Peace on whose Terms? War Veterans’ Associations in Bosnia and Hercegovina

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Spoilers of Peace Processes: Conflict Settlement and Devious Objectives

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Introduction

The 1992-1995 war in Bosnia and Herzegovina (BiH) was the most violent phase of the dissolution of former Socialist Federal Republic of Yugoslavia (SFRY), of which, for almost 50 years, BiH was one of six constituent republics. In the course of the war BiH’s three main ethnic groups - Muslims, Bosnian Croats and Bosnian Serbs, with active involvement of neighbouring Croatia and Serbia, fought each other in pursuit of its own vision of BiH political and territorial (re)organization. The causes and the character of the war remain contentious, the main disagreement being over the issue of whether it was a war of aggression by BiH’s neighbours or a civil war. Essentially, it contained the elements of both, which determined the way the war was fought, the multiplicity of actors involved, and complexity of agendas played out in the course of the conflict, its settlement and peace building process. The fighting was brought to end by an intense international military and diplomatic campaign, which pushed the worrying parties into compromise none of which considered just. The task of implementing complex terms of the peace agreement was put overwhelmingly in the hands of international actors, while local parties pursued the strategy of obstruction, trying to assert their own interpretation of the peace agreement that would accommodate some of their war aims.

This paper looks at war veterans associations, as one particular type of non-state actors engaged in undermining peace settlement in the specific context of BiH war. Because of their position on the continuum between combatants and outside actor, and the nature of relationship with the political leadership negotiating the peace agreement, this case could provide different insights into the issue of spoiling in the types of contemporary conflicts characterised by multiplicity of both actors and agendas, and complex strategies needed to pacify them.

The paper starts by brief analysis of the political and economic goals behind the 1992-1995 war, narrowing inquiry into Bosnian Croats self-rule as a political project and goal of the strategy of spoiling pursued by Bosnian Croat war veterans associations. It then reflects on the terms of the peace agreement, indicating some of the main areas the implementation of which was actively obstructed by this group. The analysis of the war veterans association deals with their origins and the position in the Bosnian Croat post-war power structures, the sources of their funding and their official and hidden agenda. The probe into spoiling tactics focuses on three important aspects of the peace agreement i.e. refugee return, war crimes prosecution and institution building, and is followed by a brief analysis on the impact of various strategies the international community as a custodian of peace has used to sustain its implementation.
The 1992-1995 War in Bosnia and Hercegovina: Why the war was fought?

**Political goals**

The context in which the war was fought i.e. the break up of the common state and the creation of independent, majority nation- states, principally Croatia and Serbia, is essential in understanding the nature of political violence that raked BiH for more than three years, and difficulties in consolidating peace. Before the war BiH was the most ethnically mixed of former Yugoslavia’s republics. According to the 1991 census, Muslims accounted for 43.7% of the population, Bosnian Serbs 31.4%, and Bosnian Croats 17.3%; the remainder consisted of various other ethnic groups as well as those of mixed ethnic origin who declared themselves as “Yugoslavs”. With the disappearance of the common framework of Yugoslav state the very existence of BiH was brought into question, not least because of the ambitions of Serbia and Croatia to enlarge their territories by integrating parts of BiH where their respective ethnic group was majority. To achieve congruence between the territory and a particular ethnic group’s majority in BiH required massive population displacement, which became the main political goal of the war. It was a devastating process, causing large-scale civilian casualties and physical destruction, which in some aspects e.g. infrastructure surpassed the World War II carnage.

At the start of the war Bosnian Serbs and Bosnian Croats considered creation of ethnically homogenous territories as the first step towards secession from BiH. When in the course of the conflict international mediation made this option unfeasible, the goals shifted towards securing the highest possible degree of independence for Bosnian Croats and Bosnian Serbs within the state of BiH. In contrast, Muslims pushed for a unified state of BiH, but such that would grant them, as the largest ethnic group, privileged position. This tension in the political aspirations of the main protagonist of war would remain the key stumbling block in the implementation of the peace agreement.

