

THE TOPIC OF THE ISSUE

CROATIA: HOW THE ACTION PLAN FOR GOTOVINA'S ARREST WAS IMPLEMENTED

"IDENTIFY, LOCATE, ARREST, TRANSFER"

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Posters are being removed, the Church has demonstrated understanding, and the secret services were also cooperating. The network of support must be broken and reforms of the state of law, first of all the courts, must go on.

"Identify, locate, arrest, transfer", this is how at the beginning of March last year, in only four words, the President of the Croatian parliament, Vladimir Seks, described on Croatian TV the essence of the so-called action plan to find the fugitive general Ante Gotovina and to extradite him to the International War Crime Tribunal in The Hague. At that time the plan was only emerging, but nine months later, on December 7, 2005, Gotovina was arrested on the Canary Islands, after hiding for four and a half years. He vanished from Croatia at the end of June 2001, immediately after The Hague Tribunal on June 26th that year unsealed the indictment which the chief Hague prosecutor Carla del Ponte signed sixteen days before that. The escape of general Gotovina was severely burdening the relations of Croatia with The Hague Tribunal and became an insurmountable problem on the road of that country to the European Union, putting into question one of the main foreign policy priorities of Ivo Sanader's government.

It became clear to the President

Official Zagreb was convinced that negotiations on Croatia's joining the European Union will start on March 17, 2005, but since full cooperation with The Hague Tribunal was not achieved, negotiations on accession were tentatively postponed to wait for the time when the cooperation with The Hague will be assessed as complete. The syntagma "full cooperation" was differently interpreted: for some, it meant Gotovina in The Hague, for the others – evidence that Croatia is doing everything she can to accomplish that. Anyway, one thing was clear: Zagreb must demonstrate exceptional resolve in order to convince the international community that it is doing everything to fulfill the demand of The Hague Tribunal. So, the Government arrived at the decision that it would be necessary to produce a document which will represent an operational plan for the arrest of Gotovina and which will sublimate those four verbs so precisely mentioned by the president of the parliament Vladimir Seks, who, by the way, is one of the closest collaborators of Sanader: identify, locate, arrest, transfer. The Croatian government accepted the plan for the arrest of Gotovina in March 2005 and immediately after that, on April 26, at the meeting in Luxemburg, Prime Minister Ivo Sanader presented the plan to the European Union's Working Group for the evaluation of the cooperation with ICTY. One month earlier, the decision was made to freeze general Gotovina's assets, and in the same month Zagreb joined EU Council's common standpoint to prolong the ban of entrance or transit through EU countries of persons who assist Gotovina in his escape. This list included five Croatian citizens. All these measures, first of all the adoption of the action plan, were a result of pressures of the international community, which made it clear to Zagreb that talks on accession of Croatia to the European twenty-five cannot commence as long as Prime Minister Ivo Sanader does not receive Carla del Ponte's positive standpoint on Croatia's cooperation with The Hague, which will include the assessment that this cooperation is "complete".

However, the adoption of the action plan itself was not sufficient to get the assessment that cooperation with The Hague Tribunal was complete. In the report which the chief Hague Prosecutor submitted to the United Nations Security Council on June 13, 2005, this plan was positively assessed, but only in the context of expressed expectations that it will lead to the identification of the network of Gotovina's assistants, as well as locations on which the fugitive general was hiding. The assessment which Croatia got at that time did not make it possible to open negotiations with the European Union, so that it became clear to Prime Minister Sanader that without a concrete result he cannot expect to have Carla del Ponte's standpoints changed.

Six Points

Anyway, what did the action plan actually represent, and which activities did it envisage? One day after Prime Minister Sanader presented the plan in Luxembourg the press announced all six points of which it allegedly consisted. As presented by the media, the first point stressed the need to strengthen respect of law, particularly the fact that law must apply to everybody in the same manner. It was necessary also to unfold a campaign in order to win over the public's sensibility and to reduce the widely spread support which Gotovina, as a war hero, enjoyed in the Croatian public.

