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THE AFFIRMATION OF
STATEHOOD AND
THE TERRITORIAL
INTEGRITY OF
CROATIA

INTRODUCTION

Croatia's tradition of statehood extends over thirteen centuries back to the medieval period. It continued until the establishment by the Versailles Peace Treaty of the entity of the Slovenes, Croats, and Serbs (in essence, the Kingdom of Yugoslavia). Croats' experience with Serbia's Karađorđević dynasty during the interwar period, and with Tito in the second Yugoslavia, only validated and strengthened the traditional yearning of all Croats to have their own state.

The creation of the Banovina (Viceroyalty) of Croatia in 1939, as well as the Independent State of Croatia in 1941 under adverse conditions, were expressions of that desire shared by all Croats. Subsequently, the affirmation of the golden thread of Croatian statehood continued during the Communist period, expressed by the ZAVNOH (State Anti-Fascist Council for the People's Liberation of Croatia) and in Croatia's constitutions, beginning in 1946 and continuing until the last, that is, the 1974 Constitution of the Socialist Republic of Croatia. All these initiatives reflected the basic quest for Croatian independence, despite the fact that they were manipulated from the top with the intent, on the one hand, of creating an illusion of legality and of building legitimacy for Communist Yugoslavia and, on the other, of attracting Croatian support.

In light of this, it is important to point out that the provisions enshrined in the Constitution of the Socialist Republic of Croatia guaranteed the right of nations to self-determination – including the right to secession – and also guaranteed precisely determined borders among the republics. This was to have a significant impact on Croatia's achievement of diplomatic recognition.

In order to fully understand Croatia's situation during the crucial period of 1990-92 – to which the fate and collapse of the second, Communist, Yugoslavia was also closely connected – it is necessary to take into consideration the political situation abroad, especially in Europe,

as well as to assess the political balance within the former Socialist Federal Republic of Yugoslavia (SFRY) itself.

In the present assessment, I will not deal with the domestic political situation in great detail. Rather, I will focus on the international political context during the last several years, principal actors who were not in favour of the disintegration and collapse of even an artificial state such as Yugoslavia (or the “Yugoslav tragedy” as it has been called with good reason).

THE INTERNATIONAL BALANCE

For a more comprehensive understanding of international relations, especially within the European context, a detailed analysis of the Congresses of Vienna and Berlin, the Versailles and Rapallo Treaties, and the League of Nations, as well as of the Monroe, Wilson, Truman, Kennedy, Nixon, and Reagan Doctrines would be required. However, in dealing with these very important principles, we will have to limit ourselves, only to those historical sources that have a direct bearing on an understanding of present-day international relations. These include the United Nations Charter, the Helsinki Final Act, the basic documents of the Conference on Security and Cooperation in Europe (CSCE), and the 1989 Paris Charter. These documents can be justifiably viewed as the basis for the generally accepted terms of reference and as the legal basis of the present-day interstate system in Europe. Of course, the role of NATO and the European Union should also be taken into account.

Here, I will address only one basic principle which was established by the Wilson Doctrine just before the end of the World War I. Even today it is seen as the keystone of that doctrine, namely “*the right of peoples to self-determination*”. This principle, and rightly so, found a prominent place in the principles of the League of Nations and, later, in the United Nations Charter, as well as in the CSCE documents.

This principle played a determinant role in the new framework in the aftermath of World War I as well as in the international process of decolonisation.

However, although the principle of national self-determination was applied when the international community recognized Croatia and Slovenia, it is no longer a keystone or a decisive principle in international relations today.

Significantly, President Bush's term in office, which coincided with the collapse of the Communist system and the disintegration of the last two neo-colonialist states in

Europe – the U.S.S.R. and the S.F.R.Y. – introduced a new doctrine that constituted United States' day-to-day foreign policy and was diametrically opposed to the Wilson Doctrine. Known as the Bush Doctrine, the latter held that: “States may neither be destroyed nor created.”

Moreover, this meant that those countries which were recognized and that exist at present are not allowed to disappear or disintegrate, and, by the same token, new states are not allowed to emerge. All this is in line with the well-known attitude of “the great powers” favouring the *status quo ante*, which is also the prevailing ethos of international relations, especially as conducted by the great powers of the world. Confirmation of this mentality was evident in the behaviour of the United Nations, especially when De Cuellar was its Secretary-General. Given this framework, it was not by accident that Budimir Lončar, the Foreign Minister of the SFRY – then already in its death-throes – sought to frighten and threaten the world at the CSCE summit in Berlin on 19 June 1991 by claiming that “The collapse of Yugoslavia would be like a time-bomb in the middle of Europe and could even now spark a chain reaction on the old continent, in which there are already forty-six ethnic conflicts.”

De Cuellar's successor, Butros Butros Ghali confirmed his support for *status quo* during the initial period of his term as Secretary-General of the United Nations by ardently insisting that the United Nations would no longer be able to respect the principle of “national self-determination”. Consequently, the international community was confronted with massive upheaval caused by the emergence of more new states than those that exist at present, forcing the United Nations to cope with more than four hundred states.

In view of the international world order at the end of the twentieth century, one can conclude without exaggerating that the Slovenes and Croatians caught one of the last trains to independence. Clearly, they relied heavily on the principle of a nation's right to self-defence. At the same time, Croatia must be aware that, now this right has been taken advantage of and used up. Thus, the contemporary principles of world order must take precedence, which is eminently pragmatic in the case of Croatia. The principle of national self-determination must now be treated as a historical category. Croatia must adhere to the world's great powers concept to the effect that this principle from the Wilson Doctrine, despite its continuing presence in the United Nations Charter, has undergone a revision.

However, it was not only because it took the world so long to understand the right of self-determination that Croatia's prospects for achieving the Croatian people's centuries-old desire for an independent Croatia were obstructed. There were also other obstacles:

1. Yugoslavia's standing and reputation around the world, which it gained in 1948 as the first “dissident” state by standing up to Stalin and the Comintern and, subsequently, as a leader in the Non-Aligned Movement.

2. The interests of the permanent members of the United Nations' Security Council.

a. Great Britain and France. They were the main supporters of the creation of Yugoslavia – or Greater Serbia – following both World Wars, and there was close diplomatic coordination between Belgrade, London, and Paris. Of course, there is an additional reason for this sensitivity, for one cannot exclude the existence of similar movements in Northern Ireland, Wales or, in Scotland and, as far as France is concerned, in Corsica and in its Basque region.

b. The United States, as a result of its experience in Vietnam has consistently followed a policy of avoiding military participation in crises that do not directly threaten its vital interests and in which it cannot guarantee a successful and quick outcome. In the crisis of former Yugoslavia, the United States displayed inertia and indecisiveness, delivering the problem first to the European Community, and subsequently steering it toward the United Nations.

c. Following the collapse of the “East Bloc” and the voluntary but unavoidable dissolution of the Warsaw Pact and by convulsions due to the U.S.S.R.'s economic collapse, Russia, using its position in the Security Council sought to ensure that developments in and the lessons from the Balkans did not spread to the Eurasian landmass, and supported Yugoslavia's continued existence. The first Russian ambassador to Croatia, Mr. Kerestezhants, acknowledged that for Russia, Belgrade used to be equivalent to Yugoslavia. As a result, no attention was paid at all to the other republics and peoples in the former Yugoslavia. This was not only the case in Russia or in the former U.S.S.R., but also in the most of the world and even in Europe. In addition, the fact that Russia is also Orthodox and in a traditional alliance with Serbia should not be underestimated.

d. China was also hesitant because of its ethnic composition and its determination that while accepting the need for changes in its social structure, by a gradual adoption of market conditions, it would freeze the democrati-

sation of its political system. Above all, China viewed the example of Croatia and Slovenia as an unwelcome precedent for the future of Tibet, and even Taiwan.