Although the ultimate aims of the political leadership of the three BiH’s peoples differed, they all strived to consolidate their hold over ethnically more or less homogenous territories. The monopoly of power they enjoyed in these ethnic enclaves enabled them to control resources and secure privileged position to their members and supporters. In the vicious fighting in which numerous atrocities were committed, besides the three armies created by the political parties representing BiH’s three main ethnic groups, combatants included regular troops from Croatia and Serbia, paramilitaries both local and foreign, and mercenaries. Diaspora, especially Croatian, played an important role in all phases of the conflict and its aftermath, providing not only the money and military equipment, but also recruiting some of the key political and military figures. Throughout all phases of the war and the post-war period there was and still continues large international civilian and
military presence, which in itself has contributed importantly to the dynamics of the war, its termination and progress in peace implementation.

**Economic goals**

During the war three largely independent socio-economic structures emerged, controlled by the three main nationalist parties: the Muslim Party of Democratic Action (SDA), the Serb Democratic Party (SDS) and the Croatian Democratic Union of Bosnia-Hercegovina (HDZ BiH). In effect, these were three mini-party-states, run by ethnopolitical criminal structures, operated through a closely-knit networks of political, economic and military elites engaged in the redistribution of assets accumulated in the public domain and often connected to regional and international criminal networks. The development of BiH’s criminal war economy was a response to sharp decline in productive activity caused by the war and the disintegration of former common Yugoslav market, which came on top of prolonged and severe crisis that crippled SFR Yugoslavia’s economy, precipitating state collapse. War, sanctions and large population movement within and across the borders of newly created Yugoslavia’s successor states opened many opportunities for irregular activity, including organized crime with links to the highest political establishment. The combatants were provided privileged access to resources, including looting and dispossession of other ethnic groups, and diversion of humanitarian assistance to compensate for irregular payments of salaries. The fact that this was condoned by the political leadership, and indeed sometimes openly encouraged, affected the combatants’ perceptions of their position and expectations regarding their status (and the distribution of the spoils of peace) once the war was over. This type of profoundly irregular political economy survived the conflict to become one of the key obstacles to peace consolidation, as its operation could only be sustained in an ethnically divided and antagonised space. The preservation of ethnically homogenous territory controlled by the HDZ BiH, the SDS and the SDA, respectively provided many of the key protagonist of war and its criminal economy with impunity, which was another motive to obstruct reintegration of the country within the course of implementation of the peace agreement.

**Evolution of Bosnian Croat self-rule project**

Among the three mono-ethnic formations that emerged in the course of BiH war, the most consistent and politically developed was the Bosnian Croat one. As early as December 1991, the Croatian Community of Herceg- Bosna (HZHB) was established, as community of all Croats living in BiH, with a professed aim to defend Croatian historic territory and Croatian people in BiH against the threat of aggression. Its jurisdiction extended over 30 municipalities across BiH, in most of which, but not all, Bosnian Croats were a majority. With the establishment of the Croatian Defence Council (HVO) in spring 1992, as the key executive and administrative body, which from July 1992 included its own armed force, HZHB emerged as a para-state within BiH, of which HVO was the de facto government. The armed force, which also bore the name HVO, operated as a military wing of the HDZ BiH and was controlled by it. Although formally part of BiH, HZHB made Croatian language and currency official within its jurisdiction,
and closely aligned its armed forces with that of Croatian army, receiving from Croatia financial support as well as support in personnel, training, equipment etc. In economic matters such as customs HZHB and Croatia functioned as one country. Croatia provided substantial financial support towards social care, and the running of education and health system of HZHB.

The mainstay of this creation was the HDZ party structure. Only HDZ BiH members were engaged in the governing structures of HZHB, excluding from participation any other ethnic group living on its territory. Since the HDZ BiH was a part of Croatian HDZ, this link provided the umbilical cord through which HZHB was related to Croatian state. The creation of HZHB, in its legal background, the intentions of its creators (both among Bosnian Croat and Croatian political leadership) and the minds of most Bosnian Croats were a step towards integration into Croatian state, despite formal declaration that it was a temporary construct.