The second point, according to the media, stressed the strengthening of police activities which would facilitate tracking the fugitive general, as well as revealing the network of his assistants, particularly those who financed his escape. The third point of the action plan was to disable the leak of confidential information from the state offices, particularly the secret police; this leakage made it impossible for the earlier activities aimed at locating Gotovina and arresting him to be efficiently implemented. The leak of such information is what actually created the bad image of the Croatian regime, even Prime Minister Sanader's actual control over these agencies was challenged, since they did contrary of what his government is standing for.

In order to make impossible this leak of information, the fourth point of the action plan envisaged a thorough reconstruction of the intelligence agencies, which were identified as the strongest point of resistance to the Government's intention to arrest Gotovina. This included also significant personnel changes, in order to exclude from the intelligence community all those who sympathized with Gotovina and practically helped his escape. Related was also the fifth point of the action plan, which envisaged strengthened activities of the intelligence agency, but of course it was not possible to implement it until the agencies were not reconstructed.

The last, sixth point of the action plan, envisaged the need for closer cooperation with neighboring countries in the operational, political and diplomatic sense. There were speculations that this point contained also hints on the necessity of cooperation with the Catholic Church which was believed to have information on the possible hiding place of general Gotovina.

However, a day after the press published the possible contents of all six points of the action plan, the spokesperson of the Government, Ratko Macek, denied that the plan contained what the media mentioned. He confirmed that the action plan for arresting general Gotovina does consist of six points, but, said he, these are not the points published in the press. "These are very concrete activities of certain institutions", explained Macek, denying that the action plan included also the Church, as the media reported.

The maximum of official information on the real content of the action plan for arresting Gotovina was the extremely general phrase that this was "a variety of measures and activities which should lead to new or more detailed information, which are to be implemented by authorized state organs and institutions, whose final result will be the confirmation of Croatia's full cooperation with The Hague Tribunal".

However, subsequently implemented measures showed that the activities followed exactly the scheme published by the media, when trying to identify the content of the action plan's six points. All this was very well accepted by the international community, and soon after Sanader presented his plan in Luxembourg came the first positive reaction. "What I established is that since March 16th Croats made progress. The six-point action plan speaks all about it. Posters (Ante Gotovina) are being removed, the Church has showed understanding, and the secret services are also cooperating. The network of support to Gotovina must be broken and reforms of the state of law must be continued, primarily in regard to the courts. All this is in the action plan and the Prime-Minister Sanader made it very clear, he realized that what is now needed is the implementation of this plan. He himself was speaking of a few months. I believe that already in June we will have a better view of where we stand in regard to cooperation", said Jean Asselborn, President of the Council of Ministers of the European Union.

License

The fact is that in Serbia, too, an action plan was adopted, aimed at the locating and arresting of general Ratko Mladic and other fugitives from The Hague whom Serbia must transfer to ICTY. The fact that Serbia's Prime-Minister Kostunica and Croatia's Sanader talked about that during the visit of Croatia's Prime-Minister to Belgrade on 21st July this year, provoked cynical comments in part of the Croatian public that Sanader "sold the license" for arresting Mladic to his Serbian colleague.

Hoodlums among our own ranks

Croatian authorities demonstrated resolve in regard to the implementation of the action plan by adopting amendments to the Act on security structures. These changes were necessary in order to cleanse the secret service from persons close to Gotovina, who by their doing, i.e. their non-doing, helped Gotovina to escape. Namely, foreign secret services, first of all the British ones, had frequently warned the Croatian authorities that Gotovina enjoys support from certain circles in Croatian secret services, and that many information and plans related to Gotovina's arrest were leaking.

Apart from changes in secret services, there was also personnel change in the police, so that the head of the police in Zadar (Pakostani, Gotovina's hometown, is not far away from Zadar) was dismissed, and

there were changes also in other places. The authorities demonstrated resolve also on the symbolic level: a huge poster of general Gotovina celebrating his war achievements was removed from Zadar.

