Perišić, Presuda Žalbenog veća od 28. februara 2013, 31–32.

32 Ibid., 29–30. Without going too far into the legal aspects, it should be borne in mind that in the Perišić judgment there are a number of examples (from UN Security Council resolutions that mention ethnic

quittal of Momčil Perišić as extremely controversial and even politicized, stating that, if this were to become a practice and spread to other cases, either before the ICTY or another international criminal court, “it would be very difficult to convict any a military or political leader who, from an appropriate distance, carefully enough, helps the war activities of groups that commit serious and massive crimes during armed conflicts.”<sup>33</sup>

Regardless of this controversial procedure of the ICTY, what is important for historians is that Perišić’s verdict contains a lot of evidence and testimonies (experts<sup>34</sup> and eyewitnesses) that are crucial for understanding part of the context of the FRY officials’ attitude towards the wars in Bosnia and Croatia. The historian Donald Bloxham emphasized that the Nuremberg trials differed from other war crimes trials initiated after the Second World War, aiming at the reconstruction of the very authority and nature of the Nazi regime in Germany.<sup>35</sup> In the context of the trial of Momcilo Perišić, this would prove to be relevant for the ICTY as well, where the Hague Tribunal, in addition to serving as a mechanism for trying individuals for war crimes and crimes against humanity, on the basis of the available materials, enabled a partial reconstruction of the functioning of the state and military leadership of the warring parties. More specifically, due to this verdict of the Hague Tribunal, historical sources are available that testify to the involvement of the Yugoslav Army in the wars in

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cleansing, through examples from the press, to Perišić’s own statements at the sessions of the Supreme Court) that show the opposite. See: ICTJ Archive, *Perišić Case*, First Instance Judgment of 6 September 2011, 444–490.

33 V. Dimitrijević et al., *Haške nedoumice* 169. We find the same conclusion in the article by Antonio Kok and Tom Gall, who state that in the context of modern armed conflicts and the involvement of external actors in the internal conflicts of a state, Perišić’s acquittal allows those who knowingly contribute to the commission of crimes from a distance to sit quietly in their offices. A. Coco and T. Gal, “Losing Direction: The ICTY Appeals Chamber’s Controversial Approach to Aiding and Abetting in *Perišić*”, 366.

34 Vladimir Petrović dealt in detail with the concept of experts (witnesses) in the courtroom, and he defined them as persons whose legal legitimacy for the case is not based on their physical proximity to the case, and that they do not testify about what they saw or heard, but act as carriers of specific general knowledge that is relevant to the given case. Vladimir Petrović, *The Emergence of Historical Forensic Expertise: Clio Takes the Stand*, (London/New York: Routledge, 2016), 16.

35 Bloxham, *Genocide on Trial*, 5.

two neighbouring countries,<sup>36</sup> which from the position of a historian gives an additional dimension to the wars of the nineties, to the political and military relations in the countries of the former Yugoslavia, but also to the political situation in Serbia (FRY), primarily within the framework of the political and economic isolation of the country in that decade.

The judgment consists of several parts, which include giving the general historical context, in this particular case of events in Croatia and Bosnia and Herzegovina between 1991 and 1995. After that, there is a detailed review and analysis of political entities, the structure and organization of the armies - both the Army of Yugoslavia, the Army of the Republika Srpska and the Serbian Army of Krajina, which can serve as an important source for military history scholars. The verdict lists and describes the crimes in detail, along with testimonies of eyewitnesses and survivors. If we take the example of the siege of Sarajevo, historians can use Perišić's verdict as a basis for researching nine cases of shelling<sup>37</sup> or twelve incidents resulting from sniper activity.<sup>38</sup> The

36 See: *The role of the JNA in the wars in Croatia and BiH*, Peščanik, 18 June 2018, <https://pescanik.net/uloga-jna-u-ratovima-u-hrvatskoj-i-bih/> (16 November 2024). These facts were disputed among the public after Perišić's release, see: Ljudmila Cvetković, „Perišić po povratku u Beograd: Presuda doprinos Srbiji“, Radio Sloboda Evropa, 30. jun 2021, <https://www.slobodnaevropa.org/a/reakcije-na-presudu-stani-sicu-i-simatovicu/31334483.html> (16. novembar 2024).

37 Incident A1 (22 January 1994) in the area of Alipašina Polje, where six children were killed, one adult and at least four children were wounded; incident A2 (4 February 1994), when civilians were hit by a shell in Dobrinja, eight people were killed and 18 were wounded; incident A3 (5 February 1994) - Markale, where at least sixty people were killed and 140 wounded; incident A4 (22 December 1994) in which the flea market in Baščaršija was hit, when two people were killed and seven were wounded; incident A5 (24 May 1995) when a rocket projectile fell on Safeta Zajka Street, killing two and injuring five people; incident A6 (24 May 1995) when a modified aerial bomb fell on Maidanska Street, killing two civilians and wounding six others; incident A7 (18 June 1995) a shell hit people at the water supply point in Dobrinja, seven people died and 12 were injured; incident A8 (1 July 1995) in Bunički Potok Street, a rocket explosion killed thirteen people; and incident A9 (28 August 1995) - Markale II, when 35 people were killed and at least 78 wounded. See details in: Archives of the ICTY, Predmet Perišić, Prvostepena presuda od 6. septembra 2011, 98–145.

38 Incident B1 (3 September 1993) in which Nafa Tarić (35) and Nela Tarić (8) were killed in Ivana Krndelja Street; incident B2 (2 November 1993) in which Razim Velić (50) and Milan Ristić (56) were wounded while cleaning Braće Ribar Street; incident B3 (6 January 1994) in which Sanija Jevlan (36) was wounded while riding her bicycle over the Dobrinja bridge; incident B4 (19 June 1994) when four people were injured in a tram near the Holiday Inn hotel; incident

crimes are described in detail and reconstructed through medical documentation, expert reports, official investigation documentation, facts established at previous trials, testimonies and other evidence. Let us take the example of Markal (February 5, 1994) in this verdict, on the basis of which historians can reconstruct a part of the picture of everyday life in besieged Sarajevo, where at the time of the shell explosion, Muradif Čelik, a pensioner, was looking after a market stall, while Ezrema Boskailo was shopping in the market when the explosion knocked her down.<sup>39</sup> Likewise, from the description of the “incident” of 18 June 1995, when when a shell explosion killed and wounded civilians at the water supply point on Dobrinja, historians can extract data that illustrate in detail everyday life in the war:

“The Simon Bolivar primary school is located in Marko Oreškovića Street in Dobrinja. Sometime in May 1992, it was shelled and burned down. After that, a water pump was installed in the hall in the ruins of the school, which provided some shelter to the people waiting in line for water. The water pump itself was actually located outdoors. According to Azra Šišić, the water pump in the Simon Bolivar primary school was the safest in Dobrinja. Azra Šišić stat-

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B5 (26 June 1994) in which Sanela Muratović (16) was wounded; incident B6 (22 July 1994), in which a 13-year-old boy was wounded while he was window shopping with his mother and sister; incident B7 (8 November 1994) in which Fata Guta (54) was wounded while going to get water at the source of Mošćanica on Gazin Khan; incident B8 (23 November 1994) when Hafiza Karačić (31) and Sabina Šabanić (26) were wounded in a stampede; incident B9 (10 December 1994) in which Derviša Selmanović (49) was wounded while collecting firewood in the garden behind his house; incident B10 (27 February 1995) in which Senad Kesmer (31), Alma Čehagić (19) and Alija Holjan (55) were wounded in a tram; incident B11 (3 March 1995) when Azem Agović (46) and Alen Gičević (33) were wounded in a tram near the Holiday Inn hotel; and incident B12 (3 May 1995) in which Semska Čovrk (27) was wounded. Details can be found in: Archives of the ICTY, Predmet Perišić, Prvostepena presuda od 6. septembra 2011, 145–172.

39 Details can be found in: Archives of the ICTY, Predmet Perišić, Prvostepena presuda od 6. septembra 2011, 102.

ed that Muharem, a man who lived in the neighbourhood, was in charge of the water pump. A few days before 18 June 1995, people had heard that water would be distributed, so they took a place in the queue by leaving canisters in front of the school. On 17 June 1995, there was too much shelling on Dobrinja to organize water distribution. However, the next morning it was calm, and witness *Šišić* heard that water would be distributed that day, so she decided to go to the school. On 18 June 1995, it was clear and the police were at the school that morning, warning people not to gather around the pump, but to go one by one.»<sup>40</sup>

Then followed a description of the shelling of the queue in which between 50 and 70 people were standing at that moment, of whom seven were killed and twelve were injured. So on the basis of just this passage we can establish how the citizens of Sarajevo, specifically in the Dobrinja settlement, supplied themselves with water during the siege, and how a completely regular activity of everyday life in peacetime exposes civilians, without trying to exaggerate, to mortal danger in war. We find similar examples when looking at the shelling of Zagreb and the crimes committed in Srebrenica,<sup>41</sup> and each of them is particularly important to historians for researching the wars of the nineties – for the study of everyday life in war, analysis of war operations and many other details such as the reconstruction of military and political conditions in the states of the former Yugoslavia. The verdict against Momcilo Perišić is especially crucial for the latter.

<sup>40</sup> *Ibid.*, 113–114.

<sup>41</sup> In the case of the shelling of Zagreb, the examples are not as extensive as in the case of the siege of Sarajevo, but we find information that on 2 May 1995, five people died (Damir Dračić, Ana Mutevelić, Stjepan Krhen, Ivanka Kovač and Ivan Brodar) with some details of how the deaths occurred. The following day, 3 May, Mažuranić Square, Marshal Tito Square where the Croatian National Theater is located, and the Children's Hospital in Kaićeva Street were hit, and Luka Skračić and Ivan Markulin were killed. ICTJ Archive, *Predmet Perišić, Prvostepena presuda od 6. septembra 2011*, 174–175. In the case of Srebrenica, the military operations that were conducted around the city until 1995 were presented in detail. As for the details of the crimes committed, the relocation of the population is described (organizing buses, separating refugees, a column of military-fit men), then capturing and killing men (Bosnian Muslims), with detailed descriptions of what happened in the area of Potočari and Bratunac from 12 to 15 July, and Zvornik. ICTJ Archive, *Predmet Perišić, Prvostepena presuda od 6. septembra 2011*, 181–219.

Through this document, historians can follow in detail the process of formation and use of the 30th and 40th personnel centres of the Army of Republika Srpska and the Army of Serbian Krajina, and their connection with the Yugoslav Army. After the dissolution of the SFRY and with the beginning of the wars, when the JNA withdrew from Bosnia and Herzegovina and Croatia, some of the soldiers remained assigned to the VRS and SVK.<sup>42</sup> The Federal Republic of Yugoslavia was formed on 27 April 1992, when the Constitution of the FRY was adopted, according to which it is clearly determined that the FRY is a “sovereign federal state [... which] consists of the Republic of Serbia and the Republic of Montenegro, as member republics”, with the open possibility of other republics joining this federal state, in accordance with by the constitution. However, it should be emphasized that, apart from the two republics mentioned, no other republic, nor territory outside their borders, according to this Constitution, constituted the FRY. Likewise, according to Article 133 of the Constitution of the FRY, this country “has an Army which defends the sovereignty, territory, independence and constitutional order of the [Federal Republic of Yugoslavia]” and which “may be in the service of an international [sic] organization with the approval of the Federal Government.”<sup>43</sup> As in the case of republics, nowhere in Section VIII, which refers to the Army of Yugoslavia, is there any mention that its members may participate or fight within military formations in other countries (which are not international organizations). But, to begin with, we get a different impression from Ratko Mladić’s letter sent in March 1993 to the Chief of General Staff of VJ,<sup>44</sup> entitled “Preventing the outflow of human potential from the RS Army”. In that letter, in which the young man complains about the departure of members of the VJ from the ranks of the VRS, Mladić states:

“Since its formation, the general staff of the Army of the Republika

42 Ibid, 227.

43 Constitution of the Federal Republic of Yugoslavia, Službeni list SRJ, br. 1/92, 5. januar 1992, 14.

44 Života Panić held that position until August 1993.

Srpska has appreciated that the territories of the Serbian Krajina, the Republika Srpska and the Federal Republic of Yugoslavia are parts of a single Yugoslav battlefield, and that the Army of the Republika Srpska Krajina and of the Republika Srpska and the Army of Yugoslavia are only special elements of the combat deployment of a unified army. We consider this assumption to be the legal basis for the mandatory engagement of members of the Yugoslav Army, regardless of their native origin, in the units of the Army of the Republika Srpska and its combat operations, and the engagement of those whose native origin is from Republika Srpska is also a moral and patriotic act and obligation. Hence, the fact that someone is formally 'inducted into the RS Army' cannot be a basis for arbitrarily leaving the unit and the duties it performs."<sup>45</sup>

When mentioning the status of active military personnel and their transfer while they were engaged in the VRS, Mladić concluded the letter with the following words: "It is contrary to the agreement and the promises made when deciding on their engagement."<sup>46</sup> From this we can already see that there are personnel links between the two armies and their nature and agreements of officials in this regard, and by further reading the verdict and the documents it refers to, it becomes clear how this process worked.

At a session of the Supreme Defence Council on 11 October 1993, Momčilo Perišić pointed out the need to regulate the position of members of the Yugoslav Army (more precisely, 3,612 people at that time) who were in the VRS and SVK:

"In order to have a foothold, we have prepared for the president of the state, in his capacity as commander-in-chief, to issue an order [sic] that would regulate their status and that of the elders here. And so that no one could ob-

45 Archives of the ICTY, Predmet Perišić, P01512, „Sprečavanje odliva ljudskog potencijala iz Vojske RS“, 31. mart 1993, 1–2.

46 *Ibid*, 2.

ject, we invented a temporary formation of the Yugoslav Army here with us. That's where we place them; they are not actually here, but there [Republika Srpska and Republika Srpska Krajina] on their duties where they are. [...] for example: The commander of this and that unit is deployed to the school corps which is like here, and he is actually there."

Slobodan Milošević answered in the affirmative, but emphasizing that the document regulating this should be kept in only one copy with Perišić, with the addition: "You can do what you want, just don't let it slip." The Chief of the General Staff also added: "One more thing is very important. They [VRS and SVK] are looking for people by name. If those people won't go there, then we should consider them deserters when they won't defend their own doorstep. If you force him, you have no basis for it, because then he'll complain; with that he can even go [sic] outside and say: here, they say they are not helping, but in fact they are helping."<sup>47</sup> So Perišić had the same attitude as Mladić, it was a "unified battlefield" and a "unified army". However, it was crucial to keep such views secret, above all the establishment of personnel centres (PCs), which we conclude on the basis of the conversation between Milošević and Perišić, in order to avoid the tightening of sanctions against the FRY,<sup>48</sup> while at the same time it was necessary to provide suitable assistance to those who belong to the "unified nation",<sup>49</sup> according to Perišić. The need for legal regulation of the position of Yugoslav Army personnel who were in the VRS and SVK resulted in the Order of the President of the FRY on the establishment of personnel centres.

**According to the first paragraph of the order of Zoran Lilić, President of the**

47 ICTY Archive, Predmet Perišić, Prvostepena presuda od 6. septembra 2011, 233–234; Arhiva MKTJ, Predmet Perišić, P00709, Stenografske beleške sa 14. sednice Vrhovnog saveta odbrane, 11. oktobar 1993, 24–25.

48 ICTJ Archive, Predmet Perišić, Prvostepena presuda od 6. septembra 2011, 236.

49 Archive of the ICTY, Predmet Perišić, P00709, Stenografske beleške sa 14. sednice Vrhovnog saveta odbrane, 11.

FRY and Commander-in-Chief of the VJ, the General Staff of the VJ was supposed to keep special records and organize the soldiers of the Yugoslav Army born in the Republic of Srpska and Republika Srpska Krajina in those areas. On duty, they would be assigned, appointed and transferred by “the competent senior officer of the Yugoslav Army, in accordance with the needs of the service and the abilities of the person, according to the formations of special personnel centres [edited by author] that will be formed by the Chief of the General Staff of the Yugoslav Army [Perišić].” It was pointed out in the second point that the other members of the VJ (that is, those who were not born in those territories) “upon their request” can be sent to the corresponding PC. Finally, according to this order, the Chief of the General Staff of the VJ was supposed to determine the ways of organizing personnel centres, the number of soldiers and civilians sent there, the time of engagement of persons, and the protection of the rights of these persons and their families.<sup>50</sup>

Without going into the details of the functioning of the personnel centres as a kind of intermediate space between the Yugoslav Army, the VRS and the SVK, it is important to point out that the verdict contains a detailed overview of how the placements and transfers of people from the VJ were carried out through the 30th and 40th PC, how salaries, pensions and promotions were paid, how their housing issues were resolved, how medical assistance was provided, and how their service was terminated. However, in addition to personnel assistance, the first-instance verdict contains details of the VJ’s provision of logistical assistance to the Army of the Republic of Srpska since August 1993, when Momčilo Perišić became Chief of the General Staff. From this, historians can investigate what weapons and ammunition were delivered across the Drina, so, for example, on 24 November 1993, the Drina Corps “received 150,000 heavy machine gun bullets, 500 rockets, 960 hand grenades and 30 ‘repaired’

50 ICTJ Archive, Predmet Perišić, Prvostepena presuda od 6. septembra 2011, 230–231; Arhiva MKTJ, Predmet Perišić, P00731, Naredenje predsednika Savezne Republike Jugoslavije, 10. novembar 1993, 1–2.

hand grenades”, and a day later another “two million bullets and 1,727 mortar shells were sent, which was a large delivery that required several trucks; 3,269 mortar and 148 other shells were delivered separately.”<sup>51</sup> Cooperation in this field continued until December 1995, regardless of the fact that the FRY imposed sanctions on the Republika Srpska in August 1994. We can see this, among other things, from the documents (evidence) referred to in this part of the verdict, such as the notes from the meeting of the leadership of the FRY and the RS in Dobanovci on 25 August 1995,<sup>52</sup> which unequivocally indicate that the shipment of weapons did not stop even after the border closure between the FRY and Republika Srpska. For example, in May 1995, Mladić sent Perišić a request for “1,835,580 bullets of various calibres and 2,000 shells needed for heavy combat operations in the area of Trnovo, near Sarajevo.”<sup>53</sup> Thus, the first-instance verdict offers us the possibility of reconstructing the entire aid, from manpower to weapons, that the Yugoslav Army provided to the VRS. Finally, in the verdict we find a detailed description of how information from the battlefield reached Perišić, and the verdict also contains sections entitled “Perišić knew of crimes committed in Sarajevo and Srebrenica”, “Perišić knew of VRS crimes in Sarajevo” and “Perišić knew of VRS crimes in Srebrenica”, which offer historians an overview of documents (primary historical sources) that point to these facts.

The trial of Momčilo Perišić and its first-instance verdict, regardless of its later fate, are important for historians to understand the context of the wars in Bosnia and Herzegovina and Croatia, primarily through the role played in them by the Federal Republic of Yugoslavia. From the viewpoint of the ruling regime of the FRY, the sanctions introduced on 30 May 1992 were mainly presented as an injustice against a state that was not actively involved in wars<sup>54</sup>

51 ICTJ Archive, Predmet Perišić, Prvostepena presuda od 6. septembra 2011, 319–320.

52 See: Archive of the ICTY, Predmet Perišić, P00230, Zabeleška sa sastanka najvišeg političkog i vojnog rukovodstva Savezne Republike Jugoslavije i Republike Srpske, 25. avgust 1995.

53 ICTJ Archive, Predmet Perišić, Prvostepena presuda od 6. septembra 2011, 326.

54 This is clearly visible through the media and the statements of officials, so Slobodan Milošević im-

and as a conspiracy of the international community, which was openly directed against Serbia and FR Yugoslavia in the wars of the 1990s.<sup>55</sup> However, the first-instance verdict against Perišić and the sources to which it refers, such as sessions of the Supreme Court or witness statements, indicate that the political and military elite of the Federal Republic of Yugoslavia were unequivocally involved in the wars in the two neighbouring states, and that they actively wanted to hide it in order to prevent even more drastic political and economic isolation of the country.

In the process of research, historical science is methodologically and analytically much more open than law. While the law deals with the framework of the past exclusively for the purposes of determining guilt, historians deal with cultural and social contexts, political and military practices, less burdened by individual criminal responsibilities, more concentrated on placing individuals in the broader framework of the past and on the historical processes themselves.<sup>56</sup> The facts that we have tried to present here not only represent an important source for understanding political relations at the highest levels, the history of political elites (the highest state and military representatives such as Milošević and Perišić) and the power structure,<sup>57</sup> but can also be used, for example, from the viewpoint of history from below – both for understanding

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mediately after the introduction of sanctions sent a message to Yeltsin and Bush stating that “sanctions against only one side in the dispute cannot be fair and can only encourage extremists and those who do not want negotiations, which would only prolong this destructive civil war.” „Poruka Miloševića Jeljcinu i Bušu“, *Politika*, 31. maj 1992, 1. Milošević continued to make similar statements, emphasizing the innocence of the FRY and the injustice done to it by the introduction of sanctions and by the tightening of the country’s international isolation: “Those sanctions, I am sure, will mark a new phase of relations in the world, which, I hope, will last a short time and will be known as a time of political violence by the rich and powerful against small countries that were not ready to sacrifice their integrity and the dignity of their people.” „Milošević: Učinićemo sve da uverimo svet u neopravdanost sankcija“, *Politika*, 7. oktobar 1992, 1.

55 See: Olivera Milosavljević, „Svetska zavera protiv Srba“, u: *U tradiciji nacionalizma ili stereotipi srpskih intelektualca XX veka o „nama“ i „drugima“*, (Beograd: Helsinški odbor za ljudska prava, 2002), 298–300

56 Wilson, “Judging History: The Historical Record of the International Criminal Tribunal for the Former Yugoslavia”, 912–913.

57 In the same way, historians (but also prosecutors) accessed documents from the Nuremberg trials. K. C. Priemel and A. Stiller, “Introduction: Nuremberg’s Narratives - Revising the Legacy of the ‘Subsequent Trials’”, 5.

everyday life in besieged Sarajevo, and for placing everyday life in Belgrade in a broader historical framework, where life under hyperinflation takes on a completely new dimension when the enemy is demystified and when the responsibility of the top of the FRY is demonstrated.

### The case of Ante Gotovina

Ante Gotovina (born in 1955 on the island of Pašman, municipality of Zadar) was a member of the French Foreign Legion from 1973 to 1978, where he attained the rank of *Brigadier-chef*. After spending most of the eighties in Latin America, he returned to Croatia at the very beginning of the following decade, when he became the head of the authority for operational and educational affairs of the First Brigade of the National Guard Corps. In 1992 he was assigned to the Croatian Defence Council, and in October of the same year he was appointed commander of the Operational Zone of the Croatian Army Split (since 1993, the Split Corps Area), a position he held until the end of 1996. Between the end of July and 5 August 1995, he was promoted to the rank of colonel general. With the end of the war, in 1996, Franjo Tuđman appointed Gotovina as chief inspector of the Croatian Army Inspectorate. Ante Gotovina was the chief operational commander of the southern part of the Krajina area during Operation Storm, and was accused before the Hague Tribunal of the crimes committed at that time.<sup>58</sup> In March 2008, a unified indictment was brought before the ICTY against Gotovina, Ivan Čermak (at the time of Storm he was the assistant minister of defence in the Government of the Republic of Croatia, and Tuđman “personally appointed”<sup>59</sup> Čermak as the commander of the assembly of Knin) and Mladen Markač (in August 1995 he was the assistant minister of the interior and commander of the Special Police of the MUP of Croatia), and in

<sup>58</sup> A brief biography of Ante Gotovina can be found at the very beginning of the indictment: Archive of the ICTY, predmet Gotovina i dr., Izmenjena spojena optužnica od 27. marta 2008, 1.

<sup>59</sup> *Ibid*, 2.

this section, because of the volume of the verdict, special attention will be paid to the parts related to Gotovina.

Gotovina, Čermak and Markač were charged with crimes against humanity, violations of the laws and customs of war and accused of participating in “a joint criminal enterprise with the common intention of permanently removing the Serbian population from the territory of the Krajina, by force, intimidation or threat of force, persecutions, forced displacement, relocation, deportation, confiscation and destruction of property or other means.” The indictment states that Gotovina participated directly and indirectly in operation Storm and that from July 1995 at the latest he participated “in the planning and preparation of the operational use of Croatian forces in operation Storm and the operations and/or actions that were continuously carried out in connection with it at least until 30 September 1995”.<sup>60</sup> In the first-instance verdict, which was pronounced on 15 April 2011, Gotovina and Markač were found guilty as participants in a joint criminal enterprise and were sentenced to prison terms of 24 and 18 years, while Ivan Čermak was acquitted of all charges.

The verdict states that Gotovina treated the cities “as targets of artillery fire”, and that he knew about the crimes committed during operation Storm, and that he did not react to prevent “illegal attacks” on civilians and civilian objects in Benkovac, Knin and Obrovac, contributing significantly to a joint criminal enterprise, intending to carry it out and acting or failing to act in a manner that makes him guilty of JCE. “Gotovina’s failure to react appropriately to the commission of criminal offences also indicates his reckless attitude towards acts that go beyond the scope of common intent”, concluded the trial panel.<sup>61</sup> This verdict also testifies to the fact that Croatian President Franjo Tuđman was recognized as a “key member” of the joint criminal enterprise, as it was stated that he “made sure that his ideas were turned into policy and action

60 *Ibid.*, 3–5.

61 Archive of the ICTY, Predmet Gotovina i dr., Prvostepena presuda od 15. aprila 2011, 1198–1201.

thanks to the power of his position as president of the state and supreme commander of the armed forces".<sup>62</sup> On this basis we can claim that, if Tuđman had lived, he would have been charged before the Hague Tribunal for participating in the JCE.<sup>63</sup> In addition to Tuđman, Gojko Šušak, the Minister of Defence and Zvonimir Červenko, the Chief of Staff of the Croatian Army, are also mentioned in the verdict as high-ranking state officials.<sup>64</sup>

On 16 November 2012, the Appeals Chamber overturned the first-instance verdict against Gotovina (and Markač), stating that it is disputed that the Trial Chamber used conclusions about illegal attacks and shelling of civilians and civilian objects in Benkovac, Knin, Obrovac and Gračac as the main criterion for asserting the existence of JCE, rejecting the "200-metre standard" by which the Trial Chamber was guided when analyzing the case and pronouncing the verdict.<sup>65</sup> In the verdict, the Trial Chamber concluded that "it considers it reasonable to conclude on the basis of the evidence that those artillery projectiles that fell at a distance of 200 metres from the identified artillery target were deliberately fired at that target"<sup>66</sup>; however, the appeals chamber challenged the impact analysis in the first-instance verdict, assessing that the margin of error of 200 meters was set arbitrarily, and that it was not explained how this specific distance was determined.<sup>67</sup> With these arguments, emphasizing that the targets of the shooting and the "rhetoric of Tudjman's speeches" are not sufficient to establish the common goal and intent required for the existence of a joint criminal enterprise, the second-instance verdict rejected the existence of JCE.<sup>68</sup>

62 Ibid., 1174–1175. We see this from the indictment, which states that "many persons" together with Gotovina, Markač and Čermak participated in the JCE, including the aforementioned. Archive of the ICTY, Predmet Gotovina i dr., Izmenjena spojena optužnica od 27. marta 2008, 4.

63 J. M. Trbovc and V. Petrović, "The Impact of the ICTY on Democratization in the Yugoslav Successor States", 145.

64 Archive of the ICTY, Predmet Gotovina i dr., Prvostepena presuda od 15. aprila 2011, 1175.

65 ICTY Archive, Predmet Gotovina i Markač, Presuda Žalbenog veća od 16. novembra 2012, 8–9.

66 Archive of the ICTY, Predmet Gotovina i dr., Prvostepena presuda od 15. aprila 2011, 961.

67 ICTY Archive, Predmet Gotovina i Markač, Presuda Žalbenog veća od 16. novembra 2012, 19–20.

68 *Ibid.*, 33.

Without going into the legal analysis in detail, we should emphasize that, as in the case of Momčilo Perišić, the cancellation of this verdict caused stormy reactions among the public. The experts pointed out that in the case of Gotovina and Markač, the appeals panel deviated from the rules relating to the review of the conclusions of the trial panel, and that the main task of the second-instance court is to examine whether the law was correctly applied, while the decision of the first-instance court on the factual situation can be called into question only if “it is problematic to such an extent that no reasonable trial panel [sic] could have reached it”.<sup>69</sup> Such a decision of the appeals panel greatly undermined the credibility of the ICTY in Serbia, while in Croatia it was greeted with celebration on the streets.<sup>70</sup> And however much the repeal of this verdict has an impact on the formation of collective memory of the wars of the 1990s and on the political conditions in the modern era, it is valuable to historians when it comes to the reconstruction of the entire military operation Storm, the mechanisms of the crime of ethnic cleansing of the Serbian population from Krajina, as well as the political and military decisions that led to it in general.

Thanks to the court case against Gotovina, perhaps the most important document that indicates the intention of a joint criminal enterprise is available to historians – the minutes of the Brion meeting, which was held on July 31, 1995, a few days before the military operation Storm, and attended by Franjo Tuđman and the military leadership of the Republic of Croatia.<sup>71</sup> Opening the meeting, Tuđman pointed to the favourable international conditions for the execution of the military operation in Krajina, and that it needed to be “solved” as soon as possible: “To solve, in what way? That is now the topic of today’s

69 V. Dimitrijević i dr., *Haške nedoumice*, 149–154.

70 Enis Zebić, Ognjen Zorić, Branka Mihajlović i Ljudmila Cvetković, „Presuda Gotovini: Radost u Hrvatskoj, gnev u Srbiji“, Institute for War and Peace Reporting, 19. novembar 2012, <https://iwpr.net/sr/global-voices/presuda-gotovini-radost-u-hrvatskoj-gnev-u-srbiji> (17. novembar 2024).

71 In the verdict, we find a detailed analysis of the minutes from the Brion meeting, since “[a]ccording to the prosecution’s allegations, during that meeting, the plan for the ‘permanent and violent removal of Serbs from Krajina’ also ‘crystallized’, [... and that it] has a central place in the prosecution’s thesis”. See: Archives of the ICTY, *Predmet Gotovina i dr., Prvostepena presuda* od 15. aprila 2011, 993–1005.

discussion. To inflict such blows that the Serbs in practice disappear [edit], that is, that what we do not capture immediately must capitulate in a few days.”<sup>72</sup> Furthermore, referring to the plans for the implementation of this military operation, Tuđman pointed out that the goal is complete capitulation, but “that here they should be given a way out so that they can... Because it is important that these civilians go, and then the army will go, and when the columns go, it has a psychological effect the one on the other”, to which Gotovina replied that there are already a sufficient number of emigrants from Knin who have gone to Banja Luka or Belgrade, “[it] means that if we continue this pressure, probably for some time, there will not be so many civilians, but those who have to stay, who have no possibility to leave.”<sup>73</sup> From this, it is certain that the Croatian political and military leadership at least expected that their military operation would also result in the departure (cleansing) of civilians from the territory of Krajina. Therefore, the decisions made at this meeting, historically speaking, are the direct cause of the crimes, murders, persecutions and destruction of property, which are singled out in the judgment, and some of them will be referred to below.

In the context of the military operation, the verdict itself provides a detailed overview of the powers that Gotovina had as a commander, showing from the beginning of August to the beginning of September 1995 (immediately before, during and after Operation Storm) the actions of the part of the Croatian Army under Gotovina’s command (Zborni area Split), reconstructed mainly on the basis of witness statements and conversations with Ivan Čermak as one of the suspects. Further on in the verdict, we can find the names of those killed in the municipalities of Benkovac, Civljane, Donji Lapac, Drniš, Ervenik, Gračac, Kistanje, Knin, Lišane Ostrovičke, Lisičić, Nadvoda, Obrovac, Oklaj and Orlić

72 Archive of the ICTY, Predmet Gotovina i dr., P461, „Zapisnik sa sastanka Predsjednika Republike Hrvatske dr Franje Tuđmana sa vojnim dužnosnicima“, 31. jul 1995, 2–3.

73 Ibid., 28. This part was singled out as important in the judgment, Archive of the ICTY, Predmet Gotovina i dr., Prvostepena presuda od 15. aprila 2011, 997.

(murders as a crime against humanity for which Gotovina, Markač and Čermak are charged),<sup>74</sup> with a description of these cases. If we take the municipality of Gračac as an example, the verdict lists the names of eight civilians killed,<sup>75</sup> crimes that were reconstructed on the basis of eyewitness testimony, mostly representatives of their families, or UN observers, and with the help of medical documentation. Thus, based on the testimony of Milet Sovilja, a Serbian journalist from Gračac, we have information about the circumstances that led to the murder of his father (Vlada Sovilja), who refused to leave the Kijane settlement with the rest of his family where they lived, “saying that he heard Franja Tuđman’s message being broadcast every hour on the radio, urging people not to leave their homes because nothing would happen to them.”<sup>76</sup> Although we do not know the details of the murder itself, and the trial panel could not come to a conclusion as to who committed it, we know that Vlade (along with thirteen other people) was killed on 8 August 1995.<sup>77</sup>

74 The part that refers to the murders committed in the mentioned municipalities from July to September 1995, in the first-instance verdict against Gotovina and Markač, fills 200 pages, Archives of the ICTY, Predmet Gotovina i dr., Prvostepena presuda od 15. aprila 2011, 106–302.

75 Dušan Brkić (age 69), whose corpse was found decomposing (as stated in the verdict) on 15 September 1995. Vlado Milanović (age 50), for whose murder there is not enough evidence as to who committed it, nor how it happened. Đurađ Čanak (age 62 or 63), who, according to the testimony of Per Perković (a member of the HV), was tied to a fence by Nikola Rašić (a member of the HV) and placed rags around him, which he set on fire; witnesses state that he was killed because he lied that he did not have a weapon with him. Milan Marchetić (48 years old) and Dušan Šuica (68 years old) who were killed on 29 September 1995. Vlade Sovilj (age 65), who was killed on 8 August 1995. Mira (age 45) and Radomir (Braco) (age 43) Sovilja, whose bodies were found on 10 September 1995. See: Archives of the ICTY, Predmet Gotovina i dr., Prvostepena presuda od 15. aprila 2011, 130–142.

76 Archive of the ICTY, Predmet Gotovina i dr., Prvostepena presuda od 15. aprila 2011, 138–139.

77 *Ibid.*, 139.

This case is important for analysis, as it suitably illustrates the difference between the legal and historical approach, both in the example of this verdict and in relation to war crimes in general. So, regardless of the fact that no conclusions have been drawn about who committed this crime, from the historian's perspective, especially if Milet's testimony is placed in the context of the minutes from the Brion meeting, we have an insight into what the immediate consequences of the actions and decisions of the political and military leadership of Croatia together with Tuđman's public address were for the "ordinary man" in Lika. Also, a detailed review of the murders in the areas of these municipalities can serve historians for a partial reconstruction of the list of victims, both those killed during the military operation Storm itself, and those who did not leave their homes and were killed during August and September 1995. In the verdict, the victims were identified by name and surname, and based on their years of birth we can conclude that they are mostly men and women over 50 years old. It should be emphasized that the verdict does not contain a list of all the victims of Storm, but we can assume that the cases that the prosecution considered most relevant for the court proceedings against Gotovina, Markač and Čermak are singled out.<sup>78</sup>

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<sup>78</sup> According to a report of the Croatian Helsinki Committee for Human Rights, 677 civilians were killed during Operation Storm, and the Documentation Center Veritas recorded by name and surname 1,078 Serbian civilians killed in the period from 4 August 1995 to the end of 1998. See: Operacija 'Oluja', *Glas žrtava*. <https://www.glaszrtava.org/operacija-oluja/> (14. decembar 2024).

Some examples of the killing of civilians in the area of Krajina testify to the fact that members of the HV intercepted convoys, killed, beat and detained people who were fleeing shelling on tractors and other vehicles;<sup>79</sup> then, that they entered people's houses and that civilians were killed in brutal ways, such as Sava Đurić, who was locked in a burning workshop next to the house. According to his wife Milica, who testified before the ICTY, Sava Đurić did not want to hide in the basement with the rest of his family, claiming "that no one will touch him, since he is disabled and that there were never soldiers, weapons and ammunition in his house".<sup>80</sup>

In addition to the separate charges for murder, there are also those for the destruction and looting of (public or private) property, for inhumane acts, cruel treatment, and for deportation and forced transfer. According to the testimonies of international observers, members of the HV took items such as televisions, radios, refrigerators and other electrical devices from households in Benkovac (and other municipalities) during the military operation and immediately after it, and they also took away cattle, cars, tractors and other furniture, leaving behind devastated homes and often burned houses.<sup>81</sup> In considering the accusations of inhumane acts and cruel treatment, we have an insight through the testimonies into how some civilians were exposed to torture, how they were beaten, robbed, imprisoned and raped. While for some of these cases the trial panel could not determine the perpetrators, for historians, whatever else they may be, they are relevant sources for the reconstruction of criminal enterprises committed during and immediately after Storm against the civilian population. For example, on 12 August 1995, members of the HV appeared at the house of Bogdan Brkić (age 69) and demanded that he hand over money to them.

79 This concerns the case of murders on 5 August in the municipality of Knin, which is referred to in the verdict as "Nikola Dragičević and others", MKTJ Archives, Predmet Gotovina i dr., Prvostepena presuda od 15. aprila 2011, 169–188.

80 Archive of the ICTY, Predmet Gotovina i dr., Prvostepena presuda od 15. aprila 2011, 189–196.

81 *Ibid*, 325–326.

“After drinking brandy, one of the soldiers ordered the others to tie Brkić to a plum tree behind his house, which they did. The soldiers then put one of his old suits and some straw under Brkić’s feet and set them on fire. In pain from the fire, Brkić kicked the burning suit away. After the soldiers untied Brkić, they dragged him by force to his friend’s house, in search of prosciutto, but since they didn’t find any prosciutto there, they sent Brkić home. One of the soldiers told Brkić that they recently killed his neighbor. [...] Brkić also stated that one morning in early September 1995, he was feeding pigs in front of the house, when a car stopped. Three soldiers got out of the vehicle, and one of them pointed a gun at Brkić. The soldiers ordered Brkić to enter the house with them, threw him on the couch and started beating him so hard that they broke two of his ribs. The soldiers then searched Brkić’s home and took a radio, a kilogram of coffee, 100 kunas, 20 German marks and a wristwatch. Before they left, the soldiers pushed Brkić into the stream in front of his house, kicking him.”<sup>82</sup>

Regardless of the fact that even in this case the trial panel could not reach conclusions about the identity of the perpetrators with certainty, Brkić’s testimony, along with that of Per Perković, a member of the HV, who stated that he and two other soldiers came across Brkić while “cleaning the ground in a village in the area of Zrmanja in the municipality of Gračac”, even naming Nikola Rašić who tied Brkić to the tree,<sup>83</sup> is historical testimony of the direct consequences that military operations have on the civilian population that remains to live in war-ravaged areas.