By late 1993, international engagement in BiH conflict focused on finding territorial solutions based on the principle of ethnic demarcation within BiH, rejecting the secessionist option. Among several initiatives, the proposal by peace mediators David Owen and Thorvald Stoltenberg argued for the creation of three clearly demarcated entities, taking into account the results of military operations on the ground and population displacement. Bosnian Croats responded by the establishment of Croatian Republic of Herceg Bosna (HRHB) in December 1993, as the political entity of Bosnian Croats within BiH. This was a calculated step to exert pressure on the negotiators and pre-empt political solutions that would go against Bosnian Croats’ aim of securing the highest possible degree of autonomy within BiH state. By this move, the parallel structures of government established within the framework of HZHB were preserved, managing to survive long after the international community in February 1994 ordered abolishment of HRHB. Another attempt at creating a distinct Bosnian Croat entity was initiated in 2001, when the HDZ BiH tried to establish Bosnian Croat self-government, by relying on the remaining parallel structures, which, although weakened, remained in place, particularly at the level of municipalities.

Peace settlement

The political solution to the conflict in BiH was achieved in two stages. Following intense fighting between Muslims and Bosnian Croats from May to November 1993, during which non-Muslim population was systematically driven out of the territories charted by HZHB, and large number of Bosnian Croats expelled from Central Bosnia, an agreement establishing Muslim- Bosnian Croat Federation- the Washington agreement, was signed in March 1994. Following the principle of ethnic demarcation, the Federation was organized into ten cantons, of which only two were mixed; the remaining eight had clear Muslim or Bosnian Croat majority. The solution was a result of intense international pressure on local political leadership as well as that of Croatia.

The establishment of the Federation was ill received by a significant proportion of Bosnian Croats, particularly those in ethnically mixed cantons. Even though a highly
decentralised structure of the Federation assigned most powers to the cantons, there was a resentment of the idea of giving up the prospect of Bosnian Croat state and its close relationship with, if not outright annexation to Croatia. After all, the HDZ BiH argued from the start of BiH conflict that the full protection of Bosnian Croat interests was only possible in a sovereign Bosnian Croat political entity, the prospect of which was diminished by the establishment of the Federation. Croatian leadership, and in particular Gojko Susak, the then defence minister who hailed from Hercegovina, tried to dispel the resentment of many Bosnian Croats by arguing that the Federation was necessity at that particular stage of BiH conflict, and likely to be only a temporary solution. Continuing help from Croatia to Bosnian Croats was promised and the possibility of confederation with Croatia offered, thus rekindling the expectations of an all Croat state if not then and there, then at some point in future.

Implementation of this imposed solution, against the reality of parallel Muslim and Bosnian Croat structures of government operating within Federation was from the outset confronted with serious obstacles. This was best manifested in the example of the city of Mostar, divided in the course of the Muslim- Bosnian Croat fighting, which became a subject of special agreement between the two sides, reached in the aftermath of Washington agreement. The city, which was designated as the capital of HRHB, and to this day has remained a strong hold of hard line Bosnian Croat nationalists, was put under European Union administration over an interim period (1994-1996) to allow for the establishment of a multiethnic, unified city administration. Its reunification was considered of paramount importance for the reintegration of Bosnian Croats, particularly their separatist Hercegovinian faction, into BiH. In fact, sporadic violence, and expulsions and intimidation of non- Croat population continued in Mostar for a number of years after the Memorandum of Understanding on Mostar had been signed in Geneva in 1994. The implementation of the Washington agreement and reunification of Mostar have been two closely inter- linked processes, given the HDZ BiH resistance to give up Bosnian Croat autonomy and the importance of Mostar for that project. Efforts at establishing joint local government structures in Mostar as the main goal set out by the Memorandum were concertedly obstructed; it was only in 2004 that the inchoative unified city administration finally got off the ground.

