

WHOSE TRUTH? Operation Storm and the Battle for Vukovar¹

ANNEX 4: Student handout 3

OPERATION STORM

GROUP A1:

Take a look at the explanatory note and the documents provided about 'Operation Storm'. Can you discern what happened? Can you discern facts, opinions and understand not only what occurred but also why? Be prepared to tell the rest of the class about Operation Storm.



After negotiations between the Croatian authorities and the authorities of Croatia's rebel Serbs failed, Croatia decided to reclaim the occupied areas with the use of military force. The military operation *Oluja* (Storm) began on 4 August 1995 and, during the course of four days, the constitutional and legal order of the Republic of Croatia was restored over the territory of the "Republic of Serbian Krajina" (except Eastern Slavonia). During Operation Storm and after it, most of the Serbs who lived in the "Republic of Serbian Krajina" left their homes and Croatia altogether. Operation Storm was also marked by gross violations of human rights, destruction of property belonging to Serbs and the killing of several hundreds of Serb civilians by the Croatian armed forces.

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¹ All texts and images in Annex 1 are sourced from: *Teaching Contemporary Southeast European History. Source books for Teachers; Volume 2 'Wars, Divisions, Integration (1990-2008)*, 2016. Eds: Koulouri, C. & Repe, B. Series Editor: Koulouri, C. Copyright, CDRSEE. All JHP I and II materials are reproducible.

<http://cdrsee.org/publications/education/volume-2-wars-divisions-integration-1990-2008>

II-8. Decision of the Executive Council of the Serbian Autonomous Region of Krajina to annex parts of Croatian territory to the Republic of Serbia, 1 April 1991

ARTICLE 1 The Serbian Autonomous Region of Krajina is hereby united with the Republic of Serbia.

ARTICLE 2 When this Decision enters into force, the territory of the Serbian Autonomous Region of Krajina shall become an integral part of the unified state territory of the Republic of Serbia.

In accordance with the previous paragraph of this Article, following the adoption of this Decision, the Constitution of the Republic of Serbia shall be valid within the territory of the Serbian Autonomous Region of Krajina and the laws of the Republic of Serbia shall apply as well as the constitutional and legal system of the Socialist Federal Republic of Yugoslavia.

ARTICLE 4 Pursuant to this Decision, territories of the Serbian Autonomous Region of Krajina which shall become part of a unified state territory of the Republic of Serbia comprise the municipalities of Knin, Benkovac, Obrovac, Gračac, Donji Lapac, Korenica, Vojnić, Vrginmost, Glina, Dvor na Uni, Kostajnica, Petrinja and Pakrac.

All Serbian towns and villages which have joined one of these municipalities, and those that in the future choose to join them in the process of demarcating borders, shall also become a part of this territory.

ARTICLE 5 This Decision shall enter into force on the day of its adoption.

EXECUTIVE COUNCIL
OF THE SERBIAN AUTONOMOUS REGION OF KRAJINA
PRESIDENT OF THE EXECUTIVE COUNCIL
OF THE SERBIAN AUTONOMOUS REGION OF KRAJINA
Dr Milan Babić

Number: 32/91-1
In Korenica, 1 April 1991
Copy, typewritten, Latin script
HR-HMDCDR. 2 kut. 232

II-13. The order of the Republic Civilian Protection Headquarters of the Republic of Serbian Krajina on the implementation of evacuation plans, 2.08.1995

2 August 1995

Knin

Republic Civilian Defence Headquarters of the RSK (Republic of Serbian Krajina) requests from the regional staffs a report on the implementation of the plan for civilian protection, evacuation and shelter

REPUBLIC OF SERBIAN KRAJINA	DEFENCE
REPUBLIC CIVILIAN	OFFICIAL SECRET
PROTECTION HEADQUARTERS	CONFIDENTIAL
Number: Confidential 01 – 82/95	

Knin, 2 August 1995

TO ALL REGIONAL CIVILIAN PROTECTION STAFFS
Pursuant to Order no. confidential 01 – 78/95 of 29 July 1995, IMMEDIATELY and no later than 1900 hours on 3 August 1995, forward a report on the following issues:

1. Sheltering (updating the plan, arranging and preparing sheltering facilities and activating the population);
2. Evacuation (updating the plan, material support, those carrying it out standing by, forming committees, teams for admission and distribution, etc.);
3. Care (capacities for admission, obtaining equipment and requirements for accommodation, food, articles for personal and general hygiene);
4. Readiness and organising the implementation of the protection and rescue measures (itemise what has been done and organised, including the ability of business enterprises to take part in the protection and rescue operations);
5. The existence of hazardous substances and the protection measures taken;
6. Forces activated for protection and rescue, and forces standing by;
7. Difficulties with functioning and obtaining necessary means.