The verdict also offers us a detailed insight into the different views of what Knin looked like during the artillery attacks on 4 and 5 August. The attacks began on 4 August at 5 a.m. (on which all eyewitnesses agreed), and from the statement of the protected witness (witness 54) we find the following singled

<sup>82</sup> *Ibid*, 571–572.

<sup>83</sup> *Ibid*, 572.

out in the verdict: “When the attack began, the witness took shelter with his relatives in the basement of his house. Later that morning, the witness and his relatives took shelter from shelling in the basement of a hotel near his house, where about a hundred people gathered later that day. According to the witness, there was panic and people in the basement feared for their safety. The witness left his house several times between 05:30 and 07:00 to the hotel and back. On the way from the house to the hotel, the witness saw that a shell hit his neighbour’s house”, and he stated the same about two other houses near the hotel which he said he later saw were destroyed.<sup>84</sup> Protected witnesses 56 and 6 presented similar experiences before the court, and from the testimony of the second, it is noted that “on the way there [to his apartment], he saw that buildings were hit by shells, that some houses were on fire as a result of the shelling, and that people were running between the buildings, visibly upset. Witness 6 stated that the shells were falling everywhere, without any obvious goal, and it seemed that their purpose was to intimidate people and force them to leave, and indeed everyone thought they had to leave.”<sup>85</sup>

International observers were also eyewitnesses to the heavy artillery attacks on the centre of the town, testifying that the shelling was not carried out “for any particular purpose”.<sup>86</sup> They also spoke before the court about dead civilians on the streets, about great material damage and destroyed civilian buildings. Andries Drejer, security coordinator at the UN base in Knin, testified to artillery attacks on 4 August on private homes, department stores and factories, “which were kilometres away from military installations.” Dreyer was also an eyewitness when the corner of the UN base was hit at 10 am on 5 August, where civilians had gathered and five people were killed: “From the way the shells fell, even before the deadly ones, it was clear that the fire was adjusted to hit a target, and that it was specifically aimed at those civilians out-

84 *Ibid.*, 651–652.

85 *Ibid.*, 654.

86 *Ibid.*, 655.

side the camp. The bodies of the victims were stored in body bags, to be later removed by the Croats and run over with their tanks.”

During the day, the Croatian army entered the town of Knin.<sup>87</sup> The numerous testimonies of UN representatives unequivocally indicate that crimes were committed in the territory of Krajina during Operation Storm, regardless of whether Ante Gotovina was convicted for them or not. Also, the disputed point of the first-instance verdict that caused it to be annulled, and by which the trial panel established the standard that civilian buildings 200 or more metres away from legitimate military targets were deliberately targeted, is not of crucial importance to historians. For the study of the past, it is important that these attacks did take place (on civilian buildings in Knin and other cities such as Gračac, Obrovac...), the circumstances under which they took place (the overall political and military background of Storm) and the consequences they caused (murders and persecutions). In fact, Gotovina’s first-instance verdict offers historians a complete genesis of violence in one area.<sup>88</sup>

On 10 June 2022, the Humanitarian Law Centre published the report *Bombing of Refugee Convoys During ‘Storm’ – August 1995*, which is methodologically significant to historians as a presentation of the testimonies of civilians from the Gotovina trial, and can serve to reconstruct the events of 5 August in Krajina. The entire report is divided into several units that include the formation of refugee columns, stoning of the column on the way out of

87 The same event was also attended by John Hill, with even more explicit details about how members of the HV handled the bodies of the murdered, ICTY Archives, Predmet Gotovina i dr., Prvostepena presuda od 15. aprila 2011, 699–700; ICTY Archives, Predmet Gotovina i dr., P72, Izjava svedoka Andries Drejer, 21/22. februar 2008, 5–6.

88 In addition to the trial of the political elite, members of paramilitary organizations such as the SS, the commander-in-chief of the Wehrmacht were also on trial in Nuremberg. Documents collected during the Nuremberg Trials point to the responsibility not only of the chief commanders of the army, but also of ordinary soldiers, which represents a valuable source for historians for the reconstruction of war crimes against civilians, but also of hierarchies within military structures, and questions of responsibility. For a comparison on the use of historical sources, see: Valerie Hébert, “From Clean Hands to *Vernichtungskrieg*: How the High Command Case Shaped the Image of the Wehrmacht”, in: *Reassessing the Nuremberg Military Tribunals: Transitional Justice, Trial Narratives and Historiography*, eds. Kim C. Priemel and Alexa Stiller, (New York/Oxford: Berghahn Books, 2014), 194–220.

Sisak and on the highway, rocketing of the columns on the territory of Bosnia and Herzegovina, with an effective concluding comment by Croatian officials: “[...] the Croatian armed forces did take certain actions against Serbian mechanized armoured columns on the territory of Bosnia, but in doing so they did not target Serbian civilians.”<sup>89</sup> In addition to this use of historical sources from the ICTY base, investigative journalists used testimonies and archive documents to establish which Croatian military and police units were responsible for the murders of Serbian civilians during and after Storm.<sup>90</sup>

The first-instance verdict against Gotovina and Markač offers us a historical overview of the events even after Storm, which is particularly important in the context of the return of displaced and refugee Serbs from the Krajina region. American Ambassador to Croatia Peter Galbraith (1993–1998) testified before the ICTY about the aspirations of Franjo Tuđman during the war and the military operation itself. The verdict refers to this testimony, in which it was stated that the Croatian president “preferred [...] a reasonably or basically homogeneous Croatia”. Speaking about the meeting with Tudjman on 1 August 1995 in Brioni, Galbraith recalled that he warned about the “need to protect Serbian civilians because there were several reasons to fear that the persecution of civilians might very well occur. I knew that President Tudjman saw the Serbs as a threat and that he wanted an ethnically pure Croatia.” Although he could not claim that Tudjman “explicitly suggested that the Serbs leave,” he said that after August 1995, he “undoubtedly and very decisively made it known that they should not return.”<sup>91</sup> In addition, the verdict refers us to the

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89 This quote is part of the submission to the International Court of Justice by Professor Mirjan Damaška, an agent of the Republic of Croatia, on 10 September 2013, in the proceedings before the International Court of Justice in which Croatia sued Serbia for genocide. Cited by: Fond za humanitarno pravo, Bombardovanje izbegličkih kolona tokom „Oluje“ – avgust 1995, Beograd, 10. jun 2022, 9..

90 Ana Vladislavljević and Milica Stojanović, „Sudski dokumenti otkrivaju ulogu hrvatskih jedinica u ubistvima za vreme 'Oluje'“, Balkan Insight, 5. avgust 2020. <https://balkaninsight.com/sr/2020/08/05/sudski-dokumenti-otkrivaju-ulogu-hrvatskih-jedinica-u-ubistvima-za-vreme-oluje/> (18. decembar 2024).

91 ICTY Archives, Predmet Gotovina i dr., P00444, Izjava veleposlanika Petera Gallbraitha, 5. februar 2008, 5–7; Prvostepena presuda od 15. aprila 2011, 1006.

transcript of the meeting held on 22 August between Tuđman and Jur Radić (Prime Minister and Minister of Development and Reconstruction 1994–2000), where the issue of settling abandoned areas of Krajina was discussed. In this connection, Radić presented Tuđman with “five priorities according to the urgency of settlement with Croats”, which included that “at no cost should we allow more than 10% of Serbs to be here ever again”, to which Tuđman replied: “Not even 10%”.<sup>92</sup> However, the testimony of Croatian officials gives a slightly different impression, so Mate Granić, Croatian Vice President (1991–2000) and Minister of Foreign Affairs (1993–2000) stated before the ICTY that the aim of the military operation Storm was never to expel the Serbian civilian population, and that the Serbs from Krajina had to have the highest level of protection as Croatian citizens, but that at the same time it was necessary to reintegrate Croatia and settle in the empty territories Croats displaced from Bosnia and Herzegovina and the rest of the world.<sup>93</sup>

Many Croatian statesmen, such as Goran Dodig (representative of the Office of the Government of the Republic of Croatia for Interethnic Relations 1995–1998), Nadan Vidošević (Minister of Economy 1993–1995), Gordan Radin (Chief of the Cabinet of the President of the Republic of Croatia 1995–2000) and others, confirmed Granić’s position in their testimonies, denying any official policy of discrimination against the Serbian population regarding their return to the territory of the Krajina.<sup>94</sup> Relying on this part of the verdict, historians have the opportunity to review the events and political plans immediately after the military operation, and regardless of the conflicting viewpoints we encounter in the testimonies, the transcripts from the meetings provide us with an unequivocal insight into the policy advocated by the state leadership of the Republic of Croatia. Returning to the acquittal verdict of the appeals pan-

92 *Archive of the ICTY, Predmet Gotovina i dr., P00463, Zapisnik sa razgovora Predsjednika Republike Hrvatske dr Franje Tuđmana, sa gospodinom dr Jurom Radićem, 22. avgust 1995, 7; Prvostepena presuda od 15. aprila 2011, 13–14.*

93 *Archive of the ICTY, Predmet Gotovina i dr., Prvostepena presuda od 15. aprila 2011, 1011.*

94 *Ibid, 1013–1018.*

el, which states, among other things, that “it is unclear whether the goals and rhetoric of Tuđman’s speeches [...] can be considered illustrative of the common goal of JCE”,<sup>95</sup> we should emphasize that this rhetoric is used by historians to analyze the narrative created by the Croatian leadership in the last days of the war, and to research the official attitude of Croatian statesmen towards the Serbian population and their treatment of them in this country in 1995.

Though verdicts may not have legal force, they nevertheless offer researchers a number of opportunities to uncover the past. Specifically, the first-instance verdict against Gotovina along with various materials from the trial presents us with a series of historical events and processes that took place during 1995; from the minutes of the Brion meeting, which offers an insight into the political and military history of the end of the war in Croatia, through detailed cases of murder, persecution and destruction of civilian property, sources for the reconstruction of the mechanisms of war crimes, to the statements of civilians, which not only testify to the ultimate consequences of certain political and military decisions, but also offer us an insight into history from below, into the lives of individuals, “ordinary people” in wartime circumstances, whose voices might otherwise not have reached the pages of history.

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95      Archive of the ICTY, Predmet Gotovina i Markač, Presuda Žalbenog veća od 16. novembra 2012, 33.

## Concluding remarks

Momčilo Perišić was among the highest officials of the Federal Republic of Yugoslavia until 1998, after which he joined the Democratic Opposition of Serbia (DOS), and after the fall of Slobodan Milošević's regime, he became deputy prime minister in Zoran Đinđić's government. He resigned from this post after he was arrested in 2002 on charges of leaking state secrets to the United States of America. This court process was suspended in 2005, as Perišić surrendered to the Hague Tribunal. After the acquittal of the appeals panel and his return to Belgrade, the trial for the espionage case continued in 2016 at the High Court in Belgrade, where he was sentenced at first instance to three years in prison, and in 2022 the sentence was increased to four years.<sup>96</sup> On the other hand, Ante Gotovina was on the run after being indicted in 2001 until 2005, when he was arrested in the Canary Islands. After the acquittal in 2012, Gotovina returned to Croatia, where he continued to participate in public life, including the commemoration of the anniversary of the military operation Storm,<sup>97</sup> and in 2016 he was appointed special adviser to the Minister of Defence of the Republic of Croatia,<sup>98</sup> which clearly indicates the effect of the cancelled verdicts on the societies of the post-Yugoslav republics.

Hannah Arendt argued that "at the centre of the [judicial] process can only be one who did something";<sup>99</sup> and of course, although the mandate of the Hague

96 See: Milica Stojanović, „Povećana kazna Momčilu Perišiću osuđenom za špijunažu u korist SAD-a“, *Balkan Insight*, 2. mart 2022. Milica Stojanović, „Povećana kazna Momčilu Perišiću osuđenom za špijunažu u korist SAD-a“, *Balkan Insight*, 2. mart 2022. <https://balkaninsight.com/sr/2022/03/02/povecana-kazna-momcilu-perisicu-osudenom-za-spijunazu-u-korist-sad-a/> (14. decembar 2024). (14. decembar 2024).

97 See, for example: Ivana Nikolić i Sven Milekić, „Hiljade ljudi na proslavi godišnjice 'Oluje' u Kninu“, *Balkan Insight*, 5. avgust 2015. <https://balkaninsight.com/sr/2015/08/05/hiljade-ljudi-na-proslavi-godi%C5%A1njice-oluje-u-kninu-08-05-2015/> (14. decembar 2024).

98 Anja Vladislavljević, „Oslobođeni hrvatski generali prisustvovali vojnoj vežbi“, *Balkan Insight*, 15. oktobar 2018. <https://balkaninsight.com/sr/2018/10/15/oslobo%C4%91eni-hrvatski-generalisustvovali-vojnoj-ve%C5%BEbi-10-15-2018/> (14. decembar 2024).

99 H. Arendt, *Eichmann u Jerusalimu*, 14.

Tribunal included the determination of individual criminal responsibility in the legal sense, in the wider political and social context this is not the case. From Nuremberg, it becomes clear that trials are much more than legal mechanisms, and that they have extremely powerful “extralegal” effects that affect the understanding of the past, the shaping of memories, but also the shaping of society and politics of the present and future. Lawrence Douglas emphasized that in the context of traumatic history, the issue of judicial processes may no longer be a choice, but an imperative that collective consciousness requires.<sup>100</sup> However, the idea that courts like the ICTY shape history in certain segments, confronts us with the problem of abrogated verdicts – what happens in this case to the past, but also to the future of a society? Giving arguments to critics of the Tribunal, the annulled first-instance verdicts started a domino effect in the region that led to the politicization of the past and the manipulation of historical facts.<sup>101</sup> For example, the acquittal of Gotovina was greeted with applause in Croatia and aroused indignation in Serbia. In this regard, Marko Milanović pointed out that both reactions are “completely emotional, deeply rooted in preconceptions about the guilt or innocence of the accused, and are not based on the content of the verdict itself, but exclusively on its final outcome.”<sup>102</sup> The “extralegal” effect of such a verdict was therefore the complete opposite of what the ICTY was supposed to achieve with its mandate, primarily in the context of reconciliation. From a historiographical perspective, as

100 L. Douglas, *The Memory of Judgement*, 261.

101 Take the example of Storm, where it is enough to look back at a couple of examples, which is certainly the Croatian film and series *General* (2019/2020) about Ante Gotovina, which in Croatia mainly caused criticism in the context of the poor quality of the film adaptation of Gotovina's life. See: Anja Vladislavljević, “Hrvatska serija o Gotovini: General prikazan kao ‘karikatura’”, *Balkan Insight*, 31 January 2020, <https://balkaninsight.com/sr/2020/01/31/hrvatska-serija-o-gotovini-general-presented-as-caricature/> (17 December 2024). On the other hand, Storm is used by the regime in Serbia (including the Republika Srpska) as a propaganda tool, which started dominantly in 2015. This is supported by the fact that on 3 August 2024, the anniversary of Storm was celebrated in Loznica, which was seen as a “counter rally” of the authorities against the citizens protesting against lithium mining in this region. See: Davor Lukač, „Vučićev kontramiting u Loznici: Zloupotreba pogroma Srba u litijumske svrhe“, *Vreme*, 31 July 2024, <https://vreme.com/komentar/vucicev-kontramiting-u-loznici-zloupotreba-pogroma-srba-u-lithiumske-svrhe/> (17 December 2024).

102 Marko Milanović, „Šta je pogrešno u presudi Gotovini?“, *Pešcanik*, 19. novembar 2012. <https://pescanik.net/sta-je-pogresno-u-presudi-gotovini/> (17. decembar 2024).

opposed to a legal one, the outcome of the verdict, although important, is less meaningful than the legal acts themselves and other historical sources that are a direct result of these trials.

Despite the fact that the appellate panel did not see enough links between Momčilo Perišić and the crimes committed in Sarajevo and Srebrenica and the shelling of Zagreb, nor Ante Gotovina and operation Storm, historians are obliged to remind us that the historical facts established during the trial were not disputed. Perišić's abrogated verdict did not reduce the number of victims during the siege of Sarajevo, did not change the historical circumstances under which citizens had to adapt to a new understanding of everyday life, including going to fetch water. Likewise, the fact that Momčilo Perišić was acquitted of all charges in 2013 did not dispute everything that we can still read in his verdict about the 30th and 40th personnel centres, nor did it diminish the historical value of the official state documents that were used as evidence at his trial. The same applies to Gotovina, and the fact that he was acquitted before the Hague Tribunal should not call into question the many murders committed in Krajina that we find in the first-instance verdict, nor the cases of persecution, forced relocation and attacks on civilian buildings. The facts presented to the court clearly show the nature of the crimes committed during Storm, which, regardless of the annulment of the first-instance verdict, do not have to be questioned.

After the acquittal of Gotovina and Markač, Dubravka Stojanović wrote that "[w]ith the annulment of the first-instance verdict, it was said that Croatian generals were not responsible for the crimes, and therefore that Storm does not belong to the described complex historical context."<sup>103</sup> This is the message that the Tribunal seemed to be sending with such a controversial verdict and, at the end of the day, which was received by the public in Serbia and Cro-

103 Dubravka Stojanović, "Zašto se ne osećam dobro posle presude suda u Hagu?", *Peščanik*, November 22, 2012, <https://pescanik.net/zasto-se-ne-osecam-dobro-posle-presude-suda-u-hagu/>. (17. decembar 2024).

atia. But it is up to historians to remind us that the first-instance verdicts, with a lot of evidence and testimony about the past should be used so that crimes and victims are not forgotten. The Nuremberg Trials and the trial of Adolf Eichmann, confronted the world with the horrors of the Holocaust and of course, along with other mechanisms of dealing with the past and with crimes, served as a reminder that such a crime must never be repeated. The glorification of war criminals and the fact that they are attributed the role of heroes, together with the relativization of crimes in the post-Yugoslav states, inevitably lead to the question of how much, and whether the ICTY has ever realized the same “never again”.

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MA Katarina Beširević

Faculty of Philosophy, Belgrade University

[besirevickatarina@gmail.com](mailto:besirevickatarina@gmail.com)

## CONTROVERSIAL VERDICTS OF THE ICTY AND THEIR CONTRIBUTION TO HISTORY: THE CASES OF MOMČILO PERIŠIĆ AND ANTE GOTOVINA

**Summary:** The International Criminal Tribunal for the Former Yugoslavia (ICTY), established in 1993, was the first step toward the establishment of transitional justice in the post-Yugoslav countries. The mandate of the ICTY also included the Tribunal being a mediator for dealing with the past in these republics. However, several of its *controversial verdicts* lead to a widespread criticism of the Tribunal's work and to a loss of its credibility in the post-Yugoslav societies. Among these were the overturned convictions by the Appeals Chamber in 2012 and 2013 of high-ranking military officials from Croatia and Serbia, Ante Gotovina and Momčilo Perišić, which provoked dissatisfaction across the region while being celebrated in their home countries. Although the legal proceedings concluded, these cases remain important for historians. The ICTY archive in general offers a great collection of sources that can help historians reconstruct the past of the 1990s in the region. By examining the Perišić and Gotovina cases, this paper highlights the richness of the documents and witness materials from the ICTY archives and their potential to ensure the past is studied objectively, resisting political reinterpretation despite the controversies surrounding the rulings.

**Key Words:** transitional justice, ICTY, Momčilo Perišić, Ante Gotovina, historiography.

**Andrija Mihajlov, doctoral student**

**Faculty of Philosophy, University of Belgrade**

## **ČELEBIĆI CAMP– TRANSFORMATION OF THE LOCAL COMMUNITY AND THE WAR**

**Summary:** This paper analyzes the Čelebići camp in the municipality of Konjic during the war in Bosnia and Herzegovina (1992–1995), focusing on its role in ethnic and political conflicts at the local and wider level. Through the analysis of verdicts of the International Criminal Tribunal for the former Yugoslavia (ICTY), testimonies of prisoners and the available literature, the specifics of this camp, the nature of the crimes committed against the civilian population of Serbian nationality and the conditions of detention are examined. The paper specifically analyzes the individual experiences of prisoners in order to shed light on the broader context of ethnic tensions and conflicts in Konjic. The aim of the paper is to contribute to a better understanding of the complexity of local relations during the war and their place in the wider framework of the conflict in Bosnia and Herzegovina.

**Keywords:** Camp Čelebići, Konjic, war in Bosnia and Herzegovina, International Criminal Tribunal for the former Yugoslavia (ICTY).

### **Introduction**

The war in Bosnia and Herzegovina (1992–1995) was one of the most complex conflicts in modern history, in which ethnic, political and social tensions erupted through mass crimes and ethnic cleansing, with long-lasting conse-

quences for local communities. One of the most drastic forms of war crime was the establishment of detention camps for civilians and prisoners of war, which served as means of control, intimidation and elimination of undesirable groups. These camps were not only places where basic human rights were violated, but became symbols of deeper social and political problems that arose from the war. The Čelebići camp, established in the municipality of Konjic during the first year of the conflict, is one such example. It was used by Muslim-Croat forces to detain prisoners of war and Serb civilians after military operations in the surrounding villages.<sup>1</sup> Through the verdicts of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the testimony of prisoners, this camp became an important example of violations of international humanitarian law.

The aim of this work is to provide a detailed analysis of the Čelebići camp, the living conditions there and the structure and treatment of prisoners, relying on sources such as verdicts and court records of the ICTY, which offer institutional insight into the criminal responsibilities of perpetrators and the legal qualifications of crimes, and the testimonies of surviving prisoners, which allow the reconstruction of daily life in the camp, the relationship between guards and prisoners and forms of physical and psychological violence. These sources, although often subjective and emotionally coloured, represent a necessary basis for understanding how individuals experienced and survived the camp. Through them, not only is the brutal reality of the camps revealed, but also the deeper structural features of the war in Bosnia and Herzegovina, including the local dynamics of the conflict, the role of ethnic tensions and the abuse of power within communities. Special attention is paid to the role of local authorities and military structures in the functioning of the camp and

<sup>1</sup> The name 'Muslims' as a national designation for Bosniaks was in official use during the war in Bosnia and Herzegovina and during the existence of the Čelebići camp. This term was also used in documents, verdicts of the ICTY and other relevant sources from that period. In order to avoid terminological confusion and to maintain consistency with sources and literature, this paper uses the same terminology in the event analysis.

their contribution to creating an atmosphere of fear and insecurity among the population and prisoners. Analysis of the Čelebići camp offers the possibility of a deeper understanding not only of specific crimes, but also of complex inter-ethnic relations in Bosnia and Herzegovina during the war, pointing to the importance of local studies in the wider context of post-war transitional justice and reconciliation.

### Historical context

The causes of the war in Bosnia and Herzegovina in 1992-1995 were multiple and complex, imbued with ethno-national tensions, historical heritage, political, social and economic crises due to the collapse of the Federal Republic of Yugoslavia (FRY), as well as foreign political circumstances.<sup>2</sup> Smouldering distrust and political conflicts among the leadership of the Yugoslav republics from the end of the 1980s on the one hand, and the general rise of nationalism on the other, intensified at the beginning of the 90s of the 20th century with the collapse of the Yugoslav state. The rise of nationalist aspirations, especially in Serbia and Croatia, contributed to the political destabilization of the region, and then to the deterioration of the inter-ethnic relations of the three most numerous ethnic groups – Bosniaks, Croats and Serbs.<sup>3</sup> After Slovenia and Croatia declared independence (1991), Bosnia and Herzegovina found itself under pressure, and the declaration of its independence after the referendum in late February and early March 1992 further deepened the simmering conflict because it brought to the surface the different interests of the leaderships of the three main ethnic groups in the country.<sup>4</sup>

2 Sabrina P. Ramet, *Balkan Babel: The Disintegration of Yugoslavia From the Death of Tito to the Fall of Milosevic*. 4th ed. (Boulder: Westview Press, 2002), 45-74; Ian Oliver, *War & Peace in The Balkans. The Diplomacy of Conflict in the Former Yugoslavia*, (London/New York: I.B. Tauris Publishers, 2005), 3-9; 195-230; Radmila Nakarada, *Raspad Jugoslavije: Problemi tumačenja, suočavanja i tranzicije*, (Beograd: Službeni glasnik, 2008), 16; Jovo Bakić, *Jugoslavija: razaranje i njegovi tumači*, (Beograd: Službeni glasnik, 2011), 41-42; Archive of the ICTY, Predmet Karadžić, Prvostepena presuda od 24. marta 2016, 14.

3 Kosta Nikolić, *Jugoslavija, poslednji dani 1989-1992*. Knjiga treća: *Razaranje države, stvaranje države*, (Belgrade: Official Gazette, 2022), 242; Vladimir Petrović, „*Raspad SFRJ: kriza, erozija, pat*“, *Istorija 20. veka*, 1 (2015), 112-114; J. Bakić, *Jugoslavija*, 81-89;

4 Kate Hudson, *Breaking the South Slav Dream. The Rise and Fall of Yugoslavia*, (London/Sterling,

These groups had different political goals. The Muslims, the political majority gathered in the SDA (Democratic Action Party), strove for the independence of Bosnia and Herzegovina, even at the cost of war, and the creation of a multi-ethnic state.<sup>5</sup> The Croats, gathered in the HDZ (Croatian Democratic Union), focused on autonomy within an independent Bosnia and Herzegovina or eventual unification with Croatia.<sup>6</sup> On the other hand, the Serbs, a majority grouped in the SDS (Serbian Democratic Party), were guided by the policy of remaining in one state with other parts of the Serbian people or the creation of a single Serbian state and without any will to live in a shared state with Muslims and Croats.<sup>7</sup> The territorial claims of Serbia and Croatia towards Bosnia and Herzegovina, the economic crisis, the radicalization of political attitudes, and the passivity of the international community in the initial stages of the conflict, led to the outbreak of armed conflict, which resulted in large civilian casualties, ethnic cleansing, war crimes and massacres of the civilian population.

The nature of the conflict in Bosnia and Herzegovina remains a controversial topic. The answer to the question of whether it is a civil war or aggression and an international conflict is still hotly debated between opposing viewpoints.<sup>8</sup> Relying on any one-sided interpretation by any of the sides can therefore lead to false conclusions. Miloš Minić in his study *Wars in Croatia and Bosnia and Herzegovina 1991-1995* presents the case of Bosnia and Herzegovina as specific. He believes that the conflict in Bosnia and Herzegovina is of a complex character and that it has the characteristics of both a civil and an international conflict, which certainly do not exclude each other. According to

Virginia: Pluto Press, 2003), 104. K. Nikolić, *Yugoslavia, the Last Days 1989-1992*, 249.

5 Xavije Bugarel, *Bosna: Anatomija rata*, (Belgrade: Fabrika knjiga, 2004), 84-85; Kosta Nikolić, *Jugoslavija, poslednji dani 1989-1992*, 246-247. ICTY Archives, Predmet Krajišnik, Prvostepena presuda od 27. septembra 2006, 28-29.

6 K. Nikolić, *Jugoslavija, poslednji dani 1989-1992*, 280; K. Bugarel, *Anatomija rata*, 84;

7 K. Nikolić, *Jugoslavija, poslednji dani 1989-1992*, 245-246, 277; ICTY Archives, Predmet Krajišnik, Prvostepena presuda od 27. septembra 2006, 22-24.

8 Sonja Biserko, *Bosna i Hercegovina: Jezgro velikosrpskog projekta*, (Beograd: Helsinški odbor za ljudska prava, 2006), 8.

Minić, from the very beginning of the war the leaderships of Serbia (Slobodan Milošević) and Croatia (Franjo Tuđman) instrumentalized the Serbs of Bosnia and Herzegovina and the Croats, and implemented their nationalist policies in Bosnia and Herzegovina through them.<sup>9</sup> Also, in the verdict against Jovica Stanišić and Franko Simatović, the prosecution of the International Criminal Tribunal for the former Yugoslavia (hereinafter referred to as the ICTY or The Hague Tribunal) proved that the security structures of Serbia actively participated in various ways in the conflict in Bosnia and Herzegovina.<sup>10</sup> On the other hand, we should point out the intervention of NATO forces against the Army of the Republika Srpska (VRS) in 1995 and its response in the form of the imprisonment of members of the international peacekeeping mission in Bosnia and Herzegovina.<sup>11</sup> It can therefore be concluded that the conflict in Bosnia and Herzegovina was primarily an inter-ethnic conflict of local Muslims, Croats and Serbs, in which the home states of these nations (Serbs and Croats) on the one hand, and the international community on the other, interfered to a greater or lesser extent.

The beginning of the conflict in Bosnia and Herzegovina itself is also a topic about which there is no consensus in “national” historiographies. The chronology of political decisions that led to the conflict can be traced back to November 1990, after the first multi-party elections in the SR of Bosnia and Herzegovina. The candidates of the national parties (SDA, HDZ and SDS) received the majority of the votes, and the temporary coalition of representatives of these parties, which was based on anti-communism, soon after the elections and the division of functions along ethnic lines proved to be illusory.<sup>12</sup> The election results strongly revealed the deep division along ethnic lines that

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9 Miloš Minić, *Ratovi u Hrvatskoj i Bosni i Hercegovini – Kako je uništena SFR Jugoslavija*, (Sarajevo : Društvo za ugrožene narode, 2002), 21-22.

10 ICTY Archives, Predmet Stanišić i Simatović, Prvostepena presuda od 30. maja 2013, 10.

11 ICTY Archives, Predmet Mladić, Prvostepena presuda od 22. novembra 2017, 1157-1206.

12 ICTY Archives, Predmet Krajišnik, Prvostepena presuda od 27. septembra 2006, 17.

prevailed in Bosnia and Herzegovina. Both in Bosnia and Herzegovina itself and in neighboring Serbia and Croatia, nationalist propaganda by politicians and intellectuals pointed to uncompromising attitudes and national egoism.<sup>13</sup> The declarations of independence of Croatia and Slovenia in June 1991 and the beginning of the conflict in Croatia between JNA units and Serbian paramilitary structures on the one hand, and Croatian military and police forces on the other, largely formed the introduction and “recipe” for the conflict in Bosnia and Herzegovina.

A series of unilateral political decisions and confrontations, such as the creation of “Serbian autonomous regions”,<sup>14</sup> and then the Republic of the Serbian People of Bosnia and Herzegovina in January 1992 (Republika Srpska since August 1992),<sup>15</sup> or the Croatian Community of Bosnian Posavina (November 12, 1991) and the Croatian Community of Herceg-Bosna (November 18, 1991, HZ HB),<sup>16</sup> parallel institutions of government, Bosniak-Croat aspirations for independence, the secret arming and mobilization of the population, the creation of ethnically homogeneous military and paramilitary units from pre-war police formations and TO (Territorial Defense) and JNA units in the period from late 1990 to the first months of 1992, largely created the framework for armed conflict.<sup>17</sup> The first local and occasional armed conflicts were recorded as early as late 1991 and early 1992.<sup>18</sup> They were accompanied by barricades erected by Serbian military forces, cutting off the main routes. After Serbian political representatives and the majority of the Serbian people refused to recognize the independence of Bosnia and Herzegovina, which was declared after a referendum in late February and early March 1992, and a series of incidents in

13 S. Biserko, *Bosna i Hercegovina* 12-14; 19-22.

14 K. Nikolić, *Jugoslavija, poslednji dani 1989-1992*, 275-276; S. P. Ramet, *Balkan Babel*, 205.

15 ICTY Archives, Predmet Krajišnik, Prvostepena presuda od 27. septembra 2006, 42-43.

16 K. Nikolić, *Jugoslavija, poslednji dani 1989-1992*, 280-281; ICTY Archives, Predmet Prlić i dr., Prvostepena presuda od 29. maja 2013, 128.

17 K. Nikolić, *Jugoslavija, poslednji dani 1989-1992*, 286-320; ICTY Archives, Predmet Krajišnik, Prvostepena presuda od 27. septembra 2006, 18-22.

18 S. P. Ramet, *Balkan Babel*, 205.

which several people of Serbian and Muslim nationality were killed in early March 1992, war operations began in April 1992 with the siege of Sarajevo, with simultaneous conflicts in all territories where Serbs, Muslims and Croats bordered each other or lived together.<sup>19</sup>

The war in Bosnia and Herzegovina was marked by strategies of ethnic cleansing and genocidal policies, which included systematic persecution, imprisonment, murder and violence against civilians in order to reshape the demographic structure of certain areas to create ethnically homogeneous territories. To achieve this goal, the parties to the conflict used any means available: cities were destroyed, such as the bombing of Sarajevo, Konjic and other cities by Serbian forces, infrastructure and cultural and historical heritage of other peoples were destroyed with the aim of erasing traces of their existence in a given territory. On this background, a number of camps were established throughout Bosnia, in which prisoners were exposed to extreme conditions and abuse.<sup>20</sup> Such camps, such as Čelebić near Konjic, represent a microcosm of the wider conflict and complex relations between ethnic groups. Analysis of these camps allows for a better understanding of the cruel methods used in attempts to redefine the ethnic map of Bosnia and Herzegovina, as well as a deeper insight into the psychological, social and political consequences of the war.

### The example of Konjic municipality

19 S. P. Ramet, *Balkan Babel*, 206-207; I. Oliver, *War & Peace in the Balkans*, 10-12; K. Hudson, *Breaking the South Slav Dream*, 112-114; Kosta Nikolić, *Bosna i Hercegovina, rat koji su mnogi želeli. Knjiga prva: U ime smrti* (1992), (Novi Sad: Akademska knjiga, 2024), 13-62.

20 During the war in Bosnia and Herzegovina, all the conflicting parties established such camps and secret prisons. Serbian forces controlled camps such as Omarska and Trnopolje near Prijedor; Manjača near Banja Luka, Batković near Bijeljina, Sušica near Vlasenica, several facilities in the city of Foča, Uzamnica near Višegrad, etc. Muslim forces controlled camps such as Čelebić near Konjic, the Musala sports hall in Konjic, Silos near Tarčin, Viktor Bubanj near Sarajevo, the Stadion camp in Bugojno, the Visoko camp near Visoko, etc. Croatian forces had the Gabela and Dretelj camps near Čapljina, Heliodrom and Vojno near Mostar, the camp in Tomislavgrad, etc.

The municipality of Konjic in northern Herzegovina occupies a strategic position on the road between Sarajevo and Mostar, and the Adriatic coast. Its proximity to Sarajevo further increased the importance of the municipality, making it a place of strategic importance for the control of transport corridors and military activities.<sup>21</sup> This communication link between Sarajevo and other parts of the country also served as a supply line for Bosnian forces in the Sarajevo area. During the fighting around Sarajevo from 1992 until the end of the war, this route was therefore of crucial importance for the attempts of Bosnian government forces to break the blockade of the city. Konjic also housed important military facilities, including the Igman ammunition factory, the JNA barracks in Ljuta, the JNA Reserve Command Post (known as ARK), the Zlatar communications and telecommunications center, and barracks and warehouses in Čelebići.<sup>22</sup> The struggle over Konjic's military-industrial potential further intensified the conflict, as all sides sought to control these resources.

According to the 1991 census, the municipality of Konjic had a population of 43,878. The majority were Muslim with 54.3%, Croats 26.2%, and Serbs 15%. The remaining population belonged to minority or unspecified groups. In 1991, the town of Konjic itself had a population of around 11,500, with the share of ethnic groups proportional to the composition of the population in the wider municipality. According to the Hague Tribunal's prosecution, the ethnic communities in Konjic lived in harmony with each other until tensions increased and the conflict began in 1992.<sup>23</sup> However, here we should take into account the theory of "good neighbourliness" (*komšiluk*, or neighborhood) in Bosnia and Herzegovina, developed by Xavier Bugarel based on research by sociologist Mahmut Mujačić and the Institute for the Study of National Rela-

21 ICTY Archives, Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998, 49-50.

22 *Ibid*, 50.

23 *Ibid*, 49.

tions.<sup>24</sup> According to Bugarel, the stable and peaceful character of interethnic relations, which are confirmed on a daily basis in the space of everyday life and interpersonal closeness from which the state is absent, functions as long as the state is “in a position to guarantee this stable and peaceful character through its policies”. When the state stops doing so, or even turns communities against each other through its actions, the *komšiluk*, which until then “sought security in reciprocity and peace, turns to crime and the search for security through expulsion and war.”<sup>25</sup> The decades-long coexistence of these communities began to be disrupted in the early 1990s, when the Yugoslav state collapsed and ethnic and political tensions escalated.

The local political circumstances (in Konjic municipality) fully reflected the political situation in Bosnia and Herzegovina as a whole. The political structure corresponded roughly to the ethnic division. The municipal assembly was composed of 60 members, among whom the three main national parties dominated: the Party of Democratic Action (SDA) with 28 representatives, the Croatian Democratic Union (HDZ) with 14, and the Serbian Democratic Party (SDS) with 9. The remaining mandates went to smaller parties. Despite the official cooperation in the municipal institutions, the political differences between the party representatives began to reflect on the mutual relations of the communities. The temporary, or rather apparent, alliance between the local Bosniak and Croat political representatives also reflected their alliance at the national level of Bosnia and Herzegovina. The President of the Assembly was Dr. Rusmir Hadžihusejnović of the SDA, while the function of executive president was performed by Drago Perić of the HDZ.<sup>26</sup>

On the other hand, the local political representatives of Serbs fully followed the general policy of the SDS. After the decision of the SDS leadership

24 For this research, see Mahmut Mujačić, „Međunarodni odnosi u jednom gradu: primer Dervente“, *Gledišta*, 8, 8 (1972), 1081-1092; Mahmut Mujačić, „Susedni odnosi u jednoj lokalnoj zajednici“, *Sociologija sela*, 11, 1 (1973), 39-53.