The second stage of political settlement of BiH conflict, involving Bosnian Serbs, was the signing of the Framework Agreement for Peace in BiH (Dayton agreement) in December 1995. According to the agreement, which included a new constitution, BiH was re- organized as a loose union of two entities- - the Muslim- Bosnian Croat Federation and Republika Srpska as the entity in which Bosnian Serbs are majority. The promise of large and sustained international civilian and military presence was one of the key incentives accompanying negotiations of the Dayton agreement. A unique framework of international assistance was designed for its implementation, which has garnered an unprecedented array of actors, and provided resources at the scale considered in per capita terms the highest ever in the history of international aid.

Under the new political set up, the central state was allocated minimal jurisdiction, with most powers resting with the entities. A complex system of power sharing aimed at
protecting ethnic interests\textsuperscript{xii} was put in place, providing the main mechanism to sustain the new government structure. Making this system operational, which rested on the local parties’ readiness to engage in consensus-building, was essential for the implementation of the key aspects of the peace agreement. The responsibility for the implementation of the peace agreement was thus rested with the same parties, and indeed by and large the same people in the political establishment of the country who waged the war, and held the view that the agreement failed to provide satisfactory solution to their demands. This in itself carried strong potential for spoiling.

A number of specific elements of the peace agreement are relevant in discussing the possible motives for obstructing its implementation in our case. Annex 7 of the peace agreement detailed refugee return to their pre-war places of residence as one of the crucial aspects of peace consolidation and rebuilding BiH as a multiethnic state. To many displaced Bosnian Croats now living in other people’s property and determined to stay in their new places of residence this was an ambivalent proposition. For large segment of this population the motives are to do with the feeling of security provided by living among their ethnic kin, understandable in the aftermath of a brutal war\textsuperscript{xiii}. But equally important are economic calculations of some sections of displaced population whose economic prospects have improved by dislocation, and which usually managed to have stronger voice than those who suffered as a result of displacement, and who were more likely to exercise their right to return. Equally, younger generation has enrolled in education and grown attached to the new places of residence, and hence unwilling to move back to old homes to which they no longer share any attachment. On a political level, allowing refugees to return was a threat to the HDZ BiH goal of establishing Bosnian Croat dominated entity in which its sovereign rule as the exclusive representative of Bosnian Croats would be secured.

The agreement allowed for the preservation of the three ethnically based armies created during the war, thus reinforcing the elements of a semi-statehood status given to the entities\textsuperscript{xiv}. For Bosnian Croats, who were denied a separate entity, preserving their own army was seen as one of the channels through which to persevere with the political struggle to secure Bosnian Croat autonomy. Hence, the post of the Federation defense ministers was allotted to individuals renown for their allegiance to this project i.e. Ante Jelavic and then his successor Miroslav Prce, both of whom were subsequently banned by the High Representative from holding public office\textsuperscript{xv}. By preserving the HVO as the legitimate military force of Bosnian Croats, the military was given the same clout on the Bosnian Croat politics it had had during the war.

Among the peace agreements’ many compromise solutions was the one allowing for special relations between BiH’s entities with their neighbours i.e. Federation with Croatia, and Republika Srpska with Serbia. The presidents of Croatia and Serbia were signatories to the peace agreement, thus undertaking commitment that the governments of the two neighbours will participate in its implementation. The ambiguous stance of Slobodan Milosevic and Miroslav Tudjman’s governments towards BiH sovereignty, and continuing support for their ethnic kin in BiH after the conflict was over, encouraged Bosnian Serbs and Bosnian Croats to continue pursuing separatist agenda, undermining
the integrity of BiH state. According to the Dayton agreement, the structures of Herceg Bosna were to be dissolved within 30 days of the passage of legislation necessary to establish Federation institutions; the HDZ BiH had concertedly opposed this ever since the Washington agreement was signed.