Hrvatski memorijalno-dokumentacijski centar Domovinskog rata [Croatian memorial-documentary centre of the Homeland War], 2, Box 265.

II-33. Columns of Serbian population leaving Croatia after Operation Storm, 1995



Reuters.

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The International Criminal Tribunal for the former Yugoslavia (ICTY) has brought indictments against 161 persons accused of war crimes: 104 Serbs, 34 Croats, nine Bosniaks, eight Albanians, two Macedonians and two Montenegrins. The ethnicity of the other two is either unknown or indictments against

them have been withdrawn. Among those prosecuted were two state presidents, Slobodan Milošević and Milan Milutinović, Federal Deputy Prime Minister Nikola Šainović, four Chiefs of General Staff, Dragoljub Ojdanić, Nebojša Pavković, Momčilo Perišić and Ratko Mladić, and several generals.

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III-21. The verdict against Commander Mirko Norac, Croatia 1993



Mirko Norac joined the Croatian Special police forces in 1990. He participated as brigade commander in the defence of Gospić in 1991 and 1992. In spite of accusations of crimes being committed against Serbian civilians in Gospić by certain members of the Croatian forces under his command, President Tudman did not replace him. During the war he reached the position of General and led his troops in the "Medak Pocket" operation, when Croatian forces took back from Serbian forces the Gospić suburb called the "Medak Pocket". Norac was also one of the leading commanders in "Storm", the final military operation leading to the end of the war in Croatia. In 2000, President Stjepan Mesić, Tudman's successor, forced Norac to retire after he had signed the "Open Letter" from twelve generals to the public, which was interpreted as an attempt at a military coup. Norac was arrested in February 2001 and in June 2004 sentenced to twelve years in prison because of war crimes against civilians in Gospić (witnesses claimed that he personally killed at least one woman). In 2008 he was sentenced by The Hague Tribunal to another seven years. While serving his sentence, he was granted free weekends and finally released in November 2011.

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Following a one-year trial, the Zagreb County Court Trial Chamber passes a judgment. Ademi acquitted and Norac sentenced to seven years for the Medak Pocket

[...] The court established that Norac did not order the start of the operation on 9 September 1993, but that he was responsible for everything that happened after that in Sector 1 because he was personally and directly aware of the fact that his subordinates were committing crimes and he did not stop them from looting property, killing civilians and prisoners of war and torching facilities. [...] Norac was sentenced to five years' imprisonment on two counts of the indictment, that is, to a single sentence of seven years. According to the indictment, 23 Serbian civilians and five prisoners of war were killed and 300 different facilities were destroyed in the Medak pocket area between 9 September and 17 September when the Croatian forces withdrew and turned over the area to the UN "peace-keepers". [...]

Slobodna Dalmacija, 30 May 2008.

III-23. Serbia accusing Croatia of genocide during Operation Storm



In 1999, Croatia filed a lawsuit for genocide in the International Court of Justice against the Federal Republic of Yugoslavia (FRY). In 2010, Serbia responded with an appeal. Both countries demanded compensation for damage caused during the war. FRY was accused of committing genocide (as defined by the UN Genocide Convention in 1948) by having direct control over the activities of its army, paramilitary units and intelligence services that operated on Croatian territory (Knin, western Slavonia and Dalmatia) which were directly linked to ethnic cleansing, genocide, murder, torture of the population and destruction of property. Serbia accused Croatia of similar offences, which the Croatian army committed against Serbs in Gospić, Sisak, Pakrac, Karlovac, Osijek and particularly during the military operations BLJESAK (Flash) and OLUJA (Storm) as well as the operations in the Medak Pocket. Serbia additionally linked its appeal to the ethnic cleansing and crimes committed by the Independent State of Croatia during the Second World War. In February 2014, the International Court of Justice dismissed both applications on the grounds that neither side had provided sufficient evidence.

APPLICATION OF THE CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE (CROATIA vs. SERBIA) 3 FEBRUARY 2015 JUDGMENT VI. CONSIDERATION OF THE MERITS OF THE COUNTERCLAIM

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444. In substance, Serbia asks the Court to declare that Croatia has violated the Genocide Convention by committing against the Serb national and ethnical group living in Croatia, during and after Operation "Storm" in 1995, acts prohibited by Article II of the Convention, with intent to destroy that group as such, in whole or in part (paragraph 6 of the final submissions).

[...]

446. Serbia claims that Croatia committed the following acts defined in Article II of the Convention as constituting genocide: killings of members of the national and ethnical group of Serbs living in Croatia (II (a)); causing serious bodily or mental harm to members of the same group (II (b)); deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part (II (c)), all of these acts having been committed with intent to destroy, in whole or in part, the group as such.