25 Bugarel, *Anatomija rata* 122-123.

26 Nedo Ninković, *Poslednja kolona iz Konjica*, (Beograd: Svet knjige, 1998), 11.

to have Serbian deputies leave the Assembly of Bosnia and Herzegovina and establish in parallel the Assembly of the Serbian People of Bosnia and Herzegovina, this practice began to be applied in municipal assemblies where Serbs were in the minority, because they were outvoted in local assemblies on all issues. A decision to this effect was made on 11 December at the third session of the Bosnian Serb Assembly, and was regulated by the "Instruction on the Organization and Activities of Bodies of the Serbian People in Bosnia and Herzegovina in Extraordinary Circumstances", which the Assembly of the Serbian People of Bosnia and Herzegovina adopted on 19 December 1992.<sup>27</sup> On this principle, the Serbian Municipality of Konjic was formed in February 1992. It included Serbian settlements around the settlement of Borci, in the south of Konjic municipality, south of the town of Konjic itself. However, it was not territorially connected to settlements with a Serbian majority such as Bradina, Brđani, Donje Selo, Cerić and others, which found themselves surrounded on all sides by Bosniak and Croat territory. After the referendum on the independence of Bosnia and Herzegovina (March 1992), the representatives of Serbian nationality withdrew from the Municipal Assembly and the Executive Council, and thus by April 1992 the usual administrative bodies in Konjic ceased to function. Representatives of Muslims and Croats subsequently formed a Crisis Staff to ensure continuity of municipal management. After the Presidency of Bosnia and Herzegovina declared a state of imminent danger of war and the beginning of armed conflict, a War Presidency was established, consisting of nine members, in which the representative of the Serbian Democratic Party (SDS) did not participate.<sup>28</sup>

Political turmoil fueled growing distrust between Serbs on the one hand and Muslims and Croats on the other, creating an atmosphere of fear, and interethnic tension became omnipresent in Konjic and its surroundings.<sup>29</sup> This

27 ICTY Archives, Predmet Krajišnik, Prvostepena presuda od 27. septembra 2006, 31-37.

28 ICTY Archives, Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998, 51.

29 K. Nikolić, *Bosna i Hercegovina*, 411-412.

is evidenced by Neđo Ninković, a Serb who spent the war in Konjic and witnessed many events. He recalled a statement by his Muslim neighbor: "The time has come for brother not to trust brother, let alone someone else. These unfortunate parties have divided and alienated people from each other, and now everyone is afraid of everyone. We Muslims are told that our greatest opponents are the Serbs and that we should defend ourselves and beware of them."<sup>30</sup> At the same time, secret arming, mobilization, and the formation of paramilitary units were taking place. The SDS carried out anti-Croat and anti-Muslim propaganda and in parallel armed Serbian people, relying among other things on the resources and infrastructure of the JNA. On the other hand, the SDA and HDZ also armed their populations and formed military and paramilitary units from the forces and weapons of the Territorial Defense (TO) and the police (MUP).<sup>31</sup> Local units of the HVO (Croatian Defence Council), the HOS (Croatian Defence Forces), and the Muslim Green Berets and Patriotic League were established.<sup>32</sup>

Konjic, due to its geostrategic position, became a significant point of conflict in the early stages of the war in Bosnia and Herzegovina. This strategic importance made it a priority for all parties to the conflict, especially in April 1992, when the war escalated. The local Muslim-Croat authorities faced serious challenges. Serbian forces in the southeast, in the Borci settlement area, had held Konjic under partial siege and constant artillery fire from the very beginning of the war.<sup>33</sup> At the same time, Serbian forces composed of armed villagers in Bradina and Donje Selo blocked the roads from Konjic to Sarajevo and Mostar. The local Muslim-Croat authorities reacted quickly, and organized a defence through a cooperation of various military and police formations. To coordinate the defence, a Joint Staff was formed, which included the Muslim

30 N. Ninković, *Poslednja kolona iz Konjica*, 17.

31 *Ibid.*, 11-13.

32 *Ibid.*, 18-22; 23-25.

33 ICTY Archives, Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998, 53-54.

Territorial Defence (TO), the Croatian Defence Council (HVO) and the Ministry of the Interior (MUP). The formalization of this cooperation in May 1992 was crucial for the continuation of combat activities. The headquarters were headed by representatives of the Muslim TO and the HVO, but differences in command structures created tensions. The TO was subordinate to the Republic Headquarters in Sarajevo, while the HVO received orders from its headquarters in Grude. However, a common interest – the fight against Serbian forces that controlled key roads and strategic points – united the two formations in the first months of the conflict.<sup>34</sup>

With the beginning of the war, a large number of refugees began to arrive in Konjic, mostly Muslims and Croats from the surrounding villages, but also from other parts of Bosnia and Herzegovina. These groups, fleeing the violence, crossed the mountains and forests, bringing stories of murders, ethnic cleansing and destruction. The influx of refugees further worsened the already difficult situation in the city, as there was a lack of housing, food, medicine and other basic necessities. The atmosphere of fear and insecurity grew day by day. On the other hand, the Serb population of Konjic began to leave the city and retreat to villages with a majority Serb population, due to the increased presence of Croat and Muslim paramilitary units, due to a feeling of insecurity and the deterioration of interethnic relations.<sup>35</sup>

One of the main goals of the local authorities was to unblock the roads to Sarajevo and Mostar. These routes were blocked by Serb forces in Bradina, Donje Selo and Borci, further isolating the city. Although there were initial attempts at negotiations with representatives of the Serbian Democratic Party (SDS), including those in Bradina and Donje Selo, they were unsuccessful. In response, the Joint Staff began planning military operations to neutralize Serb strongholds and to secure passage. These operations involved Bosniak TO and

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34 *Ibid*, 54-55.

35 *Ibid*, 53.

HVO units, while the MUP provided support in capturing prisoners and seizing weapons. During May 1992, joint Bosniak-Croat forces from Konjic launched a series of actions against Serb-majority settlements around the city. The largest actions were carried out between 20 and 23 May 1992 in Donje Selo, Cerići and Bjelovčina, and between 25 and 27 May 1992 in Bradina, where the resistance offered by around 300 Serb fighters, residents of this village, was broken.<sup>36</sup> During the capture of these villages, a large number of war crimes were committed, which included the killing and torture of prisoners of war and civilians.<sup>37</sup>

### Celebici Camp

Immediately after these battles, but also in the days that followed, there was a mass arrest and detention of both prisoners of war and the Serbian civilian population.<sup>38</sup> During this period, there was thus a need for space in which to house the prisoners. The capacity of the regular detention facilities in Konjic itself was insufficient, so the barracks and military warehouse in Čelebići near Konjic, which had been taken over by the JNA in April 1992, were converted into a prison where captured Serbs from local communities were held. The majority of the captured Serbs ended up in the Čelebići camp, while a smaller number were imprisoned in the Musala sports hall in Konjic itself. According to Sadik Džumhur, a member of the MUP at the time and a witness in the ICTY proceedings against the camp's leader, the Chief of Police Jasmin Guska, probably in cooperation with members of the HVO, made the decision to use this complex as a detention facility, given that it had not been shelled and that it

36 *Ibid.*, 55-56.

37 Dušica Bojić (prir.), *Stradanje Srba u Konjicu i Tarčinu: knjiga dokumenata/Sufferings of the Serbs in Konjic and Tarčin: document book (records)*, ed. Dušica Bojić, (Belgrade: Commissariat for Refugees of the Republic of Serbia, 1995), 12; K. Nikolić, *Bosna i Hercegovina*, 412; According to Strahinja Živak, whose two sons were killed in Bradina, after a military operation by Bosniak-Croat forces in front of the courtyard of the local church in Bradina, 22 Serbian civilians were killed and then buried in the churchyard. Strahinja Živak, *Logor Čelebići 1992-1994*, (Pale: SRNA, 1997, 33-34.)

38 ICTY Archives, Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998, 384-386.

contained sufficient capacity.<sup>39</sup>

Originally conceived as a place for the temporary detention of suspects, the camp soon became a symbol of war crimes and serious violations of international humanitarian law, and both the conditions in the camp and the treatment of prisoners later became a central theme during the trials at the International Criminal Tribunal for the former Yugoslavia (ICTY). The reconstruction of the establishment and functioning of the Čelebići camp relies on the verdicts of the ICTY, the testimonies of former prisoners and other evidence from the trials. In the following, special attention will be paid to the process of establishing the camp, its infrastructure and the distribution of prisoners, as well as the command structure and the role of key actors in its management. Through the analysis of court documents and testimonies, the paper further examines the way in which prisoners were brought to the camp, the conditions of detention, the daily lives of prisoners and the forms of systematic violence to which they were exposed. Special focus will be placed on the reconstruction of crimes documented in ICTY verdicts, including murder, torture and sexual violence, and on the analysis of the trial in the case of Mucić et al., which provided key evidence on the nature of the camp and the responsibility of its commanders. This approach provides a comprehensive picture of the Čelebići camp, not only as a place of detention, but also as a mechanism of the wider war crimes policy in Konjic municipality.

The first information about the existence of the Čelebići camp and the crimes against the imprisoned Serbs came from Human Rights Watch during the war in Bosnia and Herzegovina. This information came from witnesses and was the basis for initiating further proceedings. According to Hiroto Fujiwara, the ICTY investigator in the Čelebići case, the investigation into this camp began during the war and faced many obstacles, such as the lack of cooperation between the authorities of Republika Srpska and the Federal Republic of Yugo-

39 *Ibid.*, 56-57.

slavia (FRY) on the one hand, and the obstruction of the work of the investigative commission of the MUP of Bosnia and Herzegovina by local Muslim forces on the other. It was not until late 1994 that the ICTY investigative authorities were allowed to interview former prisoners of the Čelebići camp. It also took time to find and interview witnesses who were not on the territory of Republika Srpska and the FRY.<sup>40</sup>

After initial investigative actions that included photographing the camp, drawing a plan and making a model of the camp, collecting witnesses, and placing the information obtained about the camp and the conflict in the municipality of Konjic in the broader context of the war in Bosnia and Herzegovina, the first indictments were filed on 16 March 1996 against Zdravko Mucić, the camp commander and a member of the HVO municipal headquarters in Konjic, Zejnil Delalić, commander of the First Tactical Group of the Army of Bosnia and Herzegovina and commander of the area in which the camp was located, Hazim Delić, deputy commander of the camp,<sup>41</sup> and Esad Landža (“Zenga”), a camp guard.<sup>42</sup> The ICTY conducted a joint trial against the accused and it was therefore called Mucić et al. However, we should emphasize that the witness statements also mention the names of many other guards and individuals who participated in crimes against the prisoners.

The trial began on 10 March 1997 and lasted until 16 November 1998.<sup>43</sup> From a historiographical point of view, it is of great importance to note that the trial was based less on documentary material and more on witness statements.<sup>44</sup> During the trial, 122 witnesses (prosecution and defense) testified,

40 Čelebići 1992: *Van svake sumnje*, (Belgrade: HLC, 2007), 4; K. Nikolić, *Bosna i Hercegovina*, 416.

41 Zdravko Mucić served as camp commander until November 1992, when he was replaced by Hazim Delić, ICTY, *Case Information Sheet: Čelebići Camp*, 1; K. Nikolić, *Bosnia and Herzegovina*, 413.

42 Čelebići 1992: *Van svake sumnje*, 4; Vojin Dimitrijević et al., *Hague Dilemmas. Haške nedoumice. Poznato i nepoznato o Međunarodnom krivičnom tribunalu za bivšu Jugoslaviju*, (Belgrade: Bg Centre for Human Rights, 2021), 164-165.

43 *Case Information Sheet: Čelebići Camp*, 4, available at <https://www.irmct.org/en/mip/features/celebici> (25. November 2024.)

44 Čelebići 1992: *Van svake sumnje*, 4.

and 691 exhibits were presented. By the Trial Chamber's verdict of 16 November 1998, Zdravko Mucić was sentenced to seven years in prison on the basis of a commander's criminal responsibility for unlawful detention of civilians, killing, torture, inhuman treatment and causing great suffering and serious injury. Hazim Delić and Esad Landžo were charged with individual criminal responsibility for killing, torture, inhuman treatment and causing great suffering and serious injury. Hazim Delić was sentenced to 20 years in prison, and Esad Landžo to 15 years in prison. Zejnil Delalić was acquitted of all charges.<sup>45</sup> Following an appeal by the prosecution and the defence, Zdravko Mucić's sentence was increased from seven to nine years in prison, Hazim Delić's was reduced from 20 to 18 years in prison, Esad Landžo's sentence of 15 years was confirmed, while Zejnil Delalić's acquittal was confirmed.<sup>46</sup>

According to the first ICTY Trial Chamber verdict of 16 November 1998, the barracks and warehouse complex in Čelebići, located on the edge of the village of the same name along the M17 main road, covered an area of approximately 50,000 square metres, with a railway running through it. It had previously been used by the JNA for fuel storage, and in addition to numerous hangars and various buildings, it was also equipped with underground tunnels and tanks. Only a small part of the complex was used to house prisoners during 1992. This included administrative buildings, a tunnel and a hangar. At the entrance to the complex was a small reception building, called Building A, while next to it was a larger administrative building, designated as Building B. According to an inspection conducted by Antonius Belen, the first expert witness for the ICTY, Building B was found to contain rooms with beds, a kitchen, a canteen, toilets and one shower.<sup>47</sup> According to a report from the conference "Čelebići 1992: Beyond Any Doubt" organized by the Humanitarian Law Center on 24 February

45 Ibid., 6; ICTY Archives, Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998, 440-451.

46 Ibid., 6.

47 ICTY Archives, Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998, 57.

2007 in Belgrade, Building A and Building B were mainly occupied by women.<sup>48</sup> Opposite these buildings was a smaller structure with water pumps, known as Building 22. On the north-eastern side of the complex, along the wall, was the entrance to a tunnel called Tunnel 9, which descended about 30 metres into the ground. The tunnel led to a steel door behind which was a fuel metering and distribution station. The tunnel was 1.5 metres wide and 2.5 metres high, with an opening and a shaft leading to the surface above the steel door. On the opposite side of the complex, near other similar structures, was a large metal building known as Hangar 6, measuring 30 meters long by 13 meters wide.<sup>49</sup>

The military complex in Čelebići was first used for the detention of prisoners in late April 1992. Sadik Džumhur stated that the MUP probably began using the barracks for the detention and interrogation of prisoners during the search of villages such as Čelebići and Idbar for illegal weapons, prior to military operations in Donje Selo and Bradina. During the period from April to December 1992, when the Čelebići camp was active, the majority of detainees were men, captured during and after military operations in Bradina, Donje Selo and the surrounding areas. In late May, several groups of prisoners were transferred to the Čelebići camp from various locations. For example, on 23 May 1992, a group of 15-20 men from Cerići were captured and transported to the camp on the same day. Another group was captured near Bjelovčina around 22 May and, after spending a night in the Musala sports hall in Konjic, they were transferred to Čelebići. In late May, military police arrested a number of men from Brđani, who were transported by truck to the camp. A larger group of people was arrested on 27 May in the centre of Bradina, where they were forced to walk in a column towards Konjic. When they reached a tunnel in the road, which had been destroyed, soldiers searched and beat them before load-

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48 Čelebići 1992: *Van svake sumnje*, 4.

49 ICTY Archives, Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998, 58.

ing them into trucks and driving them to Čelebići. In addition, individuals and smaller groups were arrested in their homes, at military checkpoints or during surrenders in places such as Bradina, Vinište, Ljuta, Kralupi and Homolje, and during and after the operation in Donje Selo.<sup>50</sup>

### Prison life in the Čelebići camp

Prisoners in the Čelebići camp were exposed to both inhumane living conditions and a constant atmosphere of fear. This greatly influenced the catastrophic mental and physical condition of the prisoners. The ICTY Prosecution proved that the camp management deliberately kept the prisoners in inhumane conditions by failing to provide sufficient food, water, basic hygienic conditions, a minimum of medical care and basic sleeping facilities. In addition to these living conditions, the prisoners were exposed on a daily basis to various types of physical violence and mistreatment, which often ended in serious bodily injuries, and in some cases even death. The constant fear of beatings, torture and death kept the prisoners in a constant atmosphere of fear. The protected “witness F”, who was staying in Hangar 6, stated during the trial: “I was afraid of everyone down there. Whoever came in, I was afraid and prayed to God not to take me out, because I was not sure that I would come back alive if they took me out”.<sup>51</sup> The deputy commander of the camp, Hazim Delić, and the guard Esad Landžo, caused particular fear due to their sadistic actions towards the prisoners, as many prisoners testified. Witness F stated before the ICTY judges: “When he [Esad Landžo] spoke outside, we immediately knew he was coming, and we were already afraid.”<sup>52</sup> Another witness, Mirko Babić, stated that when Hazim Delić came for a daily visit “everyone was afraid. Almost –

50 *Ibid*, 58-59.

51 *Ibid*, 370-371.

52 *Ibid*, 371.

your heart would almost burst”.<sup>53</sup>

The mental and physical abuse and exhaustion of the prisoners began upon their arrival at the camp. Several witnesses stated that upon arrival at the Čelebići camp, they were lined up against a wall near the entrance where they were searched or forced to hand over their valuables.<sup>54</sup> Some of them also testified that they were brutally beaten by the soldiers or guards who greeted them.<sup>55</sup> The prisoners who arrived in the first truck from Bradina, about 70-80 of them, were particularly exposed to this treatment and were forced to stand against the wall for a while with their hands raised. According to Bora Gligorijević, as soon as the group he was in was brought to the camp, “they immediately pushed us against a concrete wall. They ordered us to strip down to our vests and shirts. They beat us there for probably five or six hours, and that’s where the first victims fell, right before our eyes...”<sup>56</sup> After that, this group was transferred directly to Hangar 6, where prisoners were first housed. A few days later, another group of at least 70-80 prisoners from Bradina was transferred from Tunnel 9 to Hangar 6, after spending four to five days in the tunnel.

Some prisoners were initially housed in Building 22, which was overcrowded, and were later moved to Hangar 6. Some prisoners were confined in shafts 2-3 metres deep before being moved to Hangar 6<sup>57</sup>, while others spent several days in the tunnel before being transferred to Building 22. A few, however, spent much longer periods in the tunnel itself. At one point, there were at least 80 people in the tunnel, leading to severe overcrowding given its limited size. The ventilation was very poor, and the prisoners were not provided with blankets, so they slept on the concrete floor in the position in which they were lined

53 *Ibid.*

54 *Ibid.*, 392.

55 See Mladen Kuljanin’s testimony before the ICTY from 6 and 7 July 1997: <https://www.youtube.com/watch?v=4bHYIUc09uM> (26 November 2024)

56 Čelebići 1992: *Van svake sumnje*, 8.

57 See the example of Milenko Kuljanin, who after being brought to the camp was left in a shaft without food or water for several days, ICTY Archives, *Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998, 345-348*)

up. The lower part of the tunnel, which descended towards the steel door, was used to defecate when they were not allowed to leave the tunnel.<sup>58</sup> We learn about the hygienic conditions in the tunnel “nine” from the protected witness J: “It is true that people sat in their excrement, because it was not cleaned, and as people defecated, there was more and more of it, and it climbed upwards.”<sup>59</sup> On the other hand, Hangar 6 had the capacity to accommodate a large number of prisoners, and at one point there were over 240 people there. The prisoners had to remain in their places on the floor, where they sat in rows. Given that the hangar was completely made of metal, the interior became very hot during the day and cooled down at night. The movement of prisoners was limited, except in small groups and with permission, when they could use a makeshift toilet located in a ditch behind the Hangar.<sup>60</sup>

As already mentioned, scenes of murders and brutal beatings accompanied the life of the inmates every day. The Trial Chamber’s verdict of 16 November 1998 mentions 13 cases of murder in the camp, although the number was probably higher. Each of these murders is characterized by the great brutality of the guards towards the victims. The example of the murder of Šćepa Gotovac (between 60 and 70 years old) largely illustrates the depth of the conflict in Bosnia and Herzegovina. According to the testimonies of eyewitnesses, in the second half of June 1992, Hazim Delić and Esad Landžo mercilessly beat Šćep Gotovac in front of Hangar 6 until he lost consciousness. After that, Gotovac was returned to the hangar, only to be taken out again after a few hours and beaten until he lost consciousness again. Then a metal badge of the SDS was nailed to his forehead, and Esad Lanjo ordered the other prisoners under threat of death that no one should take it off. A few hours later Šćepo Gotovac died as a result of the beating. Hazim Delić found the motivation for committing this crime in the accusation that Gotovac allegedly killed two Muslims during the Second

58 Archive of the ICTY, Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998, 379-380.

59 *Ibid*, 379-380.

60 *Ibid*, 60.

World War and in the fact that their families have been in hostile relations since before the war began in 1992.<sup>61</sup>

Similar behavior of the Čelebić camp guards can be seen in the example of the murder of Sima Jovanović (60), a Serb from Idbar, a village in the vicinity of Konjic, at the end of July 1992. Simo Jovanović was imprisoned in Hangar 6 and was taken out almost every night by Esad Lanža, who beat him together with other guards. According to witness statements, the prosecution established that the reason for such brutal treatment of Jovanović was that several guards in the camp who were from Idbar, like Jovanović, had personal disagreements with him. In agreement with them or at their instigation, Esad Lanžo took Jovanović out one night at the end of July 1992, and after 15-20 minutes of continuous beating in an unconscious state, he was returned to Hangar 6 where he died during that night. According to the testimony of other prisoners, his sobs, cries and pleas for mercy could be heard inside the hangar itself, but none of the guards paid any attention.<sup>62</sup> According to the testimony of Milovan Kuljanin, who was beaten on a couple of occasions together with Simo Jovanović, Jovanović was beaten by his next-door neighbours from Idbar.<sup>63</sup> The examples of Šćepa Gotovac and Sima Jovanović show the role in the brutal treatment of prisoners of both personal and family animosities from before the war. In such cases, the war was just a framework for settling earlier scores.

The reasons for other murders committed in this camp were of various kinds. Željko Milošević, a Serb from Bradina, who was imprisoned in Tunnel 9, was regularly taken out and beaten by Hazim Delić and Esad Lanžo with a wooden pole, electric cable and other objects, then he was imprisoned in a shaft full of water and finally, in July 1992, after another such “treatment”, he died. The prosecution established that the reason for his murder was that

61 *Ibid.*, 291-292.

62 *Ibid.*, 298-300.

63 Testimony of Milenka Kuljanina: <https://www.youtube.com/watch?v=0fVlPfhCSQg&list=PLG-JkZdYKU84uX6h8Qqo1vEGcLL5hfRTFG&index=2>

Milošević did not want to admit under pressure and threats from Delić in front of journalists who visited the *Čelebić* camp that before arriving in the camp, he allegedly killed Muslims and raped Muslim women as a Serbian sniper. Milošević was killed in retaliation for this act of disobedience.<sup>64</sup> A similar example is that of Boško Samouković from Bradina, who died in July 1992 shortly after being beaten by Esad Landžo.<sup>65</sup> The Prosecution found that the only reason for such a merciless murder was that Samouković was a Serb from Bradina. In that period, nine Muslim policemen had been killed in the vicinity of Bradina,<sup>66</sup> because of which Landžo vented his anger on innocent prisoners.<sup>67</sup> The reason for the murder of another prisoner, Slavko Šušić from Čelebić, in late July or early August 1992 was the unfounded accusation that he hid a radio transmitter. Hazim Delić and Esad Landžo tortured him in various ways to extract a confession. According to the testimony of Milenko Kuljanin, Esad Landžo pulled his tongue with red-hot pliers and tied slow-burning fuses around his legs and waist, which he would then light.<sup>68</sup> Šušić died as a result of the torture and beating.<sup>69</sup>

All the remaining murders took place between the end of May and the beginning of August 1992. Milorad Kuljanin, Željko Klimenta and Miroslav Vujačić were killed with firearms after being beaten. After various types of tor-

64 Archive of the ICTY, Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998, 296-297.

65 Part of the testimony of the protected witness P, who worked as a doctor at the medical hospital in the Čelebići camp, and which concerns the case of Boško Samouković, is available on the Internet: <https://www.youtube.com/watch?v=FApNB5zAavA&list=PLGJkZdYKU84uX6h8Qqo1vEGcLL5hfRTFG&index=11> (26 November 2024).

66 Boro Gligorićević speaks about this event in his testimony at the Čelebić conference in 1992: Beyond Any Doubt: "On July 12, 1992, nine Muslims were killed in the conflict between Bradina and Repovo. Word spread that we were from Bradnjak, and we Bradnjak were all prepared for shooting. We waited to see what result would come, but that was our fate. By some chance we survived then. They later found out that they were not from Bradinje, but they had a grudge against us. They didn't kill us, well, as they intended, but they beat us relentlessly from that day on. He says: "Stand up, bearded men" and then they beat in turn. The others were a little spared. For three days then, even though we were exhausted and worn out, for three days they did not give us water or food to the people of Bradnjak." (Čelebići 1992: *Van svake sumnje*, 8)

67 Archive of the ICTY, Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998, 302-303.

68 Testimony of Milenko Kuljanin, <https://www.youtube.com/watch?v=T-eVrYz1zgQ&list=PLGJkZdYKU84uX6h8Qqo1vEGcLL5hfRTFG> (26.11.2024)

69 Archive of the ICTY, Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998, 303-306.

ture, which included beatings, burning body parts, locking them in shafts filled with water and without ventilation, Slobodan Babić, Petko Gligorević, Gojko Miljanić, Pero Mrkajić and Željko Čećez were beaten to death. The latter, who fell unconscious as a result of the beatings, was left on the floor of Hangar 6, where he soon died. According to witness statements, Čećez's body was ash-gray in colour and completely covered with bruises, and it looked "as if there had not been a drop of blood in that body throughout its life."<sup>70</sup> Mirko Đorđić, who was near Čećez's body, talks about the atmosphere that reigned among the prisoners, "We were all trembling with fear. We didn't even dare to look, because few of us had had contact with the dead. We were afraid of corpses. It lay there between us for three or four hours, maybe even longer."<sup>71</sup>

The witnesses to these murders were not only silent observers, but in the majority of cases they themselves were subjected to torture and abuse by the camp guards in order to punish and intimidate individuals and create a collective atmosphere of fear. Momir Kuljanin, a Serb from Bradina, was harassed on a daily basis from his capture on May 25 until September 1992, for his armed participation in the defense of Bradina. Hazim Delić and Esad Landžo regularly beat him, forced him to hold a red-hot knife in his hands with which they carved a cross on his hand, and applied some kind of powder to his body, which when in contact with water causes painful burns.<sup>72</sup> Delić and Landžo tortured another prisoner, Spasoje Miljević, in a similar way, burning his skin with a red-hot knife and carving a lily symbol on his palm.<sup>73</sup> Mirko Babić, who during his stay in the camp was in Hangar 6, states in his testimony before the ICTY that Esad Landžo, after beating him to the point of exhaustion with a baton, set his leg on fire with petrol.<sup>74</sup> Mirko Đorđić states in his testimony that, according to

70 *Ibid*, 311.

71 *Ibid*, 370.

72 *Ibid*, 322-323.

73 *Ibid*, 335.

74 Mirko Babić's testimony from 12 March 1997 before the ICTY is available on the Internet: <https://www.youtube.com/watch?v=7pnbrLfwymA&list=PLGJkZdYKU84uX6h8Qqo1vEGcLL5hfRTE->

the statements of other eyewitnesses, he once received 200 to 250 blows with the foot and a baseball bat from Esad Landžo.<sup>75</sup> Also, it is necessary to individually mention the example of Nedeljko Draganić, a 19-year-old man from the village of Čerići. Landžo first tied him to a wooden beam, beat him with a baseball bat and doused parts of his body with gasoline, which he then set on fire, and then forced Draganić to drink the urine of other prisoners. This example is particularly important because Draganić was, according to Landžo's admission, his peer and schoolmate.<sup>76</sup>

There were many different examples of torture in the Čelebići camp. At this point, for the sake of creating a more complete picture of the atmosphere of fear in the camp, we will mention a few more illustrative examples. Thus, Esad Landžo tied a slow-burning fuse around the genital area of prisoners Vukašin Mrkajić, Duško Benda and Vasa Đorđić.<sup>77</sup> Hazim Delić often tortured prisoners with some kind of electrical device that emitted electric shocks, which caused burns and severe pain in the victims. The prosecution proved that Delić found sadistic pleasure in this type of torture. According to witness statements, this device was like a "toy" for Delić, he found great pleasure using it. During the trial, Milenko Kuljanin stated that Hazim Delić was laughing while giving electric shocks to Kuljanin.<sup>78</sup> The torture was not limited to the guard-prisoner relationship, but in several cases it happened that the guards forced the prisoners to beat each other under the threat of beatings or death. Thus, on one occasion in Hangar 6, Esad Landžo forced a father and son, Danilo and Miša Kuljanin, to

[G&index=3](#) (26 November 2024)

75 The testimony of Mirko Đorđić from 10 July 1997 before the ICTY is available on the Internet: <https://www.youtube.com/watch?v=IkcJjhtDEc&list=PLGJkZdYKU84uX6h8Qqo1vEGcLL5hfRTFG&index=4> (26 November 2024); Archive of the ICTY, *Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998*, 344.

76 Archives of the ICTY, *Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998*, 350-352; *Sveočečenje Nedeljka Draganića od 2. i 3. aprila 1997. godine*, T. 1619-1620.

77 Archive of the ICTY, *Mucić et al. case*, First Instance Verdict of 16 November 1998, 351; Vasa Đorđić's testimony from 7 July 1997 before the ICTY about this event is available on the Internet: <https://www.youtube.com/watch?v=YavE2tJIMzM&list=PLGJkZdYKU84uX6h8Qqo1vEGcLL5hfRTFG&index=10> (27 November 2024)

78 Archive of the ICTY, *Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998*, 361-362.

take turns punching each other with all their might for ten minutes in front of other prisoners.<sup>79</sup> The ICTY Prosecutor's Office also established that in one case, Esad Lanžo ordered the brothers Vasa and Veseljko Đorđić to take off their pants in front of the other prisoners in Hangar 6. Then he forced one, then the other brother, to kneel and perform an oral sexual act. to the other, while the other prisoners were watching them.<sup>80</sup> According to the testimony of Vasa Đorđić, Lanžo said on that occasion: "Look at what the Serbian brothers and Chetniks are doing. They would do the same to me."<sup>81</sup>

In addition to the men who were kept in these facilities, several women of Serbian nationality were also housed in the Čelebići camp. They were housed separately from the other prisoners, first in the administrative building (Building B), and then in a small reception building at the entrance to the camp (Building A). Milojka Antić and Grozdana Čećez, who testified before the Trial Chamber of the ICTY, stated that they stayed in a small room in Building A, equipped with a bed with a mattress, a stove and basic amenities. In one period, other women from Bradina were accommodated together with them in that room. The room had a barred window through which they could see the entrance to the camp. There was also a sink and a toilet inside the building, which they could use.<sup>82</sup> Milojka Antić and Grozdana Čećez were victims of rape during their stay in the camp.

Grozdana Čećez, a Serbian woman from Donje Selo, a village in the vicinity of Konjic, was arrested on 27 May 1992 and taken to the Čelebići camp, where, as she was told, she was held as a hostage until her husband Lazar Čećez was found. After she was brought to the camp, Grozdana Čećez was raped in the administrative building, in the presence of two men, by the camp's deputy commander, Hazim Delić. On the third day, she was transferred to the recep-

79 *Ibid*, 364-365.

80 *Ibid*, 364;

81 ICTY Archives, Predmet Mucić i dr., Svedočenje Vase Đorđića od 7. jula 1997. godine, T. 4360-4361.

82 Archive of the ICTY, Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998, 60.

tion building, where she was raped one after the other by four young men in uniform, one of whom was an acquaintance of her son (they had taken part in public work actions together).<sup>83</sup> At the end of July 1992, after refusing Hazim Delić's invitation, she was taken to the hangar, where she was raped by Nurko Tabak. She remained in the camp until 31 August 1992, when she was released.<sup>84</sup> Speaking about her health and mental condition during her stay in the camp, Čečez stated: "I was completely exhausted... I lost a lot of weight. I suffered terribly. I did not go to the toilet for 32 days. I was completely exhausted mentally and physically. They kill you mentally."<sup>85</sup>

Grozdana Čečez was one of the witnesses in the case of the rape of Milojka Antić, a Serbian woman from Idbar near Konjic, who was arrested and taken to the Čelebići camp on 15 June 1992, after visiting her brother in this camp. She was first held with six other women in the reception building, and until 31 August 1992 when she was released, she was in the company of Grozdana Čečez. During her three-month imprisonment, Milojka Antić was raped three times by Hazim Delić, twice during the night in the administrative building and once during the day in the reception building. The rapes were carried out at gunpoint, with insults and humiliation.<sup>86</sup> These experiences left profound consequences on her physical and mental health, including intense physical pain, prolonged bleeding, stress caused by death threats, as well as depression and a sense of losing her mind.<sup>87</sup> Hazim Delić committed the rapes against Grozdana Čečez and Milojka Antić with the intention of intimidating, humiliating them, inflicting physical and mental suffering on them and extracting information

83 Archive of the ICTY, *Predmet Mucić i dr., Svedočenje Gordane Čečez od 17. marta 1997. godine, T. 502-503.*

84 Archive of the ICTY, *Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998, 326-328.*

85 Archive of the ICTY, *Predmet Mucić i dr., Svedočenje Gordane Čečez od 17. marta 1997. godine, T. 551.*

86 Archive of the ICTY, *Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998, 331-334.*

87 The testimony of Milojka Antić from 3 April 1997 before the ICTY is available on the website: <https://www.youtube.com/watch?v=zNcWPxggGvI&list=PLGJkZdYKU84uX6h8Qqo1vEGcLL5hfRTE-G&index=9> (27 November 2024); The transcript of the entire testimony of Milojka Antić before the ICTY is available on the website: <https://www.glaszrtava.org/celebici/, 1759-1817> (27 November 2024).

from them.<sup>88</sup> Although rape is not explicitly stated as a war crime in the Geneva Conventions, the ICTY through its verdicts, starting with the case of Hazim Delić, established that such acts are punishable as a war crime.<sup>89</sup>

In the period from May to December 1992, prisoners were occasionally released from the Čelebići camp, either individually or in groups. Some were transferred to the Musala sports hall for further detention, while others were released through a prisoner exchange or through the International Red Cross, which visited the camp twice during the first half of August. Some prisoners were released thanks to the influence of important people from Konjic or the mediation of their families. The last group of about 30 prisoners left the camp on 9 December 1992 and were moved to the Musala sports hall in Konjic itself.<sup>90</sup>

According to the available information, about 400 prisoners passed through the Celebici camp, mostly men and, in a smaller number, women.<sup>91</sup> At this point, we must consider the reasons for their detention. The Prosecutor's Office claimed that the detention of civilians in the camp was illegal, because the civilians were detained without appropriate legal procedures and without any mechanism for reviewing their detention, violating the provisions of the Fourth Geneva Convention. The indictment stated that most of the prisoners did not pose any security threat. The defence tried to dispute the prosecution's claims, stating that the prisoners were detained after an armed conflict on the soil of Bosnia and Herzegovina with the forces of the Bosnian government. The defense also claimed that the prisoners in the Čelebići camp had certain basic rights to a fair trial, which included a hearing conducted by the Bosnian government commission in order to determine their involvement in armed activi-

88 V. Dimitrijević et al., *Haške nedoumice*, 164.

89 *Ibid.*, 164.

90 Archive of the ICTY, Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998, 60-61.

91 See <https://www.glaszrtava.org/zatvor-logor-celebici/> (27 November 2024.)

ties against Bosnia and Herzegovina or providing support to its opponents.<sup>92</sup> In the context of this claim, it must be mentioned that protected witness D, one of the members of that commission, stated before the Trial Chamber of the ICTY that “this whole Commission was only a facade, intended to create the appearance of legality, but it essentially represented nothing.”<sup>93</sup>

During the trial, the Trial Chamber established that some civilians in the Čelebići camp had weapons at the time of their arrest, which could have been, or were used against Bosnian government forces. Also, according to the Trial Chamber, it is not possible to determine exactly how many of the prisoners participated in the resistance to the TO, HVO and MUP forces. According to witness statements, around 100 to 105 prisoners admitted to active participation in the defense of their villages. On this issue, the ICTY stated that the Geneva Conventions do not provide clear guidelines on the security measures that can be taken, leaving the decision on this largely to the authorities holding the prisoners. Therefore, the court did not decide whether the detention of these civilians was justified under international law.<sup>94</sup> However, according to the ICTY Trial Chamber, the detention of many of the civilians in the camp could not be justified in any way. A large number of them were detained in the camp even though there was no serious and legitimate reason to conclude that they threatened the security of the state.<sup>95</sup>

92        Archive of the ICTY, Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998, 385; This is about the Military Commission of Inquiry, which was formed by the Konjic War Presidency in May 1992 to interrogate prisoners in the Čelebići camp about their resistance to the forces of the Bosnian government and possible crimes. The commission consisted of five members, members of the MUP, HVO and TO. The Commission was active until the end of June 1992, when the members of the Commission decided to stop their activities, compiling a report on the inhumane conditions and treatment of prisoners, emphasizing that because of this they could no longer perform their work professionally and ethically. One of its members testified as protected witness D in the Mucić et al. trial, see also, 388-389; For the unidentified investigative commission, historian Kosta Nikolić states that it represented a special investigative commission of the MUP of Bosnia and Herzegovina, which was formed at the request of the International Committee of the Red Cross in order to investigate the situation in the camp. K. Nikolić, *Bosna i Hercegovina*, 416-417.

93        Archive of the ICTY, Predmet Mucić i dr., Prvostepena presuda od 16. novembra 1998, 389.

94        *Ibid*, 386.

95        *Ibid*, 386; The report of the Military Commission of Inquiry also supports this: “Commission members also interrogated persons arrested outside the combat zone; the Commission did not determine the reason for these arrests, but these prisoners were subjected to the same treatment as those captured in the combat zone.

In the end, the Trial Chamber of the ICTY concluded that the imprisonment of civilians in the Čelebići camp was a collective measure of punishment aimed at a specific group, based primarily on their ethnicity, and the fact that a person is a member of or associated with the opposing party cannot in itself constitute a threat to the security of the territory in which he is located, nor does it justify his internment.<sup>96</sup> It may be concluded that in the case of the Čelebići camp, Serbs were primarily imprisoned on the basis of their ethnicity. In his testimony before the ICTY, Nedeljko Draganić stated: "I was never personally told why I was arrested, but Delić once entered Hangar No. 6 and told us that we were detained because we were Serbs."<sup>97</sup> Also, Ilija Čović, a Croat from the vicinity of Konjic, as a truck driver during the war, often drove food to the camp in Čelebić. According to his testimony, given to Svetlana Broz in November 1998, in the Čelebići camp there were Serbs who were captured by Muslims: "All my Serb colleagues were brought to that camp from their houses where they were, in fact, arrested, not captured in the war. Their only fault was that they were Serbs."<sup>98</sup>

At this point, we must pay attention to another aspect of the war in Bosnia and Herzegovina, which is often found in the testimonies of individuals. As can be seen, examples such as the murder of Šćepa Gotovac and Sima Jovanović,<sup>99</sup> the torture of Nedeljko Draganić,<sup>100</sup> the rape of Grozdana Čeček<sup>101</sup>

Persons arrested under such circumstances remained in custody even after it was determined that there was no reason for their detention, and were subjected to the same treatment as those captured in the combat zone." (see *ibid.*, 389)

96 *Ibid.*, 388.