3. The end of the Cold War, the withdrawal of the U.S.S.R. from the world's political stage as a "superpower", the voluntary dissolution of the Warsaw Pact, the fall of the Berlin Wall, the unsuccessful coup attempt in Moscow in August 1991 - all occurred without firing a single shot. - All of these events lulled Europe into thinking that armed conflict would no longer be possible in Europe, and that it was only a painful memory from the past as the East Bloc was disappearing. The Paris Charter, filled as it is with wonderful declarations about order in Europe is basically flawed, since it does not enforce penalties and sanctions for those who do not respect the Charter's principles and prescriptions. Clearly, Europe underestimated the possibility of tyrants like Saddam Hussein or Idi Amin to emerge in Europe.

4. The international community witnessed the breakdown of the "Extraordinary" Congress of Yugoslavia's League of Communists in January 1990, as well as the results of the first democratic elections as part of a gradual democratisation process within the continuing framework of Yugoslavia, and as a result of the meltdown of Communism. Within that context, it was ignored that power in Slovenia, Croatia, Macedonia, and Bosnia-Herzegovina had passed to the newly emerged genuinely democratic political parties, while in Serbia and Montenegro the same totalitarian Communist parties remained in power, with the cynical omission of "Communist" from their name.

5. In January 1991, Europe and the rest of the world were focused on the Gulf War. Under these circumstances only then can one explain orders from the Serbian-dominated Yugoslav Army on January 9, commanding the surrender of the Territorial Defence Forces' arms in Croatia and Slovenia. This ultimatum and "Communique" by the Information Directorate of the Federal Secretariat for National Defence on January 24, were completely ignored by governments abroad, and hardly received any attention from the world media. Even though there was talk at the time of a "quiet" military coup or of a tendency toward military rule, take January 24, 1991 can be determined as the date when that really occurred. It was on that day that the Yugoslav Army announced that it was the leading and the determining force in the former Yugoslavia, and that it was above and outside any official political body in the state. This announcement was made disregarding, at this

stage, the role Slobodan Milošević or his right-hand man, Borisav Jović, may play in shaping events.

6. During the first half of 1991, official positions throughout Europe toward the Yugoslav crisis were identical to those of France and Great Britain. For example, at the end of the European Community Summit on April 7, 1991, Jacques Santer announced the European Community's agreed-upon positions.

a. That the European Community has a duty to support Yugoslavia's unity and territorial integrity.

b. That individual republics, with Slovenia and Croatia specifically mentioned, as integral parts of Yugoslavia, must not foster any illusions about their prospects of joining Europe. That opportunity will be available in the future only to Yugoslavia.

c. That the European Community sees no reason to become involved in the SFRY's sensitive internal matters.

7. The visit by the United States Secretary of State, James Baker, to Belgrade in June 1991, as well as his terse discussions with the presidents of each of the republics of the former Yugoslavia, and his statement before he departed, reflected the international community's stand on the Yugoslav crisis. Belgrade interpreted this as a "green light" to use armed force to bring the "troublemakers" in Slovenia and Croatia under control.

8. On June 24, 1991, the European Community announced that it had approved a loan to Yugoslavia - read Belgrade - of 730 million ECUs, which the federal president, Ante Marković, viewed as a triumph of his personal policy. This initiative on the part of the European Community can only be explained as a resolute intention to show that the European Twelve were behind a "united" Yugoslavia. In formal terms, this was cast as support for the Marković government, but in real terms, it also served as encouragement to Milošević, and the military and communist leadership. They were now assured that they could use force and move toward final armed confrontation without any fear of sanctions, responsibility or punishment.

The expected disintegration of the Communist system in the world, inspired political activity in the Croatian diaspora, a process which became especially prominent in Germany and the U.S., and in some other countries of the New World. It is difficult to list all the self-sacrificing and devoted actions, or the instances of help that the Croatian diaspora provided for the "old country". Results of the first multi-party elections marked the newest Croatian revival in the homeland, and we can freely say that Croats around the world also greeted it with great enthusiasm.

Under the influence of such a process, American Members of Congress such as R. Dole, C. Pell, De Concini, D'Amato, and many others, started embracing Croatia's cause. They used their authority to criticize the official policy of the United States of America towards Yugoslavia and Croatia. Strong and efficient Croatian lobbying in the USA took place during 1990.

However, the Serbian lobby was also effective during that period. With reference to the direct influence on the course of events in Croatia, in the middle of 1990, it is necessary to mention the role of Mrs. Helen Delich Bentley.

KOSOVO CRISIS 1989/1990 AND THE KNIN BARRICADES

During 1989, due to the repression by Serbian authorities of the Albanian majority in Kosovo, worldwide appeals were made to Yugoslav authorities to stop the use of force. As a result of disrespect for human rights, the U.S. Congress and many other parliamentary institutions in the world condemned Yugoslavia.

Helen Delich Bentley, a member of the House of Representatives from the State of Maryland, was a well-known lobbyist for the interests of Yugoslavia. At the beginning of August 1990, she visited Belgrade where she met Jović, President of the SFRY presidency, and Milošević, President of Serbia. The basic thrust of her advice to her Belgrade friends was to loosen their policy towards Kosovo. She also suggested that if for any reason Serbia was unable to comply with that request, it would certainly be in the best interest of Serbia to divert the attention of the world public from Kosovo by generating some other centres of crisis within the former Yugoslavia.

It is understandable that the Serbian military leadership, which controlled a tremendously superior military potential, found Mrs. Delich's alternative suggestion much more appealing. Consequently, Jović, met Rašković, Babić, and Opačić, leaders of the local Serbs in Knin, without the presence of Croatian government representatives, (which was a departure from the usual way of communication). Tension increased when it was made public that the meeting had taken place. The next day, August 16, JNA troops were called in, and on August 17, 1990, Serbs from the town of Knin placed barricades (tree-trunks) on the roads in the areas of Knin, Gračac, and Obrovac. This was the beginning of the so-called "tree-trunk" revolution in which the role of the leader of the Serbian lobby in the USA, Mrs. Delich Bentley, should not be neglected.

The fact that the “Knin barricades” – (as one of the protagonists, Mrs. Delich Bentley obsessively claimed that Croatia could not economically survive as an independent state) – did not offer a pretext for a direct military intervention, and did not force a change in the democratically elected government in Croatia, left the military option as the main and the only solution for Milošević.

BELGRADE'S CHOICE – THE WAR OPTION

Slovenia was the first to be attacked. However, after a six-day war and with the Serbian Army facing defeat, the creation of Serbo-Slavia was restricted to Yugoslavia minus Slovenia. On July 6, 1991 the Chief of Staff of the Yugoslav Army, General Blagoje Adžić, commented on the adventure in Slovenia in an aggressive speech: “We lost a battle, but not the war”, ending his speech with the appeal: “You should use all your knowledge and skills in the battle for the ideals of the October revolution.”