[...]

479. In the present case, the Court notes that it is not disputed that a substantial part of the Serb population of the Krajina fled that region as a direct consequence of the military actions carried out by Croatian forces during Operation "Storm", in particular the shelling of the four towns referred to above. It further notes that the transcript of the Brioni meeting, to which it will return later, makes it clear that the highest Croatian political and military authorities were well aware that Operation "Storm" would provoke a mass exodus of the Serb population; they even to some extent predicated their military planning on such an exodus, which they considered not only probable, but desirable.

499. In light of the above, the Court is fully convinced that, during and after Operation "Storm", Croatian armed forces and police perpetrated acts against the Serb population falling within subparagraphs (a) and (b) of Article II of the Genocide Convention, and that these acts constituted the actus reus of genocide. The Court must accordingly now determine whether the existence of the specific intent (*dolus specialis*) which characterizes genocide has been established in the present case.

[...]

515. The Court concludes from the foregoing that the existence of the *dolus specialis* has not been established. Accordingly, the Court finds that it has not been proved that genocide was committed during and after Operation "Storm" against the Serb population of Croatia.

<http://www.icj-cij.org/docket/files/118/18422.pdf>,
accessed on 14.06.2016.

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OPERATION STORM

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II-12. Meeting of Croatian President Franjo Tuđman with high-ranking officers of the HV (Croatian Army), 31 July 1995, Brijuni

President Franjo Tuđman: Gentlemen, I called this meeting to assess the current situation and hear your views before I decide on our further actions in the next few days. [...] it appears that we might [have] a favourable political situation in Croatia, the demoralisation in Serbian ranks, the sympathy of the European people, in part in Europe, the part which is in favour of resolving the crisis and which favours Croatia, where we have Germany as our friend, gives us reserved support both in political negotiations and in NATO where they also have understanding for our views. We also have the sympathies of the United States of America, but only up to a certain extent, if you, gentlemen, take care of things professionally, like you did in Western Slavonia, within

several days. Please, this means three or four days, we can count on up to a maximum of eight days, in order not to sustain any political damage, and not only that, but also to score political points in the international community. [...] We should find an excuse for our operation, our undertaking which we can start according to plan, as it was yesterday, or tomorrow, either according to yesterday's plan for tomorrow, or to see when we can. [...] we have to completely defeat the opponent along the south-north axis, and let it be perfectly clear, leave the east alone for the time being. Why should the east be left alone? Because our friends are also afraid if Yugoslavia goes in for a total war, with Yugoslavia and Russia, meaning an all-out war. So, we should leave the east alone, completely, but we should deal with the north and south. Deal with it, but how? That is the topic of our today's discussion. We should inflict such blows so that Serbs will practically cease to exist, that is, in the parts we do not deal with immediately, they must capitulate within a few days. Therefore, the envisaged plan we had for tomorrow should be reviewed and modified. I will make my decision after hearing your assessments and opinions.

<http://snv.hr/oluja-u-haagu/media/sg1/sg1-01-brijunski-sastanak-hr.pdf>, accessed on 21.10.2015.

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Welcome of the Croatian Army after Operation Storm



Hrvatski Vojnik Archives.

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THE BATTLE FOR VUKOVAR

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II-9. The Battle for Vukovar, August-November 1991



In late August 1991, armed incidents in the town of Vukovar culminated into a siege of the town for 87 days. Around 30,000 JNA soldiers were involved in the siege, as well as a large number from Territorial Defence and paramilitary units. There were considerably fewer Croatian forces. JNA units entered Vukovar on 18 November 1991. In the fighting, 90% of the town was destroyed. According to unofficial Serbian sources, between 1,103 and 1,500 soldiers and volunteers were killed and 2,500 were injured. According to Croatian figures, the total number of JNA casualties is estimated at around 8,000 killed and 15,000 injured. According to official Croatian estimates, 921 Croatian soldiers were killed, 770 were injured and 1,527 were captured. After the fall, most inhabitants of Vukovar left the town or were expelled. For the war crimes committed in Vukovar, the International Tribunal in The Hague issued five indictments and, by 2015, two persons had been convicted. In Serbian courts, 15 persons were sentenced to several years' imprisonment each for crimes in the Vukovar area in 1991. Serbian President Boris Tadić visited Vukovar on 4 November 2010 and apologized to the families of innocent victims.

**A. JNA convoy in New Belgrade on the road to
Vukovar, 1991**



Vojna parada "Beograd – Vukovar", 1991.
[24128642&viewfull=1#post24128642](#), accessed on 7.07.2016.