97 Archive of the ICTY, Predmet Mucić i dr., Svedočenje Nedeljka Draganića od 2. i 3. aprila 1997. godine, T. 1617.

98 Svetlana Broz, *Dobri ljudi u vremenu zla: Sudionici i svjedoci*, (Zemun: Most Art, 2019), str. 93.

99 *Ibid.*, 14-15.

100 *Ibid.*, 17.

101 *Ibid.*, 18-19; Also, in her testimony before the ICTY, Grozdana Čeček states that at the beginning of August 1992, in the facility where she was imprisoned, she spoke with Rusmir Hadžihuseinović, the president of the Konjic War Presidency. When asked why she was imprisoned in the first place, Hadžihuseinović just shrugged his shoulders. In the same testimony, Grozdana Čeček states that she knew Hadžihuseinović well: "I knew him quite well, because when I opened a cafe (Grozdana Čeček was the owner of a cafe in Konjic before the war - cf. A.M.), he spent the whole night there with his wife, and they were friends with my husband from before. His brother built a house in the village, and that's how people knew me in Konjic, because I had a shop."

and the testimony of Ilija Čović, clearly show how long-standing neighbourly relations, often burdened by old family conflicts or personal disagreements, became part of the broader context of wartime events. Therefore, in addition to the systemic and organized forms of violence that marked the war in Bosnia and Herzegovina, personal relationships and dynamics in local communities, especially those where the population was mixed, played a significant role in the escalation of the conflict. In this sense, the war provided a framework for the manifestation of individual intolerance and often enabled the abuse of power through crimes against acquaintances and former neighbours. This aspect of local dynamics further complicates the understanding of the conflict, indicating that inter-ethnic relations were not solely the product of nationalist policies and military strategies, but also deeply rooted in everyday interactions and local historical contexts. In this sense, the analysis of the Čelebići camp cannot be separated from the broader research of interpersonal relations in the municipality of Konjic during the war, which provides additional insight into how local conflicts reflected the broader processes of escalation of violence, destruction and war.

## Conclusion

Analysis of the Čelebići camp illuminates the complexity and multidimensionality of conflicts in Bosnia and Herzegovina, which manifested themselves through systematic and organized violence, but also revealed deeper layers of personal, family and local conflicts. As one of the key places of human rights violations during the war, the Čelebići camp is a symbol not only of ethnic tensions and dehumanization, but also of the abuse of power within communities that were disintegrating under the burden of war. This camp provides a specific insight into the ways in which systematic policies of violence are often

intertwined with everyday lives, local stories and personal vendettas, making it an example of how war destroys the social and moral foundations of a community.

The testimonies of survivors, verdicts of the ICTY and relevant literature corroborate knowledge about the catastrophic conditions in which prisoners were forced to live and often exposed to the most severe forms of physical and psychological violence. The prisoners, Serbs from the local communities, suffered daily abuse, torture, sexual violence and murder, indicating the ways in which ethnic tensions, fueled by political, religious and military narratives, culminated in massive violations of basic human rights. The brutality of these crimes was often further enhanced by personal conflicts, old family enmities and abuse of the situation in wartime circumstances, which further complicates understanding of the causes and consequences of the conflict. A deeper analysis of the Čelebići camp and similar places of suffering opens up space for seeing the conflict in a new light. The conflict, in this sense, is not only seen as a consequence of ethnic and religious hatred on the one hand and military strategy on the other, but also as a phenomenon that is deeply rooted in everyday life, social structures and local histories. At this point, we should pay attention again to the already mentioned theory of good neighborhood by Xavier Bugarel and see how, on the example of the ethnically mixed municipality of Konjic, the war disrupted seemingly harmonious neighbourly relations and enabled the manifestation of individual intolerance, transformed neighborhoods and communities into conflict zones and provided a framework for the realization of personal revenge and abuse of power. In this sense, the Čelebići camp represents a microcosm of the wider war in Bosnia and Herzegovina, indicating that understanding the conflict requires an analysis of both global political frameworks and local communities.

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Andrija Mihajlov, PhD candidate

Faculty of Philosophy, Belgrade University

## THE ČELEBIĆI CAMP – THE TRANSFORMATION OF THE LOCAL COMMUNITY AND THE WAR

**Abstract:** This paper analyzes the Čelebići camp in the municipality of Konjic during the war in Bosnia and Herzegovina (1992–1995), focusing on its role in ethnic and political conflicts at the local and wider level. Through the analysis of verdicts of the International Criminal Tribunal for the former Yugoslavia (ICTY), testimonies of prisoners and available literature, the specifics of this camp, the nature of the crimes committed against the civilian population of Serbian nationality and the conditions of detention are examined. The paper specifically analyzes the individual experiences of prisoners in order to shed light on the wider context of ethnic tensions and conflicts in Konjic. The aim of the work is to contribute to a better understanding of the complexity of local relations during the war and their place in the broader framework of the conflict in Bosnia and Herzegovina.

**Keywords:** Čelebići Camp, Konjic, war in Bosnia and Herzegovina, International Criminal Tribunal for the former Yugoslavia (ICTY).

**MA Sanja Lukić, Research Intern**

**Faculty of Philosophy, University of Belgrade**

[sanjalukic98@gmail.com](mailto:sanjalukic98@gmail.com)

## **WARS IN YUGOSLAVIA IN THE WEEKLY TIME (1991–1995)**

**Abstract:** The weekly magazine *Time*, launched in 1923 in New York, revolutionized the way news was told and presented in various fields, shaping the attitudes of its readers for decades. The research presented in this paper aimed to analyze the content that appeared in this American magazine about the wars in the former Yugoslavia from 1991 to 1995. The articles of this magazine were analyzed taking into account not only the accuracy of the events reported, but also the way in which *Time* combined historical tropes, classic journalistic reporting and the geopolitical circumstances in which it framed the conflict, and created and presented war narratives, thus becoming one of the crucial interpreters of the Yugoslav wars.

**Keywords:** *Time*, Yugoslavia, USA, Serbs, Croats, Bosniaks, Wars in Yugoslavia, imagology, media, nineties.

### **The New World Order and Yugoslav-American Relations**

The fall of the Berlin Wall in November and the Malta Summit in December 1989 definitively marked the end of the Cold War that had lasted almost half a century.<sup>102</sup> However, while the rest of Eastern Europe saw a peaceful change of communist regimes, in Yugoslavia the ethnic issue, fueled by an economic

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<sup>102</sup> Odd Arne Westad, *The Cold War: A World History*, (London: Penguin Books, 2017), 579, 592; Ian Kershaw, *Do nade i natrag: Europa 1950–2017*, (Zagreb: Fraktura, 2018), 407.

crisis that rocked the country and the end of the Cold War, came to the fore. Under pressure from events in the countries of the former Eastern Bloc and from opposition circles and already established political parties, multi-party elections were held in Yugoslavia in 1990, which brought victory to the national options: the Democratic Opposition of Slovenia (DEMOS), the Croatian Democratic Union (HDZ) of Franjo Tuđman, the Party of Democratic Action (SDA) of Alija Izetbegović and the Socialist Party of Serbia (SPS) of Slobodan Milošević.<sup>1</sup> However, the impossibility of additional liberal democratization and modernization of the country<sup>2</sup>, and the increasingly vocal ideas of Belgrade and Zagreb about redrawing borders in a way that would bring together all Serbs and all Croats<sup>3</sup>, contributed to the spread of demagoguery and populism, which not only saw ethno-nationalism as the only option, but also implied war as the only way for territories to resolve their own national question.<sup>4</sup> As historian Mari-Žanin Čalić points out, renationalization in Yugoslavia led to the creation of the belief that only the leaderships of the republics, with measures specific to each of them, could successfully overcome the crisis.<sup>5</sup>

At the same time, entering the last decade of the 20th century as the sole superpower, the United States practically adopted political scientist Francis Fukuyama's interpretation of the so-called "end of history."<sup>6</sup> For Washington, this meant that all states would sooner or later have to move closer to the Unit-

1 I. Kershaw, *Do nade i natrag: Europa 1950–2017*, 441.

2 Božo Repe, „Slovenija i Slovenci u Jugoslaviji u istorijskog perspektivi, ur. Latinka Perović i dr., (Beograd: Helsinški odbor za ljudska prava, 2017), 198.

3 I. Kershaw, *Do nade i natrag: Europa 1950–2017*, 441–443.

4 Ivo Goldstein, „Hrvatska i Hrvati u Jugoslaviji – Suprotstavljanje centralizmu“, u: *Jugoslavija u istorijskog perspektivi*, 145; Latinka Perović, „Srbija i Srbi u Jugoslaviji – Iskustvo sa drugim narodima“, u: *Jugoslavija u istorijskog perspektivi*, 247.

5 Mari-Žanin Čalić, *Jugoistočna Evropa: globalna istorija*, (Sarajevo: Udruženje za modernu historiju, 2020), 478–479.

6 Francis Fukuyama, an American political scientist, in his 1989 essay *The End of History?* pointed out that the changes we were currently witnessing did not just represent the end of the Cold War, but “the end of history as such”, and that humanity had reached “the end point of ideological evolution”, while he saw in Western liberal democracy “the final form of human rule”, Francis Fukuyama, “The End of History?”, *The National Interest*, 16, (Summer 1989), 4. He then systematized this philosophical concept in a book published a few years later, Francis Fukuyama, *The End of History and The Last Man*, (New York: Free Press, 1992).

ed States and its Western allies, both in their internal organization and in their foreign policy.<sup>7</sup>

However, with the disappearance of the world's division into blocs, Yugoslavia's strategic importance, initiated by the breakup between Belgrade and Moscow in 1948, diminished, and Western countries focused their attention on states that were not only striving to liberalize their societies, but also moving towards the integration of a previously divided Europe.<sup>8</sup> Ties between Yugoslavia and the United States, which were characterized by good economic relations, especially intensifying in the second half of the 1980s,<sup>9</sup> began to weaken after the fall of the Berlin Wall, and were further undermined by the increasingly obvious political fragmentation exacerbated by Slobodan Milošević's aspirations to consolidate a strong centre and keep all Serbs together.<sup>10</sup> Although war broke out after Slovenia and Croatia declared independence on 25 June 1990, the United States viewed the breakup of Yugoslavia as a conflict that should be avoided, and, unlike the newly unified Germany, it did not recognize the independence of its republics until April 1992,<sup>11</sup> when, after the outbreak of the war in Bosnia and Herzegovina, it became clear that that Yugoslavia was just about impossible to maintain.

With the end of the Cold War, the collapse of communism in Europe, and the subsequent demise of the Soviet Union, American policy toward the European continent changed significantly. Among American priorities in Europe,

7 Michael Mandelbaum, *Mission Failure: America and the World in the Post-Cold War Era*, (New York: Oxford University Press, 2016), 4–5; Arthur I. Cyr, *After the Cold War: American Foreign Policy, Europe and Asia*, (London: Palgrave Macmillan, 2000), 141; Gordon N. Bardos, "Malign Stars Aligned: U.S.-Serbian Relations in the 1990s, and Lessons for the Future", in: *125 Years of Diplomatic Relations between the USA and Serbia*, ed. Ljubinka Trgovčević, (Belgrade: Faculty of Political Sciences, 2008), 190.

8 A. I. Cyr, *After the Cold War: American Foreign Policy, Europe and Asia*, 148; Aleksandra Joksimović, *Srbija i SAD – Bilateralni odnosi u tranziciji*, (Beograd: Čigoja štampa, 2007), 27.

9 Ivo Visković, "1970s and 1980s as the Peak in Serbian-American Relations", in: *125 Years of Diplomatic Relations between the USA and Serbia*, 144–145.

10 Sabrina P. Ramet, *Balkan Babel: The Disintegration of Yugoslavia from the Death of Tito to the Fall of Milošević*, (Boulder–Oxford: Westview Press, 2002), 43; M-Ž. Čalić, *Southeastern Europe: A Global History*, 479.

11 Živorad Kovačević, *SAD i jugoslovenska kriza*, (Beograd: Centar za antiratnu akciju, 2000), 20–21; A. Joksimović, *Srbija i SAD – Bilateralni odnosi u tranziciji*, 31.

once the central battleground for containing Moscow, primacy was given to strong support for the expansion of NATO and later the European Union, which were seen as the main mechanisms for bringing Central and Eastern European countries closer to the United States and the West in general.<sup>12</sup>

However, the breakup of Yugoslavia called into question the vision of the “new world order” proclaimed in September 1990,<sup>13</sup> especially after this region fell into ethnic violence and war that lasted almost half a decade. George Bush Sr., who from the beginning was in favour of trying to preserve the unity of Yugoslavia, refused to lead the United States into a war that could very easily turn into “another Vietnam”.<sup>14</sup> The fact was that the wars in Yugoslavia simultaneously coincided with several events that for various reasons took a higher place on the list of American priorities than a conflict on the Balkan Peninsula - the Gulf War, the disappearance of the Soviet Union and the post-Soviet transition of former satellites, the humanitarian crisis in Somalia, and the American presidential campaign are just some of them.<sup>15</sup> Preoccupied with these problems, the USA saw the conflict in Yugoslavia as a European problem, and left its solution to the European Community and the United Nations, both of which quickly proved to be unwilling to deal with it conclusively.<sup>16</sup>

Despite initial caution about interfering in the resolution of the conflict in Yugoslavia, Bill Clinton's arrival of in the White House in 1993 brought a change in American policy. By supporting the Bosniak side, the Clinton administration took a more engaged approach to the war in Bosnia compared to its predecessor, and viewed the conflict as the result of Serbian aggression against

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12 For more on American policy towards the expansion of the North Atlantic Treaty Organization (NATO) and the European Union, see: A. I. Cyr, *After the Cold War: American Foreign Policy, Europe and Asia*, 141 – 149.

13 I. Kershaw, *Do nade i natrag: Europa 1950–2017*, 478.

14 Trevor B. McCrisken, *American Exceptionalism and the Legacy of Vietnam: US Foreign Policy since 1974*, (New York: Palgrave MacMillan, 2003), 152.

15 Fraser Cameron, *US Foreign Policy After the Cold War: Global Hegemon or Reluctant Sheriff?*, ed. 2, (London/New York: Routledge, 2005), 16.

16 M. Mandelbaum, *Mission Failure: America and the World in the Post-Cold War Era*, 102.

Bosnia, a country whose sovereignty and borders deserve protection, while at the same time trying to preserve its pluralism and prevent genocide, which it believed was taking place.<sup>17</sup> However, Clinton, who during the election campaign advocated for more active participation in the war in Bosnia, avoided these efforts in the first year of his mandate. However, after the Markale Massacre in February 1994, the pressure on the Bosnian Serbs was increased, with occasional air strikes, but the Serbian occupation of safe zones, Srebrenica and Žepa, and the killing of thousands of Muslims in the summer of 1995, showed that these measures were insufficient. This led to greater American interest in finding a final solution, and this superpower played a key role in NATO's powerful air attacks on Bosnian Serb forces in 1995, while the diplomatic efforts of American negotiators contributed to accelerating the end of the war with the Dayton Peace Agreement<sup>18</sup> on 14 December 1995, which established the framework for maintaining Bosnia and Herzegovina as a single state.<sup>19</sup>

Washington's policy during the wars in Yugoslavia (1991–1995) highlighted the continued dominance of the United States in European security matters, as it ultimately led diplomatic and military efforts to end the conflict. Reluctance and disunity among European nations revealed their limited capacity to resolve major crises on their own, cementing the role of the US as the primary guarantor of stability in Europe and in the post-Cold War era.

## The press and the conflict in Yugoslavia

17 T. B. McCricken, *American Exceptionalism and the Legacy of Vietnam: US Foreign Policy since 1974*, 169; M. Mandelbaum, *Mission Failure: America and the World in the Post-Cold War Era*, 103–104; Steven L. Burg and Paul Shoup, *The War in Bosnia-Herzegovina: Ethnic Conflict and International Intervention*, (Armonk: ME Sharpe, Inc, 1999), 128–129.

18 On the role of the United States in the Dayton Agreement negotiations in: A. Joksimović, *Srbija i SAD – Bilateralni odnosi u tranziciji*, 32–38.

19 Slobodan G. Markovich, "An Assessment of 125 Years of Serbian-U.S. Relations", in: *125 Years of Diplomatic Relations between the USA and Serbia*, 342; M.-Ž. Čalić, *Jugoistočna Evropa: globalna istorija*, 483–484.

Imagology, the methodological approach used in this work, developed from comparative literature in France in the nineteen-fifties and is used to study the way in which the characteristics of other countries and peoples are presented in texts.<sup>20</sup> As pointed out by the comparatist Carl Ulrich Sindram, it is based on the assumption that some segments of the text activate in the reader frames of reference and patterns that are in fact shaped by political or social views of the real world, which creates the impression that the text, in our case a text in a magazine or newspaper, is a mirror of the society in which it arises.<sup>21</sup>

Despite disagreements about the frequency of the use of stereotypes<sup>22</sup>, the tendency to attribute various special characteristics to different peoples, countries or regions is very widespread.<sup>23</sup> Stereotypes are often signifiers of what the Other, who is always different from the Self, represents. Also, although the stereotype in itself is not ambiguous, it is, as the comparatist Daniel Henri Pajo insists, “reusable at any moment”<sup>24</sup>, which is especially noticeable in periods of major social change, crises, conflicts and wars.<sup>25</sup>

Although stereotypical content is predominantly shaped and adapted to the needs of political culture and tradition, but also to customs, social norms and of course current political events, the press is most responsible for their spread.<sup>26</sup> It is therefore necessary to look at the medium that sends such mes-

20 Manfred Beller, “Perception, image, imagology”, in: *Imagology: The cultural construction and literary representation of national characters*, eds. Manfred Beller and Joep Leerssen, (Amsterdam/New York: Rodopi, 2007), 7.

21 Karl Ulrich Syndram, “Estetika alteriteta: književnost i imagološki pristup“, in: *Kako vidimo strane zemlje – Uvod u imagologiju*, ed. Davor Dukić et al., (Zagreb: Srednja Europa, 2009), 76.

22 Davor Dukić believes that stereotypical depictions are “far rarer” than one might assume, while Vladimir Gvozden emphasizes that stereotypes are “the most common form of the image of the Other.” Compare: Vladimir Gvozden, *Polazišta i ciljevi imagoloških proučavanja književnosti*, Zbornik Matice srpske za književnost i jezik” Proceedings of the Serbian Academy of Sciences and Arts, 49, 1–2 (2001), 217 and Davor Dukić, Predgovor: o imagologiji, in: *Kako vidimo strane zemlje – Uvod u imagologiju*, 15.

23 Joep Leerssen, “Imagology: History and method”, in: *Imagology: The cultural construction and literary representation of national characters*, 17.

24 Daniel-Henri Pageaux, “Od kulturnog imaginarija do imaginarnog“ in: *Kako vidimo strane zemlje – Uvod u imagologiju*, 131.

25 Sanja Lukić, “Slika jugoslovenskog društva u časopisima *Life* i *Time* 1945–1980.“, *Istorija 20. veka*, 42, 1 (2024), 184.

26 Stephen Vella, “Newspapers”, in: *Reading Primary Sources: The Interpretation of Texts From 19th*

sages the simplest and fastest. The task of the press is to present information about an event in a simple and easily accepted way, thereby introducing it to their contemporary audience. However, as a historical source it not only gives us an insight into which events the editors and authors considered more or less important, but also into how they thought about them, how they presented them to their audience and what messages they tried to send.

However, the reluctance of governments to be seriously involved in conflicts that took place in the world was often contradicted by reports in the media which, with their dramatic and powerful depictions of human suffering and crimes, managed to stir up public opinion to such an extent that their influence on the course of events was greater than the cautious will of those at the political top.<sup>27</sup> As journalist Andrew Puddephatt points out, for many journalists, the war in Bosnia was a turning point that, perhaps for the first time, “tested their traditional ‘objectivity’”.<sup>28</sup> The fact that many of them witnessed the crimes committed and the plight of civilians influenced their views on this conflict, and some considered it their moral obligation to use their writing to influence the provision of “a certain outcome of the war”<sup>29</sup>, which was later labeled as “information intervention”.<sup>30</sup> In cases of serious violations of human

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and 20th Century History, eds. Miriam Dobson and Benjamin Ziemann, (London: Routledge, 2010), 192; Felicity Rosslyn, “Primitivism and the Modern: A Prolonged Misunderstanding”, in: *The Balkans and the West: Constructing the European Other, 1945–2003*, ed. Andrew Hammond, (London/New York: Routledge, 2016), 22.

27 In the United States, this practice began with coverage of Spain’s suppression of the rebellion in Cuba in 1895, and escalated with writings by Joseph Pulitzer in the New York World and William Randolph Hearst in the New York Journal, who demanded that the US government intervene and stop the violence. Calling the Spanish commander “the Butcher”, “inhuman” and “killer of families”, and describing the cruelties of the colonial authorities on this Caribbean island, the yellow press contributed to the creation of support for the abandonment of the traditionally isolationist policy in the American public, which contributed to the entry into the war with Spain in 1898, Robert D. Schulzinger, *Američka diplomatija od 1900. godine*, (Beograd: Udruženje za studije SAD u Srbiji, 2011), 41; Henri Bamford Parks, *Istorija Sjedinjenih Američkih Država*, (Beograd: Rad, 1986), 534.

28 Andrew Puddephatt, *Voices of War: Conflict and the role of Media*, Copenhagen: International Media Support, 2006, 7–8.

29 Ibid, 8.

30 The term “Information Intervention” was coined by the author Jamie Metzl and was used for the first time during a series of humanitarian crises from the beginning of the 1990s (Rwanda, Burundi, Somalia and Bosnia) in his article *Information Intervention: When Switching Channels Isn’t Enough* for Foreign Affairs

rights, this means the use of information in such an engaging way that allows the reporter or journalist to pass judgment on the warring regimes.<sup>31</sup> In this way, it was the centres that controlled the flow of information and greatly influenced the design of global opinion, formation and orientation of attitudes.<sup>32</sup>

Wars on the territory of this former Yugoslav state, due to their geographical location, inter-ethnic character, violence and crimes against civilians, and the collapse of the country, held a considerable place in media coverage in the early nineties, especially in the context of the imminent disappearance of communist regimes in Eastern Europe. We should pay special attention to the way in which New York's Time magazine, one of the largest such centres, portrayed the main actors of this conflict: Bosniaks, Croats and Serbs, especially if we take into account that in the period from June 1991 to the end of December 1995, this weekly magazine published over 150 articles about this conflict.

Regardless of the fact that in its reporting it often reflected the views of one of the parties<sup>33</sup>, the weekly Time was one of the most popular and most read American magazines, with a circulation of four million in the United States in 1990 and another 1.3 million in the rest of the world, with the number of readers estimated at around 30 million.<sup>34</sup> The readership of this magazine came mainly from the ranks of the university-educated (upper) middle class living in medium-sized cities, which often created the impression that it was this weekly that reflected the opinion of all Americans.<sup>35</sup> One of the main goals of the

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magazine in November 1997.

31 Mark Thompson, *Defining Information Intervention: An Interview with Jamie Metz, Forging Peace: Intervention, Human Rights and the Management of Media Space*, eds. Monroe E. Price and Mark Thompson, (Edinburgh: Edinburgh University Press, 2002), 41.

32 Nenad Perić, Ilija Kajtez, "Ideologija i propaganda kao masmedijska sredstva politike i njihov uticaj na Balkan", *Nacionalni interes*, 17, 2 (2013), 179.

33 Theodore Peterson, *Magazines in the Twentieth Century*, (Urbana: The University of Illinois Press, 1956), 299; Stephen L. Vaughn, *Encyclopedia of American Journalism*, (New York: Taylor & Francis Group, 2008), 537.

34 Henry Muller, "From the Managing Editor", *Time*, July 9, 1990, 4.

35 S. L. Vaughn, *Encyclopedia of American Journalism*, 537–538; "A History of TIME Magazine", *Historic Newspapers*, December 31, 2020. <https://www.historic-newspapers.com/blog/time-magazine-history/> (1. oktobar 2024.)

work is therefore the deconstruction of presentation tactics, i.e. research of the way in which the authors and editors of Time magazine observed the actors of the wars in Yugoslavia, and how they influenced the formation of public opinion during the period of American vacillation, which later supported the involvement of the United States in conflict in the Balkans.

### (Mis)use of history

The war between Serbs, Croats, Slovenes and Slovene Muslims taught the world a lesson about the true – and terrible – meaning of the often loosely used term balkanization.<sup>36</sup> The role of history in shaping the narrative of the wars in Yugoslavia was crucial in the media coverage. Historical references were often used to contextualize the conflict, but they often maintained stereotypes and simplified representations of the region, which had also been the style of Time magazine in earlier decades.<sup>37</sup> Referring to events like the Balkan Wars, the First and Second World Wars, and centuries-old ethnic and religious divisions, the media framed the Yugoslav crisis as a revival of “ancient hatreds”, reinforcing the perception of the Balkans as a region eternally trapped in conflict. These historical analogies not only shaped public understanding, but also influenced political responses, as they suggested that wars in this region were inevitable and deeply rooted.

With the outbreak of war in Yugoslavia, the beginning of the final decade of the 20th century brought the reactivation of the old labels of this region as a “powder keg”<sup>38</sup>, “matchbox”<sup>39</sup>, and a place where “ethnic, national and religious hatreds stretch back through the centuries”<sup>40</sup>. Time’s authors saw

36 Jill Smolowe, “Why Do They Keep on Killing?”, *Time*, May 11, 1992, 48.

37 See: Sanja Lukić, *Slika Jugoslavije u časopisima Life i Time, 1945–1980.*, [master rad], (Beograd: Filozofski fakultet Univerziteta u Beogradu, 2022), 47–48, 91–93.

38 Bruce W. Nelan, “Should We Care? Yes, But...”, *Time*, July 8, 1991, 39.

39 James Walsh, “The Flash Of War”, *Time*, September 30, 1991, 38.

40 J. Smolowe, “Why Do They Keep On Killing?”, *Time*, May 11, 1992, 48.

“ancient religious, ethnic and territorial hatred”<sup>41</sup> as the causes of inter-ethnic conflicts in Yugoslavia, which brought to the surface layers of the past stacked up for millennia and conflicts between “Roman Catholicism and Greek Orthodoxy, Islam and Christianity, Slavs and Turks, or Slavs and Germans”<sup>42</sup>. Historian Marija Todorova explained such dichotomies, which are often used when describing the Balkans, with the need to emphasize the political, cultural and religious differences between seemingly identical societies.<sup>43</sup> As the writer Vesna Goldsworthy also pointed out, the region that connects Europe and Asia Minor was presented through sustained dichotomies from the distant past with emphasis on facts such as religious pluralism, which is also present in Western countries, not only as borderline, but also as difficult to sustain.<sup>44</sup>

By persistently searching for the cause of conflict in Yugoslavia in events more than a millennium old, the authors suggested that history in this area is something immutable. This way of presenting the reasons for the conflict in Yugoslavia was nothing new, but merely a continuation of a decades-long practice of portraying this area as a place where the civilized West (Catholicism, Latin, Rome) collided with the backward East (Islam, Orthodoxy, Cyril-

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41 George J. Church, “A Chronic Case Of Impotence”, *Time*, June 8, 1992, 39.

42 J. Borrell, “Yugoslavia: The Old Demons Arise”, *Time*, August 6, 1990, 33.

43 Marija Todorova, *Imaginarni Balkan*, (Belgrade: Biblioteka XX vek, 2006), 61.

44 Vesna Goldsworthy, *Izmišljanje Ruritanije: Imperijalizam mašte*,

lic, Constantinople, Istanbul).<sup>45</sup> However, as Todorova points out, emphasizing that certain problems in the Balkans have their beginnings in the ancient, almost mythical past, often played a role in relativizing the responsibility of the West in shaping the destiny and borders of the Balkans,<sup>46</sup> and presenting these conflicts as cyclical and insurmountable.

History also found its use when intervention, or its absence, had to be explained. In contrast to the situation at the end of the 20th century, examples from the beginning of the 20th century were used here. The magazine tried to explain to readers the difference between the situation in Europe in 1914 and 1991, emphasizing that no major power is fighting for supremacy in this part of the world anymore.<sup>47</sup> By comparing the crisis caused by the breakup of Yugoslavia with the one caused by the disappearance of the Ottoman Empire, the rest of the continent was actually criticized for trying to leave the solution of this crisis to the United States. Nevertheless, *Time* emphasized that the turmoil in Yugoslavia no longer poses a threat to global peace,<sup>48</sup> comparing it to the conflicts in the Middle East. Emphasizing that due to the lack of oil reserves, the war in this region “does not threaten the strategic interests of the US or its European neighbors”<sup>49</sup>, the magazine almost cynically highlighted the American reasons for delaying engagement in resolving the conflict in the Balkans. This tone questioned the ethical implications of the choice of American foreign policy and the prioritization of geopolitical interests over humanitarian issues.

However, as early as the end of 1991, there was a change in how *Time* journalists wrote, as they increasingly began to separate themselves from the policy led by the State Department, and pointed out that the conflict in Yugosla-

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(Belgrade: Geopoetika, 2023), 249–250.

45 Larry Wolf, *Inventing Eastern Europe, The Map of Civilization on the Mind of the Enlightenment*, (Stanford: Stanford University Press, 1994), 42; M. Todorova, *Imaginarni Balkan*, 60–61.

46 M. Todorova, *Imaginarni Balkan*, 353–354.

47 J. Walsh, “The Flash Of War”, *Time*, September 30, 1991, 38.

48 B. W. Nelan, “Should We Care? Yes, But...”, *Time*, July 8, 1991, 39.

49 G. J. Church, “A Chronic Case Of Impotence”, *Time*, June 8, 1992, 39.

via could still spread to the rest of Europe, especially Greece, Bulgaria, Turkey, Albania, and perhaps even Russia. Once again, history was misused, because the magazine found reasons in it for the expected entry into the war of each of these states: the Battle of Kosovo in 1389, the disagreement over the division of Macedonia during the Balkan Wars of 1912–1913, the centuries-old dominance of the Albanians in Kosovo.<sup>50</sup> Such a simplified explanation also bothered the press attaché at the Greek consulate in New York, who addressed the magazine's editors in protest, pointing out that Time's "correlation similar to the domino effect is alarming, misleading, unfair and patently untrue".<sup>51</sup> However, this simplistic view was not unique, and Goldsworthy states that precisely during the wars in Yugoslavia, the Western media renewed the old fears about the Balkans as a "bearer of infection" and that war could spread to the rest of Europe.<sup>52</sup>

The Second World War occupied a special place in this magazine's texts, and by occasionally recalling this conflict, journalists tried to rationalize the inter-ethnic conflicts in Yugoslavia. Nevertheless, the way in which Time wrote about this war deserves the attention of researchers, especially in view of the fact that the crimes of the Ustasha in the Independent State of Croatia were put in focus and repeated over and over again, while the other parties, primarily the Chetniks and Partisans, were completely neglected. Thus, Time marked the "alliance of the Croats with Hitler" combined with the "savage enthusiasm of the Croatian ultra-nationalist organization Ustasha"<sup>53</sup>, as the reason for the accumulation of hatred that almost half a century later led to war. This narra-

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50 Charles Krauthammer, "Sarajevo Burns. Will We Learn?", *Time*, June 15, 1992, 78; J.F.O. McAllister, "Atrocity and Outrage", *Time*, August 17, 1992, 24; George J. Church, "Munich All Over Again?", *Time*, August 31, 1992, 48; J.F.O. McAllister, "Ever Greater Serbia", *Time*, September 28, 1992, 55; Lance Morrow, "The Ruin Of A Cat, The Ghost Of A Dog", *Time*, December 14, 1992, 38; Charles Krauthammer, "The Doves Are Right About Bosnia", *Time*, February 8, 1993, 86.

51 "Letters: Too Much History" by George Hatzioannou (Press Counselor, Consulate General of Greece, New York City), *Time*, June 22, 1992, 17.

52 V. Goldsvorti, Izmišljanje Ruritanijske Imperijalizma mašte, 6.

53 L. Morrow, "The Ruin Of A Cat, The Ghost Of A Dog", *Time*, December 14, 1992, 38.

tive is also present in Robert Kaplan, one of the most influential American travel writers of the second half of the 20th and the beginning of the 21st century. In his book *Balkan Ghosts* from 1993 he characterized Croatia as a place where the legacy of Nazi crimes is still unresolved.<sup>54</sup> Similarly, parallels with the Second World War were also drawn after the Croatian army launched Operation Storm in the first week of August 1995<sup>55</sup> and *Time* identified it with the Nazi Blitzkrieg. At the same time, the explanation for the fact that tens of thousands of Serbs left their homes in a hurry was, as the journalists pointed out, the fear of a repeat of the crimes of the “Zagreb pro-Nazi Ustasha government” which “massacred hundreds of thousands” of Serbs a little more than half a century ago.<sup>56</sup>

As the conflicts in Yugoslavia were complex, and had their roots primarily in the contemporary policies and war plans of the national elites after the fall of socialism, drawing parallels with a past universally condemned in the West helped to simplify the narrative for the average reader, surely more familiar with the First or Second World War than with the intricate political and ethnic dynamics of Yugoslavia. By framing the conflict through the lens of World War II, the magazine made it more comprehensible to an American audience. However, despite the emphasis on the longevity of the conflict, the death of Josip Broz Tito in 1980 was marked as the starting point for the reawakening of all the conflicts that had not been resolved until then,<sup>57</sup> by which the magazine only further strengthened its decades-long narrative about Tito the unifier.<sup>58</sup> The country bequeathed by the Yugoslav president was thus characterized as

54 Robert D. Kaplan, *Balkanski duhovi: put kroz istoriju*, (Belgrade: Dan Graf, 2004), 4–5.

55 See more on Operation Storm in: M. Bjelajac, O. Žunec, “The War in Croatia, 1991–1995”, in: *Confronting the Yugoslav Controversies: A Scholars’ Initiative* (C. Ingrao and T. A. Emmert eds.), West Lafayette: Purdue University Press, 2010, 251–256.

56 Kevin Fedarko, “The Guns of August”, *Time*, August 14, 1995, 45–46.

57 James O. Jackson, “A Lesson In Shame”, *Time*, August 2, 1993, 38–39.

58 Jesse Birnbaum, “Breaking Up Is Hard”, *Time*, February 25, 1991, 56.; J. Walsh, “The Flash Of War”, *Time*, September 30, 1991, 42.; S. Lukić, *Slika Jugoslavije u časopisima Life i Time*, 73–74.

an “artificial creation of conflicting cultures”<sup>59</sup>, while the anti-communist narrative, always present in *Time*, was further reinforced to explain to the reader that the very existence of a centralized communist system held together peoples who did not even share an alphabet.<sup>60</sup>

By insisting on the use of history, i.e. searching for causes in events and processes that had lasted for over a millennium, the media tried to return Yugoslavia and its peoples, who after 1948 refused any alignment with Eastern Europe, to the Balkans where, as they believed, they belonged, refusing to follow the trend of the time<sup>61</sup> to characterize it as part of Southeast Europe<sup>62</sup>. History became the main tool for simplifying the causes of the conflict, while at the same time it served as proof of the curse of the Balkans, whose peoples found it impossible to overcome their inherent differences. The occasional naming of the wars from the last decade of the first millennium as the Balkan Wars<sup>63</sup> was not only used by the press, but was almost a mannerism of prominent personalities of that time as well.<sup>64</sup> The identification of these decades-distant

59 J. Smolowe, “Why Do They Keep On Killing?”, *Time*, May 11, 1992, 48.

60 John Borrell, “Yugoslavia: The Old Demons Arise”, *Time*, August 6, 1990, 33.

61 M. Todorova, *Imaginary Balkan*, 275–277.

62 Yugoslavia was not until the August 1992 article “*Why Bosnia is Not Vietnam?*” geographically located in Southeast Europe. However, this seems more like a fortuitous oversight than an intention, as the author uses exclusively the designation ‘Balkan’ in the rest of the text, Strobe Talbott, “*Why Bosnia Is Not Vietnam?*”, *Time*, August 24, 1992, 49.

63 Some examples: S. Talbott, “Why Bosnia Is Not a Vietnam”, *Time*, August 24, 1992, 49; J.F.O. McAllister/Washington, “Ever Greater Serbia”, *Time*, September 28, 1992; Lance Morrow, “The Ruin Of A Cat, The Ghost Of A Dog”, *Time*, December 14, 1992, 36–38; George J. Church, “Out With A Bang”, *Time*, January 11, 1993, 16–19; Charles Krauthammer, “The Doves Are Right About Bosnia”, *Time*, February 8, 1993, 86; James O. Jackson, (from the Hague). “No Rush to Judgement”, *Time*, June 27, 1994, 48–51; Mark Thompson, “Reversal of Fortunes”, *Time*, November 14, 1994, 71; Kevin Fedarko, “Bad Blood and Broken Promises”, *Time*, December 26, 1994, 121–122; James O. Jackson, “Dancing At The Brink”, *Time*, March 20, 1995, 55.

64 The famous American diplomat and former ambassador in Moscow and Belgrade, George Kennan, in his introduction to the Carnegie endowment book *Other Balkan Wars* (1993), entitled *Balkan Crises: 1913 and 1993*, cited various aspects of the Balkan Wars from the beginning of the 20th century, implying their similarity to the war waged 80 years later. Kennan did not pay attention to the fact that the actors of these wars do not match, and that the only thing they have in common is that they both take place on the Balkan Peninsula, *The Other Balkan Wars: A 1913 Carnegie Endowment Inquiry in Retrospect with a New Introduction and Reflections on the Present Conflict by George Kennan*, (Washington: Carnegie Endowment for International Peace, 1993); Similarly, political scientist Susan Woodward called her book on the dissolution of Yugoslavia the *Balkan Tragedy*, equating the war with the entire peninsula, Susan L. Woodward, *Balkan Tragedy: Chaos and Dissolution After the Cold War*, (Washington: Brookings Institution Press, 1995)

conflicts carried with it certain implications, and imposed on the reader a cyclical view of the history of the Balkan peoples, as peoples prone to conflicts rooted in ethnic and territorial disputes. This framing thus oversimplified the complex political, economic and social causes of the wars of the 1990s, reducing them to a narrative of historical inevitability.

## War coverage on the pages of Time (1991–1995)

*Who do you sympathize with in a battle between hostile and unreasonable antagonists?*<sup>65</sup>

Yugoslav “brotherhood and unity”, shaken in the ninth decade of the 20th century, completely disappeared in 1991, and ethnic distinction was further crystallized. However, while the media in Serbia, Croatia and Bosnia and Herzegovina “acted as a means of nationalist contagion”<sup>66</sup>, the media that followed the conflict from abroad often saw entire nations as the actors of the war. Thus, Serbs, Croats and Muslims became the only subjects and objects of war, violence and persecution. This was “attributing certain actor roles to a certain nationality”<sup>67</sup> that the comparatist Jup Lersen marked as the tool most frequently used to show differences between peoples who until yesterday had lived mixed in the same state.

