

## War Crimes Trial Begins for Croatian General Who Worked With Americans

by Marlise Simons via rialator - New York Times *Tuesday, Mar 11 2008, 7:27pm*

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### [an intentionally delayed trial]

PARIS — A popular Croatian general who led a brutal operation that drove the Serbs out of Eastern Croatia near the end of the Balkans war went on trial in The Hague on Tuesday for war crimes and crimes against humanity. Gen. Ante Gotovina, working closely with American advisers, was the commander of a military campaign in the summer of 1995 that put an end to the Serbian occupation of Eastern Croatia and forced more than 150,000 Serbs to flee towns and villages where they had lived for generations.



***Ustashe fascist, Gen. Ante Gotovina***

The four-day operation, in the Krajina region, was a turning point in the war, celebrated by Croatia as the heroic recapturing of its homeland and mourned by Serbia as the *single largest event of "ethnic cleansing" of the 1991-1995 wars that broke up Yugoslavia.*

Prosecutors at the war crimes tribunal, while not disputing Croatia's right to retake its land, have accused General Gotovina and his two co-defendants, Gens. Ivan Cermak and Mladen Markac, of crimes including knowingly shelling civilian targets, allowing their forces to go on violent rampages during and after the campaign, terrorizing civilians, and looting and burning Serbian homes.

In his opening statement on Tuesday, the prosecutor, Alan Tieger, said more than 350 civilians were killed in August and September 1995, most of them not in the heat of the battle, but executed in revenge actions.

Lawyers familiar with the trial say it may also shed more light on the little-known covert American role during that decisive Croatian counteroffensive against Serbia.

United States military advisers, among them retired and active personnel, helped plan the operation, and Americans directed drone aircraft over the battle zone to gain real-time intelligence for Croatian forces, Croatian officials have said.

The United States is not implicated in any of the criminal charges related to the operation, but some of its intelligence methods and sources may be disclosed, lawyers at the court said. In the summer of

1995, the United States and other Western nations were seeking to roll back Serbia's considerable military gains in Bosnia and Croatia in order to create a viable peace plan.

Washington has taken a keen interest in the trial, and American diplomats have visited the United Nations war crimes tribunal in The Hague to discuss the case, a former senior prosecutor said.

The importance of the trial to Croatia, where the three generals are considered heroes, is evident from the battery of defense lawyers. The defense team includes four lawyers with direct experience with the tribunal, which is unprecedented. One is Greg Kehoe, a former tribunal prosecutor who leads General Gotovina's defense.

Mr. Kehoe also worked for the United States as the top American lawyer at the Iraqi Special Tribunal in Baghdad, where he ran the large office that built criminal cases against Saddam Hussein and his top officials.

In court, the three defendants, who have pleaded not guilty, sat side by side, flanked by United Nations security guards. As he arrived, General Gotovina smiled and waved at the public gallery, then he and others listened to translations of the proceedings. The trial could also be watched via video transmission from the court. Croatian television broadcast the events live.

For the Croatian audience there may have been unwelcome disclosures in the prosecutors' lengthy accounts of atrocities. Croatia's nationalist news media have widely reported on actions by Serbs, often suppressing news from trials that cast Croatians in a bad light.

Mr. Tieger, the prosecutor, detailed brutalities that he said were inflicted by the Croatian military and the police on Serbian villagers. He said they burned hundreds of homes, killed elderly people who could not leave, killed livestock and poisoned wells to make sure no Serb refugees returned. The operation left "a scarred wasteland of destroyed homes and villages," he said.

The prosecutor also cited comments from General Gotovina who, in the days after the operation, referred to his troops as "spoiled children" and "barbarians."

Lawyers at the court have said the three generals were the only men to be held accountable for the atrocities because the main political decision-makers, President Franjo Tudjman and his inner circle, are dead.

After Mr. Tudjman's death, Carla Del Ponte, the chief war crimes prosecutor at the time, said her office had been close to issuing an indictment in which Mr. Tudjman would be charged with heading a "joint criminal enterprise" that included expelling Serbs. On Tuesday, the prosecution quoted from Mr. Tudjman's speeches in which he called Krajina Serbs "a cancer on the underbelly of Croatia."

The prosecution said it intended to call more than 130 witnesses. The trial is expected to last more than a year.

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