Milošević – Saddam of the Balkans – accused by the British *Guardian* in the summer of 1991 of “leading Serbia into a paranoia of wilderness”, and who was described by *The New York Times* as a “Butcher of the Balkans”, the head of the last communist regime in Europe, adjusted his policy after the six-day war, to what appeared to be from a Belgrade point of view, a realistic perspective. His slogan, “All Serbs in one state”, as a means of protecting the entire “Serbhood”, are reminders of Hitler's and his nazi preoccupation with the “blut und boden” theory. This was initiated with the “Anschluss” (of Austria), and continued with the Sudetenland (in the Czech Republic, then Czechoslovakia) and Danzig (Poland), after which Great Britain and France, although unprepared, declared war on Hitler's Germany, thus, launching World War II.

The United States of America gave Milošević six months, from June until December of 1991, to carry out his demonic ambitions. For the sake of historical truth, it is also necessary to publicly state that during this period in which Milošević could carry out his Greater Serbian dreams, there appeared, in relevant places, voices that differed from the officially declared policies of the EC and the U.S. I witnessed some of those events. For example, in the political department of NATO in Brussels, in mid June 1991, a draft working model entitled “Europe's Lebanon” had been drawn up, in which it was suggested that the NATO and the EC accept a joint declaration that should, among others, contain the following elements:

“a) identification of the aggressor in the Yugoslav conflict and the condemnation of any border changes between the republics by force;

b) appeal to all democratic forces to oppose the use of force and to search for a solution to the conflict by means of negotiations on the basis of the principles and stipulations of the Helsinki Final Act and the Treaty of Paris;

c) recognition of Slovenia and Croatia, and any other republic declaring independence, provided that they guarantee rights of minorities within the borders established after World War II, and fulfil obligations of the Helsinki Final Act and the Treaty of Paris;

d) beginning of a diplomatic campaign for internationalisation of the conflict within the UN;

e) consideration of economic embargo on Serbia, with a remark put in brackets, that it would be counter-productive to impose an arms embargo upon all Yugoslav republics, since Serbian militias and the JNA, compared to other forces, were militarily better equipped.”

This initiative within NATO, which was not only one of the most important, but also the only indisputable strong military institution, was unfortunately blocked by some members of NATO, led by Greece. The excuse was that the political department of NATO should not be allowed to take political stands before official political bodies of its members had discussed certain questions, and before certain viewpoints had been accepted at the highest levels of NATO.

In this way a precious and critical period of six to nine months was lost. At that moment, French diplomacy was flirting with the WEU, and the U.S. was passively observing and waiting for things to develop, unfortunately encouraging the aggressor by its inactivity.

Since they could not extend the “anti-bureaucratic revolution” to Ljubljana and Zagreb by means of “peace and solidarity rallies”, using the masses which had gathered at Gazimestan (Kosovo, in June 1989), the ruling circles in Belgrade – and especially Milošević and the top military leadership – were convinced that they could make the disobedient Slovenes and Croatians submit by using force.

That point was reached after the results of the first democratic elections in all of the republics of the former Yugoslavia (apart from Serbia and Montenegro) were made known. It was only a question of when this would happen, and what pretext would be offered to soothe the world, not local, opinion.

In that complex context and, given the balance of military power, the exploitation of the “Prečani” Serbs

(i.e., those living outside Serbia) became a convenient means, as well as a motive for action.

As we have already seen, on August 15, 1990, the President of Yugoslavia, Borisav Jović (as representative of the federal government) met with Jovan Rašković, Milan Babić, and Jovan Opačić, the Serbian leaders from Knin. No one from the Croatian government was present: This departure from the accepted norms of communication raised tensions when it was announced officially that the meeting had been held. The following day, August 16, units of the JNA (Yugoslav People's Army) stationed in Croatia were positioned, while on August 17, the Knin Serbs began to put up barricades on the roads in the Knin, Gračac, and Obrovac areas.

All this had been staged with the intent of provoking Croatian police intervention against the local Serbs, whom the JNA would then protect from the Croatian "threat".

Threat to a national community, in this case the Serbs, from the "Ustasha" authorities in Zagreb was a red herring that was used repeatedly. This was done in order to mobilize specific segments of the population in those areas. Had there been a threat to any national community this would have occurred above all in the areas where that national community was a minority rather than in those areas, such as in Knin, where the Serbs were in a vast majority. In fact, Knin was already under the control of ethnic Serbian officials at all levels.

Relying on its overwhelming military superiority, Belgrade opted for a military solution based on estimates by the KOS (military intelligence) and diplomatic representatives abroad that Europe and the rest of the world would not oppose. Fundamentally, this was the use of heavy weaponry to "pacify" those republics which had chosen parliamentary democracy as the basis of their political life. The timing and trigger that would launch the Serbian-dominated army against the democratically elected governments in Slovenia and Croatia were the only remaining issues.

Slovenia was the first target. However, after a six-day war in which the Serbian-dominated army faced impending defeat, Milošević decided to limit himself to the creation of a Serbian-run Yugoslavia without Slovenia. Hurried personnel reshuffling and other measures were being undertaken within the JNA so that it could refurbish its tarnished image.

Milošević continued acting on the basis of his slogan "All Serbs in a single state". He ignored the developments and achievements of European civilization with regard to human rights and the rights of minorities and national

communities based on the principles and resolutions of the Paris Charter. For Milošević his Nazi-ultranationalist slogan was only a means of achieving a much more nefarious goal. Namely, this was the imposition of centralized control from Belgrade throughout all of the former Yugoslavia, with the exception of Slovenia. Milošević would never have received support in Serbia had he intended to limit Yugoslavia to the Republics of Serbia and Montenegro, and to those areas in Bosnia-Herzegovina and Croatia in which the Serbs had already constituted a majority.

Relying on deceit, Milošević was convinced that by presenting himself as a defender of “Yugoslavia's unity”, he would ostensibly be upholding the same position that all states in the world had adopted, as had all the relevant international organizations. Milošević made use of demagoguery and deception, but also of fire and the sword. He was confident that the Yugoslav Army and other such horsemen of the Apocalypse would impose his regime from Gevgelija (in Macedonia) to Varaždin, Umag, and Pula (in Croatia). These objectives were shared by both those who promoted a Greater Serbia and the Yugoslav unitarists, as well as by radicals who had set out to conquer “only” the area up to the Karlobag-Karlovac-Virovitica line (in Croatia). Through television, which is a powerful medium that informs – or disinforms – the public was completely under the control of Milošević's coterie, resulting in the visible deformation of political life under his rule.

THE MATURING OF THE EUROPEAN COMMUNITY

The Declaration of Independence proclaimed unanimously by the Croatian *Sabor* (Parliament) on June 25, 1991 (Slovene Parliament proclaimed Slovenia's independence on the same day) is of considerable historical significance and represents an inevitable and resolute, as well as justified, expression of the will and centuries-old aspirations of the Croatian people.

By so doing, Croatia became a legally independent actor *sui generis*, notwithstanding the hostile stance of what remained of the federal governing structure, and especially of the military establishment. This was dominated by Milošević's hypocritical policy of maintaining a unified Yugoslavia, and the manipulations of the federal government headed by Ante Marković and Budimir Lončar on the international scene with the intent of preserving Yugoslavia.