Bosnian Croats perceived Dayton agreement as discriminating against them by depriving them of their own entity. They saw it as a threat of Muslim domination within the Federation where Bosnian Croats were minority. Despite (reluctant) cooperation in building Federation institution, which has proceeded under concerted international pressure, they have never abandoned the goal of having the third “Bosnian Croat” entity. The difference is that, unlike in early phases of Bosnian conflict when this was a separatist project, it is now discussed as a matter of internal political re-organization of BiH, which however does not imply the reversal of the policies of “ethnic cleansing”. Namely, the interests of the Bosnian Croat political leadership on one hand, and large sections of the displaced population on the other have remained focused on preserving the ethnically homogenous territory, while securing the disproportionate share for Bosnian Croats in the governing bodies at various levels of BiH government. The struggle for political autonomy has been additionally propelled by the fact that economically areas with Bosnian Croat majority have been the most prosperous ones in BiH, having escaped war-time destruction and profiting from their links with Croatia.

**War veterans’ association as spoilers of peace**

**Origins and profile**

Following the signing of the Washington agreement a number of war veterans’ associations sprung up in the Federation of BiH, especially among Bosnian Croats. There were several motives behind it. For the main actor- the military, the Washington agreement as well as later on the Dayton agreement were perceived as unjust in terms of the political solutions they offered. Thus, organising itself in this way provided a channel through which to continue struggle until more acceptable political solution was achieved. This becomes a plausible motive given close links between the military and civilian leadership of Bosnian Croats, namely that the HVO was the de facto military arm of the HDZ BiH. While HDZ BiH representatives in the government were a party to the peace agreement, and rhetorically supportive of it, their genuine views and aspirations were different, and were expressed through the work of some of the veterans’ associations. Hence, the existence and activity of Bosnian Croat war veterans’ associations has to be understood in the context of the HDZ BiH post-war strategy to pursue its main war-time political goal. This explains the profoundly political impact most of the veteran associations’ activities have strived to achieve. There were also genuine intentions of defending the interests and wellbeing of the veterans’ population, who in their own eyes deserved a special status, having “defended” the interests of their own ethnic group. Setting up these associations was also a channel for redistributing funds provided by
Croatia to which it believed to have deserved a privileged access, having fought alongside Croatian army both in Croatia as well as in BiH.

The two most prominent Bosnian Croat war veterans’ associations are the Association of Croatian Military Invalids of the Homeland War (HVIDRA) and the Association of Volunteers and Veterans of Homeland War (UDIVIDRA), both established in 1994. Of the two the former has been more prolific, positioning itself as the most extreme element within the Bosnian Croat post-war power structure. The key figure in establishing these two organisations is Mladen Naletilic-Tuta, the commander of the “Convict’s Battalion”, an HVO unit notorious for terrorising non-Croat population in and around Southern city of Mostar during the war, running trafficking routes and organised crime rings. He is an emigrant with close connections to late Gojko Susak, the then defence minister of Croatia, himself a former emigrant who returned to Croatia to support the HDZ in its project of establishing independent Croatian state. Both Mladen Naletilic and Gojko Susak were made the honorary presidents of HVIDRA. Mladen Naletilic was highly positioned in the Bosnian Croat politico-military hierarchy during the war and was a member of an inner circle regularly received and consulted by the highest-ranking HDZ leaders, including late Croatian president Franjo Tudjman.

The leadership of HVIDRA has over the years included prominent war-time military figures, and vocal proponents of ethnic separatism and establishment of Bosnian Croat entity. HVIDRA’s headquarters were symbolically based in Mostar, with the network of organisations spreading throughout the territory included in HZHB. Mostar branch of HVIDRA is estimated to have around 1,300 members, suggesting that an overall total could be in the region of 4000-5000 members for the whole of HZHB. The organization of HVIDRA is one of a well-functioning network controlled by the Mostar headquarters. Although professed as an association of war invalids i.e. soldiers incapacitated in combat, which given the ethnic sensitivities aroused by the war, has guaranteed its special status and importance, HVIDRA’s membership has included other members of HVO, and at a later stage demobilised soldiers. Similarly, membership of UDIVIDRA includes soldiers both active and demobilised as well as volunteers. Both associations have had in their ranks Bosnian Croat representatives in the BiH governing structures- a testimony to the amalgamation of political and military structures, which continued after the conflict was over. The highest-ranking Bosnian Croat government officials have regularly attended HVIDRA’s assemblies, in a public display of their support to its activity, and unquestioned unity behind the “Bosnian Croat” cause.