Purge in the secret service and the police resulted very quickly in the arrest of Hrvoje Petrac, an entrepreneur from Zagreb, who is believed to be one of the main assistants and financiers of the fugitive Gotovina.

Petrac was arrested on August 31, 2005, in north Greece, in the harbor Igoumentis, from where he wanted to take a ferry to the Italian harbor Ancona. After the arrest he spent one year in Greek prison, waiting to be extradited to Croatia, which finally did happen on August 22nd of this year.

In the second half of December 2005 – only two weeks after Gotovina was arrested in a hotel on the Canary islands – the Greek daily Ta Nea published the information that Gotovina was actually located thanks to a telephone talk, when Petrac called him from his cell-phone. Namely, Petrac's cell-phone was tapped by the Greek authorities, because Petrac was under their constant surveillance until he was arrested at the end of August last year. Petrac escaped from Croatia because he participated in the abduction of the minor son of general Vladimir Zagorac, for whose release he asked one million euros. He was sentenced in absentia to six years in prison, so the Croatian police declared him an internationally wanted person. Anyway, Petrac was on the list of Croatian citizens who were suspected to be helping Gotovina's escape and who were therefore forbidden to enter the countries of the European Union.

It seems that the arrest of Petrac was very significant for the subsequent arrest of Gotovina. The fact is that Gotovina was "identified, located, arrested and transferred" only three months after Petrac fell into the hands of the Greek police, which opened speculations that it was actually Petrac who revealed information on Gotovina's whereabouts to the police, in order to work out for himself redemption of the imprisonment to which he was already sentenced in Croatia. Of course, these are only speculations which were not confirmed by anything. However, the fact that Petrac is now in the Zagreb prison Remetinec, and that he is available to Croatian investigative organs, could shed light upon his real role not only in organizing and financing Gotovina's escape, but also in possible assistance in his locating.

Croatia was serious

Although the action plan, which presented the foundation for Gotovina's arrest, was never officially presented to the Croatian public, from what the Government was doing it was obvious that it was identical to the points published in the media. However, when it became clear that Croatia was serious about her action plan for Gotovina's arrest, the chief Hague Prosecutor on October 3, 2005 issued the so much desired evaluation on "full cooperation" of Zagreb with The Hague Tribunal. The press later revealed that a few days earlier the State Attorney of the Republic of Croatia Mladen Bajic presented to del Ponte the recorded conversation between Ante Gotovina with someone in Spain. At that time Gotovina was already under serious surveillance and his telephone conversations were recorded. After this, Carla del Ponte no longer had any dilemmas on whether or not Croatia was serious about closing the Gotovina case. This was a proof of "full cooperation".

Immediately after that started talks on accession to the European Union and Croatia acquired the status of a candidate country with good prospects to become the 28th member of the big family of united Europe, after Romania and Bulgaria.

"Hi, Ivica and Stipan"

In Croatia there is a widely spread opinion that Gotovina's escape – immediately after The Hague Tribunal in June 2001 raised an indictment against him, holding him responsible for war crimes committed in the action "Storm", when in August 1995 the Croatian army under his command entered Knin and liberated the up to then capital of the Serbs rebellions – was if not in connivance with, then at least under tacit agreement of the then coalition government headed by Ivica Racan. This government was afraid to arrest Gotovina, in fear from mass demonstrations and a possible coup d'état. This fear was not irrational. When the arrest warrant was issued for general Mirko Norac, who was also suspected to have committed war crimes (later, at a trial in Rijeka, Norac was sentenced to 12 years in prison because of the murder of Serb civilians in Gospic, and he is now doing his time), during demonstrations on the town quay in Split in February 2001 gathered 150 thousand people. This terrifying mass of people with clear threatening messages sent to the then Prime-Minister Ivica Racan and the head of state Stjepan Mesić ("Hi, Ivica and Stipan, black crows will eat you") was only indicating what could happen had Gotovina been arrested four months later.