The arrival of J. Poos, Hans van den Broek, and Gianni De Michelis just three days after Croatia's declaration of independence, the Brijuni Declaration, numerous visits by

parliamentary delegations and official representatives of other states and international organizations, the European Community's declaration of August 27, 1991, and the October 1991 UN Security Council Resolution 713 on Yugoslavia were all indications that Croatia had become an independent actor and that it had established its sovereignty.

The first decision made by the European Community's Arbitration Commission on December 7, 1991 (which was chaired by Robert Badinter, who was the president of French Constitutional Court) in response to a request for clarification from Lord Carrington, the President of the Conference on Yugoslavia, clearly noted the position in section 1(a) that, in accordance with the intent of international law, "the existence or disappearance of a state is a question of fact, and the effect of recognition by other states is of a declarative nature only".

It is worth quoting here the often-forgotten summary decision by the European Community's Arbitration Commission, which is expressed in three points:

- The SFRY is in the process of disintegration.
- It is up to the republics to settle questions of state succession, subject to the principles and rules of international law, especially with regard to human rights and the rights of national groups and minorities. Those republics, which may wish to do so, may form a new association which would contain democratic institutions of their choice.

For Croatia, the European Community's diplomatic initiatives and other political steps taken around the world, appeared to be slow, bureaucratic, and ineffective. This is perhaps not a surprising reaction for a country, which lacked everything except self-sacrifice and courage in its struggle to defend its native soil from aggression by a much more powerful military foe. Days seemed like weeks, and months like years, to those who experienced the martyrdom of the inhabitants of Vukovar, Osijek, Petrinja, Karlovac, Sunja, Slunj, Kijevo, Škabrnja, Dubrovnik, and Cavtat. This notwithstanding, we must objectively assess the facts, circumstances, and what was possible within the context of the international situation, and acknowledge that Croatia's recognition by the European Twelve on January 15, 1992, as well as by many other states, came more quickly than we could have expected or hoped for in the summer and autumn of 1991.

It is also important to assess what factors influenced this chain of events.

The draft of the Hague "Convention on Yugoslavia" contained the accepted and unchallenged option that each

republic of the former Yugoslavia, if it wished so, could become independent. That act in and of itself was sufficient for recognition by the European Community and, consequently, by the international community. The third section of this draft also contained a complete plan for the establishment of joint economic and transportation relations, which took as their model relations at a somewhat lower level of integration than the one among the countries of the European Community prior to Maastricht. A closer examination of the draft was enough to convince anyone that acceptance of those proposals would not lead to a “Third Yugoslavia”.

The British (Lord Carrington), Dutch (Van den Broek), and French (Badinter) trio planned, in a pragmatic way, to impose that structure on all the republics of the former Yugoslavia as part of a package of comprehensive solutions, accompanied by automatic diplomatic recognition of the complete sovereignty and independence of all those republics which so requested. However, this was meant to happen only upon the conclusion of the conference. The Conference on Yugoslavia, as the European Community, under the chairmanship of Lord Carrington envisioned it; *de facto* was the requiem for Yugoslavia.

However, Belgrade's approach (that is, Milošević's approach) was based on an assessment that the European Community would respect the “Bush Doctrine”, especially in light of the frequent highlighting by international players of the need to preserve a united Yugoslavia. Belgrade believed that, in the meantime, Croatia's resistance would be broken through military force and that with a “fait accompli” it could create a Greater Serbia. By adding a few cosmetic initiatives on transitions to a market economy and on respecting human rights, etc., Milošević believed he could create a “modern federation” according to his vision; which would satisfy Europe while also serving the interests of a Greater Serbia. At the same time, such a Yugoslavia had to be capable of withstanding the alleged “Vatican-Comintern” conspiracy against Yugoslavia and, specifically, against Serbia.

Van den Broek and other European leaders were convinced that political means backed up by threats of economic sanctions and various promises, especially in the economic arena, would be sufficient to bring about a ceasefire. However, this approach, was the main cause for the failure and ineffectiveness of the European Community in dealing with Yugoslavia. At the same time, Serbia's determination to “pacify” all its opponents by using every available means, including brutal force, was to lead to a race against time.

The Croatian Parliament, having respected the three-month moratorium on implementing the Declaration of Independence, passed a resolution that severed its entire constitutional links to the other republics and autonomous provinces with which Croatia was connected within communist Yugoslavia on October 8, 1991.

As soon as Milošević realized that he would not be able to achieve his objectives by using the European Community's Conference on Yugoslavia and that he would not be able to hinder the European Community's plans for the former Yugoslavia, Serbia began to obstruct the Conference on Yugoslavia. Regardless of the fact that Montenegrin president Momir Bulatović on October 18, 1991, announced at the Conference that Montenegro would accept the draft resolution as envisioned by the Conference. Moreover, Yugoslav diplomacy, in effect Serbia, now became active in steering any further negotiations on the Yugoslav crisis toward the United Nations, counting on Russia's favouritism, Chinese caution, and the support of some non-aligned nations. The intention all of this was to buy time and to prevent the diplomatic recognition of Slovenia and Croatia, with the aim of rescuing the notion of a third Yugoslavia which was envisioned along hegemonic lines.

During this critical period, many foreign policy-makers were making errors that were reflected in their public statements. This occurred most often because of their lack of understanding of what was happening in this region and, in particular, because they did not grasp what kind of conflict this was. Thus, there were assessments claiming that the war in Yugoslavia was a "civil war" or a "religious war", and there were declarations along the lines that "any solution which is reached by peaceful means will be accepted". However, Belgrade always interpreted such calls for peace as "let us continue the violence, since there is no solution until the militarily weaker opponent is defeated, which will result in a peace which the world will accept", as demonstrated after the Tia-nan-men Square massacre in China.

Statements by the high ranking representatives of the United States that the U.S. had vital interests in Macedonia by default implied that it did not have such interests in Croatia and Bosnia-Herzegovina. This gave Serbia a clear signal that it would have a free hand to use violence and force in Croatia and Bosnia-Herzegovina.

Time was a key factor in implementing the plans envisioned by the main players of the European Conference. Due to Serbia's obstruction, the Conference was unable to

achieve the results which the member-states expected, while at the same time violence stirred up by Serbia and the Yugoslav Army escalated into full-scale aggression against Croatia. The first appeals and calls for an end to the violence and for measures to halt Serbia started to come from official sources in Austria, Germany, and the Vatican, due in no small part to the great efforts by the Croatian diaspora.

Although it is not possible to scrutinize exactly at this stage how events developed day-by-day within the European Community, we do know that the positions of the twelve member-states toward Slovenia and Croatia's declarations of independence were not the same. A polarization within the European Twelve was evident very early. On one side, stood France, Great Britain, Greece, and Spain, that considered Croatia and Slovenia's desire for freedom and independence with unconcealed disfavour. At first, Italy and the Netherlands also held positions close to these. On the other side, Germany, Belgium, and Denmark and, to a certain extent, Luxembourg, showed considerably more sympathy for Croatia's and Slovenia's sovereignty and independence, while Ireland and Portugal took no stand.