**The official agenda, the hidden agenda and the motives for spoiling**

The declared goals of HVIDRA, as formulated in its statute, are first and foremost the protection and advocacy of the interests of the veterans, killed and missing soldiers and their families, and permanent, just and systematic solutions to the socio-economic problems of veterans’ population. Other than these goals concerned with the social and economic status of its members, HVIDRA pledges to preserve the continuity of
comradeship, merits and memories of its members. Thus, its activity is driven as much as by the legitimate concerns over its membership wellbeing as it is by the ideology, which is intricately linked to the promotion of exclusive nationalist politics under the guise of “the protection of Croat national interests”. In reality, HVIDRA has been one of the main levers used by the HDZ BiH to obstruct the implementation of the peace agreement. Effectively, HVIDRA was established as a vehicle through which to secure the continuing support for the HDZ BiH rule, and could be said to represent its most radical political faction. In the course of the peace implementation the HDZ BiH unity has been challenged by different factions’ response to the international pressure to solicit cooperation of the local parties. This at times has made consensus building on the position of the HDZ BiH representatives in the BiH government structures difficult. The counteractive channel securing that the hard line nationalist route is followed has been operated through HVIDRA. Its capacity to incite nationalist fervour among the population by evoking the fear of other ethnic groups has been then deployed by the HDZ BiH to reinsert itself as the sole protector of Bosnian Croat interests. Through HVIDRA, whose membership has included Bosnian Croat representatives in the legislative and executive bodies of BiH government, it has been possible to pursue certain political goals more efficiently than through the HDZ BiH party structures\textsuperscript{xxii}.

The ultimate goal of Bosnian Croat autonomy can only be to some extent justified by Bosnian Croats genuine fear of marginalisation as the smallest constitutive ethnic group in BiH. The elaborate power-sharing model in BiH essentially provides all the constitutional guarantees to prevent this from happening. Thus, the true reasons for pursuing autonomy, as suggested before, are more likely to do with the ideology and aspirations of creating an all Croat state, and equally so with the peculiar political economy of BiH war, both of which were threatened by the implementation of the peace agreement.

War veterans have been in many ways privileged segment of BiH population, both during their active service and later. For many of them, military uniform provided access to power and material wealth, be it in the form of looting, occupying other people’s property or renting it\textsuperscript{xxiii}, or after the war, running perfectly legal businesses without paying electricity, water or telephone bill\textsuperscript{xxiv}, not to mention taxes. Some of them opted to continue criminal business operated during the war, for which again securing the protection of the HDZ BiH rule was essential, given that among the HDZ BiH government officials and top leadership involvement in these activities was not uncommon. This has bound them together in the struggle to preserve an order in which these activities will not be sanctioned. The existence of parallel structures of government along ethnic lines, against better economic performance of areas with Bosnian Croat majority, has provided HVO veterans’ with much higher compensations in the form of wages for regular soldiers and invalidity benefits for those incapacitated in the combat. The creation of unified Federation structures such as joint army and unified social security funds has directly threatened this privileged position compared to the soldiers who fought in the Muslim-dominated BiH Army. Many of the war veterans, following demobilisation have found employment in the local police force, thus retaining formally the authority reserved for security forces in any society. This multiple identity\textsuperscript{xxv} of
HVIDRA’s (and UDIVIDRA’s) members and its actual and perceived power had made it one of the most feared organisation among the non-Croat population, but also those Bosnian Croats opposed to its policy and methods.