The first shots have been fired: coverage of the war in Slovenia and the beginnings of the war in Croatia

The escalation of the conflict throughout the Yugoslav state was certainly something that the rest of the world did not expect. Apart from the surprise of the international community, which from practically the very beginning was unable to find a way to maneuver through it and prevent the violence that very quickly occurred, the media also met the outbreak of the first conflict on

65 J. Smolowe, “Out Of Control”, *Time*, July 15, 1991, 27.

66 A. Puddephatt, *Voices of War: Conflict and the Role of Media*, 5.

67 Joep Leersen, “Retorika nacionalnog karaktera: programatski pregled“, u: *Kako vidimo strane zemlje – Uvod u imagologiju*, 113.

the European continent since the Second World War unprepared. At the same time, the need to present events such as population displacement, violence and murder from week to week on paper as a coherent and, most importantly, reasonable whole for the reader, often required the need to navigate and simplify. The actors, despite changing contexts, often kept the roles that journalists had assigned to them at the very beginning.

The fact that until the end of 1991 Washington took the position of preserving Yugoslavia,<sup>68</sup> certainly influenced the nature of reporting on the war in Slovenia and Croatia. Despite such cautious views on the issue of the secession of the Yugoslav republics, *Time* emphasized from the beginning all the arguments that would favour the eventual disintegration of the country: the “communist government” in Serbia versus the “western-oriented” governments in Slovenia and Croatia,<sup>69</sup> disagreements about economic orientation between the “more developed” republics of Slovenia and Croatia, which, according to this magazine, emphasized “foreign trade” (with the West) and Serbia, which did not want to give up the “command economy”<sup>70</sup>. After several months of repetition and emphasis of dichotomies in various segments of Yugoslav society, the weekly left room for the reader to draw his own conclusions about the future of the country. However, by the frequent use of terms that presented it as an artificial construct<sup>71</sup>, *Time* saw the disintegration of the state as a reality up to mid-summer 1991, and tried to explain this to its readers.

Even in this kind of reporting there were however nuances. A difference was made between the efforts of Slovenia and Croatia to declare independence. The fact that the northernmost Yugoslav republic borders Austria was used as

68 S. G. Markovich, “An Assessment of 125 Years of Serbian-U.S. Relations”, in: *125 Years of Diplomatic Relations between the USA and Serbia*, 341.

69 J. Birnbaum, “Breaking Up Is Hard”, *Time*, February 25, 1991, 56; “Dangerous Muddle”, *Time*, May 27, 1991, 37; J. Smolowe, “Blood in the Streets”, *Time*, July 8, 1991, 39.

70 J. Borrell, “Yugoslavia: The Old Demons Arise”, *Time*, August 6, 1990, 32; J. Birnbaum, “Breaking Up Is Hard”, *Time*, February 25, 1991, 56–57; J. Smolowe, “Blood in the Streets”, *Time*, July 8, 1991, 39.

71 J. Smolowe, “Out Of Control”, *Time*, July 15, 1991, 26.

one of the proofs of the natural Slovenian “kinship with Europe”.<sup>72</sup> Emphasizing that Slovenia belongs to Europe, the magazine deprived the other republics of their European identity, at the same time reinforcing the binary of civilized Europe versus the backward Balkans, a dichotomy that reflected long-standing narratives that portrayed the Balkans as the “other” Europe, the incomplete East as interpreted by Marija Todorova<sup>73</sup> or the “Wild East of Europe” in the words of Vesna Goldsworthy<sup>74</sup>, and something that is “neither in the West nor in the East” as pointed out by Nemanja Radonjić<sup>75</sup>.

In contrast to Slovenia, the Croatian secession received somewhat different treatment on the pages of *Time*, and although its closeness to Western Europe was acknowledged, the inhomogeneity of its population was highlighted, giving the impression that the independence of this republic would be difficult to achieve. The oft-repeated fact that over 600,000 Serbs lived in Croatia, and that they made up as much as 12 percent of the population of this republic, was marked as one of the main obstacles to its independence.<sup>76</sup> After the start of the conflict, journalist Jill Smolow pointed out that every attempt by the first Croatian president Franjo Tuđman to make certain concessions to the Serbian minority was too late,<sup>77</sup> thereby shifting part of the blame for the escalation of tensions onto him.

Nevertheless, despite all these allegations, in the first months of the war *Time* still supported the official positions of the Bush administration, emphasizing the need to preserve Yugoslav statehood, and even the war operations of the summer of 1991 did not discourage journalists from thinking about the

72 J. Smolowe, “Blood in the Streets“, *Time*, July 8, 1991, 39.

73 M. Todorova, *Imaginarni Balkan*, 53, 253;

74 V. Goldsworthy, *Izmišljanje Ruritanije: Imperijalizam mašte*, X.

75 Nemanja Radonjić, “Not exactly out of Europe, yet somehow on the fringes of the Orient”: Slika Balkana u časopisu National Geographic (1888–2013)“, *Godišnjak za društvenu istoriju*, 3 (2013), 96.

76 J. Birnbaum, “Breaking Up Is Hard“, *Time*, February 25, 1991, 56; J. Smolowe, “Blood in the Streets“, *Time*, July 8, 1991, 39; J. Smolowe, “Out Of Control“, *Time*, July 15, 1991, 28; “Yugoslavia: Breathing Space“, *Time*, July 22, 1991, 44; James L. Graff, “Serbia’s Land Grab in Yugoslavia“, *Time*, September 16, 1991, 41; J. Walsh, “The Flash Of War“, *Time*, September 30, 1991, 42.

77 Jill Smolowe, “A Case For Confederation“, *Time*, August 12, 1991, 39.

possibilities for realizing this idea. However, aware of the fact that a return to the old state was impossible, they proposed a change of arrangement, and instead of a federal, a confederal arrangement,<sup>78</sup> which does not require the warring nations to “surrender their own statehood” but is rather an “alliance”,<sup>79</sup> was presented as a more acceptable option to all parties and characterized as an opportunity for pragmatic coexistence.

By the end of the summer of 1991, *Time* magazine’s narrative tacitly suggested that maintaining some semblance of connectivity between the republics was preferable to their complete separation. By proposing a confederation, and mentioning the strong economic ties of these republics, the magazine showed a reluctance to fully embrace the ideas of Slovenian and Croatian independence, possibly reflecting concerns about regional instability, the potential of the war spreading, and the precedent such secessions could set for other parts of the world. Thus, the views of *Time*’s editors almost mirrored those of the State Department, giving priority to the preservation of Yugoslavia over the secessionist aspirations of individual republics.

### Images of destruction: the bombing of Dubrovnik and the battle for Vukovar

Despite the magazine’s initial reluctance to take sides in the conflict in Croatia, the operations of the JNA, the Serbian TO and paramilitary formations from late August to late November 1991 in Vukovar and the bombing of Dubrovnik by the JNA and the Montenegrin TO in October 1991<sup>80</sup> completely

78 J. Birnbaum, “Breaking Up Is Hard”, *Time*, February 25, 1991, 57; J. Smolowe, “A Case For Confederation”, *Time*, August 12, 1991, 39.

79 J. Smolowe, “A Case For Confederation”, *Time*, August 12, 1991, 39.

80 See more about the operations themselves in: Mile Bjelajac, Ozren Žunec, “The War in Croatia, 1991–1995”, in: *Confronting the Yugoslav Controversies: A Scholars’ Initiative*, eds. Charles Ingrao and Thomas A. Emmert, (West Lafayette: Purdue University Press, 2010), 248–251.

turned the tide. The change was noticeable above all in the photographs where readers could see crying Croatian children, mothers at mass funerals, devastated Dubrovnik<sup>81</sup> or destroyed Vukovar, which was more reminiscent of some of the destroyed cities in the Second World War than of Europe in 1991.<sup>82</sup> It is interesting that the photographs of the destroyed Vukovar were found in the issue dedicated to the fiftieth anniversary of the attack on Pearl Harbor and the American entry into the Second World War, and that they followed immediately after a photograph of a completely destroyed Stalingrad and Leningrad, which had been besieged for years.<sup>83</sup> The only difference was the use of colour and the fact that the photographs of the siege of Vukovar were the ones that told the story to the reader. Besides several short descriptions of the photographs and a subtitle stating that the scenes from Vukovar look identical to those in the Second World War, photographs in large formats dominated the page. The decision to place the photographs in the foreground made it an easier job for the editors, who may have been aware of the Americanist Alan Trachtenberg's statement that "the photographer does not need to convince the viewer to adopt his point of view", because whoever looks at a photograph recognizes the truth of the moment in which it was created.<sup>84</sup>

The weekly, which strongly condemned the "civil war"<sup>85</sup>, finally swung the pendulum to one side with its coverage of the attacks on Vukovar. When discussing the reasons for the attack on the city, the journalists pointed out that the Serbian army "defended Serbian civilians so thoroughly that hardly

81 J. Smolowe, "The Human Cost of War", *Time*, November 25, 1991, 52–54; F. Painton, "Yugoslavia: The Shock of Recognition", *Time*, December 30, 1991, 29; "Croatia, Yugoslavia", *Time*, December 30, 1991, 48–49; "Vukovar and Okucani, Yugoslavia", *Time*, December 30, 1991, 49.

82 "Yugoslavia: A Living Hell", *Time*, December 2, 1991, 72–75.

83 Uporedi: Howard Andrew G. Chua-Eoan, "War in Europe", *Time*, December 2, 1991, 62–63, 65, i "Yugoslavia: A Living Hell", *Time*, December 2, 1991, 72–75.

84 Alan Trachtenberg, *Reading American Photographs: Images as History, Mathew Brady to Walker Evans*, (New York: Hill and Wang, 1989), 251–252.

85 Time called the wars in Yugoslavia a "civil war" even after the USA recognized the independence of Slovenia, Croatia, Bosnia and Herzegovina and Macedonia in 1992. Insistence on this term lasted until the summer of 1993, when it became increasingly rare, and in the beginning of 1994, it completely died out.

a single Serbian house was left untouched”.<sup>86</sup> Apart from this, the photos that abundantly accompanied the texts and were often the focus of the reportage, showed Serbs exclusively in military uniforms and with weapons, placing emphasis exclusively on the male part of the population.<sup>87</sup> Scenes of smiling Serbian soldiers proudly showing three raised fingers, right next to poignant scenes from the funeral of a Croatian policeman, with a short description of “Exuberance in the midst of tears and fears”<sup>88</sup> left no-one indifferent.

Reporters tried to present the conflict as clearly as possible to readers in America, often opting to put civilians in the foreground. Thus, the photo of a crying Croatian boy at the funeral of his murdered father was featured in *Time*’s traditional Picture of the Year section.<sup>89</sup> It carried such an emotional charge that the magazine compared it to the famous “Terror of War” photo of Vietnamese children fleeing an American napalm attack in 1972.<sup>90</sup> Calling it a “classic photo”, the editor presented it to readers as a photo that would become a “symbol” of the war in Croatia. This kind of rhetoric resonated with readers. Photos of the population on the streets of destroyed Vukovar certainly caused a reaction, and one reader, dissatisfied with the actions of the Bush administration, pointed out that “the men, women and children who are suffering in Croatia deserve [help - S.L.] as much as the people of Kuwait”, thus questioning the new world order which “puts oil before human lives”.<sup>91</sup>

Despite the events of the war, the focus of *Time*’s reporting was primarily on the response, or the lack of it from the European Community. Nervousness over a new European conflict that could drag Washington back into war

86 J. Smolowe, “The Human Cost of War”, *Time*, November 25, 1991, 53.

87 Ibid, 52, 54.; “Yugoslavia: A Living Hell”, *Time*, December 2, 1991, 74; “Vukovar and Okucani, Yugoslavia”, *Time*, December 30, 1991, 49; Bruce W. Nelan, “Crimes Without Punishment”, *Time*, January 11, 1993, 21.

88 J. Smolowe, “The Human Cost of War”, *Time*, November 25, 1991, 52–53.

89 William Wordsworth, “We Are Seven” (Young boy at the funeral of his father, a Croatian police officer killed by Serbian guerrillas), *Time*, December 30, 1991, 48–49.

90 “Symbols of War”, *Time*, January 6, 1992, 15.

91 “Letters: Yugoslavia in Doubt” by Richard H. Green (Encino, California), *Time*, December 16, 1991, 8.

certainly did not meet with the approval of the journalists who strongly condemned the indecision and inability of European countries, especially Great Britain, France and Germany, to come to an agreement.<sup>92</sup> Similarly, *Time* strongly criticized the German recognition of Slovenia and Croatia, marking this unilateral recognition as controversial because it was reminiscent of the Nazi support for “fascist Croatia during World War II”.<sup>93</sup>

However, the actors of the war in Croatia – Croatian President Franjo Tuđman and Serbian President Slobodan Milošević – were considered the main culprits for the escalation of the war, although the latter was characterized as the one who bore the “greatest part”.<sup>94</sup> Thus, despite the allegations that discrimination against the Serbian population in Croatia was “extreme”, Milošević’s expansionist policy was identified as the larger problem.<sup>95</sup> Emphasizing his role and the difficult position of Croatian civilians, the weekly began to strengthen its view of the war as aggression by only one side, increasingly ignoring the multifaceted nature of the conflict, which included extreme nationalisms and historical accusations, increasingly distinguishing between perpetrators and victims. At the same time, by criticizing European countries, *Time* reflected the broader frustration among the American public that post-Cold War Europe was not up to the task of solving regional crises on its own.<sup>96</sup>

### **Humanitarian Crisis: Ethnic Cleansing on the Pages of Time**

Unlike the war in Croatia, depicted in the context of a historical rivalry between Serbs and Croats, the war in Bosnia had a more complex dynamic, and

92 James Walsh, “The Flash Of War”, *Time*, September 30, 1991, 38–39, 42.

93 F. Painton, “Yugoslavia: The Shock of Recognition”, *Time*, December 30, 1991, 29.

94 James L. Graff, “Serbia’s Land Grab in Yugoslavia”, *Time*, September 16, 1991, 40.

95 *Ibid.*, 42.

96 Tom Gallagher, *The Balkans After The Cold War: From Tyranny to Tragedy*, London: Routledge, 2003, 61.

the international media, including *Time*, often portrayed it as a humanitarian disaster, emphasizing mass crimes such as ethnic cleansing and genocide, imposing the inevitable existence of a clearly established culprit. Thus, already at the beginning of May 1992, the beginning of the war in Bosnia was marked as a “resumption of the bloody kidnapping of the land” by the Serbian forces<sup>97</sup>. The term “ethnic cleansing”<sup>98</sup> was already used by the magazine in June<sup>99</sup>, and by the end of 1995 it would be used more than 80 times. It was at this time that the term began to be used frequently in public discourse as an official name for the expulsion of an ethnically different population<sup>100</sup>, and this phrase entered the English language precisely thanks to the wars in Yugoslavia.<sup>101</sup>

Nevertheless, when the magazine’s journalists spoke of ethnic cleansing, they almost always put it under quotation marks, which signals a certain type of journalistic reservation, indicating that the term, although used, is still controversial and not established. In addition to this, other terms were widely used that suggested the brutality of the treatment of civilians, such as “massacre” or “genocide”<sup>102</sup>. It should be noted that *Time* started using the terms “ethnic cleansing” and “genocide” only at the end of the spring of 1992<sup>103</sup>, after

97 “Pressuring the Serbs to Back Off”, *Time*, May 4, 1992, 17.

98 According to the definition submitted to the UN Security Council by the Commission of Experts in 1992: “Ethnic cleansing is a purposeful policy designed by one ethnic or religious group to remove the civilian population of another ethnic or religious group from certain geographical areas by violent and terrorist means”, United Nations Security Council, S/1994/674 – 27 May 1994, Final Report of the Commission of Experts Established Pursuant to Security Council Resolution 780 (1992), <https://www.his.com/~twarrick/commxyu1.htm> (October 30, 2024)

99 J. Smolowe, “The Land Of Slaughter”, *Time*, June 8, 1992, 32; James L. Graff, “Slobodan Milosevic: The Butcher of the Balkans”, *Time*, June 8, 1992, 37; G. J. Church, “A Chronic Case Of Impotence”, *Time*, June 8, 1992, 39.

100 Vladimir Petrović, „Etnicizacija čišćenja u reči i nedelu. Represija i njena naučna legitimizacija“, *Hereticus*, 1/2007, 12; Ivan T. Berend, *Evropa posle 1980.*, (Beograd: Arhipelag–Službeni glasnik, 2012), 129.

101 Catherine Baker, *The Yugoslav Wars of the 1990s*, (London: Palgrave Macmillan, 2015), 64; Ričard Holbruk, „Prolog“, u: *Put u Dejton: Od Sarajeva do Dejtona i posle*, (Beograd: Dan Graf, 1998); I. Kershaw, *Do nade i natrag: Europa 1950.–2017.*, 436.

102 Vladimir Petrović, „Etnicizacija čišćenja u reči i nedelu. Represija i njena naučna legitimizacija“, *Hereticus*, 1/2007, 12; Ivan T. Berend, *Evropa posle 1980.*, (Belgrade: Arhipelag–Official Gazette 2012), 129.

103 J. Smolowe, “The Land Of Slaughter”, *Time*, June 8, 1992, 32; J. L. Graff, “Slobodan Milosevic: The Butcher of the Balkans”, *Time*, June 8, 1992, 37–38; G. J. Church, “A Chronic Case Of Impotence”, *Time*, June 8, 1992, 39.

the United States recognized the independence of Bosnia and Herzegovina.

And while these terms truthfully described the horrors to which the Muslim population was exposed, the magazine went a step further by comparing them to “Jews in Nazi-occupied Europe”<sup>104</sup> at the time of “Hitler’s zenith”<sup>105</sup>. This comparison is particularly visible in the photographs, so Bosniaks were depicted as starving (without shirts, tucked in stomachs, accentuated ribs), with haircuts and/or behind barbed wire in the camps.<sup>106</sup> An ITN video that showed extremely thin prisoners of war in the Serbian camps in Omarska and Trnopolje near Prijedor, attracted particular public attention,<sup>107</sup> and then on 17 August 1992, one frame from the video put on its front page,<sup>108</sup> causing international disgust and outrage. Captioning the photo of a starved Fikret Alić “Must It Go On?”, the magazine drew a clear parallel with the Holocaust, warning readers that a repeat of this crime was happening in the Balkans. However, even though the American government was already familiar with the way the prisoners were treated, and the Bush administration saw intervention as “undesirable”,<sup>109</sup> this was a turning point in the way of reporting, because all previous videos and photos had showed prisoners doing their daily work, only behind barbed wire, which could not “convince Americans that strong action was needed”.<sup>110</sup>

However, despite shocking photos of the bodies of starved and murdered people on the streets and in morgues, the magazine devoted space to

104 Lara Marlowe, “Cleansed Wound”, *Time*, September 14, 1992, 45.

105 J.F.O. McAllister, “Atrocity and Outrage”, *Time*, August 17, 1992, 21.

106 See: “Must It Go On?”, *Time*, August 17, 1992, Cover; J.F.O. McAllister, “Atrocity and Outrage,” *Time*, August 17, 1992, 20–22; Bruce W. Nelan, “Rumor & Reality,” *Time*, 24 August 1992, 47; James O. Jackson/from the Hague, “No Rush to Judgment”, *Time*, 27 June 1994, 48–49.

107 International Criminal Tribunal for the former Yugoslavia (ICTY), ”ITN, Penny Marshall and The Observer, Ed Vulliamy in Omarska and Trnopolje“, <https://www.youtube.com/watch?v=w6-ZDvwPxx8> (11. novembar 2024).

108 “Must It Go On?”, *Time*, August 17, 1992, Cover.

109 T. Gallagher, *The Balkans After The Cold War: From Tyranny to Tragedy*, 86

110 Sherry Ricchiardi, “Confused Images: How the Media Fueled the Balkans War”, *The Journal of the International Institute*, 3, 2 (Winter 1996), <https://quod.lib.umich.edu/j/jii/4750978.0003.215?view=text;rgn=-main> (2. novembar 2024).

the stories of ordinary people, focusing on their aversion to the war, and it was stressed that none of them had the desire to kill people with whom they for centuries had lived in harmony.<sup>111</sup> The “fierce ambitions” of Milošević and Tuđman were once again identified as responsible for the war. Strongly condemning the efforts of the “no less brutal dictator or ardent nationalist” Franjo Tuđman to carve up Bosnia together with the Serbian president,<sup>112</sup> *Time* nevertheless made it clear to its readers that the “bandit” and “butcher of the Balkans” Milošević was “by far the most destructive”<sup>113</sup> due to his determination to create a Greater Serbia<sup>114</sup> in which “Croats, Albanians, Hungarians, Macedonians and Slovenian Muslims would be second-class citizens” subject to “ethnic cleansing”.<sup>115</sup> Regardless of the fact that they dramatically presented and described the crimes, journalists attributed responsibility primarily to political leaders, and not to the people who carried them out.

Since photographs of children could most easily elicit an emotional charge, they were abundantly used to evoke the horrors of the war in Bosnia.<sup>116</sup> As Susan Sontag pointed out, photographs have always been a kind of evidence of what we have heard or read, of what we suspected.<sup>117</sup> Photographs like the one showing a four-year-old boy in a Sarajevo morgue with the sun’s rays falling on a pool of blood next to him, which *Time* published in a large format as

111 J. Smolowe, “Land of Slaughter”, *Time*, June 8, 1992, 32–34.

112 *Ibid*, 34.

113 J. L. Graff, “Slobodan Milosevic: The Butcher of the Balkans”, *Time*, June 8, 1992, 37.

114 Some examples: “Eastern Europe: Populism on the March”, *Time*, December 24, 1990, 44; J. Birnbaum, “Breaking Up Is Hard”, *Time*, February 25, 1991, 56–57; J. Smolowe, “A Case For Confederation”, *Time*, August 12, 1991, 39; J. L. Graff, “Serbia’s Land Grab in Yugoslavia”, *Time*, September 16, 1991, 40–41; J. Walsh, James, “The Flash Of War”, *Time*, September 30, 1991, 38–39, 42; George J. Church, “Aggression 1, International Law 0”, *Time*, July 27, 1992, 47; McAllister, J.F.O. “Ever Greater Serbia”, *Time*, September 28, 1992, 55–56; Bruce W. Nelan, “Serbia’s Spite”, January 25, 1993, 48–49; Lance Morrow, “A Moral Mystery: Serbian Self-Pity”, *Time*, April 12, 1993, 84.

115 S. Talbott, “Why Bosnia Is Not Vietnam?”, *Time*, August 24, 1992, 49.

116 See examples: Michael Montgomery/Tuzla, “Flight of Terror”, *Time*, April 12, 1993, 38–39; “No Target Too Young”, *Time*, April 26, 1992, 10; “Another Cease-Fire In Bosnia — Too Late?”, *Time*, July 27, 1992, 18; Edward Barns/Sarajevo, “A City Without Hope”, *Time*, July 27, 1992, 44–47; “Under Siege”, *Time*, September 13, 1993, 52; Bruce W. Nelan, “War on All Fronts”, *Time*, August 7, 1995, 38.

117 Susan Sontag, “On Photography”, in: *Communication in History: Technology, Culture, and Society*, 4th edition, eds. David Crowley and Paul Heyer, (Boston: Allyn & Bacon, 2002), 175.

one of the photographs of 1992<sup>118</sup>, and the one from 1994 showing the helpless body of a boy lying murdered in his own blood<sup>119</sup>, month after month suggested the end of hope for the Muslim population in Bosnia.

Similarly, scenes from the “city without hope”, Sarajevo, which was under siege for almost 4 years and in which as many as 14,000 people lost their lives<sup>120</sup>, received attention on the pages of *Time* in periods of increased pressure on the city. However, even in those moments they were only used as proof of the inability of the international community to stop the violence. As the lethargic response of the United States since the beginning of the war in Bosnia came to be questioned more and more openly, journalists were increasingly pointing out that collective security does not exist without the US Air Force.<sup>121</sup> But as guerrilla forces and inaccessible terrain were presented as the main reasons for delaying intervention, the metaphor for the war in Bosnia became the war in Vietnam.<sup>122</sup> *Time*, which increasingly used its pages to call for more zealous engagement, published an essay in August by correspondent Strobe Talbott, the future Deputy Secretary of State in the Clinton administration, entitled “Why Bosnia is not Vietnam?”. Dissecting this narrative, Talbott harshly criticized American foreign policy, and called on Washington to lead a military mission that would help it finally get rid of the “Vietnam syndrome”.<sup>123</sup> Practically from the very beginning of this war, the magazine had connected the violence in Bosnia with the indecisiveness of the international community, criticizing the American reluctance to lead it and solve the humanitarian crisis in the Balkans.

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118 Christopher Morris – *Black Star*, “Images ’92: Unforgettable pictures of the year”, *Time*, December 28, 1992, 54–55.

119 Zlatko Dizdarević, “A Letter From Sarajevo: One Thousand Days of Solitude”, *Time*, December 12, 1994, 33.

120 I. Kershaw, *Do nade i natrag: Europa 1950.–2017.*, 445.

121 Charles Krauthammer, “Sarajevo Burns. Will We Learn?”, *Time*, June 15, 1992, 78; “Trying To Lift the Siege of Sarajevo”, *Time*, June 22, 1992, 25–26.

122 T. Gallagher, *The Balkans After The Cold War: From Tyranny to Tragedy*, 101.

123 S. Talbott, “Why Bosnia Is Not Vietnam?”, *Time*, August 24, 1992, 49.

However, when in February 1994 a bomb in the Markale market in Sarajevo killed as many as 68 people, seriously raising the issue of NATO intervention for the first time, *Time*, not wanting to blame any of the parties for it, left open the possibility that the massacre was just a “grotesque war mistake”<sup>124</sup>, trying to maintain neutrality in its reporting in periods without verified information. Despite this, *Time* occasionally made unverified statements that further emphasized the cruelty of the Serbian side in the war,<sup>125</sup>

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124 Philip Elmer-Dewitt, “Massacre in the Market”, *Time*, February 14, 1994, 46.

125 Some of such unverified accounts include: “Serbian militiamen herded 57 Muslim men, women and children into a basement and threw in hand grenades, then joked that the screams of the dying sounded ‘just like [prayer] in a mosque.’” Or “More than a thousand Muslim and Croatian civilians were kept by the Serbs in metal cages stacked four meters high, without food or water.” Or that a Serbian group “hanged prisoners by the legs and then gouged out their eyes with special hooks.” (J.F.C. McAllister, “Atrocity and Outrage,” *Time*, 17 August 1992, 23.)

often dehumanizing its units and blaming šljivovica (plum brandy) in combination with the so-called “blood” dimension<sup>126</sup>. Such examples illustrated the difficulty of war reporting, which in periods of strong emotional tension could lead journalists to fall into the trap of reinforcing one-sided narratives with their reporting due to insufficient information and ubiquitous propaganda, creating a simplified picture of the conflict.

The genocide in Srebrenica, in which the Republika Srpska Army under the command of Ratko Mladić killed more than 8,000 Bosniak men and boys in the first days of July 1995,<sup>127</sup> marked the peak of the policy of ethnic cleansing. The first news about this crime was published by *Time* on 24 July<sup>128</sup> telling of the fall of this safe zone, and only hinting at the possibility of mass executions, and a similar tone was maintained in an article published a week later.<sup>129</sup> Nevertheless, besides shocking images, the articles about this crime were again dominated by discussions about the “inability of the West” to limit “Serbian brutality”<sup>130</sup>, often drawing attention to the question of the responsibility of the international community. The magazine used sentences like “Serbian war machinery rolled on inexorably”<sup>131</sup> to warn of the possibility of continuing crimes in Žepa, Goražde and Sarajevo, thereby calling on NATO forces to react.

At the same time, the political and military leadership of the Bosnian Serbs led by Radovan Karadžić and Ratko Mladić was recognized as the main culprit of this crime, while Slobodan Milošević was once again described as a key figure without whom this action could not have been successfully carried out.<sup>132</sup> The fact that *Time* published an exclusive interview with Milošević in mid-July,<sup>133</sup>

126 Lance Morrow, “A Moral Mystery: Serbian Self-Pity”, *Time*, April 12, 1993, 84.

127 C. Baker, *The Yugoslav Wars of the 1990s*, 2015, 57.

128 Bruce W. Nelan, “Tears and Terror”, *Time*, July 24, 1995, 40–47.

129 Bruce W. Nelan, “Bombs and Blusters”, *Time*, July 31, 1995, 42–43.

130 B. W. Nelan, “Tears and Terror”, *Time*, July 24, 1995, 42.

131 *Ibid*, 47.

132 *Ibid*, 46.

133 James R. Gaines, Marguerite Michaels, Massimo Calabresi and Karsten Prager, “I Am Just an Ordinary Man”, *Time*, July 17, 1995, 28–29.

the first he gave to any Anglo-American media in almost two years,<sup>134</sup> did not shake what had until then been a consistent portrayal of the Serbian president as the main architect of the wars in the former Yugoslavia. By highlighting his role, *Time* reinforced the narrative of hierarchically planned ethnic cleansing, linking local crimes to wider Serbian expansionist policies.

Given that the operation Storm followed barely a month after the genocide in Srebrenica, Serbs in Croatia were prevented from being presented as victims on the pages of this weekly. The magazine characterized this operation by the Croatian army as a response to the Serbian attacks on Bihać,<sup>135</sup> justifying the action as having been forced, but at the same time recognizing the emigration of 150,000 Serbs as “ethnic cleansing”.<sup>136</sup> The complexity of the war was also expressed through a series of six black-and-white photographs entitled “Same country, same fate”, with which *Time*, finding almost mirrored scenes on both sides, pointed out the same fate of Muslims and Serbs in Croatia,<sup>137</sup> additionally complicating the humanitarian dimension of the wars in Yugoslavia.

### The end of the conflict between peoples “divided by hatred”<sup>138</sup>

The oft-repeated need to curb all further Serbian activity found mass support after Bosnian Serb forces shelled Sarajevo’s Markale market for the second time<sup>139</sup> on 28 August 1995, killing 43 people. *Time* certainly drew readers’ attention with a bold headline “Bringing the Serbs to Heel” its front page of 11 September 1995<sup>140</sup> and the shocking scenes from Sarajevo,<sup>141</sup> emphasizing the need for violent subjugation of the Serbs, indirectly comparing them to disobe-

134 “To Our Readers”, *Time*, July 17, 1995, 11.

135 B. W. Nelan, “War on All Fronts”, *Time*, August 7, 1995, 36.

136 Kevin Fedarko, “New Victims, New Victors”, *Time*, August 21, 1995, 48–50.

137 James Walsh, “Same Land, Same Fate”, *Time*, August 28, 1995, 40–45.

138 G. J. Church, “Divided by Hate”, *Time*, December 18, 1995, 52–54.

139 R. Holbrook, *The road to Dayton: From Sarajevo to Dayton and after*, 95; T. Gallagher, *The Balkans After The Cold War: From Tyranny to Tragedy*, 150.

140 “Bringing the Serbs to Heel”, photograph by Oleg Stjepanovic, *Time*, 11 September 1995, Cover.

141 Kevin Fedarko, “Louder Than Words”, *Time*, 11 September 1995, 50–51.

dient animals. This kind of rhetoric was in line with the largest military intervention by NATO forces up to that time<sup>142</sup> and reflected the support that the magazine had provided practically since the summer of 1992 for a more active participation of the United States in solving the crisis in Bosnia.

In doing so, it closely followed and consistently conveyed the entire process of “shuttle diplomacy” led by the chief American negotiator, Assistant Secretary of State for European and Canadian Affairs Richard Holbrooke, thanks to whom, after a twenty-day peace conference at the Air Force Base in Dayton (Ohio), the war was finally ended.<sup>143</sup> At the same time, the magazine, which from the beginning had advocated for Washington to take the leading role, from mid-November increasingly raised the question of the “value” of sacrificing American lives when the United States was not directly endangered<sup>144</sup> and when the peoples that the American soldiers saved did not want peace.<sup>145</sup> Reporting the results of a survey conducted in early December 1995 on a sample of 1,000 people for the needs of Time/CNN, the magazine seemed to share the views of 55% of respondents who thought that sending 20,000 American troops to Bosnia was a mistake.<sup>146</sup>

The Time narrative increasingly reflected public skepticism about the cost of US military involvement in the ethnically fractured region following the peace accord reached on 21 November and confirmed on 14 December. By questioning the role of the United States and its military forces in the post-Cold War world, the magazine, for the umpteenth time, directly reflected the opinion of the majority of Americans, restarting the isolationism or interventionism debate, present in American political discourse since the Spanish-Ameri-

142 R. Holbrook, *The road to Dayton: From Sarajevo to Dayton and after*, 106; K. Fedarko, “Louder Than Words”, *Time*, 11 September 1995, 52.

143 More about the course of the peace conference in Dayton in: R. Holbrook, *The Road to Dayton: from Sarajevo to Dayton and beyond*, 241–324.

144 J.F.O. McAllister, “Beacon of Hope”, *Time*, November 27, 1995, 49.

145 G. J. Church, “Divided by Hate”, *Time*, December 18, 1995, 53.

146 *Ibid*, 54.

can War of 1898.

## Conclusion

New York Time magazine's coverage of the wars in Yugoslavia (1991–1995) is an intricate blend of historical clichés, typical journalistic reporting, and geopolitical narratives. Relying on old stereotypes about the Balkans as a region of endemic conflict, Time took on almost unmodified all the existing narratives that gave this area the epithet “powder keg”, thereby relativizing the reasons for the breakup of Yugoslavia and oversimplifying the complex causes of wars.

Historical analogies, and especially the constant association of the conflict with the Second World War, were used primarily as a means of contextualizing the current conflict for American readers, just distorting its causes. It was similar when assigning blame. Although Croatian President Franjo Tuđman and Bosnian President Alija Izetbegović were not spared criticism, the magazine consistently portrayed Serbian aggression as the main driver of violence, which was emphasized by the magazine's focus primarily on crimes committed by Serb forces.<sup>147</sup>

The magazine also relied on dramatic photographs of civilians and destroyed towns in its reporting, which it often used to highlight the need for American intervention, often presenting the humanitarian crisis in Bosnia as a test of American leadership in the post-Soviet era. In doing so, it also criticized the indecisiveness and inability of the European Community to solve the

<sup>147</sup> Despite the fact that one of the first indictments of the ICTY referred to the suffering of Serb victims by Bosniaks and Bosnian Croats in the Čelebići camp in 1992, Time did not mention this crime until June 1994. Even then, readers learn about the existence of the camp indirectly, through the two sentences of a former detainee's testimony, and not from the author of the article himself. This testimony, however, is overshadowed by numerous other reports, as the article is full of short testimonies from Muslim, Croat, and Serb victims. Similarly, the crime of the Croatian forces (HVO) against the Muslim population in the village of Ahmići in April 1993 went unnoticed in the magazine, and like the crime in Čelebići, it was mentioned only through the brief testimony of two women who survived this crime, Christian Axboe Nielsen, *Nismo mogli vjerovati... Raspad Jugoslavije 1991.–1999.*, (Zagreb: Srednja Europa, 2021); J. O. Jackson/from the Hague, “No Rush to Judgment”, Time, June 27, 1994, 51.; G. H. Church, “Divided By Hate”, Time, December 18, 1995, 53.

problem in “its own backyard”, thereby conveying the widespread sentiment about the “never worse”<sup>148</sup> relations between the United States and its European NATO allies.

Portraying Serbs as unmitigated “bad guys” contributed to the justification of military intervention, while empathy towards Muslim civilians was aimed at legitimizing Western support for this side in the war. Nevertheless, the analysis shows that *Time* was often “trapped” in narratives that simplified the complex causes and dynamics of the conflict. Treating entire ethnic groups as homogenous entities contributed to the reproduction in the West of narratives that have been present for decades and reduced the understanding of local differences and internal conflicts within the communities themselves. This type of reporting not only shaped the international understanding of the Yugoslav conflicts, but also had a direct impact on political decisions, including the intervention of NATO forces in the second half of 1995.

The conflicts in Yugoslavia also served as a lesson for the American people. The identity of Yugoslavia as an “artificial construct” plagued by ethnic divisions was contrasted with the identity of the United States, a “natural” union formed by voluntary participation, thus presenting the moral superiority of the American nation-building model, which implies unity and common values in contrast to persistent ethnic or regional tensions. At the same time, Yugoslavia’s “unrestricted ‘multiculturalism’” implied that an excessive focus on ethnic or cultural diversity without fostering a shared national identity could lead to social fragmentation. Referring to the violence in Yugoslavia, *Time*, in a time of social turmoil in the USA<sup>149</sup>, *Time* warned of potential risks if a balance of

148 R. Holbrook, *The Road to Dayton: From Sarajevo to Dayton and Beyond*, 373.

149 Although the 1990s are often seen as a decade of stability, issues of recession, racial unrest (the Rodney King beating and the Los Angeles protests), the AIDS crisis, immigration, and the fact that Washington was searching for its post-Cold War role shook the United States and influenced public opinion and the media. For more on these issues see: Lou Cannon, *Official Negligence: How Rodney King and the Riots Changed Los Angeles and the LAPD*, (New York: Times Books, 1997); Peter Brimerlow, *Alien Nation: Common Sense About America’s Immigration Disaster*, (Washington: VDare, 1995); Lily Geismer, *Left Behind: The Democrat’s Failed Attempt to Solve Inequality*, (New York: Public Affairs, 2022).

diversity and unity is not found.

Finally, this paper not only illuminates the way in which the media shaped the global perception of the wars in Yugoslavia, but also underlines the importance of a critical reading of media narratives, especially in the context of conflicts and crises. Analysis of Time magazine's reporting reveals how media interpretations were often the product not only of information from the field, but also of international political interests and cultural stereotypes. In parallel, this paper raises the question of the importance of critical (re)examination of media representations of contemporary events, especially since the media play a significant role both in shaping perceptions and in shaping political responses.

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MA Sanja Lukić

Faculty of Philosophy, Belgrade University

[sanjalukic98@gmail.com](mailto:sanjalukic98@gmail.com)

## TIME MAGAZINE'S COVERAGE OF THE WARS IN YUGOSLAVIA (1991–1995)

**Summary:** *Time* magazine's coverage of the Wars in Yugoslavia (1991–1995) presents an intricate blend of historical tropes, typical journalistic reporting, and geopolitical narratives. Relying on old stereotypes about the Balkans as a region of endemic conflict, the magazine adopted all already existing narratives that gave this region the infamous epithet of the “powder keg”, thereby relativizing the reasons for the breakup of Yugoslavia and oversimplifying the complex causes of wars in the nineties. This framing shaped global perceptions and supported NATO's 1995 intervention, though it often overlooked the war's complexity, reinforcing stereotypes and diminishing nuanced understanding. This research underscores the need for critical engagement with media narratives, highlighting how geopolitical interests and cultural biases influenced coverage. Ultimately, this study highlights the power of media in shaping international understanding of conflicts, stressing the need for critical engagement with media narratives. The analysis reveals how *Time's* reporting was shaped by both on-the-ground events and geopolitical considerations, illustrating the media's dual role as informers and influencers of global policy.