Although European and international public opinion firmly supported the need to maintain the unity of Yugoslavia up to June 1991, the first dissident voice within the official European structure was heard in the first week of June 1991. Namely, just before a meeting in Dresden, Germany's Martin Bangemann, as Vice-President of the European Parliament, reminded the European Ministers of Foreign Affairs that Germany's unification too would not have happened if the "European dogma" about the inviolability of borders had been followed literally. The right of people to self-determination must also be taken into account and, Bangemann added on that occasion: "As far as the legitimate principle of non-interference in the internal affairs of individual states is concerned, we cannot conclude that a unified Yugoslav state must be preserved at all costs... Likewise, as we evolve our position, the European Community cannot exert its influence from outside only in favour of a unified Yugoslavia".

GERMANY STEPS FORWARD

Even after the very recent unification of the two Germanies, the unified Germany was referred to by many western politicians as "an economic giant and a political dwarf". However, Germany's economic power was a significant factor in international politics, particularly in Europe.

Germany, in fact, was the fulcrum of the European Community and, along with France, the hub of European integration and of the political direction of the New Europe.

With the escalation of aggression against Croatia and with the seizure of Croatian territory and, particularly, as a reaction to the terror and the attempts to destroy everything in the occupied territories that was Croatian, Germany, together with Austria, were the first to use their diplomacy in a resolute manner to respond to the appeals from the Croatian and Slovene leaders. They were also the first to take the initiative to have Croatia and Slovenia recognized as soon as possible.

The German and Austrian public as well as all relevant political leaders were able to identify the causes of the escalation of violence in former Yugoslavia even earlier, as a result of the following factors:

1. The German community, which had lived in former Yugoslavia – especially on the plains – had been subjected in the 1920s to an intensive colonization (predominantly by Serbs) in the towns and villages which they had inhabited and on the fertile lands they had owned for centuries.

2. At the end of the World War II, about 500,000 ethnic Germans lived in Srijem, Banat, Bačka, and Eastern Slavonia. About half of them were forced out, the other half were killed. This extermination was part of a Communist terror campaign, the same phenomenon which today is called euphemistically “ethnic cleansing”. Most of the expelled ethnic Germans moved to Austria and Germany. These events were not written down, nor taught in the schools, which in part may have contributed to the reconciliation process on which the New Europe is based. Nevertheless, many Germans remember what happened, and in this way an oral tradition has been kept alive by relatives, descendants, and friends of those expelled.

3. The German public always perceived Yugoslavia's Communist system very negatively, given the Germans' own direct experience with the tyranny and dictatorship of the East German regime. Even Tito's dissidence from Moscow in 1948 did not win for Yugoslavia any exoneration for the undemocratic nature of the Yugoslav system. In the 1970s, there was also the scandal surrounding the Baader-Meinhof terrorist group, as some of its members evaded arrest by seeking asylum in Yugoslavia. The Yugoslav police demanded the surrender of five Croatian émigrés who were living and working in Germany as a condition for the extradition to Germany of these five German terrorists. Naturally, such an exchange was not ac-

ceptable to Germany, and the Yugoslav authorities assisted the Baader-Meinhof terrorists' subsequent escape to the Middle East. The considerable publicity which Yugoslavia received in the German media at the time contributed – even further and justifiably so – to Yugoslavia's negative image.

4. Many of the German media reporters – such as Karl Gustav Ströhm, Viktor Meier, Hans-Peter Rullmann, and Johann Reismüller – know the Slavic languages. They were thus able to travel the breadth of the former Yugoslavia and establish direct contacts and report with greater credibility and with a better grasp of events than their counterparts from Paris, London, and Washington, who sat in Belgrade and who sent back home an image of Yugoslavia as seen exclusively from their window in Belgrade.

5. It is well-known that the Yugoslav UDBA (secret police), with the help of Yugoslav diplomats and consular representatives abroad, organized dozens of attacks against Croatian émigrés. Most of these attacks occurred in Germany and, in some of these cases, the German legal system correctly and with concrete proofs was able to discover the motives for the attacks and report on the involvement of various Yugoslav officials in the assassinations. Moreover, this information was made public in Germany. On the contrary, when Bruno Bušić was assassinated in Paris and Maksim Krstulović in London, although the local police knew that Yugoslav agents had carried them out, they did not pursue an investigation. The attempted assassination of Nikola Štedul (in Scotland) by Sindičić, a Yugoslav secret operative in Great Britain, for example, led to his apprehension before the motive for the attack had become clear. Sindičić was sentenced to fifteen years imprisonment, but only for a purely criminal act. Thus, the British public, as that in France in the Bruno Bušić case, was deprived of the full truth or of information about the criminal nature of some of the former Yugoslavia's government institutions.

It is commonplace that interest and power are the basic factors of politics. Although this is undeniable, in this case it is not correct to assume that Germany abandoned the well-established guidelines adopted by the European Community because of its own interests, such as the expansion of its spheres of influence. Alongside the initiative in German diplomacy led by Foreign Minister Hans Dieter Genscher (obviously working together with Chancellor Helmut Kohl), it is also important to stress the following: Without detracting from the ability and devotion of Germany's Foreign Minister and many other German

officials in their efforts to gain diplomatic recognition for Croatia, Germany's diplomacy could not have acted differently, since it was responding to influence and pressure from its entire public opinion.

I believe that it is abundantly clear that the public opinion in Germany as well as in Austria, Hungary, and Australia, on the issue of diplomatic recognition of Croatia and Slovenia was radically different (for various reasons) from the public opinion in Great Britain, France, and the United States, and especially from that in the Soviet Union and in the vast majority of other countries.

The United States had relinquished the initiative on the crisis in the former Yugoslavia completely to the European Community and, in November 1991, senior officials in the Bush Administration informed their German counterparts that the United States were prepared to support any initiative which Germany might undertake, assessing that this would contribute to the development of freedom, peace, and democracy.

THE DIPLOMATIC RECOGNITION OF CROATIA AND SLOVENIA

The disintegration or collapse of Yugoslavia was well underway. With the resolution of August 27, 1991 by the European Twelve (with the agreement of all the republics and the federal government of the former Yugoslavia who were participating in the conference), Yugoslavia *de facto* became a state under international trusteeship. Yugoslavia thereby achieved a unique distinction in the history of international relations. Normally the states that emerge as independent entities are placed under the tutorship of international organizations. In the case of Yugoslavia, it was the latter's passing away which occurred under an international protectorate. This situation was confirmed by the United Nations Security Council Resolution 713.

In tandem with this, Croatia's international legal identity also developed, beginning on June 25, 1991. By the very act of passing its Declaration of Independence that day, Croatia achieved its *de facto* recognition. This was followed quickly by political recognition when the European Community sent its delegation on June 28, 1991 to Zagreb to meet with the leaders of Croatia and Slovenia. Final diplomatic recognition was only of a declaratory nature.

The reciprocal recognition between Croatia and Slovenia as soon as they had proclaimed their independence marked the beginning of this unavoidable process. Soon afterwards, Latvia, the Ukraine, and Lithuania recognized

Croatia, to be followed by Iceland. Nevertheless, the diplomatic recognition extended by the European Community on January 15, 1992 must be seen as the keystone in the recognition of Croatia. The subsequent recognition by other states was only a logical consequence of the European Twelve's consensus-based decision.

The United States, it should be noted, had already announced officially that it would stand by any decision by the European Community with regard to the recognition of Croatia - and thus the fate of Yugoslavia's unity - no matter what that decision might be. Actually, the United States decided to recognize Croatia only on April 7, 1992, that is after a considerable delay, and just one day before Croatia, Slovenia, and Bosnia-Herzegovina were admitted as full-fledged members to the United Nations.