**Financing**

HVIDRA’s funding has been secured from several sources. Officially, as other citizens’ groups, HVIDRA is funded out of the Federation budget and municipal budgets of its respective organisational units. In some municipalities HVIDRA has been allowed to run parking lots, sport centres, organise music event etc as a way of raising funding for its activities. Some of the funding has also been secured through a personal income tax of the employees working in HZHB institutions. There have been various ad hoc transfers from various institutions of HZHB such as social security fund. Substantial part of funding has come from Croatia, which until moderate Social Democratic Party government took office in 2000 following Tudjman’s death, had gone through HZHB structures benefiting HVIDRA. A proportion of international assistance, controlled for most of the post-war reconstruction period by BiH three main nationalist parties including the HDZ BiH, has also been diverted to the coffers of HVIDRA and pockets of its members. The official funding has been supplemented through various other informal sources of finance e.g. donations from diaspora, assistance from religious community, involvement in illicit activities and exemptions from paying office space and other costs of running the organization eg water, electricity and phone. Another example of many ingenious ways in which HVIDRA was financed was sale of special satellite equipment to those wishing to receive Croatian television transmission signal. Members of HVIDRA have also received donations in kind such as mobile telephone sets and cars; HVIDRA’s members have enjoyed privileged access to housing, bank credit and tax-free import of cars. When Hercegovacka Banka, the main institutions underpinning the financial infrastructure of Bosnian Croat self-rule project was put under international custody, the investigation revealed a complex network of Bosnian Croat and Croatian political and military figures and their cronies, which controlled the flows of money in the territory of HZHB. Among them were members and supporters of HVIDRA, who were part of the Bosnian Croat “criminal enterprise”.

**HVIDRA’s tactics in obstructing the implementation of the peace agreement**

**Property law implementation**

It was not until 1998 that the international community stepped up its efforts to implement Annex 7 of the peace agreement dealing with the return of refugees. The lack of strong international commitment to the enforcement of this particular aspect of the peace agreement and slow progress in strengthening institutions of the Federation of BiH provided an opening in which HVIDRA could carry out its activities directed against the return of non-Croat population. Reports by the OSCE, OHR and UN Mission to BiH point to HVIDRA as the main obstacle to the implementation of the property laws in the Federation of BiH. During 1995-1996 the main strategy was to continue low-intensity campaign of ethnic cleansing by especially forcing elderly residents out of their homes,
and later on by attacking refugees returning to Croat dominated areas. Bombing of houses of returning refugees, and ethnically motivated violent attacks, including murders were commonly pursued. The main goal was to create an atmosphere of fear and personal insecurity in order to discourage refugees from returning to their pre-war homes. There were cases in which a refugee would succeed to return to his home using informal channels, often bribing officials and paying the illegal occupants to vacate the property, only to be kicked out by “unknown” group of persons who would carry out the attack. The most intense activity of this kind was in Mostar. For a long period of time joint Muslim- Bosnian Croat police force in Mostar existed only on paper; hence there was no recourse to protection that this force would normally have to provide to any citizen. Moreover, as pointed out earlier, many former HVO soldiers found employment in the local police force, following demobilisation, and were supportive of HVIDRA activity. Reports on various incidents involving refugees suggest that not only the police offered no protection, but sometimes was a party to violence.