**Keywords:** *Time*, Yugoslavia, the USA, Serbs, Croats, Bosniaks, Yugoslav Wars, Imagology, the media, the nineties

Žika Petaković, doctoral student

Faculty of Philosophy, University of Belgrade

## NARRATIVE ANALYSIS OF REPORTING ON THE SIEGE OF VUKOVAR IN THE DAILY NEWSPAPER POLITIKA

**Summary:** During the second half of the 20th century in the science of literature, under the influence of structural linguistics, formalistic approaches to narrative texts flourished. One of the directions that arose under the influence of structuralism is narratology, which was established as a tendency that strives for immanent criticism of narrative texts, rejecting everything that is outside the text itself. Supporters of this tendency in literary science have developed a theoretical apparatus that can be applied to any type of narrative text, with the aim of its detailed formal analysis. The paper applies the elements of narratology to the war coverage of the daily *Politika* on the siege of Vukovar from August to November 1991.

**Keywords:** focalization, narratology, war in Croatia, politics, Vukovar.

### Introduction

This paper analyzes the war coverage of the daily newspaper *Politika* during the siege of the town of Vukovar in the period from 25 August to 17 November 1991.<sup>150</sup> Only texts written by *Politika* reporters are taken as the subject of analysis, while texts that the daily newspaper took from other sources (for example, from the Tanjug agency) are omitted.<sup>151</sup> In this period, *Politika* report-

150 Vukovar is a town in Croatia, the capital of Vukovar-Srem County. It is a city of mixed ethnic composition on whose territory one of the first major armed conflicts took place during the wars in Yugoslavia. The fighting in Vukovar began on 25 August 1991, and ended on 17 November of the same year. See more about this in: Lora Silber and Alan Little, *Smrt Jugoslavije*, (Belgrade: Radio B92, 1996), 149-153).

151 The analysis of reports from other sources would go beyond the scope of this analysis because it would involve the processing of intertextual and paratextual relationships, which would also require a narratological analysis of the source material.

ers published 91 texts dealing with the topic.<sup>1</sup>

The focus will be on the analysis of the narratological aspects of these texts in order to determine the way in which these events are presented by applying the theoretical apparatus. This type of analysis does not aim to determine the “objective reality”<sup>2</sup> that is reported in the given texts, nor does it seek to determine what is said in the text through content analysis.<sup>3</sup>

Rather, it tends to identify the formal features of the text by which given narratives of events are constructed. In this way, the “narrative techniques” hidden behind the content of the text come to the fore, with the help of which the recipient’s perception of the presented content is shaped, in the case of this analysis - the siege of Vukovar.<sup>4</sup>

The aim of the paper is therefore to reveal the potential ideological aspects hidden behind the seemingly simple, impartial and objective reporting on the events during the siege of Vukovar through the explanation of formal elements. In this regard, certain aspects of narratological analysis (narrative position and focalization) have an advantage over some other aspects (temporality), but in both cases different opportunities are provided for discovering the ideological position behind narrative texts, than would be the case in content analysis.<sup>5</sup>

1 The analysis includes issues of *Politika* published from 26 August 1991 to 18 November 1991, covering the period from the official start to the official end of the siege.

2 The narratological method arose partly as a reaction to extratextual approaches to narrative texts, rejecting the traditional mimetic interpretation of such works. The mimetic tradition assumes that the text necessarily refers to a certain reality, and either takes that reality as the key to interpreting the text or tries to “reconstruct” reality using the text. In question is the tradition of textual criticism that traces its origins back to Plato, see: Gerard Genette, *Narrative Discourse: An Essay in Method*, (Ithaca/New York: Cornell University Press, 1980), 162-164; Jean-Marie Schaeffer, “Fictional vs. Factual Narration”, *Handbook of Narratology*, eds Peter Hühn et al., (Berlin/New York: Walter de Gruyter, 2014), 98-114.

3 Content analysis in its most basic form involves breaking down the text into basic units of meaning (words), the meaning of which is taken as fixed, in order to then determine the values that the text carries based on a review of those basic units, Susan McKay, “Media and Language: Overview”, in: *Encyclopedia of Language & Linguistics*, Volume 7, ed. Keith Brown, (Amsterdam: Elsevier, 2006), 597-601.

4 Narrative techniques are understood to mean all the means used by the author when constructing a narrative text. These can be different types of narrators, stylistic figures, techniques that play with time (flash-back or flashforward), rhetorical devices such as ellipsis or allusion, allegory, syllogism, enthymeme, etc.

5 This does not mean that content analysis is considered an inferior method, but indicates that there are different approaches to the same subject that are able to provide similar or different interpretations.

The analysis will show that the selection of the narrator's position in the texts about the siege of Vukovar leads to the texts being presented as objective and value-neutral, most often choosing the position of an external narrator who creates the illusion of impartiality.<sup>6</sup> Only in rare cases does the narrator act as an active participant in the events he narrates, which will be explained in more detail in the chapter on narrator's positions. The objectivist heterodiegetic narrator is gradually abandoned as the siege progresses, to eventually become the dominant form of narrative position.

When we turn to the analysis of focalization, it is revealed that the focalizations used in the analyzed texts are much more complex than one might expect at first glance. In the chapter dedicated to focalization, it is noted that in addition to zero focalization, there are often external focalizations in which the narrator describes the actions of certain characters, "his heroes", from an external perspective, while the rarest type of focalization that occurs is internal focalization in which the narrator shows the world to the reader entirely from the point of view of the "heroes" of the narrative. As the bearers of these focalizations, the reporters themselves or the witnesses on the basis of whose statements the reporter constructs the narrative, appear most often. In the case of zero focalization, the omniscient narrator is generally identified with the reporter as the main focalizer.

When attention is paid from whose viewpoint the reports are focalized, the focalization through the reporter is strikingly dominant. This is followed by focalization through witnesses, direct participants in the event, where in some cases we have examples of direct speech, while in most situations we have their testimonies recounted. The ratio between the three types of focalization will be seen to change over the duration of the siege, with the use of zero focalization gradually decreasing as the end of the siege approached.

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6 The terms narrative position, focalization and focalizer used here will be explained in the chapter on method.

## Method

The narratological method used in this work is based on the theories of Gérard Genette<sup>7</sup>, who is considered one of the founders of classical narratology as a direction within literary studies.<sup>8</sup> His theory has its roots in the French interpretation of structuralism and the teachings of the Russian school of formalists from the beginning of the 20th century.<sup>9</sup> Genette takes much of the terminology from the rhetorical tradition of Western Europe, which was neglected by literary science in the 20th century.

Following the work of authors like Tsvetan Todorov and Roland Barthes, Genette tried to establish an approach to the study of narrative texts that would be independent of external factors, i.e. based on the immanent features of the texts studied.<sup>10</sup> Taking narrative texts as the subject, texts in which a certain event is narrated in a certain way, Genette established a theoretical framework that would allow the narrative text to be broken down into its component parts to determine how and in what way the narrative is established.

Genette's method was further taken over and improved by the Dutch literary theorist Mieke Bal<sup>11</sup>, whose book "Narratology" became a kind of introduction to the narratological method.<sup>12</sup> Mieke Bal continued with Genette's accentuation of the formal elements of narrative texts, but additionally elaborated the parts concerning the narrative position, focalization, time, space and ac-

7 Gérard Genette (1930-2018) was a French literary theorist and professor of French literature at the Sorbonne. Later one of the research managers at EHESS.

8 Jan Christoph Meister, "Narratology", in: *Handbook of Naratology*, eds. Peter Hühn et al., (Berlin-New York: Walter de Gruyter, 2014), 329-351.

9 *Ibid*, 329-351

10 G. Genette, *Narrative Discourse: An Essay in Method*, 8

11 Mieke Bal (1946 - ) is a Dutch cultural theorist and video artist, professor emeritus at the University of Amsterdam.

12 Mieke Bal, *Naratologija: teorija priče i pripovedanja*, (Beograd: Narodna knjiga - Alfa, 2000), 7

tors, supplementing Genette's theory.<sup>13</sup>

*Narrative position* means the position of the narrator in relation to what is being narrated.<sup>14</sup> The narrator can be internal or external, that is, he can be within the "world" he is narrating, or he can be outside it and narrate from a distance. Furthermore, within the narration itself, different levels can occur, e.g. when the external storyteller leaves the floor to the internal storyteller (one of the actors) who is within the framework of the narrative, and who then continues the story-telling on another level.

Genette distinguishes between two basic types of narrators: homodiegetic and heterodiegetic.<sup>15</sup> A homodiegetic narrator is a type of narrator who is within the text he is narrating, either as an actor or as an observer. A heterodiegetic narrator is a type of narrator who is outside the narrative level of the text and does not directly participate in the events, nor is his position obvious. This type of storyteller is often mistakenly identified with the author of the text, although these two are not necessarily the same.<sup>16</sup>

Furthermore, within the text itself there may be multiple narrative levels. The narrator can be inside the text but narrate events in which he does not participate. In that case, the narrator is extradiegetic, since he remains outside the main narrative plane.<sup>17</sup> In the event that the narrator participates in the events, either talking about himself or others, he then appears as an intradiegetic narrator, that is, as a narrator present within the main narrative plane.<sup>18</sup>

13 J. C. Meister, *Narratology*, 329-351

14 The term narrator's position is used in the paper since Genette and other authors try to determine the distance or position of the narrator in relation to the primary event level of the text (diegetic level). The term narrator's position refers to the heterodiegetic, homodiegetic, extradiegetic and intradiegetic type of narrator, since his position is indicated by those terms. The term narrative position does not originally appear in Genette, but is rather an interpretation of his views.

15 *Prins, Naratološki rečnik*, 69; Genette, *Narrative Discourse: An Essay in Method*, 245

16 Regarding the possibility of a completely heterodiegetic narrator, there are disagreements between Mieke Bal and Genette. Bal disputes the possibility of the existence of a narrator who is outside the text. Each narrator is necessarily inside the text and it can be distinguished whether the narrator is a participant in the events or outside them.

17 *Prins, Naratološki rečnik*, 46; Genette, *Narrative Discourse: An Essay in Method*, 228

18 *Prins, Naratološki rečnik*, 77; Genette, *Narrative Discourse: An Essay in Method*, 230

Mieke Bal, continuing Genette's work, resorts to the use of different terms: the external narrator, who plays no role in the plot, and the narrator attached to a character, who is a direct participant in or observer of the event.<sup>19</sup> The first type represents the synthesis of Genette's heterodiegetic and extradiegetic narrator, whose narrative position is completely distanced from the event. While the second type combines aspects of the homodiegetic with the extradiegetic or intradiegetic type, depending on whether a given narrator introduces a new diegetic level or the events remain in the same narrative plane.

Focalization means the place from which the story is constructed, that is, the viewpoint from which it is told. A series of events can be described and connected in different ways, depending on the point of view. Mieke Bal compares focalization to a camera that shows the world only through the prism of its own optics.<sup>20</sup> In this way, events acquire the meaning that the focalizer assigns to them. Focalization can be zero (omniscient), external or internal.

Zero focalization signifies what in literary theory is called an omniscient narrator. Such focalization is not limited by time and space, it knows what is happening everywhere at all times within the narrative. Zero focalization can be equated with the narrator's position (whether the narrator is homodiegetic or heterodiegetic), but it can also be equated with one of the actors of the narration.

External focalization is a type of limited focalization in which we are shown only what can be seen from the outside. For example, a description of a particular action and the actions of the actor it concerns. In that case, we only know what the focalizer "sees" and are unable to go beyond those limitations.

The third type is internal focalization in which the view is limited entirely to what the focalizer thinks and feels, that is, the view is limited to his inner life. A strict interpretation of this focalization would limit it entirely to works

19 M. Bal, *Naratologija: teorija priče i pripovedanja*, 23

20 M. Bal, *Naratologija: teorija priče i pripovedanja*, 119

written in the stream-of-consciousness style. However, there is no complete agreement among the authors, and even Genette himself is not sure of the possibility of a completely pure internal focalization. If, for example, the focalizer expressed his thoughts, feelings, or inner life in the form of direct speech, it could be considered that at that moment we have a certain internal focalization, since we know what is happening inside the focalizer.<sup>21</sup>

Focalization is in fact a key point for discovering the ideological position of the text, since it is precisely through it that the events narrated are given meaning. Both authors noted that the theory they developed need not be fully present in all narrative texts. Namely, not every text has to contain all the elements mentioned within the narratological theory, and few texts actually contain them. There are also many types of text that do not contain elements that would be the subject of narratological analysis (poetry, instructions, etc.) or that contain only a few elements, insufficient to carry out the analysis.

Since this paper deals with journalistic texts, one may ask how suitable these texts are for narratological analysis. Mieke Bal points out that journalistic texts, as long as they narrate a specific event, can and should be the subject of narratological analysis. Moreover, she is of the opinion that narratological analysis is more suitable than content analysis for determining the ideological position of journalistic texts.<sup>22</sup> Since the secondary goal of this analysis is to determine the ideological position of war reporting on the Politics of the Siege of Vukovar through narratological analysis, it follows the views of Mieke Bal and focuses primarily on the relationship between narrative levels and focalization in the analyzed texts. This choice of narrative position, focalizer and type of

21 Gerard Genette, „Tipovi fokalizacije i njihova postojanost”, *Suvremena teorija pripovijedanja*, priredio Vladimir Biti,

(Zagreb: Globus, 1992), 96-116; Burkhard Niederhoff, “Focalization”, in: *Handbook of Narratology*, eds. Peter Hühn et al., (Berlin/New York: Walter de Gruyter, 2014), 115-123; Prins, *Naratološki rečnik*, 54-55

22 M. Bal, *Naratologija: teorija priče i pripovedanja*, 118-119

focalization shows a great deal about the intentions of the narrative texts discussed in the paper.

### The subject of the analysis

This paper analyzes the texts published in the daily newspaper *Politika* in the period from 25 August to 17 November 1991, which report on war events during the siege of Vukovar. There were 91 texts published during the four months or 87 days that the siege of the town of Vukovar lasted. The listed texts include reports related to armed conflicts. In *Politika*, you can also find texts in which Vukovar is mentioned, but which are not relevant to the subject of this analysis. These are texts dealing with historical issues or texts in which Vukovar is only mentioned once, without any additional information.

The coverage of the siege of Vukovar was most intense in the first days of the conflict, and then became less frequent and uneven, gaining a greater intensity again only in November 1991, near the end of the military operations. There were periods when there were no reports from Vukovar. In September, there were ten such days, while on 7 and 24 September 1991, only short reports from Tanjug were published. In October, there was no news from Vukovar for six days, while on 17 October 1991, the only report was received from Tanjug. In November, there was no news only on 11 November 1991, while on 9 and 10 November 1991 only reports from Tanjug were published.

Most of the articles published in *Politika* are written by a group of reporters. In the first days, the texts of Slavoljub Živković and Dragorad Dragičević dominate. Živković reports from the first days of the siege and his texts have a certain narrative continuity that can be analyzed. Dragorad Dragičević's texts are initially much rarer than Živković's texts and are usually shorter reports, but during September and especially October they become more frequent and narratively complex. At the end of October, texts by A. Knežević appear for the

first time, becoming the most frequent in that period, to be replaced in November by texts by P. Kočić and R. Subotić. In terms of narrative complexity, Knežević's texts are similar to Dragorad Dragičević's texts, while Kočić's and Subotić's texts are usually characterized by a simple structure and a more objective approach, although they also abandoned such an approach in favour of more subjective reporting as the siege progressed.

### Narrative positions

Concerning the narrative position, there are differences between the views of Genette and Mieka Bal. While Genette allows the possibility of the existence of a narrator who is outside the text itself, a narrator of complete zero focalization, Mieka Bal believes that such a position is actually impossible. She believes that every narrator is necessarily always within the framework of the text, s/he does not have to be a participant in an event, but s/he is the primary focalizer that forms the basic narrative level of the text. In this respect, Mieka Bal's point of view is more complete than Genette's since it can also explain what escapes from the conceptual framework of Genette's theory, while on the other hand staying at the same ontological level of the text (Genette's narrative position of a heterodiegetic narrator of zero focalization can be interpreted as an extratextual instance).<sup>23</sup>

In terms of narrative position, most of the processed texts belong to one type of narrative – the narrative with an external heterodiegetic narrative position, that is, with a narrator who is not a direct participant in the event. During August 1991, only one text is an exception to this, and that is a text by Slavoljub Živković published on 26 August 1991 under the title "At the village of Borovo, fighting with short interruptions: two dead, six injured", in which

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23 In order to avoid the use of too many terms with the same or similar meaning, Genette's terminology will be used in the rest of the text, but in the case of the heterodiegetic narrator, it will be interpreted in accordance with the criticisms of Mieka Bal, which were mentioned above under method.

the narrator's position is placed within the events themselves.<sup>24</sup> This is noted in the following passage: "While we are reporting this (around 8 pm) from the direction of Vukovar and the Borovo settlement, shooting continues towards Borovo Selo, to which the defenders respond, also with fierce fire." The narrator is obviously somewhere in the immediate vicinity of the events, which are taking place right at the moment of reporting. Although he is not a direct actor in the events (does not participate in fights, does not shoot, etc.), he is present in the same level of narration in which the events take place. The descriptions of shooting and "fierce fire" indicate that at a given moment the narrator's position is also the point of focalization through which the events are presented.

In September 1991, almost all reporting was done by a narrator who does not take part in the events, although in most texts he is in the same place or not far from where the events take place. As in August, only in one text do we have a situation where the narrator is directly involved in the events he is narrating. It is about the text "They still do not believe in peace"<sup>25</sup>, in which reporter D. Dragičević directly describes the atmosphere in Vukovar. To a large extent, the text seems to be told from the viewpoint of a heterodiegetic narrator of zero focalization who describes the events and thoughts of different actors, but towards the end of the text we come to a sentence that reveals that it is a homodiegetic narrator: "While we were talking with this member of the Territorial Defence of Slavonia, Baranja and Western Srem, around 4 pm, heavy artillery fire was opened on Borovo Selo from the Borovo settlement." In the given passage, it is clearly concluded that the narrator is part of the same narrative plane in which the events take place, where he directly interviews the participants in the events.

In October 1991, the homodiegetic narrator is used more frequently. This

24 Slavoljub Živković, „Kod Borova Sela borbe uz kraće prekide: Dvoje mrtvih, šestoro povređenih”, *Politika*, 26. avgust 1991, 1.

25 D. Dragičević, „U mir se još ne veruje”, *Politika*, 03. septembar 1991, 8

can be seen in Dragorad Dragičević's texts "JNA holds captured positions"<sup>26</sup>, "Army's fierce response to attacks of the Guards"<sup>27</sup>, "Difficult hours of the truce"<sup>28</sup> and "Guards will soon have to leave"<sup>29</sup>, and in the texts "The city they failed to kill"<sup>30</sup> by Slobodan Kljakić, "Chaos after failed Croatian attack on JNA"<sup>31</sup> by Andrej Gustinčić, "Scattered among the Guards in Vukovar"<sup>32</sup> and "Two months in a basement"<sup>33</sup> by P. Kočić, plus the texts of Aleksandar Knežević: "Convoy with wounded runs into landmine"<sup>34</sup>, "They trust the fighters, but they ask the JNA for help"<sup>35</sup>, "Fighters live and die underground"<sup>36</sup>, "They broke the truce again"<sup>37</sup>, "Fighters shoot from graves"<sup>38</sup>, "March on the Drina echoes in Vukovar"<sup>39</sup> and "Projectile against soldiers"<sup>40</sup>.

In Dragičević's and Knežević's texts, the narrator's position is within the text itself, meaning that the reporter who is equal to the narrator is within the textual discourse, at the same time figuring as a direct participant in the fighting he is reporting, which also functions on an intradiegetic level. We see this most clearly with Dragičević in the following sentences: "Today we saw on the spot how difficult and dangerous the liberation of Vukovar is."<sup>41</sup> or "This afternoon, until we were confined to the barracks, there were no actions to clear Vukovar, because the artillery of the JNA was expected."<sup>42</sup> From both texts we learn that the narrator is present on the same level as the events he narrates.

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- 26 D. Dragičević, „JNA drži osvojene pozicije”, *Politika*, 04. oktobar 1991, 9  
 27 D. Dragičević, „Žestok odgovor Armije na napade gardista”, *Politika*, 05. oktobar 1991, 9  
 28 D. Dragičević, „Teški sati primirja”, *Politika*, 09. oktobar 1991, 10  
 29 Dragorad Dragičević, „Gardisti će uskoro morati da izidu”, *Politika*, 18. oktobar 1991, 9  
 30 Slobodan Kljakić, „Grad koji nisu uspjeli da ubiju”, *Politika*, 06. oktobar 1991, 7  
 31 Andrej Gustinčić, „Haos posle neuspelog napada na JNA”, *Politika*, 15. oktobar 1991, 9  
 32 P. Kočić, „Rasulo među zengama”, *Politika*, 16. oktobar 1991, 10  
 33 Petar Kočić, „Dva meseca u podrumu”, *Politika*, 18. oktobar 1991, 9  
 34 A. Knežević, „Konvoj sa ranjenicima naleteo na nagaznu minu”, *Politika*, 20. oktobar 1991, 11  
 35 A. Knežević, „Veruju bojovnicima, a mole JNA za pomoć”, *Politika*, 21. oktobar 1991, 7  
 36 Aleksandar Knežević, „Bojovnici žive i umiru pod zemljom”, *Politika*, 21. oktobar 1991, 8  
 37 A.K., „Ponovo prekršili primirje”, *Politika*, 21. oktobar 1991, 8  
 38 Aleksandar Knežević, „Bojovnici pucaju i iz grobnica”, *Politika*, 23. oktobar 1991, 10  
 39 Aleksandar Knežević, „Marš na Drinu odjekuje Vukovarom”, *Politika*, 26. oktobar 1991, 11  
 40 A. Knežević, „Projektilom na vojnike”, *Politika*, 30. oktobar 1991, 6  
 41 D. Dragičević, „JNA drži osvojene pozicije”, *Politika*, 4. oktobar 1991, 9  
 42 D. Dragičević, „Žestok odgovor Armije na napade gardista”, *Politika*, 5. oktobar 1991, 9

With Knežević, we can see this in the descriptions of the living room where he sits with “hosts”, while the soldiers come to visit.<sup>43</sup> Or in sentences such as: “It is unusual to see our soldiers at the tables, with lanterns, having lunch, listening to the radio, somewhere even in the garages a barbecue is fired up”<sup>44</sup>; “Houses riddled with large-calibre bullets, there are gaping holes in the walls through which we crawl.”<sup>45</sup> In October 1991, P. Kočić’s text “Two Months in a Basement” emerges as the most complex text in terms of narrative position, in which we have a rare instance of a change of narrative level since the narrator leaves the floor to other actors, in this case the “liberated Vukovar residents” who then narrate their story, creating a whole new narrative level with which they function as a kind of intradiegetic narrator, before the narrative level changes again when the reporter takes over the further narration.

In November 1991, the ratio of texts with homodiegetic and texts with heterodiegetic narrators changes completely in favour of the homodiegetic narrator. Almost all texts written in that period belong to this type. Exceptions are the texts: P. Kočić, “Ammunition warehouse in Nuštra hit”<sup>46</sup> and “Landing from Danube”<sup>47</sup>, T. Vujić “Always the same ones who fight”<sup>48</sup>, R. Subotić and P. Kočić “Hardest for the defenders of Bršadin”<sup>49</sup>, “Ring around Vukovar closed”<sup>50</sup>, “JNA has fascists for opponents”<sup>51</sup> and “Borovo settlement in its surroundings”<sup>52</sup>. Almost all of Dragorad Dragičević’s texts from this period were written from the viewpoint of a homodiegetic narrator, who is a direct participant and witness to the events taking place around him.

43 Aleksandar Knežević, „Marš na Drinu odjekuje Vukovarom”, *Politika*, 26. oktobar 1991, 11

44 Aleksandar Knežević, „Bojovnici pucaju i iz grobnica”, *Politika*, 23. oktobar 1991, 10

45 Aleksandar Knežević, „Bojovnici žive i umiru pod zemljom”, *Politika*, 21. oktobar 1991, 8

46 P. Kočić, „Pogođen magacin municije u Nuštru”, *Politika*, 1. novembar 1991, 9

47 P. Kočić, „Desant sa Dunava”, *Politika*, 4. novembar 1991, 8

48 T. Vujić, „Ratuju uvek isti”, *Politika*, 2. novembar 1991, 10

49 R. Subotić, P. Kočić, „Najteže braniocima Bršadina”, *Politika*, 5. novembar 1991, 9

50 R. Subotić, P. Kočić, „Zatvoren obruč oko Vukovara”, *Politika*, 8. novembar 1991, 9

51 P.K., R.S., „JNA za protivnike ima fašiste”, *Politika*, 8. novembar 1991, 9

52 R. Subotić, P. Kočić, „Borovo naselje u okruženju”, *Politika*, 13. novembar 1991, 8

On the basis of this analysis, it can be noted that the appearance of the homodiegetic narrator became more frequent as the siege of Vukovar progressed. Texts in which the narrator is within the same narrative plane as the events he narrates differ from heterodiegetic texts in terms of narrative dynamics. The descriptions of the events in these texts are charged with the subjective view of the narrator, his immediate observations, an intense description of the event. It can be assumed that the goal of such texts was to make the reports on the situation in Vukovar more dynamic and awaken stronger emotions in the readers. Texts with a heterodiegetic narrator, which dominate the beginning of the reports from Vukovar, seem to create a more objective picture of the event, especially when they appear in combination with zero focalization. The fact that this type of narration gradually begins to lose its primacy to the homodiegetic one shows the rejection of even the appearance of distance and impartiality and that, as the war progressed, the narrators became more and more directly involved in the events they narrate.

### Focalization

As already mentioned in the chapter on method, we distinguish three types of focalization depending on the limitation of the view of the focalizer. These are: zero focalization (omniscient), external (limited only to external descriptions) and internal (providing a view from within the actor).

In accordance with this division, the texts in *Politika* can be divided into: 1) the part dominated by zero focalization, mainly focalized through the character of the reporter who is also the narrator or through different actors; 2) texts with external focalization in which the actions of some actors are described, most often through the viewpoint of other actors; 3) a smaller part consisting

of texts with internal focalization, through the viewpoint of a reporter or other actor in events in which the subjective perspective completely dominates (the focalizer knows what the actors he is talking about do and think).

The first type of focalization dominates in August 1991 in the texts of D. Dragičević "Bloody reckoning of two-day battles in Borovo Selo" published on 28 August 1991 and "Fierce battles in Vukovar" on 29 August 1991, and in the texts: "Fierce battles in Vukovar" by A. Brkić; "Terror in Vukovar also troubles Croats" and "Croatian fighters panic" by Slavoljub Živković, published on 29 August 1991.<sup>53</sup> The use of zero focalization in these texts is combined with an external narrative position. The first-mentioned text is also the simplest example of zero focalization. It begins with a description of the fighting in the area of Borovo Selo and Borovo Naselje, summarizing that "a bakery was hit this morning" and that "on the Croatian side they do not count the dead and do not disclose information about them", then it goes on to list the names of the fallen members of the Territorial Defense of Slavonia, Baranja and western Srem. The narrative position is completely heterodiegetic, that is, the narrator is outside the events and does not participate in them. Focalization is completely non-localized, since it does not take place through an actor and is identified with the perspective of an external narrator. That narrator describes everything that happens on the battlefield and only at one point switches to external focalization, when he talks about the actions of the "Croatian side", limiting his omniscience to describing their refusal to publish information about their dead.

Dragičević's second text, "Fierce fighting in Vukovar" on 29 August 1991, is far more complex in terms of the use of zero focalization. While providing a description of the fighting, he constantly repeats that "precise descriptions of

53 D. Dragičević, „Krvav bilans dvodnevnih borbi u Borovu Selu”, *Politika*, 28. avgust 1991, 8; Dragorad Dragičević, „Žestoke borbe u Vukovaru”, *Politika*, 29. avgust 1991, 10; A. Brkić, „Terror u Vukovaru smeta i Hrvatima”, *Politika*, 29. avgust 1991, 9; Slavoljub Živković, „Hrvatske bojovnike hvata panika”, *Politika*, 29. avgust 1991, 10.

the fighting in the completely blocked and cut off Vukovar cannot yet be given”, and then continues with seemingly precise and complete descriptions of the actions of the Croatian units, the JNA units and the damage the city suffered. At certain moments there is a change of focalizer. First, instead of the reporter, we get the perspective of the “Army”, and then of the “unnamed lieutenant colonel of the JNA”, whose statements are transmitted verbatim as instances of direct speech. But although there is a change in the focalizer, the type of focalization itself remains unchanged. Both the army and the lieutenant colonel speak as omniscient, their perspective is not presented as limited but quite the opposite, serving only to reinforce the zero focalization of the heterodiegetic reporter. Using Genette’s terminology, these situations can be called “pseudo-focalizations”, that is, false changes of viewpoint.

The text “Terror in Vukovar also troubles Croats” is a similar case of false change of focalization. The text begins with complete zero focalization from the point of view of the reporter, who reports on the actions of Franjo Tuđman, and then as proof of his claims, fully conveys the content of the letter signed by Marin Vidić Bili, the commissioner of the Republic of Croatia for the municipality of Vukovar. The letter is quoted in its entirety and in accordance with the peculiarities of the genre of the letter, it is written in the first person. Since there has been a change in the narration from the third to the first person, it can be thought that there has also been a change in the focalizer, that is, that we now have the internal focalization of Marin Vidić Bili. However, the content of the letter is actually told from the point of view of a zero-focalization reporter. This is supported by the continuation of the text, where the reporter’s opinions are inserted and passages of the letter are interpreted, before completely returning to pure zero focalization through the retelling of the contents of the letter.

The text “Croatian fighters panic” is unusual in terms of the relationship

between the narrative position and focalization. Although the reporter is outside the immediate events he is talking about, since he is reporting from afar, he is inside the world he is describing (homodiegetic narrator). Narrating the siege of Vukovar, we first have an instance of external focalization in which the attitude of members of the Serbian resistance movement who are in its immediate environment is described, and then it moves to zero focalization by describing their successes and the situation in Vukovar. With zero focalization, the current situation on the battlefield is presented, where the description of the situation in the city is combined with the actions of Radio Vukovar, offering us an interpretation of their radio programme based on which the description of the situation on the battlefield and the mood of the “demoralized fighters” is supplemented. The text then describes the actions of “Ustasha” units attacking from the direction of Vukovar and Borovo Naselje and which, according to witness statements, laid minefields around the city. At no moment, however, does the focalization change from the reporter who is in Dalje, and at the same time knows everything that is happening in the entire war zone (the text continues with descriptions of battles around Osijek, Dalje, Sarvaš).

External focalization appears in these texts only briefly in moments when the floor is left to the actors who directly participated in the events, but focalization through the reporter is never completely abandoned, rather he serves as an intermediary who conveys and interprets the view that appears to belong to the actors. The only text in which there is a complete external focalization is the text “Baranja almost liberated” by J. Danilović and P. Kočić.<sup>54</sup> In this text, the narrator leaves the narration of the events completely to one of the actors - Goran Hadžić, the prime minister of Slavonia, Baranja and western Srem. The situation in Vukovar (and on other battlefields) is fully described from his point of view, but there is no description of his thoughts and feelings. The text is transmitted as a form of direct speech, thus through an external

description of his actions. The narrator describes what Hadžić is saying and conveys his words to us, while about the events themselves we only learn what Hadžić knows and says. Therefore, zero focalization is completely absent and we are limited only to the external description of Hadžić's speech, without the additional intervention of the narrator who would interpret what was said to us from an omniscient position.

In September 1991, zero focalization still remained dominant, but the use of external focalization in which events are presented from the viewpoints of actors (collective or individual) is becoming more frequent. There are rare texts in which there is a greater use of external or internal focalization, such as "Petrova Gora settlement resists all attacks", by D. Dragičević on 10 September 1991, in which we have a limited external view of a reporter visiting the settlement of Petrova Gora, which is under siege.<sup>55</sup> Another such text is "Exchanged three times", told entirely from the viewpoint of Slobodan Jurišić, who was exchanged three times as a prisoner before being freed.<sup>56</sup> That text is also the first case in which internal focalization is used.

In the text "Petrova Gora settlement resists all attacks", although the narrator is apparently completely heterodiegetic (since he does not participate in the events he talks about), the narration takes place through a series of testimonies of one of the inhabitants of the settlement of Petrova Gora - Đorđe Jakšić. The reporter describes and conveys word for word what Jakšić says and the events are narrated on that basis. Feelings and thoughts, except in the form of direct speech, remain out of sight of the storyteller. The second half of the text turns completely to zero focalization, describing the events in the wider area of the city of Vukovar, at one point again descending to the external level when Marko Crevar's direct speech is used, transmitted word for word.

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Živković's text "Exchanged three times" begins with a simple introduc-

55 D. Dragičević, „Naselje Petrova Gora odoleva svim napadima”, *Politika*, 10. septembar 1991, 9

56 Slavoljub Živković, „Razmenjen tri puta”, *Politika*, 20. septembar 1991, 8

tion of zero focalization about the situation in Vukovar, and then moves on to narrating in an indirect form about the fate of Slobodan Jurišić. The way in which Jurišić was captured and exchanged three times is described. The narrator, limited to what Jurišić could know at that moment, describes his thoughts and feelings: "Like many other Serbs he was convinced that after daily torture and mistreatment he would be killed without any trial or verdict." He then left this limited viewpoint to recount the events that led to Jurišić's final release. The report ends by conveying the direct speech of the actor, but from the viewpoint of the reporter himself who attends the reception of the bus with the exchanged prisoners.

All other texts published in September 1991 can be classified as texts of zero focalization in which the focalizer is usually a reporter or one of the actors who has absolute knowledge of everything that is happening. The use of collective actors as focalizers is specific. "Army", "HDZ members", "locals" and unspecified "witnesses", as well as the often used "people", serve as points through which the events are presented. In given cases, information about the events is shown from their point of view, but the viewpoint is completely unlimited and these collective actors have practically zero focalization, they serve to confirm what the narrator is saying.

In October 1991, there was a gradual change in the manner of reporting. Reports in which the narrator is a direct participant in the events he is narrating begin appearing more and more often. Almost all texts of this type listed in the previous section have elements of zero focalization that occasionally intersects with the external or internal. A good example is the text "The city they failed to kill", by Slobodan Kljakić, in which the reporter gives us a view of Vukovar from his subjective perspective, describing it as a "ghostly town", with barricades, obstacles and destroyed cars.<sup>57</sup> From a subjective, internal style, the author occasionally switches to descriptions of events that he did not attend

57 Slobodan Kljakić, „Grad koji nisu uspjeli da ubiju”, *Politika*, 6. oktobar 1991, 7

but heard about, providing us with the only external perspective that he himself could acquire.

The text "Two Months in a Cellar", by Petar Kočić, is entirely told from an external perspective.<sup>58</sup> The narrator's voice is heard only occasionally when he speaks to the people who were rescued from the cellar in Vukovar where they had lived for two months. Their experience is described in direct speech, without the intervention of a reporter. They talk about their experiences, thoughts and feelings, while the reporter serves only as an intermediary and becomes active only at the very end, when he notices the interruption of the conversation by the Red Cross activist. Such a change in the choice of narrator and focalization can be interpreted as the author's desire to make the topic more emotionally charged, in order to arouse greater interest and sympathy among *Politika's* readers. The objective tone, external narrator, and zero focalization that dominated August and September 1991 are abandoned in favour of an internal narrator, external or internal focalization.

Such a trend continued in November 1991, when the only two texts with zero focalization were the reports by R. Subotić and P. Kočić, "Hardest for the defenders of Bršadin" and "Borovo settlement in its surroundings", published on 5 and 13 November, 1991. In both cases, these are short reports that contain simple descriptions of the battles from the perspective of a reporter who does not directly participate in the events. In the second of these texts, the announcement of the Information Service of the Novi Sad Corps on the situation on the battlefield is conveyed through indirect speech.

In November 1991, an increasing number of reports appeared with internal focalization, which convey to us the thoughts and feelings of people who were directly affected by the clashes. Such a case is the text "Fighters brought 150 people out of Vukovar cellars", by D. Dragičević, which begins with an external description of the statements of Veselin Šljivančanin before moving on

58 Petar Kočić, „Dva meseca u podrumu”, *Politika*, 18. oktobar 1991, 9

to the personal confessions of the Katanić family who were trapped in the cellar, and Branko Rašić, who participated in the people's release.<sup>59</sup> The reporter himself indicates in the first sentence that he is at the very heart of the events, right next to Veselin Šljivančanin, but his personal viewpoint does not come to the fore, but is completely lost behind the statements of other actors who talk about the events.<sup>60</sup>

The report "I was under the cover of death" by S. Kljakić, which is the testimony of an unnamed JNA officer, belongs to a similar type of text and is entirely conveyed through the eyes of the interlocutor who describes his experiences during the fighting in Vukovar.<sup>61</sup> The use of internal focalization and homodiegetic narrators continues until the very end of the fighting in Vukovar. Even the last news that was written on 17 November 1991 and published the next day, "The police officers surrender", was written in this style.<sup>62</sup>

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59 D. Dragičević, „Iz vukovarskih podruma borci izveli 150 ljudi”, *Politika*, 13. novembar 1991, 8

60 A similar situation is repeated in other texts by D. Dragičević in the month of November. For example in the text "Nešto ti je drhtav glas, moj jastrebe" (Something's wrong with your voice, my hawk)", published on 14 November 1991, the first part is completely told through the dialogue of Šljivančanin and Mile Dedaković "Jastreb", before moving on to indirect speech and then again to direct quotes.

61 S. Kljakić, „Bio sam u zaklonu smrti”, *Politika*, 15. novembar 1991, 7

62 D. Dragičević, „Mupovci se predaju”, *Politika*, 18. novembar 1991, 7

Politika's reporters almost completely abandoned their pretensions to reporting that could at least sound objective. Zero focalization and the heterodiegetic narrator were abandoned in favour of an directly present reporter – a participant.