As noted already, with the establishment of the Conference on Yugoslavia under the aegis of the European Community, it was understood that the final result of the Conference would be to grant diplomatic recognition to those republics of the former SFRY, which so desired. The course of events, however, was to proceed in a different and unplanned manner, due to the onslaught by the Yugoslav Army (that is by Serbia and Montenegro) against Croatia, which involved the use of tanks, aircraft, warships, and surface-to-surface missiles, despite the repeated ceasefires on which the European Community insisted as expressed through its mission in Croatia.

The world, and especially Europe, was shocked by the brutality of the aggression against Croatia, and Germany now took the lead in promoting that the recognition of Croatia could reduce the level of violence and put a stop to the aggression. In addition to the factors already mentioned which enabled Germany - along with Austria and the Vatican - to take a positive stand before others did so on recognizing Croatia, there were also some other factors that were even more important:

1. The world was impressed by the willingness of Croats, and especially of the younger generation, to take up arms and to stand up to a militarily much stronger adversary.
2. The world was shocked by the brutality with which the aggressor attacked and destroyed Croatia's cities and villages, killing and expelling the civilian population, as well as the plundering.

Initially, Germany sought to gain support from the rest of the European Community through informal contacts at a time when consultations among the European Community's foreign ministers were especially intensive in

preparation for the Maastricht Conference. To be clear, the Maastricht Conference held on December 9–10, 1991, turned out to be a major disappointment, since the Croatian issue was not even mentioned as part of the official conference agenda. However, what the conference did establish was in fact that the member states would adopt a common position on matters of defence and foreign policy. This was to be a decisive factor at the European Community meeting held a week later in Brussels.

THE EUROPEAN COMMUNITY MAKES A DECISION

Despite the request which De Cuellar and Baker sent in writing to Genscher and the one Bush sent to Kohl on December 15, 1991 asking Germany not to rush unilaterally to recognize Croatia and Slovenia – a request intended to moderate Germany's known readiness to do so – these demarches by the Secretary General of the United Nations and by the President of the United States did not have any effect, since Genscher was able to skilfully deflect such warnings and requests.

At Genscher's initiative, a discussion of a “list of conditions” for the recognition of new states – or more exactly a declaration of procedures for the recognition of new states in Eastern Europe and the Soviet Union – was placed on the agenda at the Conference on Yugoslavia. The draft of this document had been worked out already by France and Germany, and contained the criteria which individual countries would have to fulfil in order to meet preconditions for diplomatic recognition. The foreign ministers quickly reached an agreement with regard to these criteria, based on the text of the above-mentioned declaration, a decision, which followed naturally from the reports of the Arbitration Commission of the European Community's Conference on Yugoslavia. Slovenia and Croatia had already met those criteria and following small adjustments the only question that remained was when diplomatic recognition would follow.

Lord Carrington, however, was strongly opposed to an early recognition, and firmly believed that at that moment conditions were not ripe yet and that the necessary preconditions for the recognition of Slovenia and Croatia had not been met yet, i.e., in December 1991. In other words, he still adhered to the European Community's earlier position that recognition of Slovenia and Croatia should be coordinated with the outcome of the Conference on Yugoslavia. Great Britain's Foreign Minister, Douglas Hurd, was somewhat less adamant, but he was also convinced that recogni-

tion was still premature. Allied to Genscher on this question were Denmark's Foreign Minister Ellemann-Jensen and Belgium's Foreign Minister Eyskens. France's Foreign Minister Roland Dumas did not take an openly opposing stand, but emphasized the need to understand Germany's position instead.

At that meeting, Italy's De Michelis, who until then had routinely taken a favourable stand toward Belgrade, warned (most likely influenced by the Italian President Cossiga) that the European Community's credibility was being undermined by the Serbs who had ignored its positions and warnings. De Michelis claimed that an end had to be put to this situation, and that this could be accomplished by granting recognition to Croatia and Slovenia. In particular, De Michelis stressed that all of the European Community members had to agree unanimously on recognition. Hans van den Broek, the Dutch Foreign Minister (acting as the President of the European Community's Council of Ministers – a position, which rotates every six months) also accepted this position, as he was especially irritated by Belgrade's duplicity. Specifically, the Serbian-dominated Yugoslav Army had signed ceasefire agreements and had promised not to shell civilian targets on several occasions. Contrary to the commitments already undertaken, the Yugoslav Army continued undeterred its attacks and land grab. The attacks on Vukovar, Slunj, Drniš, Zadar, Karlovac, Osijek, and Dubrovnik revealed the true nature of the Yugoslav Army's out-of-control leadership and had a profound impact on Van den Broek's views.

Thanks to the principles announced in Maastricht mandating a united approach on foreign policy matters for members of the European Community a consensus was achieved on December 17, 1991 on diplomatic recognition of Croatia and Slovenia. It is natural and to be expected that there will be differences in the assessments and positions of twelve independent countries. Moreover, this is especially the case when the focus of such differences was only on the appropriate moment to provide Croatia and Slovenia with protection and the satisfaction of a diplomatic recognition from such a respected group of countries. Indeed, it would be more surprising if such differences did not exist, especially given the different experience, level of knowledge, and interpretation of the nature and cause of the conflicts, which generally appeared as the tyranny of Communism collapsed in Europe.

However, it is more difficult to understand how countries such as Great Britain and France, with a wealth of experience in foreign affairs, left room for speculation,

doubt and criticism surrounding the diplomatic recognition of Croatia. After having weighed all the pros and cons, France and Great Britain agreed to recognize Croatia. However, it seems that they should not have allowed the impression to develop in European public opinion that the decision had been made against their advice and even their will, and that they had agreed only under German pressure.

On the contrary, it is clear that both France and Great Britain had viewed the decision to recognize Croatia as both justified and appropriate. Based on that premise, having a very experienced diplomatic corps, these two countries should have used the strength of their authority and reputation to prevent the Belgrade regime from avoiding blame for its defeat before its own people by using such false excuses. France and Great Britain and in particular the USA had an obligation to prevent paranoia in the Serbian media from having a field day by distorting history and claiming that Croatia had achieved its independence solely due to German revanchism aimed at Serbia; that this represents a new German push toward the East, that Serbia's traditional allies in two world wars had betrayed it and that Serbia was a victim of German economic expansion. Since such distortions found fertile ground in Serbia, politicians of Great Britain and France should not have granted Milošević such a favour and, at the same time, such a disservice to the Serbian people.

The subsequent course of events suggests that Great Britain and France should have sent Belgrade a direct message that the diplomatic recognition of Croatia was a direct consequence of the aggression and policy of force which the JNA and Milošević's Serbia had implemented systematically against Croatia. Such a move would have put a stop to Serbia's exploitation of the "Prečani" Serbs and would have ended the hold of Milošević's propaganda on Serbian masses.

THE ULTIMATE AFFIRMATION OF STATEHOOD

In the weeks following Croatia's recognition by the European Community, Croatia was also recognized by countries from all the continents. Beginning with Austria, Hungary, Switzerland, Canada, the Scandinavian and Latin American countries, Australia, and New Zealand. With that, Croatia's legal existence as a state was confirmed irrevocably and for all times.