B. The Serbian perspective: “Vukovar finally free”

AFTER THREE MONTHS OF HEAVY FIGHTING

Vukovar is Finally Free

Army guards are at the hospital gates, where there are 420 sick and wounded. – The Defence Commander of Borovo Naselje also surrenders. – Around 5,000 persons evacuated from Vukovar. – The number of those killed is yet to be established.

Vukovar, 10 November (Tanjug)

The last clashes stopped in Vukovar today, in the vicinity of the hospital where, according to military sources, Croatian guardsmen and policemen tried to provoke an attack on this medical institution.

At the hospital gates, the Army has posted guards. One JNA (Yugoslav People's Army) unit is stationed on the hospital grounds. According to the head of Vukovar Hospital, Vesna Bosanac, there are around 420 sick and wounded in the hospital. According to her, around 400 civilians also sought refuge there.

The hospital will not be evacuated today, as envisaged. Negotiations, which were also attended by members of the Red Cross, ran late and the evacuation was postponed for tomorrow.

Military sources say that the civilians who sought refuge in the hospital first need to be checked, adding that those who participated in the fighting will not be able to go where they want.

In Ive Lole Ribara Street in the immediate vicinity of the hospital, on numerous occasions domestic and foreign journalists today saw 33 bodies, mainly civilians. Bodies making up a horrific picture can also be seen in other streets around the hospital.

Vukovar territorials, with the help of the Army, today established the town police. The intention is to prevent looting and take over control of the whole town.

As of today, there are practically no Croatian soldiers in Vukovar. They have all surrendered to the JNA. [...]

Politika, 20 November 1991.

D. Vuk Drašković on Vukovar (28 November 1991)

Take our hats off in silence

I cannot offer congratulations for the victory in Vukovar which Serbia is so enthusiastically celebrating, intoxicated by war propaganda. I cannot because I do not want to wrong those who have perished, thousands of them, or the lingering pain and misfortune felt by all survivors of Vukovar [...] Vukovar is the Hiroshima of Croatian and Serbian insanity... Everyone in this country, which no longer exists, Serbs and Croats in particular, is living through the days of our biggest shame and fall. (*Srpska reč*, 1991)

Vuk Drašković, "On Vukovar (28 November 1991), Take our hats off in silence", http://www.helsinki.org.rs/serbian/npakteri_t06.html, accessed on 17.9. 2015.

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II-32. A column of people leaving Vukovar, November 1991



Photographer Ron Haviv.

II-43. Destroying Vukovar



Before the Croatian War for Independence, Vukovar was one of the most beautiful baroque cities in Croatia. After several months of being

under siege and subjected to destruction, in November 1991, Vukovar looked as though it had been through a cataclysm.



The baroque centre of old Vukovar.



Wertheime-Baletić, 1993.

C. The Croatian perspective: "Who is manipulating the tragedy of Vukovar"

During negotiations, the convoy of vehicles which was supposed to pick up the wounded came under attack on the stretch of the road between Vinkovci and Nuštar from multiple rocket launchers by Chetniks¹ from Cerići and Pačetine. This incident shows who we are dealing with, that is, we are dealing with an enemy who goes to any length, it was stressed by Professor Hebrang. [...] Journalists were informed about thousands of civilians who were pressured into leaving Vukovar in 14 buses, which are still on their way. [...] The press conference was also attended by Stevo Bušić from the Vukovar Crisis Staff in Zagreb, who said that he had information according to which civilians in Vukovar at the moment were being killed and that the lives of children were in danger. He also conveyed the disappointment of Vukovar soldiers who came to Zagreb, and spoke about children who gave blood several times for the wounded and about 10-year-olds armed with rifles. [...] Professor Hebrang informed journalists about what was going on in Vukovar, that is, about the attempt to save the wounded. For 40 days, all attempts to deliver medicines and medical supplies to Vukovar hospital were impossible. 600 wounded were in the hospital basement without any real medical assistance, and the situation became critical due to a shortage of blood and equipment to take blood from civilians. The number of wounded reached a critical point and it was both physically and technically impossible to keep them in the hospital, Professor Hebrang pointed out. [...] A representative of the Red Cross started making a list of the wounded which was supposed to be with them in the convoy, but two hours later Yugoslav army soldiers burst into the hospital, although this was contrary to all international regulations since no armed members of any party to a conflict can enter hospitals, as Professor Hebrang said. The Army threw out the Red Cross representative and took over control of the telephone switchboard, and the whole procedure was described to us via radio communication by a representative of this international organisation. Furthermore, some of the wounded were taken away on army trucks. [...]

"Tko manipulira vukovarskom tragedijom", Vjesnik, 21.11.1991.

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