## Conclusion

When summarizing the results of the narratological analysis limited to the narrator's position and focalization, certain conclusions can be drawn about the implicit ideological background of *Politika's* war reporting on the siege of Vukovar. If we start from Mieka Bal's viewpoint that the choice of focalizer and focalization says more about the ideological background of the text than the content analysis could, then the results of the formal analysis must be interpreted to discern the meaning of what was revealed.<sup>63</sup> In the case of *Politika's* reporting, there are noticeable differences in reporting styles between the daily's different correspondents. Some correspondents, like Petr Kočić, tended to use a heterodiegetic narrative position and zero focalization. Most of the texts by this correspondent were short reports in which the events on the battlefield are briefly presented from the viewpoint of the reporter, who is outside the plane of events and possesses almost complete omniscience. Of course, this reporter also wrote texts that are exceptions in terms of style, such as the text "Two months in a basement".<sup>64</sup>

The opposite of his style is represented by Dragorad Dragičević and Aleksandar Knežević, whose texts (especially as the conflict progressed) favoured the homodiegetic type of narrator. Their reports were written from the scene, from the "heart" of the action. Correspondents often participated directly in the events or spoke with interlocutors while the fighting was going on

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63 Bal, *Naratologija: teorija priče i pripovedanja*, 137

64 Petar Kočić, „Dva meseca u podrumu”, *Politika*, 18. oktobar 1991, 9

around them. The fact that these reports were always published the day after the events took place did not diminish the urgency and dynamics of the events in their texts. Even the correspondent himself indicated in one text that every report is out of date the moment it is written, because the events he witnesses unfold at an incredible speed.<sup>65</sup> Analysis of the texts shows that there are several clear trends regarding the choice of narrative position and focalization, unrelated to the individual style of the correspondent.<sup>66</sup> Reporting at the beginning of the siege, referring to the months of August and September 1991, was characterized by texts with a heterodiegetic (external) narrative position. Although the texts listed the locations where they were written, they themselves were devoid of any indication of the narrator's position in relation to the diagetic plane. The narrator was completely outside the action and the dominant focalization was zero (omniscient).

As the struggles progressed, the heterodiegetic position was increasingly replaced by the homodiegetic narrative instance. There are more and more texts that abound with verbs that indicate that the narrator (the correspondent) is a participant in the events he reports on and that the struggles he talks about are taking place all around him. Zero focalization is still present, creating the impression that the reporter, although he is physically in one specific place, possesses knowledge of everything that is happening in the Vukovar area. Over time, external focalization begins to appear more and more often, especially when describing the actions of various actors whom the correspondent observes or with whom he talks. The correspondents in these texts did not try to explain to the readers the thoughts and feelings of their interlocutors (as happens in instances of zero focalization), nor did they leave the interlocutors to tell their own story (when internal focalization occurs),

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65 D. Dragičević, „Mupovci se predaju”, *Politika*, 18. novembar 1991, 7

66 To avoid excessive repetition and accumulation of similar information, only some of the representative texts are listed in this paper, although all of the texts were processed in the analysis.

but only offered the readers a description of what they wanted to be shown.

Such a change can be interpreted as a consequence of the duration of the siege. Many reports from the beginning of the fighting speak of an imminent end, a quick end to the conflict and a return to the old ways, only to be replaced by a wave of reports of imminent victories in late September 1991, which did not actually happen. It is possible that there was a change from the objectivist, distant style of storytelling to a more immediate, internal style to maintain the interest of the target audience and awaken a stronger emotional reaction in the readers. It is noticeable that in October and November 1991, texts began to appear that were completely focused on content that aroused emotions in the readers, be it descriptions of great successes<sup>67</sup>, terrible suffering<sup>68</sup> or love stories<sup>69</sup>. If this is coupled with the results of a formal analysis, the proposed interpretation becomes far more certain.

Although this interpretation indicates that the texts in *Politika* were written primarily for a Serbian audience with the aim of arousing interest and then maintaining an emotional connection with the events in Vukovar, the choice of focalizer alone shows us that the pretension to objective reporting was suspect from the very beginning. In more than half of the texts, the main focalizer was the reporter. When there was zero focalization, reporters relied on sources who were almost always Serbian volunteers, JNA soldiers and officers, or representatives of local Serbian authorities. The seemingly objective tone and omniscient position of the reporter did not actually aim for an objective presentation of the situation, clearly indicted by the absence of any Croatian sources.<sup>70</sup> Although the text itself is written in an objective tone, its actual

67 D. Dragičević, „Nešto ti je drhtav glas, moj jastrebe”, *Politika*, 14. novembar 1991, 10; M. Nikolić, „Panično bekstvo hrvatskih snaga”, *Politika*, 15. septembar 1991, 7.

68 S. Kljakić, „Bio sam u zaklonu smrti”, *Politika*, 15. novembar 1991, 7; R. Subotić, „Bože kako su mučili to dete”, *Politika*, 14. novembar 1991, 10.

69 Jovan Stojić, „Idila između granata”, *Politika*, 8. novembar 1991, 16.

70 Only three texts attempt to show the view from the Croatian side, but remain closely related to the reporter's viewpoint: D. Dragičević, „Nešto ti je drhtav glas, moj jastrebe”, *Politika*,

objectivity can therefore easily be questioned.

The moment when formal pretensions to objective reporting are abandoned in favour of more dynamic and emotionally charged reporting, the focalization becomes more limited and there is a more frequent use of external focalization, i.e, a limited view of the reporter himself or his interlocutors. With this, the reporters clearly “choose a side”, in the conflict and present events only from the angle they have chosen. In the analyzed texts, we are talking about the choice to show the war exclusively through the lens of the JNA, Serbian soldiers and victims.<sup>71</sup> A further analysis including temporal aspects of the narrative, characters and space, would probably contribute to extracting certain patterns of texts with similar narrative characteristics from *Politika*’s war reporting. The analysis of narrative position and focalization shows that there are certain groupings regarding the use of heterodiegetic narrator and zero focalization and homodiegetic narrator with external or internal focalization.<sup>72</sup>

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14. novembar 1991, 10; A. Brkić, „Teror u Vukovaru smeta i Hrvatima”, *Politika*, 29. avgust 1991, 9; Slavoljub Živković, „Kraj strahovlade ‘malog Napoleona’”, *Politika*, 30. avgust 1991, 11. In all three cases, we have a situation where the correspondent narrates the events and views of the actors on the other side, which support his previously expressed views.

71 We should point out the need for comparative analyses of reporting on both sides, in order to perhaps arrive at a more thorough narratological perspective on war reporting on the territory of Yugoslavia during the wars of the 1990s.

72 In this sense, one could arrive at a kind of “poetics” of war reporting, since journalistic texts, despite their pretensions to objectivity, can and must be viewed as constructed narratives with a specific goal, which use different available techniques to achieve that goal.

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Žika Petaković, PhD candidate

Faculty of Philosophy, Belgrade University

## NARRATOLOGICAL ANALYSIS OF REPORTING ON THE SIEGE OF VUKOVAR IN THE DAILY POLITIKA

**Summary:** During the second half of the 20th century, influenced by structural linguistics, there was a flourishing of formalist approaches to narrative texts in literary studies. One of the directions that emerged under the influence of structuralism is narratology, which positioned itself as an approach aiming at the immanent critique of narrative texts, rejecting everything that lies outside the text itself. Supporters of this approach in literary science developed a theoretical apparatus that can be applied to any type of narrative text, with the aim of its detailed formal analysis. In this paper, I will attempt to apply some elements of narratology to the war reporting of the daily newspaper *Politika* on the Siege of Vukovar.

**Keywords:** focalization, narratology, war in Croatia, *Politika*, Vukovar.

MA Miloš Tirnanić, istraživač-pripravnik

Institut za filozofiju i društvenu teoriju, Univerzitet u Beogradu

[milos.tirnanic@ifdt.bg.ac.rs](mailto:milos.tirnanic@ifdt.bg.ac.rs)

## PEACE CARAVAN OF EUROPEAN CITIZENS: A CONTRIBUTION TO THE RESEARCH OF ANTI-WAR INITIATIVES AND ALTERNATIVE MOVEMENTS IN YUGOSLAVIA DURING THE 1990S

**Summary:** The paper presents and analyzes the visit of the Peace Caravan of European citizens, an anti-war action carried out from 25 to 30 September 1991 on the territory of the Yugoslav state, at that time the scene of hostilities. Besides presenting its course, focus is placed on presenting the reaction of intellectuals and politicians to this peace campaign, which at the same time reflected their attitudes towards the concepts of pacifism and anti-militarism. A new viewpoint on this initiative is provided by the use of sources such as the press and especially the memories of contemporaries and direct witnesses of events through the application of oral history methods.

**Keywords:** caravan, peace, Europe, Yugoslavia, Sarajevo, Belgrade, Helsinki citizens' parliament, war

### Introduction

The summer of 1991 was recorded in the chronology of the breakup of Yugoslavia as a period of turbulent events. On 25 June Slovenia and Croatia declared independence, and that date is often taken as the formal beginning of the war in the federation.<sup>73</sup> Immediately after it began, the Yugoslav crisis be-

came internationalized, the most indicative expression of which was the direct mediation of the European Union with the aim of stopping the violence and finding a peaceful solution to the conflict.<sup>1</sup> Thus, a delegation of the European Union, the famous “European Troika”, arrived in Yugoslavia and already on 7 July the Brion Declaration was signed, which proclaimed an immediate cease-fire and the postponement of the decisions on declaration of independence.<sup>2</sup> Since two months later there was no calming of tensions on the ground, the European Community convened the Peace Conference on Yugoslavia under its auspices, which began work on 7 September in The Hague.<sup>3</sup>

Immediately after the beginning of the armed activity, an anti-war movement was formed throughout Yugoslavia consisting of various associations and peace organizations. The aim of their engagement was to oppose militaristic options whose moves threatened to destroy the country, but at the same time to profile an alternative to such spectres. In accordance with these beliefs, several anti-war initiatives were organized during the summer and autumn, expressing strong rebellion and disagreement with the tragic events that quickly became a burning issue for the entire Yugoslav public.<sup>4</sup> One of these actions was an initiative that was remembered in the anti-war consciousness under the name Peace Caravan of European Citizens.<sup>5</sup> This event was held from 25 to 30 September 1991, and was one of the most striking anti-war campaigns in the first year of the war.<sup>6</sup>

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Višnjić, 1997), 161-175; Mari-Žanin Čalić, *Istorija Jugoslavije u 20. veku*, (Beograd: Clio, 2013), 383.

1 Milan Igrutinović, *Jugoslavija i Evropska zajednica: zbornik dokumenata*, (Belgrade: Arhiv Jugoslavije, 2020), 36.

2 Tvrtko Jakovina, „SFRJ i svijet od Titove smrti do smrti Jugoslavije”, in: *Jugoslavija: poglavlje 1980-1991*, (Belgrade: Helsinški odbor za ljudska prava u Srbiji, 2021), 437.

3 Tvrtko Jakovina, *Budimir Lončar. Od Preka do vrha svijeta*, (Belgrade: official Gazette, 2021), 559.

4 „Antiratni pokret u Srbiji (1991-1999)”, <https://ratuserbiji.rs/antiratni-pokret-u-srbiji-1991-1999>, (3. oktobar 2024).

5 Bojana Šušak, „Alternativa ratu”, u: *Srpska strana rata. Trauma i katarza u istorijskom pamćenju (II deo)* (pr. Nebojša Popov), (Belgrade: Samizdat B92, 2002), 116.

6 *Rat u Srbiji (1991-2001): Jeste se desilo*, (Belgrade: Inicijativa mladih za ljudska prava, 2020), 105.

## The idea of a peace caravan

The Peace Caravan of European Citizens was initiated by the Helsinki Citizens' Parliament, an organization formed in October 1990 in Prague at an international meeting held under the patronage of the writer and politician Vaclav Havel.<sup>7</sup> Its primary task was proclaimed to be the establishment of dialogue between East and West, in accordance with the prevailing trend of overcoming divisions in Europe after the fall of the Berlin Wall and the end of the bipolar era.<sup>8</sup> The very idea of holding the Caravan was conceived in Belgrade, at a meeting of the Helsinki Citizens' Parliament, only ten days after the start of hostilities.<sup>9</sup> On 7 July 1991, a session of this organization was held in the capital of Yugoslavia, which was also reported by the daily newspaper *Borba*. As this newspaper reported, in addition to representatives of the Helsinki Citizens' Parliament, eminent intellectuals such as Adam Michnik, Ernest Gellner and Alexander Langer attended and participated in the session. An agreement was then reached to carry out the initiative of the Peace Caravan.<sup>4</sup> The stated objectives of the Caravan was to make visits to peace movements and groups in the Yugoslav republics in order to establish contacts, but also support for the right to desert from the war and opposition to the arms trade.<sup>10</sup>

The news that *Borba* published on the topic was confirmed in the memory of Sonja Licht, a Yugoslav intellectual and one of the initiators and organizers of the pacifist action. According to Sonja Licht, who at that time served as vice-president of the Helsinki Citizens' Parliament, the conference convened on 7 July in Belgrade was the first international meeting organized in Yugoslavia after the beginning of armed conflict. It gathered over 120 people, mostly intellectuals.<sup>11</sup> In addition to the public figures already mentioned who were named by *Borba*, one of the conference participants was the Hungarian dis-

7 Interview with Sonja Licht, Belgrade, 25 July 2024.

8 *Ibid*

9 N. Bušelić, „Cilj u gradu - taocu”, *Borba*, 23. septembar 1991, 9.

10 „Jugo drama kao kriza svesti”, *Borba*, 13-14. jul 1991, 11.

11 Interview with Sonja Licht, Belgrade, 25 July 2024.

sident László Rijk Junior, and Milovan Đilas was among the representatives of the Yugoslav intellectual elite who attended. The venue of the meeting was the Hotel Jugoslaviya, where polemics about the breakup of the Yugoslav state were held all day, which in itself carried a certain symbolism. On the same day, members of the Italian organization Arci came up with a proposal to make a Caravan of Peace that would cruise the entire territory of Yugoslavia. It was from this civil association that the idea of carrying out this activity first arose.

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### *Beginning of the Caravan: actions in Slovenia and Croatia*

The Caravan initiative officially began on 25 September when the peace-niks set off from Trieste on their journey to Yugoslavia.<sup>13</sup> It consisted of more than four hundred citizens of 19 countries - Italy, Germany, France, Great Britain, the Netherlands, Denmark, Poland, the Soviet Union, Czechoslovakia, Austria, Hungary,<sup>14</sup> Spain, Portugal, Sweden, Switzerland, Belgium, Canada, the USA and Yugoslavia.<sup>15</sup> The participation of foreigners from Western and Eastern Europe in the Caravan emphasized the pan-European dimension of the event, while the presence of Canadians and Americans provided this civic action with an intercontinental and even global character.

We should emphasize the peace initiative's diversity in age and social structure of the participants. According to Sonja Licht's recollection, among the 400 participants there were men and women of various ages, children, and even a few babies.<sup>16</sup> This interesting fact vividly illustrated the basic message of the action - erasing generational differences to promote pacifism and an anti-war agenda. This diverse composition was especially emphasized in *Borba*. This newspaper reported that important political figures from European countries, senators and representatives of the parliaments of Italy, Germany, Spain,

12 *Ibid*13 „Evropski karavan mira kroz Jugoslaviju”, *Politika*, 23. septembar 1991, 3.14 *Ibid*15 Natka Buturović, „Pokažimo da smo ljudi”, *Borba*, 30. septembar 1991, 7.

16 Interview with Sonja Licht, Belgrade, 25 July 2024.

Denmark and the Netherlands came to Yugoslavia as part of the Caravan.<sup>17</sup> Ten members of the European Parliament, an institution of the European Community, led by Vice President Roberto Formigoni, agreed to participate in it.<sup>18</sup> Their arrival had a special symbolic weight, considering the efforts that the European Community undertook, engaging in mediation with the aim of resolving the Yugoslav crisis. The most eloquent manifestation of this was the convening of the Peace Conference in The Hague in early September 1991, which was largely underway at the time the Caravan was passing through Yugoslavia.<sup>19</sup> In addition to politicians, the participants of the Caravan were peace activists, feminists, environmentalists, trade unions and European ecumenical movements, among them prominent artists, singers and journalists.<sup>20</sup> It is interesting that Franciscan priests also participated.<sup>21</sup> The evident diversity of the social structure of the citizens who arrived in Yugoslavia with the Caravan sent a message of solidarity, emphasizing that the pursuit of a peaceful resolution to conflicts and the opposition to militarism goes beyond any kind political, ethnic, cultural or confessional boundary.

As already indicated, on 25 September a group of peacekeepers left Trieste and then, according to Sonja Licht who traveled with the Caravan all the time, arrived in Ljubljana via Sežana.<sup>22</sup> Another group of travellers disembarked in Rijeka and joined the one from Trieste.<sup>23</sup> According to Sonja Licht, the Caravan was welcomed in Ljubljana on one of the squares, where a public event was organized by her namesake Sonja Lokar, a Slovenian feminist and

17 N. Bušelić, „Cilj u gradu - taocu”, *Borba*, 23. septembar 1991, 9.; Sonja Licht, „Prikupljanja razorene nade”, *Borba*, 5-6. oktobar 1991, 13.

18 Janja Beč, „Koliko košta jedan tenk – Međunarodni karavan mira u osam slika”, *Borba*, 12-13. oktobar 1991, 18.; Svetlana Zelenbaba, „Evropi treba mir”, *Borba*, 30. septembar 1991, 7.

19 Mirjana Cupek Hamill, *Konferencija o miru u Jugoslaviji i raspad jugoslavenske federacije: (1991-1992)*, (Zagreb: Leykam international, 2008), 14.

20 Sonja Licht, „Prikupljanja razorene nade”, 13.; Janja Beč, „Koliko košta jedan tenk – Međunarodni karavan mira u osam slika”, 18.

21 N. Bušelić, „Cilj u gradu - taocu”, 9.

22 Interview with Sonja Licht, Belgrade, 25 July 2024.

23 B. P, „Sleteo golub mira”, *Dnevnik*, 28. septembar 1991, 18.; Svetlana Zelenbaba, „Evropi treba mir”, 7.

activist.<sup>24</sup> According to this intellectual, the absence of other peace activists was a symptomatic indicator of the state of consciousness in society in the westernmost Yugoslav republic. Their absence reflected the anti-Yugoslav atmosphere linked to the official policy of Slovenia, which had declared independence three months earlier. Many Slovenian peace activists had partially put their effort into creating an independent Slovenian state.<sup>25</sup> Nevertheless, it should be mentioned that, as *Borba* pointed out, the Caravan was received in an audience by the President of the Slovenian Assembly France Bučar.<sup>26</sup>

The next destination on the Caravan's route was Zagreb.<sup>27</sup> According to Sonja Licht's recollection, in the Croatian capital the peace initiative met with an even more restrained reception than in Ljubljana. The city authorities did not allow the participants to appear on any of the squares, but they were escorted to a confined space in the suburbs of Zagreb. It was there that an event was organized including discussions according to the Caravan programme. The role of Sonja Lokar was taken over in Zagreb by Gordana Grbić, a member of the Social Democratic Party of Croatia.<sup>28</sup> Everything unfolded almost identically as in Slovenia; an attempt was made to push the entire event to the sidelines.<sup>29</sup> According to *Borba*, the Caravan delegation was received in Zagreb by the President of the Croatian Parliament Žarko Domljan.<sup>30</sup> As Sonja Licht points out, the delegation was handed a bundle of newly printed publications that directly promoted the proclaimed independence of the Croatian state.<sup>31</sup> This attitude on the part of Zagreb political officials towards the pacifist campaign reflected the mood that prevailed in Croatia at that moment, after this republic, like Slovenia, left the Yugoslav Federation in June 1991.

24 Interview with Sonja Licht, Belgrade, 25 July 2024.

25 *Ibid*

26 Janja Beč, „Koliko košta jedan tenk – Međunarodni karavan mira u osam slika”, 18.

27 Svetlana Zelenbaba, „Evropi treba mir”, 7.

28 Interview with Sonja Licht, Belgrade, 25 July 2024.

29 *Ibid*

30 Janja Beč, „Koliko košta jedan tenk – Međunarodni karavan mira u osam slika”, 18.

31 Interview with Sonja Licht, Belgrade, 25 July 2024.

Based on analysis of the press and the memories of witnesses, it may be concluded that when passing through Slovenia and Croatia the participants of the Caravan encountered restraint and mistrust, which reflected the political climate in these republics in September 1991. It can also be assumed that their authorities interpreted the Caravan's visit as providing support for the survival of Yugoslavia, and that precisely because of its alleged Yugoslav character, they did not attach any special importance to it. This is confirmed by the fact that not a single line can be found in the Slovenian or Croatian press about the entire initiative, a direct consequence of the complete lack of media coverage of the action.

### The Peace Caravan in Serbia

After leaving Zagreb, as Sonja Licht testifies, the participants of the Caravan were forced to bypass Slavonia, caught in the whirlwind of war, so they crossed to Hungary via Varaždin<sup>32</sup> to reach the border of the largest Yugoslav republic.<sup>33</sup> This deviation from the planned route strikingly highlights the extent to which the undertaking itself was logistically demanding due to the already raging hostilities in Slavonia. Immediately after crossing the border, they headed to Subotica,<sup>34</sup> where, as Sonja Licht recalled, they were given a more cordial welcome than in Ljubljana or Zagreb, by individual organizers from the Open University.<sup>35</sup> The peace activists did not stay long in Subotica, but soon set off for the next destination on their journey, Novi Sad, where they arrived on 27 September. News about the Caravan's visit was reported by the city's most-circulated newspaper *Dnevnik*.<sup>36</sup> According to the Novi Sad *Dnevnik*, the

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32 *Ibid*

33 Svetlana Zelenbaba, „Evropi treba mir”, 7.

34 B. P. „Sleteo golub mira”, 18.

35 Interview with Sonja Licht, Belgrade, 25 July 2024.

36 B. P. „Karavan mira”, *Dnevnik*, 27. septembar 1991, 18.

Caravan stopped in front of the Vojvodina SPC (Serbian Orthodox church).<sup>37</sup> The reception, organized by the Centre for Anti-War Action,<sup>38</sup> was attended by several hundred people from Novi Sad.<sup>39</sup> The Caravan participants then continued their journey because the next stop on their route was Belgrade.

The peacekeepers arrived in the capital of the war-torn country on 27 September in the evening hours. The description of their arrival was given in one of the most widely read daily newspapers in Yugoslavia and Serbia at that time - *Večernji novosti*.<sup>40</sup> The paper reported that the Caravan participants were welcomed by about a thousand Belgraders with John Lennon's well-known anti-war anthem Give Peace a Chance.<sup>41</sup> It is unusual that the liberally-oriented newspapers *Vreme* and *Republika* did not report on the visit of the peace activists. However, the arrival of the Caravan in Belgrade was reported by *Borba*, which brought all the most up-to-date information on the action. Its entry into the capital was immortalized, according to that newspaper, by the presence of around two hundred like-minded people.<sup>42</sup> The joyful atmosphere was completed by rainbow-colored flags with the inscription "Peace" and banners on which peace-making messages were written in the world's major languages.<sup>43</sup> The guests were greeted by actress Mirjana Karanović, reciting verses from the poem Mother Courage by Bertolt Brecht, and Bora Kuzmanović, vice-president of the City Assembly.<sup>44</sup> The impressions of these newspapers, which evoked a pleasant experience, found confirmation in the memory of Sonja Licht, who describes the reception of the Caravan in front of the Youth Center as very cordial, but at the same time as poignant and difficult, because it evoked various

37 B. P. „Sleteo golub mira”, 18.

38 B. P. „Karavan mira”, 18.

39 B. L. „Crteži slobode na pločniku”, 7.

40 T. Nikolić, V. Đakovački, „Dajte šansu miru!”, *Večernje novosti*, 28. septembar 1991, 10.

41 *Ibid*

42 Svetlana Zelenbaba, „Izbiti rat iz glava”, *Borba*, 28-29. septembar 1991, 3.

43 *Ibid*

44 T. Nikolić, V. Đakovački, „Dajte šansu miru!”, 10.

kinds of emotions in people.<sup>45</sup>

The Belgrade press also covered the programme of events held in the capital during the Caravan's visit. The Center for Anti-War Actions, which took on the role of host, organized several forums. In a text dedicated to the arrival of the peacekeepers, *Večernje Novosti* highlighted one forum, which was organized in the Youth Centre on the topic of "Peace and Political Crisis in Yugoslavia".<sup>46</sup> In addition to the participants of the Caravan, prominent figures from Serbian public life, more specifically from the intellectual, political and journalistic spheres, participated in the panel. Among them were Vesna Pešić, Zagorka Golubović, Nebojša Popov, Miladin Životić and Stojan Cerović. As the newspaper indifferently commented, these five indicated in their speeches the crucial need to nurture a pacifist agenda by providing full support to the aspirations of the Caravan, while on the other hand they fiercely criticized the policy of mobilizing nationalist and militaristic options within the federation.<sup>47</sup> It can be said that, by appearing at the Caravan forum and accepting its ideas, the intellectuals actually sought to profile an alternative peace policy through public engagement, one contrary to the dominant narratives in the country.

Apart from at this forum, the positive reactions of the intellectual elite of Serbia to this civic initiative were also recorded on the pages of opposition newspapers. For example, in an author's text published in the newspaper *Demokratija*, the philosopher Svetlana Knjazez Adamović openly expressed an affirmative personal attitude towards the Peace Caravan.<sup>48</sup> In this intellectual's opinion, the Caravan that traveled through Yugoslavia was presented as a symbol of the desire of Europe and its citizens to find a peaceful solution to the conflict.<sup>49</sup>

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**The warm welcome in the capital, the exact opposite of the cold atmo-**

45 Interview with Sonja Licht, Belgrade, 25 July 2024.

46 T. Nikolić, V. Đakovački, „Dajte šansu miru!”, 10.

47 *Ibid*

48 Svetlana Knjazez Adamović, „Šta to beše mir”, *Demokratija*, 4. oktobar 1991, 8.

49 *Ibid*

sphere in Ljubljana and Zagreb, and the understanding and support of critical intellectuals, provided a strong moral boost to the peace activists. However, the initially optimistic mood that the participants of the peace event experienced in Serbia was soon clouded by the bitter taste of reality, and it began to wane as their stay in Belgrade progressed. The decline of their enthusiasm was particularly strengthened by the behavior of Serbian state officials, who did not even want to provide formal support to the idea of a peace caravan. According to Sonja Licht, these reservations were felt most during negotiations on the reception of the Caravan delegation, which were particularly difficult.<sup>50</sup> It was only at the very end of the Caravan's visit, after a group of the peace activists had left the city, that the delegation was finally given a reception in the Serbian Parliament.<sup>51</sup> It was hosted by Aleksandar Prlja, who served as the chairman of the parliamentary foreign policy committee, but at the same time was the editor-in-chief of *Politika*, the most influential newspaper in the country.<sup>52</sup> It is striking that the report from that meeting was not mentioned with a single word in pro-regime newspapers, which also indirectly reflected the ignorant attitude of the Serbian political leadership towards the peace action. Nevertheless, it appeared on the pages of the opposition-oriented *Borba*. According to this newspaper, during the conversation Prlja had with the peace activists on the disintegration of the country, he presented the official position of the republic's leadership. The meeting was marked by accusations and attribution of sole responsibility of the Slovenian and Croatian authorities for the outbreak of national conflicts in the federation.<sup>53</sup> It can be concluded that in Belgrade, just like in Zagreb, political officials used the arrival of the delegation to present their own, mutually contradictory, views of the Yugoslav crisis, ignoring the original concept of the initiative, because attitudes like pacifism were not

50 Interview with Sonja Licht, Belgrade, 25 July 2024.

51 *Ibid*

52 Svetlana Zelenbaba, „Evropi treba mir”, 7.

53 *Ibid*

on the agenda of the leadership of these republics at that time.

After the visit to Belgrade, one part of the Caravan participants traveled to Macedonia, where they met with its president Kir Gligorov in Skopje.<sup>54</sup> The rest headed to the last destination on the Yugoslav tour via Užice and Višegrad.<sup>55</sup> The final destination was Sarajevo, the city that bore the epithet of the peace-making capital of Yugoslavia.<sup>56</sup>

### The end of the action: the Peace Caravan in Sarajevo

The caravan arrived in Sarajevo on 29 September 29.<sup>57</sup> According to Sonja Licht's recollection, the welcome given to the peacekeepers in that city can be described as noticeably the warmest compared to the atmosphere in the previous centres, while the participants were joined by another hundred enthusiasts from Italy.<sup>58</sup> The impression of a particularly warm welcome is confirmed by the testimony of Ibrahim Spahić, president of the Peace Center and the Sarajevo host of the Caravan.<sup>59</sup> According to Spahić, in partnership with the Civic Forum and the Sarajevo branch of the Helsinki Citizens' Parliament, the Centre for Peace took upon itself not only the reception of participants, but also the organization of an extensive programme of events, which included round tables, thematic conferences and a Concert for Peace.<sup>60</sup>

The Belgrade press wrote about the events that followed the Caravan's stay in Sarajevo. As reported by *Borba*, a final peace rally was held in the city that day, where around ten thousand of the city's inhabitants and participants of the Caravan formed a "Chain of Peace" by holding hands, encircling four places of worship: an Orthodox church, a Catholic cathedral, a Muslim mosque and

54 Janja Beč, „Koliko košta jedan tenk – Međunarodni karavan mira u osam slika”, 18.

55 Interview with Sonja Licht, Belgrade, 25 July 2024.

56 Svetlana Zelenbaba, „Evropi treba mir”, 7.

57 Natka Buturović, „Pokažimo da smo ljudi”, 7.

58 Interview with Sonja Licht, Belgrade, 25 July 2024.

59 Interview with Ibrahimom Spahić, Belgrade, 25 September 2024.

60 *Ibid*

a Jewish synagogue.<sup>61</sup> According to the testimony of Ibrahim Spahić, the idea was to synergize the most important historical neighborhoods and religious buildings in the city.<sup>62</sup> The Chain of Peace formed in the capital of Bosnia and Herzegovina represented, according to Sonja Licht's assessment in *Borba*, the culmination of the Caravan's peace mission in Yugoslavia.<sup>63</sup> This symbolic gesture in the multi-ethnic and multi-confessional Sarajevo was undoubtedly intended to send a message of unity in the pursuit of peace, emphasizing that it overcomes not only national, but also religious differences among the city's inhabitants.

The Caravan's stay in Sarajevo was marked by another symbolic act, which was an expression of political solidarity with the mission. Namely, a special message was read at the Center for Peace, which was addressed to the participants by former chancellor of West Germany Willy Brandt.<sup>64</sup> As the newspaper *Borba* pointed out, the content of his message was reflected in the desire to rapidly find a solution to the Yugoslav crisis, which "deeply shook Europe".<sup>65</sup> This political veteran also conveyed the view that post-Cold War Europe must be integrated on the basis of social tolerance, that national and regional problems like the conflict in Yugoslavia threatened to reverse the newly resolved confrontation on the Old Continent, and that it was necessary to respect the principle of the right to self-determination.<sup>66</sup> According to Ibrahim Spahić, Willy Brandt's message was accepted in Sarajevo as the voice of reason of a statesman who called for peace and dialogue, but at the same time warned about the dangers and possible consequences of conflict.<sup>67</sup> This episode carried a special significance, since Brandt had the reputation of a politician ready to

61 Janja Beč, „Koliko košta jedan tenk – Međunarodni karavan mira u osam slika”, 18.

62 Interview with Ibrahimom Spahić, Belgrade, 25 September 2024.

63 Sonja Licht, „Prikupljanja razorene nade”, 13.

64 Janja Beč, „Koliko košta jedan tenk – Međunarodni karavan mira u osam slika”, 18.

65 „Poruka Vilija Branta”, *Borba*, 5-6. oktobar 1991, 13.

66 *Ibid*

67 Interview with Ibrahimom Spahić, Belgrade, 25 September 2024.

overcome the past in order to shape the future. It is for this reason that his message should be interpreted as a kind of appeal to the relevant political actors throughout Yugoslavia to accept the arbitration of the European Community in the search for a democratic solution to the crisis, i.e. to oppose violence through cooperation and collaboration. His call for respect for the right to self-determination of the people, a principle insisted on by the European Community, also speaks in support of this.

Regarding the reception of the Caravan delegation by political officials, even Sarajevo was no exception. Moreover, it was received by the political representatives of all three nations in Bosnia and Herzegovina. According to *Borba*, it was first invited to an official audience by the then chairman of the Presidency of the Republic, Alija Izetbegović.<sup>68</sup> Then a political official from among the Serbs and president of the BiH Assembly, Momčilo Krajišnik, did the same, while on the Croatian side the peacekeepers were interviewed by Jure Pelivan, who was in the position of Prime Minister of Bosnia and Herzegovina.<sup>69</sup> According to *Borba*, officials declared support for the idea of peace at these receptions. However, it is important to underline that at the meeting, Izetbegović made an open invitation to the delegation to oppose any idea of dividing BiH, categorically rejecting such a possibility.<sup>70</sup> Note that the very question of the division of that republic was the initial trigger for starting a war on its territory eight months later, in April 1992.<sup>71</sup> Although the delegation was received at the highest level in BiH, the reports in *Borba* point to the conclusion that the Caravan was also used in Sarajevo as a platform for sending political messages from the ruling structures.

After the meeting in Sarajevo, on 30 September a group of Caravan partic-

68 Janja Beč, „Koliko košta jedan tenk – Međunarodni karavan mira u osam slika”, 18.

69 Natka Buturović, „Pokažimo da smo ljudi”, 7.

70 *Ibid*

71 Kosta Nikolić, *Jugoslavija, poslednji dani: 1989-1992. Knj. 3, Razaranje države, stvaranje država*, (Belgrade: Official Gazette, 2022), 171-176.

ipants headed to Dubrovnik, from where they set sail for Italy just a few hours before the siege of that city began.<sup>72</sup> In this way, the mission of this pacifist initiative had an epilogue with a certain irony; namely, that together with the Caravan, peace disappeared from the Yugoslav territory, which would remain the scene of devastating armed conflicts until the end of the 1990s.

## Conclusion

The main goal of the Peace Caravan was to show the solidarity of the people of Europe and the world with the population of war-torn Yugoslavia, which was illustrated by its international character, colorful composition and diversity of participants. The symbolic importance of the action was reflected in the fact that it corresponded in time with a Peace Conference in The Hague, where the European Community in the role of mediator in the terminal phase of the Yugoslav crisis sought to find a way to overcome the conflict. On its journey through Yugoslavia, the Caravan visited Ljubljana, Zagreb, Belgrade and Sarajevo. The participants' visit to these centres caused mixed reactions. In Ljubljana and Zagreb, they were met with complete reserve, which was the result of the fact that Slovenia and Croatia had declared independence, and that their societies were already mentally outside the Yugoslav federation. In the capital, the actors of the peace initiative found the understanding of the citizens of Belgrade and the support of civic-oriented intellectuals, which was damaged by the late reception of the caravan delegation. Finally, the participants were welcomed in Sarajevo with exceptional enthusiasm, which was encouraged by Willy Brant's benevolent message. The stay in this city culminated in the creation of the Chain of Peace, the crown of the entire action, and it can be concluded that the peace activists' visit to Yugoslavia ended on a positive note. The attitude of political officials towards this initiative should

be assessed as ambivalent. While in Slovenia and Croatia the representatives of the Caravan were received coldly by the presidents of the parliaments, in Serbia the reception was even more restrained and at a lower level, by the head of a parliamentary committee. Only in Bosnia and Herzegovina was the meeting organized at the highest level, since the delegation was hosted by the leader of the republic. Nevertheless, all receptions were used to send different political messages, which testifies to the irreconcilability of positions, attitudes and interpretations of the country's disintegration, but also to the de facto rejection of pacifist and anti-militaristic concepts at the level of the republics. Such an instrumentalization of the Caravan suggested that difficult days of uncertainty before Yugoslavia would continue. Paradoxically, immediately after its departure, the conflicts in the country escalated further, in complete contrast to the messages that the peacekeeping mission passionately strove to convey. This paradox cynically reflects the scale of the tragic unfolding of the Yugoslav crisis.

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**Miloš Tirnanić, MA, Research Assistant**

**Institute for Philosophy and Social Theory, University of Belgrade**

[milos.tirnanic@ifdt.bg.ac.rs](mailto:milos.tirnanic@ifdt.bg.ac.rs)

**EUROPEAN CITIZENS' PEACE CARAVAN:  
A CONTRIBUTION TO THE RESEARCH OF  
ANTI-WAR INITIATIVES AND ALTERNATIVE  
MOVEMENTS IN YUGOSLAVIA DURING THE 1990s**

**Summary:** This paper presents and analyzes the visit of the European Citizens' Peace Caravan, an anti-war action carried out from 25 to 30 September 1991 in Yugoslavia. Apart from the presentation of its course, a focus was placed on presentation of the intellectuals' and politicians' reactions to this peace campaign, which at the same time reflected their attitude towards the concepts of pacifism and anti-militarism. The use of sources such as the press and especially the memories of contemporaries and direct witnesses of events through application of the oral history method provides a new perspective in examining this initiative.

**Keywords:** caravan, peace, Europe, Yugoslavia, Sarajevo, Belgrade, Helsinki Citizens' Assembly, war

Maja Stojanović, MA candidate  
Faculty of Media and Communications  
Singidunum University, Belgrade

## INTERNATIONAL HUMANITARIAN INTERVENTIONS IN BOSNIA AND HERZEGOVINA AND KOSOVO: A COMPARATIVE ANALYSIS

*“... if humanitarian intervention is truly an unacceptable attack on sovereignty, how should we respond to Rwanda, to Srebrenica -- to grave and systematic violations of human rights that offend every principle of our common humanity?”<sup>73</sup>*

Kofi Anan  
Secretary General of the United Nations

**Summary:** This paper makes a comparative analysis of the actions of the UN Security Council regarding international interventions in the cases of Bosnia and Herzegovina and Kosovo. These events made a decisive contribution to fueling the debate in the 1990s about humanitarian interventions and their legality and legitimacy in cases of threats to the peace, breaches of the peace and aggression. At the time of the interventions in BiH and Kosovo, the principle of R2P (Responsibility to Protect), which was adopted at a session of the United Nations General Assembly in 2005 and which directly mandates intervention in cases of genocide, war crimes and crimes against humanity, was not in force. However, the essence of the R2P principle was even then the direction in which the logic of international humanitarian interventions moved. On

73 International Commissions on Intervention and State Sovereignty, *The Responsibility to Protect*, (Ottawa: IDRC, 2001), VII.

the other hand, the adoption of the R2P principle can also be seen as a consequence of the problems that arose during the interventions in BiH and Kosovo, which indicated the necessity of expanding the powers of the UN Security Council (SC) beyond Chapter VII of the United Nations Charter. The problem of humanitarian intervention is dealt with primarily through the use of United Nations documents, a specific type of historical source.