After the end of the Cold War, the United States remained the sole superpower. However, the United States

were to take the initiative commensurate with their role and importance only in those areas where American national interests were at stake. It sounds eminently logical when President William Clinton says that the United States do not want to be the world's policeman. However, being the sole superpower does not mean simply having more rights; it means, at the same time, also having more responsibilities. It is also understandable that the preconditions were not ripe for the United States to send their boys to die in some Balkan valley. Nevertheless, by the same token, the impression that the United States were not only tolerating, but encouraging aggression had been created. Such actions as the parade of the Sixth Fleet in the Adriatic, stationing the most modern aircraft a few minutes' flying time away from the combat zones, patrolling the air space over Bosnia-Herzegovina to monitor the "No Fly Zone" (even though the Serbian air force violated that air space hundreds of times), as well as the reinforcement provided indirectly by public declarations, suggest such an intent. How was Serbia to interpret statements and warnings by official spokesmen that the United States' national interests would be at risk if violence began against Macedonia or Kosovo? In Belgrade, the conclusion that was drawn from this was that Croatia and Bosnia-Herzegovina were outside the United States' defence perimeter and that "we have a free hand to use violence there and seize as much land as we can".

This state of inertia, agony, violence, and war had lasted too long. Ambassador Warren Zimmerman, Secretary of State James Baker and, in particular, Under Secretary of State Lawrence Eagleburger had squandered valuable time before they understood that Milošević, the butcher of the Balkans, was hurtling the peoples of the former Yugoslavia, and perhaps beyond, into the maelstrom of war.

It must also be noted that the military power which Belgrade was able to build up over decades made the Yugoslav Army the third or fourth largest in Europe, and the United States cannot deny its part in creating that oversized armed force supplied with an arsenal of modern weaponry. It was that armed force which swooped down on the very people it had supposedly been designed to protect, while audiences across Europe, the United States, and around the world watched in horror. Finally, the principal financial infusions enabling the Yugoslav Communist dictatorship to survive came from the other side of the Atlantic.

US INITIATIVE IN SOUTH EASTERN EUROPE

It is also instructive to remember the decisive and courageous statement directed by President Ronald Reagan to the Soviets during his first days in office, when the Cold War was still raging and was, perhaps, at its peak: "The Soviets are prepared to lie, bluff, kill, and commit any crime in order to achieve their goals." Milošević, General Ratko Mladić, and their likes, weaned on the Soviet ideology, as the Soviets undoubtedly deserve the same approach. If Reagan were so successful using this approach against the Soviets, Bush would have surely been equally successful with Milošević. Despite a long and consequence-laden delay, policymakers in the U.S. eventually concluded that Milošević and Karadžić were war criminals, and that they would have to answer for war crimes committed in the former Yugoslavia. Yet, surprisingly, Croatian policy was slow to respond to this clearly positive initiative.

At stake, ultimately, was the credibility of the European Community, the United Nations, and the only remaining superpower, the United States. Could their prestige be restored, in light of the fact that after so many months they still had not been able to completely cut off oil supplies to Serbia? It is sad to realize that if Serbia's oil had been cut off immediately when the United Nations sanctions were imposed, the destructive war and the civilian population's suffering in this region would have ended long ago. Despite the international role, significance, and power of the U.S., it accepted the fundamental principle of a sort of a Monroe Doctrine as applied to the territories of the former Soviet Union in a surprisingly casual manner. That is, other powers should not interfere in those areas that once formed a part of the Soviet Union. Indeed, Russia's hegemony has been tolerated and accepted, even though there has been no guarantee (or even likelihood) that totalitarianism, absolutism, and autocracy would disappear in Russia. For Moscow, the key concern has been to promote those forces in neighbouring states that favour greater direct political, economic, and state links with Russia. Even now, many orthodox Communists enjoy Moscow's support as they compete against democratic movements if the latter movements are seen to promote independence or autonomy from Russia. This short-sighted perspective of Russia should be of concern because it is very probable that the current economic and political crisis in Russia – which is the result of the breakdown of the Communist system – would abate and that Russia would recover in due course.

One has to remember that neither the foundations nor preconditions for democracy have ever existed in Russia, despite the fact that this society has produced many world-class philosophers, artists, and activists working for human and national rights, social justice, and tolerance. However, the Orthodox ethos and belief incline toward absolute rule, and the opportunity to prevent the development of a new mastodon in Eastern Europe will probably be lost soon, to the detriment of the U.S. and the European Union. A giant will arise again in the East. This giant will always be governed by absolutists and dictators because of its nature and essence. Bolstered by revived ideologies and utopias, and exploiting misunderstandings and crimes, this giant could become the dominant superpower in the Balkans. Contrary to the U.S., Russia will always consider the entire Balkans to be of a vital national interest, even without making any provocative declarations to that effect.

Ultimately, what the West and the United States have failed to understand about Milošević's Serbia is that Milošević has only changed the name of his Communist Party, while, under the new clothing the old Bolshevik structure, content, ideology, methods, and totalitarian machinery have survived unchanged.

I am inclined to agree with Michael Kramer who, in seeking to define the Clinton Doctrine, wrote in October 1993 in *Time* magazine that Clinton justified his retreats euphemistically as “pragmatism”. As a result, Kramer warned, America must worry about becoming a prisoner of self-induced impotence that might be how the “Clinton Doctrine” will be remembered in history. The United States' performance in the Yugoslav crisis until the middle of August 1995 was less than adequate for the world's only superpower.

In view of the importance and the number of Muslim states in Africa and Asia, the Security Council and the U.S. Administration began to realise that the U.S. as the only world super-power should not remain passive regarding the war horrors in Bosnia and Herzegovina. During 1993-94 the U.S. finally took initiative which first resulted in the Washington and then the Dayton Agreement. It has to be said that as early as 1993, Washington initiated gathering of support among allies in Europe. First of all, this was initiated in Great Britain and France to stop the Serbian aggression by using superior military power in the air and on the sea.

The Pentagon prepared a strategy called “*lift and destroy*” which involved imposing the no-fly zone and de-

stroying the Serbian military potential in Bosnia. However, while touring the European capitals in the attempt to gather support, the U.S. Secretary of State, Warren Christopher dismally failed.

THE CONFIRMATION OF CROATIAN INTEGRITY

By attaching high value and respect to all relevant UN Security Council resolutions, Croatia had the right to expect, that following a proposal submitted to the UN Security Council by Mr. Alois Mock, the Minister of Foreign Affairs of Austria, “the Safe Areas” declared by the UN in the neighbouring Bosnia and Herzegovina, would be protected and maintained despite the years of shelling and armed conflict. The Safe Areas included Sarajevo, Tuzla, Bihać, Srebrenica, Goražde, and Žepa. The obligations and guarantees of the UN Security Council and the international community were not respected and the ruthless attacks on the civil population in the urban communities continued. A special envoy of the UN Secretary General, Mr. Akashi, tried in vain to stop the Serb paramilitary forces from attacking the Safe Area of Bihać from the Serb-occupied parts of Croatia.

However, the war criminals, Karadžić and Mladić, together with their Serb patrons in Belgrade, continued with ruthless and callous violence and ethnic cleansing. The tragic fate of the population of the Safe Areas in Bosnia and Herzegovina at the beginning of the summer 1995 reached its culmination in genocide suffered by the entire population of Srebrenica and Žepa in July 1995 passively observed and tolerated by UNPROFOR and the whole international community. Shocking scenes of women, children and the old people leaving their homes, not of their own will, but because they were forced to do so, i.e., ethnic cleansing, gained new momentum. Those examples finally unmasked the indecisiveness and ineffectiveness of UNPROFOR.

At the beginning of August 1995 it was up to the uncontrollable will of the war criminals Karadžić and Mladić to decide to either continue with their crimes in Bihać or to concentrate on Goražde – or to do both at the same time. Judging from the circumstances prevailing at the time that is precisely what would have happened if Croatia had not militarily intervened.

Acting in accordance with its constitutional obligations and indisputable commitment of the Croatian people and of all Croatian citizens to protect the sovereignty and territorial integrity of their state, and in order to start

liberating the occupied parts of Banovina, Lika and northern Dalmatia, Croatia also had the obligation to prevent further humanitarian tragedy threatening the population of the Cazin and Bihać area. The basic human rights of the inhabitants of these areas were critically abused, and they were brought to the edge by suffering from starvation, lack of water, and, in particular, of medicine. It could and should not be passively observed any longer as it represented not only abuse of human rights but literally of the **right to live** for over one hundred thousand men, women, and children.

Under such circumstances and particularly as a result of the ineffectiveness of the UNPROFOR and Carl Bildt's erroneous judgements and proposals, operation "Storm" took place. Croatian defenders stopped further escalation of violence and ethnic cleansing. Although there was support in UN resolutions in writing and spirit, Croatia reached the whole of the borderline with Bosnia and Herzegovina by using its own forces. It has to be pointed out that operation "Storm" opened the way for NATO air strikes in Bosnia and Herzegovina, which followed and created conditions for the Dayton Conference.

Acting in accordance with Article 51 of the UN Charter and using its own forces, Croatia turned away the rebels and terrorists from its territory in Banovina, north-western Lika and the northern part of Dalmatia. With the same police/military operation "Storm", Croatia also saved Bihać and Cazin, as well as Goražde. Obligations assumed by Europe, the NATO and the UN regarding these areas were carried out by Croatia.

In doing so Croatia not only stopped the horrendous suffering of the population in the neighbouring state of Bosnia and Herzegovina, but also saved the reputation of the UN Security Council.

Certain incidents that took place in the occupied areas of Croatia from which the terrorists had been driven away deserve criticism and condemnation. Croatia has an obligation to view them as such in order to prove that it is often unjustly placed in the same category as the aggressors. Perfection, however, is rarely found in this world.

Let me conclude by saying that all of this created conditions for the NATO military attack on the Serbian military targets in Bosnia and Herzegovina that were soon to follow. In accordance with the UN Security Council resolutions, NATO finally used the only language that Belgrade understood - the language of military force. Milošević agreed to halt the terror and subsequently realized that he could not avoid sitting at the negotiating table at Dayton.

TERRITORIAL INTEGRITY

Territory in addition to population and governing bodies is one of the three main determinants of any state. Territory of a state is defined by state borders up to which the state sovereignty is extended. Borders are lines, which define a state area and can also be defined as an uneven line, which crosses the surface of a landmass. Consequently, borders extend underground as well as into the air, as well as cover the area of the sea surface, the seabed and beneath the seabed.

As far as the border problems of Croatia are concerned, it has to be emphasised that neither along the border with Slovenia nor the one with Serbia or Montenegro are there any hamlets or villages that may be a matter of dispute. However, there is still work to be done on establishing Croatian borders with its neighbours along the sea, even after the integration of the Croatian Danube region, had been accomplished.

In the southernmost part of Croatia, at Cape Oštro, where UN observers are still present with the mandate of the UN Security Council resolutions on Prevlaka, there are certain restrictions preventing unhindered activities by the Croatian authorities. However, that does not essentially infringe on the territorial integrity of the Republic of Croatia, which was clearly confirmed by the UN resolutions. The latest UN resolutions on Prevlaka explicitly state that "the Security Council confirms once again its obligation to protect the independence, sovereignty and territorial integrity of the Republic of Croatia".

Over the last few years Prevlaka has received a lot of publicity in the international community. Cape Oštro, or as it is most commonly called Prevlaka, does not physically touch the land border between Croatia and the FRY at the entrance into the Bay of Boka Kotorska. The land border between Croatia and Montenegro extends along the mountainous rocks on Bjelotina and Draževica above the eastern part of Konavle, while at the shore the border comes out at "Konfin", in the area of Cape Kobila which is not a part of Prevlaka. The whole 25 km land border has been bilaterally established with great precision and as such has been respected for centuries.

Despite the fact that the Agreement on the Normalisation of Relations between Croatia and Yugoslavia was signed on August 23, 1996, the basic precondition for the improvement of relations in the border area of the two countries is establishment of Croatia's border posts at both Bjelotina and Draževica, along the line which represents the internationally recognised border.

It is important to stress that in October 1991, the Parliament of Montenegro used the term “the existing border” for this particular border section. That was in June 1991 after NATO's Political Department in its working paper entitled “Europe's Lebanon”, which referred to the areas of the SFRY, reminded members of the principles stated in the Helsinki Final Act and the Paris Charter. This paper also stated that Slovenia and Croatia should be recognised, as well as any other republic proclaiming independence within the borders established after the World War II.

Croatia has adhered to peaceful cooperation with its neighbours in its determination to build a marina for yachts within the area of the Prevlaka Bay, which in addition to the tourist facilities would stretch over the whole area of Cape Oštro. At the very top of the Cape, in the fortress built during the Austro-Hungarian Monarchy, a memorial museum is planned to commemorate all the defenders of Croatian youth killed during the Liberation War, as well as the innocent victims sent to their deaths in attacks on Risanj and Ledenice in Boka Kotorska in the autumn of 1944.

There is real ground for hope that this initiative, which aims at creating tourist facilities in this deserted area of the Croatia's southernmost coast, will result in a positive reaction from our eastern neighbour. The Montenegrin Government has already submitted the Plan for the Regional Development for the whole of Montenegro to the Parliament of Montenegro, but the plan did not include the Prevlaka area, i.e., Cape Oštro.

The economic recovery of Boka Kotorska and of the entire coastal area of Montenegro is tied to tourism, which has no chance of further development unless Yugoslavia gives its territorial aspirations up for good, i.e., unless peaceful intentions prevail with our neighbours as well. Many of the Croatian southeastern neighbours have realised that any concessions on Croatia's part, either on land or at sea, would mean a reward for the aggression.

Croatia is approaching a final agreement on open issues regarding borders with neighbouring Slovenia. Along the whole 670-km land border that stretches from the three-border point with Hungary to the estuary of the river Dragonja in the Bay of Piran, the geodesist experts have done a great amount of good professional work. In several open and unresolved areas the final solutions hopefully acceptable to both countries are gaining shape. A long part of the land border goes along the rivers Mura, Sutla, Kupa and Dragonja, which makes the situation con-

siderably easier. However, a change in the course of these rivers over the last several decades has called for coordination efforts. That part of the job is in its final phase and that can explain the patience of the Croatian side regarding the actual situation at St. Gera.

Solutions to the border disputes between Slovenia and Croatia have been made easier by the Constitutional Decisions both countries made upon gaining their independence. On June 25, 1991 both countries expressed the same view with regard to mutual recognition and respect for borders as they existed in the former SFRY. Therefore, the task of diplomatic commissions of the two countries is to establish bilaterally the factual situation, which existed in June 1991. So far, the progress made in this area has been encouraging.