**Keywords:** UN, Security Council, international humanitarian intervention, Yugoslavia, Bosnia and Herzegovina, Kosovo.

## Introduction

In international relations, intervention is a broad term and can represent any way of interfering in the affairs of another state.<sup>1</sup> International humanitarian intervention, although it does not necessarily have to include a military component, most often means the use of armed force to intervene in another state. According to definitions that focus only on armed interventions, humanitarian intervention is the threat of force or the use of force outside state borders by a state (or a group of states) without the consent of the state on whose territory the force is applied, with the aim of preventing or ending massive and severe human rights violations of persons who are not citizens of the intervening states.<sup>2</sup> International humanitarian intervention appeared as an idea very early, from the very beginning of the institutionalization of international

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<sup>1</sup> From the very beginning, international humanitarian interventions have been the subject of a fierce debate in the international public, primarily about questions of morality and legality. These questions are certainly beyond the scope of this work and there is no space for their more detailed discussion, but as an example, see the key elements for and against international humanitarian interventions in: Jane Stromseth et al., *Can Might Make Rights? Building the Rule of Law after Military Interventions*, (Cambridge: Cambridge University Press, 2006); James Pattison, *Humanitarian Intervention and the Responsibility to Protect – Who Should Intervene?* (Oxford: Oxford University Press, 2010); *Challenges for Humanitarian Interventions – Ethical Demand and Political Reality*, eds. C.A.J. Coady et al., (Oxford: Oxford University Press, 2018).

<sup>2</sup> J.L. Holzgrefe, “Humanitarian intervention debate”, in: *Humanitarian intervention: Ethical, Legal and Political dilemmas*, eds. J.L. Holzgrefe and Robert O. Keohane, (Cambridge: Cambridge University Press, 2003), 18.

relations through conferences of the great powers. Since the 19th century, they have been the subject of intense debate among experts, but also among statesmen, and this debate became especially important after the Second World War.<sup>3</sup> Since the formation of the United Nations, an organization entrusted with the responsibility for peace in the world, humanitarian intervention has been given an institutional framework.<sup>4</sup>

Although humanitarian intervention generally refers to armed intervention, any form of interference in an internal or international conflict or situation in a country is a form of intervention. Understanding the broader concept of intervention is important because of the understanding of the temporary measures that the UN Security Council (SC) is obliged to take before making a decision on armed intervention.<sup>5</sup> Chapter VII of the United Nations Charter defines the reasons for which the SC can make a decision on intervention – in cases of threats to peace, disruption of the peace and aggression.<sup>6</sup> In addition to cases that give rise to intervention, this chapter also calls for the application of temporary measures that do not involve the use of armed force, which should precede intervention with armed force. The SB makes a decision on armed intervention only after the failure of temporary measures. The assessment of whether these measures were successful is left to the SB itself, without defining specific criteria for assessment. The SB makes decisions on intervention through the adoption of Security Council resolutions, which mainly define the current situation, the reasons for the intervention and the method of intervention.

3 On the history of international humanitarian intervention, see in detail in: Mark Swatek-Evenstein, *A History of Humanitarian Intervention*, Cambridge: Cambridge University Press, 2020.

4 On the history of interventions under the auspices of the UN and the relationship of this organization to humanitarian intervention, see in detail in: Norrie MacQueen, *Humanitarian Intervention and the United Nations*, (Edinburgh: Edinburgh University Press, 2011).

5 “These measures may include a complete or partial interruption of economic relations and rail, sea, air, postal, telegraphic, radiographic and other connections, as well as the interruption of diplomatic relations”, Charter of the United Nations, International Treaties of the FNRJ, no. 5/1945, Article 41.

6 United Nations Charter, Articles 39-51.

At the end of 2001, the independent International Commission for Intervention and State Sovereignty completed its work, which in its one-year mandate aimed to examine the relationship between the need for intervention when human lives are threatened and the principle of state sovereignty, which is considered the foundation of international relations.<sup>7</sup> In December 2001, the Commission issued a report entitled “The Responsibility to Protect” as a result of twelve months of research and extensive consultations conducted throughout the world.<sup>8</sup> The report gave recommendations for a new attitude towards humanitarian interventions and defined goals that should be achieved in order to legitimize interventions that are carried out to protect civilians. The report sets the new concept of Responsibility to Protect as the direction of international law in this area.<sup>9</sup> Sovereignty is seen from the viewpoint of responsibility, and the report concludes that sovereignty is viewed today through the principle of double responsibility. On the one hand, states must respect the sovereignty of other states, and – on the other – respect “the dignity and basic rights of people within their own state”.<sup>10</sup>

## War in BiH and Kosovo

The war in Bosnia and Herzegovina began on 6 April 1992 and ended on 14 September 1995, with the signing of a peace agreement between the warring parties (Serbia and Montenegro, Croatia and Bosnia and Herzegovina), known as the Dayton Agreement.<sup>11</sup> In 1995, in the Tadić case, the Appeals Chamber of

7 Vojin Dimitrijević i dr., *Osnovi Međunarodnog javnog prava*, (Belgrade: Beogradski centar za ljudska prava, 2005).

8 International Commissions on Intervention and State Sovereignty, *The Responsibility to Protect*.

9 The report calls for abandoning the old terminology that referred to the “right to intervene” in favor of the “responsibility to protect”, and also states that the term “humanitarian intervention” is not useful for further constructive discussion, *ibid.*, 27.

10 *Ibid.*, 8.

11 On the war in Bosnia and Herzegovina, see, for example: Steven L. Burg and Paul Shoup, *The War in Bosnia-Herzegovina: Ethnic Conflict and International Intervention*, (Armonk/London: M.E. Sharpe, 1999); Ivo Žanić, *Barjak na planini Politička antropologija rata u Hrvatskoj i Bosni i Hercegovini 1990-1995*,

the International Criminal Tribunal for the Former Yugoslavia (ICTY) concluded that the conflict in Bosnia and Herzegovina was international until 19 May 1992, when Yugoslav army forces formally withdrew from that country.<sup>12</sup>

According to some estimates, the beginning of the war in Kosovo is linked to the year 1997, when the Kosovo Liberation Army appeared for the first time, as a violent reaction to the years-long violation of the human rights of the Albanian population in Kosovo.<sup>13</sup> The end of the bombing on 10 June 1999, which occurred after the signing of the Kumanovo Agreement, is considered the end of the war, when the then president of the FRY, Slobodan Milošević, agreed to the entry of KFOR forces into the territory of Kosovo and the withdrawal of the Serbian army and police.<sup>14</sup> The conflict was undoubtedly internal between the military/police forces of Serbia and the FRY and the guerilla units of the Kosovo Albanians.<sup>15</sup>

We can see the following similarities and differences between these two conflicts that influenced some of the decisions of the international community:

– Both wars were fought on the territory of the former SFRY, and are seen as part of the disintegration of the former Yugoslavia.<sup>16</sup> There were initiatives during the 1990s, mostly from Kosovo intellectuals, to link the issue of resolving the status of Kosovo to the Dayton Agreement and thus achieve parity be-

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(Zagreb: Srednja Europa, 2018).

12 ICTY Archive, Predmet Tadić, Odluka Žalbenog veća od 15. jula 1999, para. 146-162.

13 On the history of the KLA, see: Henry H. Perritt Jr., *Kosovo Liberation Army: The Inside Story of an Insurgency*, (Urbana/Chicago: University of Illinois Press, 2008).

14 It should be borne in mind here that crimes related to armed conflicts continued throughout the year 2000, directed primarily against the non-Albanian population, but also against Albanians who were accused of collaborating with the Milošević regime, see: Kosovska knjiga pamćenja. Knjiga druga: 1998-2000 – dostojanstvo za nestale, Beograd: REKOM/FHP, 2024.

15 On the war in Kosovo and the crisis that led to it, see more in: Julie Mertus, *Kosovo: How Myths and Truths Started a War*, (Berkeley: University of California Press, 1999); *Understanding the War in Kosovo*, eds. Florian Bieber and Židas Daskalovski, (London/Portland: Frank Cass Publishers, 2003).

16 The literature on the breakup of Yugoslavia and the war in Bosnia and Herzegovina is huge, here we cite as an example: Lora Silber and Alan Little, *Smrt Jugoslavije*, (Belgrade: Radio B92, 1996); Sabrina Ramet, *Thinking about Yugoslavia. Scholarly Debates about the Yugoslav Breakup and the Wars in Bosnia and Kosovo*, (Cambridge: Cambridge University Press, 2005); Leonard J. Cohen, *Broken Bonds: The Disintegration of Yugoslavia*, (Boulder: Westview Press, 1995); Susan L. Woodward, *Balkan Tragedy – Chaos and Dissolution after the Cold War*, (Washington D.C: The Brookings Institution, 1995).

tween the rights of the Serbs in BiH and the rights of the Albanians in Kosovo.<sup>17</sup> According to Shkeljzen Maliqi, in the article he wrote before the signing of the Dayton Agreement, “this connecting of Bosnia and Kosovo in principle several times was succinctly summed up in the formula: what Serbia is looking for for the Serbs across the Drina, it should ensure for the Albanians in Serbia. Although this formula never became the official position of any of the major powers, it was present in their thinking about the options for solving the Kosovo issue, and was sometimes publicly stated as such.”<sup>18</sup>

– In both wars, one of the parties was the Republic of Serbia. For the war in Kosovo, this fact is indisputable, while for the war in Bosnia and Herzegovina, this was the case primarily at the beginning of the war, while the role of Serbia in the later period is disputed. However, at least until 19 May 1992, according to the verdict of the ICTY in the Tadić case, it was an international conflict in which Serbia also participated, as already mentioned above. Also, in both wars, the decision on international intervention was made on the basis of actions of the Serbian party, which, despite all the problems in the relations between officials in Belgrade and Pale, is generally viewed as the same warring party.<sup>19</sup>

– In both wars, the Serbian party was militarily and structurally superior – in Bosnia and Herzegovina it inherited the weapons and structure of the Yugoslav People’s Army, while in Kosovo it had the state structures of the police and army under its control. In both cases, its opponents were militarily significantly weaker and relied on guerrilla and paramilitary formations that had gathered during the war. While this is completely indisputable and clear in the case of the KLA, which was a guerilla formation from beginning to end, the regular Army of BiH

17 On the different phases of the international community’s attitude towards the Kosovo problem during the 1990s, see: Alex Bellamy, *Kosovo and International Society*, (London: Palgrave, 2002), 12-15.

18 Shkeljzen Maliqi, „Dejton preloman i za Kosovo”, AIM, 6. novembar 1995, <http://www.aimpress.ch/dyn/pubs/archive/data/199511/51106-002-pubs-pri.html> (22. februar 1995).

19 See below for the chronology of adoption of various measures through resolutions of the SB.

was formed in Bosnia and Herzegovina, but it was built during the war, which made it very difficult to establish a serious military structure and chain of command.<sup>20</sup>

– The conflict in BiH began with the breakup of the former Yugoslavia, after the political elites of the three largest nations in that republic failed to find a solution for the country's future. The conflict in Kosovo was the result of a decades-long problem between the Albanian national minority and the authorities of Serbia and Yugoslavia. The problem was reflected in the opposing aspirations of the two sides concerning the level of independence of the Autonomous Province of Kosovo within Serbia and Yugoslavia, and the conflict intensified after the regime of Slobodan Milošević abolished the autonomy of Kosovo in the late 1980s and established a repressive police regime marked by massive violations of human rights.<sup>21</sup>

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20 See more in: Xavier Bougarel, *Bosna, anatomija rata*, Sarajevo: University Press, 2018.

21 See more about the development of the crisis in Kosovo before the start of the war in: *Kosovo-Kosova, Confrontation or Coexistence*, ed. Ger Duijzings, (Nijmegen: University of Nijmegen, 1997); Miranda Vickers, *Between Serb and Albanian – A History of Kosovo*, (New York: Columbia University Press, 1998); Howard Clark, *Civil Resistance in Kosovo*, (London: Pluto Press, 2000).

## Chronology of interventions in BiH and Kosovo

In the period from 1991 to 1995 (or more precisely, from the resolution introducing the arms embargo to the resolution lifting it), the United Nations Security Council passed 83 resolutions concerning the conflict in the former Yugoslavia. Most of them (with the exception of a small number of resolutions that refer exclusively to Croatia and Macedonia) discussed the situation in Bosnia and Herzegovina and ordered the measures that should be taken in order to bring about the establishment of peace on this territory. With these resolutions, the following measures were taken chronologically: the introduction of an arms embargo for all warring parties<sup>22</sup>; the introduction of sanctions against FRY<sup>23</sup>; establishment of UNPROFOR (international peacekeeping force)<sup>24</sup>; delivery of humanitarian aid<sup>25</sup>; condemnation of human rights violations<sup>26</sup>; establishment of a commission to investigate violations of human rights<sup>27</sup>; introducing a no-fly zone over BiH<sup>28</sup>; condemnation of abuse of women<sup>29</sup>; declaring Srebrenica a safe zone<sup>30</sup>; establishment of the International Criminal Tribunal for the former Yugoslavia<sup>31</sup>; approval of the use of force by UNPROFOR if there is an attack on security zones<sup>32</sup>; approval of an additional 7,600 soldiers for security zones and the use of air power<sup>33</sup>; defining the principles for calming

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22 Resolution UNSC 713 of 25 September 1991. All Security Council resolutions are available at: <https://main.un.org/securitycouncil/en/content/resolutions-0>, (22 February 2025)

23 Resolution UNSC 757 of 30 May 1992

24 Resolution UNSC 758 of 8 June 1992

25 Resolution UNSC 770 of 13 August 1992

26 Resolution UNSC 771 of 13 August 1992

27 Resolution UNSC 780 of 13 August 1992

28 Resolution UNSC 781 of 6 October 1992

29 Resolution UNSC 798 of 9 October 1992

30 Resolution UNSC 819 of 16 April 1993

31 Resolution UNSC 827 of 25 May 1993

32 Resolution UNSC 836 of 4 June 1993

33 Resolution UNSC 844 of 8 June 1993

the crisis in BiH<sup>34</sup>; resolution on Sarajevo and the expansion of security zones<sup>35</sup>, condemnation of “ethnic cleansing” by Bosnian Serbs<sup>36</sup>; strengthening of safe zones in Bihać and Sarajevo<sup>37</sup>; approval of additional 12,500 soldiers<sup>38</sup>; appeal to Bosnian Serbs to leave Srebrenica and stop the attack (July 12, 1995)<sup>39</sup>; resolution on missing civilians in Srebrenica and Žepa<sup>40</sup>; condemnation of all violations of international humanitarian law<sup>41</sup>.

In the same period, before the signing of the Dayton agreement, various representatives of the United Nations and the international community proposed various solutions for the conflict in BiH on seven occasions (from Lord Carrington to Galbraith’s Z4 plan). All solutions were rejected by the various warring parties.<sup>42</sup> A contact group was also established consisting of countries interested in the situation in the Balkans: four permanent members of the United Nations plus Germany and Italy, which at that time had the largest number of groups engaged in the Balkans. In response to the genocide in Srebrenica in July 1995, a conference was held in London at the end of that month, the aim of which was to formulate a further strategy and at which a decision was made that NATO would react with arms if any of the safe zones were threatened, primarily Goražde, which was assumed to be the next target of Mladić’s forces.<sup>43</sup> Two days after Serbian forces fired a shell that killed 35 people in one of the numerous bombings of civilian targets in Sarajevo on 28 August 1995, the operation Deliberate Force began, in which NATO forces carried out an aerial

34 Resolution UNSC 859 of 24 August 1993

35 Resolution UNSC 900 of 4 March 1994

36 Resolution UNSC 941 of 23 September 1994

37 Resolution UNSC 959 of 19 November 1994

38 Resolution UNSC 998 of 16 June 1995

39 Resolution UNSC 1004 of 12 July 1995

40 Resolution UNSC 1010 of 10 August 1995.

41 Resolution UNSC 1019 of 9 November 1995

42 See a summary of the peace proposals and their results in: X. Bougarel, *Bosnia – Anatomy of War*, 127-133.

43 The conference was attended by representatives of the USA, Great Britain, France, Russia, Germany, NATO, the UN and the European Union, see more about this in: *Srebrenica - Reconstruction, background, consequences and analyzes of the fall of a ‘safe’ area*, (The Hague: NIOD, 2002), 2416-2418.

attack on Bosnian Serb positions.<sup>44</sup> In December 1995, the Dayton Agreement was signed between the warring parties.

As can be seen from this chronology, in the case of Bosnia and Herzegovina the United Nations took all the steps available to this organization before the international military intervention finally took place. At the same time, the measures that were taken were often criticized by the public of Western countries for their ineffectiveness and even for the side effects that actually benefited the Bosnian Serb army. In this sense, the ban on the export of weapons to all warring parties was particularly controversial in a situation where the Serbian party took over almost all of the JNA's weapons and was therefore the only one that was not harmed by the import ban. In addition to the usual measures on the agenda of the SC, in the case of Bosnia and Herzegovina, new, previously non-existent mechanisms were devised, so that the world organization undertook more than usual in order to implement its mandate for preserving peace in the world. Particularly innovative were measures such as the establishment of the ICTY or the establishment of safe zones in six Bosnian enclaves, which caused great debate among the professional and lay public.<sup>45</sup>

In the period from 1998 to 1999, in connection with the conflict in Kosovo, the United Nations Security Council passed a total of five resolutions, including two passed after the beginning of the intervention – resolution 1239 and resolution 1244, which contained principles for resolving the crisis in Kosovo after the signing of the military-technical agreement in Kumanovo on 9 June 1999.<sup>46</sup> In the first resolution to be passed, the UN Security Council among other things: called for a peaceful resolution of the conflict; introduced a ban on the import of weapons; established a commission to monitor the implementation of the recommendations of this resolution, control of the arms

44 *Deliberate Force A Case Study in Effective Air Campaigning - Final Report of the Air University Balkans Air Campaign Study*, ed. Robert C. Owen, (Maxwell Air Force Base: Air University Press, 2000).

45 See the positions of the states in the SC itself during the establishment of protected zones in: *The Fall of Srebrenica, Report of the Secretary-General*, 15 November 1999, 18-25.

46 Resolution UNSC 1239 of 14 May 1999 and Resolution UNSC 1244 of 10 June 1999

import ban and constant reporting to the SC on the situation on the ground.<sup>47</sup> In the other resolution adopted six months later, the SC, among other things: expressed concern over the excessive and indiscriminate use of force by the Serbian security forces and the Yugoslav army which led to a large number of victims and, according to the UN Secretary General's estimate, 250,000 refugees and internally displaced persons; expressed concern about the influx of refugees to countries in the region and EU countries; condemned all terrorist acts and violations of the arms import ban; expressed its concern about the looming humanitarian disaster and the growing violation of human rights and international humanitarian law; called for an immediate start of dialogue and a peaceful resolution of the conflict; demanded the cessation of all actions against the civilian population by Serbian forces; requested the entry of monitoring missions and teams of the Red Cross and UNHCR and made a decision that, if the recommended measures were not implemented, it would take other measures that would contribute to the establishment of peace in the region.<sup>48</sup>

In the third, final resolution on Kosovo before the NATO intervention, the Security Council: called for the implementation of previous resolutions; welcomed the establishment of the OSCE verification mission in Kosovo; welcomed the agreement signed between the Chiefs of General Staff of the FRY and NATO to establish an aerial verification mission in Kosovo; demanded that the FRY enable the smooth operation of both verification missions in accordance with the signed agreements; condemned the continuation of the violence and the violation of the arms import ban; expressed concern about the closure of independent media by the authorities in the FRY; demanded a full investigation into all crimes committed against civilians; sought to facilitate the return of refugees and made a decision that the ban on the import of weapons does not apply to the weapons used by the verification mission in Kosovo.<sup>49</sup>

47 Resolution UNSC 1160 of 31 March 1998

48 Resolution UNSC 1199 of 23 September 1998

49 Resolution UNSC 1203 of 24 October 1998

The deterioration of the situation on the ground led to the creation of the Contact Group peace plan in January 1999. The North Atlantic Council authorized NATO to launch an air strike if Serbia did not sign a peace treaty. Six days before the start of the NATO attack, Serbia refused to sign the peace agreement in Rambouillet, which was the official reason for the start of the military intervention.<sup>50</sup>

### Legality of armed interventions in BiH and Kosovo

Chapter VII of the United Nations Charter defines several steps that must be taken before armed intervention in a conflict. These steps, and their application in specific cases of BiH and Kosovo, were:

1. The Security Council determines that there is a threat to peace, breach of peace or aggression<sup>51</sup>

In both cases, the UN Security Council determined that the conflicts pose a threat to international peace and security. In the case of BiH, this process lasted several months. The war in Bosnia and Herzegovina continued in April 1992 on top of the already heated conflict in Croatia, so the determination that it was a violation of international peace and security continued on previous resolutions. The SC determined that it was a threat to peace in August 1992, four months after the beginning of the conflict in Bosnia and Herzegovina. In various resolutions from that period, the Security Council:

...Expresses concern that the continuation of the situation [in the former Yugoslavia] will mean a threat to international peace and security... (resolution UNSC 713 of 25 September 1991);

...Notes that the continuation and worsening of the situation [in the former Yugoslavia] would represent a threat to international peace and se-

50 James Gow, *War in Kosovo 1998-1999*, in: *Coping with Yugoslav controversies - a scholar's initiative*, ed. Charles Ingrao and Thomas A. Emmert, (Sarajevo: Buybook, 2010), 295-333.

51 UN Charter, Article 39.

curity... (resolution UNSC 721 of 27 November 1991);

...Recognizes that the situation in Bosnia and Herzegovina represents a threat to international peace and security... (resolution UNSC 770 of 13 August 1992).

In the case of the conflict in Kosovo, in the second resolution adopted in September 1998, the Security Council:

...Confirms that the deterioration of the situation in Kosovo, Federal Republic of Yugoslavia, represents a threat to peace and security in the region... (resolution UNSC 1199 of 23 September 1998).

2. The Security Council, before making recommendations or deciding on further measures, may invite interested parties to comply with those temporary measures that it deems necessary or desirable. The SC is obliged to take care of non-compliance with such temporary measures.<sup>52</sup>

Both in the case of Bosnia and Herzegovina and in the case of Kosovo, one of the more important temporary measures involved an arms embargo, where all states were ordered to respect the ban on the import of arms.

In the case of Bosnia and Herzegovina, the Security Council:

... Decides that, on the basis of Chapter VII of the Charter of the United Nations, all countries must, for the purpose of establishing peace and stability in Yugoslavia, immediately introduce a general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia until the Council decides otherwise after consultations between the Secretary General and the Government of Yugoslavia... (resolution UNSC 713 of 25 September 1991)

In the case of Kosovo, the Security Council, in addition to banning the import of weapons, also introduced a ban on training for carrying out terrorist activities:

...Resolves that all states must, for the purpose of establishing peace and

52 UN Charter, Article 40.

stability in Kosovo, prevent the sale or supply to the Federal Republic of Yugoslavia, including Kosovo, by its citizens from other territories or by use of vessels or aircraft, of weapons or similar equipment of all kinds, such as weapons and ammunition, military vehicles and equipment and spare parts for the aforementioned, and to prevent arming and training for terrorist activities... (resolution UNSC 1160 of 31 March 1998)

In addition to this measure, the Security Council has consistently called in both cases for a cessation of hostilities and dialogue between the conflicting parties, and for the protection of civilians on all sides.

3. The Security Council decides which measures that do not involve the use of armed force should be applied.<sup>53</sup>

Both in the case of BiH and in the case of Kosovo, the Security Council ordered various measures that do not involve the use of armed force. As can be seen in the chronology of the interventions, in both cases a wide variety of measures were recommended and/or implemented, which were supposed to lead to a peaceful resolution of the conflict. Also, in all the resolutions it is established that the previous resolutions have not been respected and all parties are called on to respect both the new decisions of the Security Council and the previously adopted resolutions. In the case of Bosnia and Herzegovina, it is evident that there is a constant violation of the decisions of the SC, as well as the long-term efforts to find a peaceful solution to the conflict. In the case of Kosovo, there were significantly fewer resolutions (proportionally speaking), although in the three resolutions that were passed before the start of the conflict, a large number of measures were recommended, including support for the establishment and request for the smooth operation of verification missions, a request for the ICTY to investigate crimes and violations of human rights, the repeal of the decision to ban the import of weapons for the operation of verification missions, etc.

In addition to the resolutions, on two occasions, through presidential statements, in August 1998 and in January 1999, the SC expressed its concern over the deterioration of the situation in Kosovo and called for compliance with the SC's resolutions.

4. If the previous measures are not sufficient to stop the hostilities, the SB may take action with air, sea or land forces that is necessary for the maintenance of international peace and security.<sup>54</sup>

In the case of Bosnia and Herzegovina, the air attack on the positions of the Serbian forces was carried out in accordance with the resolutions of the SC, which define the protected zones and express concern about the endangerment of these zones by the Bosnian Serb army. Specifically, resolution 836 of 4 June 1993 directly authorized UNPROFOR to use force if the zones were threatened or UNPROFOR was attacked.<sup>55</sup> After the attack on Srebrenica in July 1995, at the conference in London on 21 July 1995, as already mentioned, it was decided that if Serbian forces attack another protected zone, NATO has the authority to retaliate with force. After the conference, at two meetings of the North Atlantic Council, on 25 July and 1 August 1995, it was specified that NATO has the authority to attack if there is a joint decision by NATO and UN military commanders that it is necessary to defend the protected zone of Goražde (at the second meeting, the authority was extended to Sarajevo, Tuzla and Bihać). The military commander of the United Nations Peacekeeping Force was authorized by the UN Secretary General to authorize NATO airstrikes without consulting civilian UN officials.<sup>56</sup> As already explained, after the attack on the Markale market in Sarajevo on 28 August 1995, the commanders of UN-

<sup>54</sup> UN Charter, Article 42

<sup>55</sup> Resolution SB 836, "authorizes UNPROFOR, with the mandate defined in resolutions 770 (1992) and 776 (1992), in the implementation of the mandate defined in paragraph 5 above, acting in self-defence, to take necessary measures, including the use of force, in response to the bombardment of protected areas by any party or to armed incursion into them or in the event of any deliberate interference with the freedom of movement of UNPROFOR or protected humanitarian convoys in or around those zones".

<sup>56</sup> *The Fall of Srebrenica Report*, 89-90.

PROFOR and NATO made a joint decision to carry out a NATO attack on the VRS positions.

NATO forces launched an air attack on the Republic of Serbia (including Kosovo) on 24 March 1999. There was no Security Council resolution that approved the use of force to establish peace, although some of NATO's arguments rely on resolution 1199, which, among other things, states that, if the FRY does not take the measures required in the resolution, further actions will be taken with the aim of establishing peace and stability in the region.<sup>57</sup> After the start of the attack, two Security Council meetings were held at which the airstrikes on Serbia were discussed (the first was held on 24 and the second on 26 March 1999). On the eve of the second meeting, Russia, together with Belarus and India, submitted a draft resolution demanding an immediate end to the NATO intervention. The Security Council refused to adopt this resolution with 12 votes against and 3 votes in favour (Russia, China and Namibia).<sup>58</sup> Of the 12 votes against, 5 countries in the Security Council were members of the NATO pact at that time. The NATO operation ended on 10 June 1999, after Milošević agreed to the terms of the Russian-Finnish mediation team. Resolution UNSC 1244 defines further steps to maintain peace.<sup>59</sup>

## Issues of the legitimacy of armed interventions in BiH and Kosovo

### The legitimacy of the armed intervention in BiH, due to the legality of the

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57 Resolution UNSC 1199 of 23 September 1998

58 Statement from the Security Council meeting of 26 March 1999, <https://press.un.org/en/1999/19990326.sc6659.html> (25 March 2025).

59 Resolution UNSC 1244 of 10 June 1999

entire process in the United Nations, is not questioned. Things are quite different with the intervention in Kosovo. Some of the elements that still today produce the basis for ethical/political debates when it comes to this intervention are:

1. The fact that in both wars Serbia (that is, Milošević's regime) was one of the parties to the conflict, in a very short period of time and under similar conditions, led to the question of the likelihood of the conflict being resolved peacefully. The Serbian leadership's repeated refusal to either approach a peaceful resolution of the conflict, or to respect the provisions of the agreement it had already made, gave ammunition to supporters of military intervention as the only way to stop Milošević. Also, in both cases, the international community encountered the incomparable military superiority of the Serbian forces, which initially indicated the vulnerability of the adversary and the necessity of a quick and effective reaction.

2. The issue of sovereignty of the FRY was an issue that could not be ignored. In all resolutions of the SB, the sovereignty of the FRY is emphasized. On the other hand, violations of the human rights of citizens of the FRY for which the state itself was responsible were regularly recorded. The manner of reaction in such cases was the subject of fierce debate at Security Council sessions. From the transcripts of the sessions, it can be concluded that the main discussion was based on different priorities of the "opposing" parties: the issue of the sovereignty of the state as inviolable (except in cases of aggression, threat to international peace or its violation) or, on the other hand, the value of human life or, more broadly, respect for basic human rights. This polemic was a direct reason for the establishment of a commission that will deal with the issue of the relationship between sovereignty and human rights violations that result from the concept of responsibility for protection (R2P).

3. Due to the reluctance of the Security Council and NATO to react, even

though there was already a legal basis for an armed reaction in the resolutions of the Security Council, genocide was committed in BiH in 1995. The moral responsibility “felt” by the international community due to the committed genocide had a great influence on the decision on whether to intervene at a more timely moment in the case of Kosovo.<sup>60</sup> Even if we exclude from the equation the level of human rights violations before the start of the intervention (according to the reports of the verification missions), most of the existing indications (a previously ended war, superiority on the ground, actions taken by Serbian forces, etc.) indicated a high possibility of repeating the scenario from Bosnia and Herzegovina.

4. The question of the reaction of NATO forces without the approval of the Security Council is also a basis for controversy. There is no doubt that the intervention without this approval is a precedent and that it caused fierce polemics in the professional and lay public that continue to this day. We should take into account the historical moment in which the intervention was carried out, and in that we should also look for the reasons why it was supported by such a large number of countries. On the other hand, the Security Council of the United Nations, at the session held after the beginning of the armed intervention, rejected the resolution demanding an end to the intervention. Most of the countries that voted against the resolution to end the intervention were not members of NATO. In a way, the majority in the Security Council created a situation in which a decision is tabled to end an intervention, not to start it, bypassing the veto rule. With this sequence of events, Russia and China did not have the opportunity to veto the decision on intervention, which gave almost all other members of the Security Council the opportunity to react in the way they considered appropriate - armed intervention. Of course, this kind of procedure does not give legality to the operation, but it is important when considering its

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60 Richard Falk, *Humanitarian Intervention and Legitimacy Wars – Seeking Peace and Justice in 21<sup>st</sup> Century*, (London/New York: Routledge, 2015), 75-77.

legitimacy, because it indicates the problems that the veto system in the SB can cause, creating an obvious conflict on the line of legality-legitimacy.<sup>61</sup>

## Conclusion

International relations and international law have always developed under the influence of specific historical circumstances. They are inseparable from the social context that surrounds them, whether regional or global. Wars in the former Yugoslavia are an inexhaustible source for studying this phenomenon. These are the conflicts that after the Second World War had the greatest impact on the development of international institutions and organizations, on changing the rules in the field of international politics, but also on revolutionary new codifications and solutions in the field of international law. As shown in this work, a particularly important role was played by the United Nations, or the Security Council as the body directly responsible for maintaining peace in the world. The war in Bosnia and Herzegovina put the UN system in front of huge challenges and forced it to deal with this country on an almost daily basis. That is why we have at our disposal a wide range of resolutions of the SC devoted to BiH, on the basis of which we can reconstruct how the international community's efforts to establish peace in that country progressed. When everything else was exhausted, there was a military intervention against the Bosnian Serb army.

The relative success of the military intervention which was reflected in the faster imposition of peace in Bosnia and Herzegovina, but also enormous pressure and criticism due to the fact that the intervention came only after three

<sup>61</sup> This conflict was also noticed by international experts who formed an independent commission headed by Richard Goldstone in 2000 to analyze the war in Kosovo. They suggested that the SC find ways to reconcile the legitimate need for humanitarian interventions and the obstruction of the permanent members of the SC, see in detail in their report: *International Commission on Kosovo, The Kosovo Report: Conflict, International Response, Lessons Learned*, (Oxford: Oxford University Press, 2000).

years of war and 100,000 deaths, contributed to the fact that the next war led by Milošević's government – the one in Kosovo – was resolved much more quickly. On this occasion, NATO decided to react more quickly and efficiently, but in the process bypassed the legal path through the United Nations Security Council. Of course, in the meantime, the international circumstances also changed, so great powers like Russia and China were more ready to oppose the intervention against Milošević, in contrast to the case of Bosnia and Herzegovina. Thus, the military intervention in Kosovo in 1999 was welcomed by the Western public as the final victory of the principle that in extreme cases the protection of human rights does not know state borders, while in other parts of the world it was a warning that the theory of sovereignty was threatened and that it was a blow to the foundation of the international order. After Kosovo, the pendulum shifted much more towards a multipolar world and the predominance of *realpolitik*, while the values that aspired to global status after 1989 were largely pushed out of the arena of international relations.

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**Maja Stojanović, MA candidate**

**Faculty of Media and Communication, Singidunum University, Belgrade**

## **INTERNATIONAL HUMANITARIAN INTERVENTIONS IN BOSNIA AND HERZEGOVINA AND KOSOVO: A COMPARATIVE ANALYSIS**

**Summary:** This paper makes a comparative analysis of the actions of the UN Security Council regarding international interventions in the cases of Bosnia and Herzegovina and Kosovo. These events made a decisive contribution to fueling the debate in the 1990s about humanitarian interventions and their legality and legitimacy in cases of threats to the peace, breaches of the peace and aggression. At the time of the interventions in BiH and Kosovo, the principle of R2P (Responsibility to Protect), which was adopted at a session of the United Nations General Assembly in 2005 and which directly mandates intervention in cases of genocide, war crimes and crimes against humanity, was not in force. However, the essence of the R2P principle was even then the direction in which the logic of international humanitarian interventions moved. On the other hand, the adoption of the R2P principle can also be seen as a consequence of the problems that arose during the interventions in BiH and Kosovo, which indicated the necessity of expanding the powers of the UN Security Council (SC) beyond Chapter VII of the United Nations Charter. The problem of humanitarian intervention is dealt with primarily through the use of United Nations documents, a specific type of historical source.

**Keywords:** UN, Security Council, international humanitarian interventions, Yugoslavia, Bosnia and Herzegovina, Kosovo.

## AUTHORS' BIOGRAPHIES

**Dragan Popović (1980)** graduated from the Faculty of Law of the University of Belgrade, where he defended his master's thesis "The Right to the Truth in International Law". He defended his doctoral thesis "Changes in the politics of history and the culture of memory in Europe - the case of Serbia 1980 - 1990" at the Faculty of Philosophy (Department of History) in Belgrade in 2024. He is a consultant for Serbia of the European Fund for Democracy and has many years of experience working in civil society organizations. He published a large number of publications, articles, analyses and reports in the field of the culture of memory, nationalism studies, human and minority rights and transitional justice. He has been a lecturer and trainer at numerous schools, seminars and workshops on the topic of the protection of human rights, dealing with the past, the history of the SFRY and the rule of law in Serbia and the region.

**Katarina Beširević (1995)** is a researcher-associate and PhD student at the University of Belgrade, at the History Department of the Faculty of Philosophy. She completed her master's studies at the Central European University in Budapest. She is a collaborator and assistant on the projects of the Center for American Studies of the Faculty of Philosophy and a mentor at the Invisible University for Ukraine. She has participated in numerous conferences, gatherings and projects and published several scientific works, which include a methodological review of the nineties and the engagement of historians through the work of Andrej Mitrović, as well as war reporting in the weekly *Vreme* during the nineties. In her research, she deals with the nineties, post-socialism, imagery, the culture of memory and oral history. For her doctorate, she is studying the topic "Image of the United States of America in the political and public life of Serbia (1990-2000)".

Andrija Mihajlov (1997) is a PhD student at the Department of General Contemporary History of the Faculty of Philosophy in Belgrade and a researcher-trainee at Shoahlab, the Holocaust Research Laboratory at the Institute for Philosophy and Social Theory at the University of Belgrade. He completed his undergraduate and master's studies in history at the history department of the Faculty of Philosophy in Niš. His interests focus on researching various aspects of the history of the Holocaust, anti-Semitism and the ideology of National Socialism.

Sanja Lukić (1998) is a researcher-intern and doctoral student at the Department of Contemporary History of the Faculty of Philosophy in Belgrade. For her dissertation "American Government Scholarships in Yugoslavia: Educational Diplomacy and American-Yugoslav Relations in the Cold War" she deals with the Fulbright scholarship, its role and importance for the expansion of American soft power in Yugoslavia in the period from 1964 to 1992. As in her previous work, she observed and studied the relations between the United States and Yugoslavia during the Cold War from different perspectives, and for her master's thesis "Image of Yugoslavia in Life and Time magazines 1945–1980" she received the Ljubomir Ljuba Petrović award for the best master's thesis in the field of contemporary history and the history of Yugoslavia, awarded by the Institute of Contemporary History. Her academic interests lie in researching the political and cultural ties between Yugoslavia and the United States. She is engaged as a demonstrator in classes on Propaganda in the 20th century, and since 2022 she has been an associate of the Center for American Studies.

Žika Petaković (1996) is a doctoral student at the Department of Serbian History in the New Century at the Faculty of Philosophy in Belgrade. She completed basic studies in comparative literature with literary theory and master's studies in cultural studies at the Faculty of Philosophy in Novi Sad. She deals with the history of nationalism.

Miloš Tirnanić (1997) completed his undergraduate and master's studies in history at the Faculty of Philosophy, University of Belgrade. He is currently studying for a doctorate in history at the same faculty, and the topic of his research is "Perceptions of Europe in the circles of the intellectual, social and political elite of Serbia (1989-1992)". In 2022, he was elected to the position of researcher-intern at the Institute of Philosophy and Social Theory of the University of Belgrade, as a scholarship holder of the Ministry of Science, Technological Development and Innovation. He is the author of several scientific articles and book reviews.

Maja Stojanović (1979) completed her basic studies in communication studies at the Faculty of Media and Communications in Belgrade, where she is currently pursuing her master's studies. She is the executive director of the citizens' association Civic Initiatives. She has several decades of experience with the protection of human rights, dealing with the past and developing civil society. She has published and edited several publications on these topics. She is the founder of numerous domestic and international networks and organizations, including the House of Human Rights and Democracy in Belgrade.