Maintaining ethnically homogenous Bosnian Croat territory has been the main aim and a necessary leverage if (and when) the time comes to set up the Bosnian Croat entity in BiH. In this, the HDZ BiH relied heavily on HVIDRA’s tactics of terror and violence against non-Croat population. Although this type of activity was particularly high profile and frequent in Mostar, it happened in other parts of BiH too, suggesting well co-ordinated action. A parallel line of activity was directly related to particular developments in the course of implementation of the peace agreement e.g. legislative process. Most times, HVIDRA’s branches would organise various events simultaneously across HZHb, creating tensions, and disrupting the functioning of formal institutions at all levels of government, while trying to influence the final shape of a particular piece of legislation. The return of non Croats to Bosnian Croat controlled West Mostar was systematically obstructed by physical attacks on returning refugees, or organisation of mass gatherings against returning refugees, riots and appeals to Bosnian Croats from other parts of BiH settled in West Mostar not to go to their pre-war homes. There was evidence to suggest that in these early years HVIDRA controlled the housing stock of expelled non-Croat population of three Mostar municipalities under Bosnian Croat control. When the legislation setting out the terms for reclaiming property began to be implemented in 1999, stating that the illegal occupant should leave the property within 30 days of issuance of property certificate, HVIDRA took up to preventing evictions of (often its own members) Bosnian Croats. The then HVIDRA president Zoran Prskalo issued a statement saying that HVIDRA refused to accept the decisions of the international community asking illegal occupants to vacate property and hand in the keys to the relevant municipal office. Instead, HVIDRA asked for the keys to be handed over to its headquarters. Protesting against the property law implementation, HVIDRA issued an open letter in which it stated: “For the last time we are warning all relevant institutions, including courts, ministries and police stations that we will use all means necessary to protect war invalids,…” Often, HVIDRA would organise large-scale gatherings at which popular Bosnian Croat or Croatian singers’ performed and at which HVIDRA and the HDZ BiH functionaries addressed the audience. The war-time iconography was displayed prominently and the demands for the protection of Bosnian Croat interests, and in particular human rights of war veterans and invalids, were made.
This particular method was aimed at rekindling Bosnian Croat feeling of ethnic homogenisation and support for the HDZ BiH policy of obstructing the creation of joint BiH Federation institutions.

Prosecution of war crimes

Prosecution of crimes committed during 1992-1995 war has been identified as one of the essential elements for long term reconciliation of BiH three peoples, and has featured prominently at every stage of the peace agreement’s implementation. Gradually, the handing over of suspects to the Hague War Crimes Tribunal has come to weigh heavily among the set of political condition for economic assistance to BiH and progress in joining Euro-Atlantic associations, which are perceived as instrumental for peace consolidation. Over the years, a number of Bosnian Croats has been indicted on this account, including some prominent HVIDRA members e.g. Mladen Naletilic and Vinko Martinovic, the two foremost Mostar war lords. Obstructing investigation by threatening and intimidating local officials and population has been one of the methods HVIDRA has used to obstruct the procedure, which it has claimed to be heavily biased against Bosnian Croats. Such a claim is perhaps based on the comparatively large number of Bosnian Croat indictees compared to Muslim ones, and the fact that they were, along with a number of Bosnian Serbs, among the first cohort to be sent to the Hague.

HVIDRA has used every single occasion when an indictment has been made public, the extradition to the Hague completed or the verdict on an indicted Bosnian Croat passed to wage a campaign against joint Federation institutions and international community, demanding the establishment of the third entity. For example, when the Hague tribunal sentenced Bosnian Croat former HVO general Tihomir Blaskic, HVIDRA issued following statement:

“The sentence of General Blaskic and all innocently accused Croats should be re-considered. The request of the ICTY for the extradition of the seriously ill Mladen Naletilic Tuta should be withdrawn. A protest meeting will be held at 13:00 In Mostar, on 08 March 2000. The veterans and volunteers request from Bosnian Croat officials to immediately freeze their work in the joint institutions of the BiH Federation and BiH state, except for the Bosnian Croat member of the BiH Presidency. The veterans and volunteers ask the Government and Ministry of Justice of the Republic of Croatia not to fulfil the request of the Hague Tribunal for the extradition of Mladen Naletilic Tuta. We request from Bosnian Croat officials to organise a plebiscite on further position and destiny of the Croat people in BiH. The veterans and volunteers have anonymously decided not to take part in September parliamentary elections if their requirements are not fulfilled and they will call on their supporters to join them in their decision.”

The HDZ BiH control of media and threats to the employees made it possible for HVIDRA to have access to the media at terms it dictated regarding the content and the timing of communication to the public. Mass gatherings and
protests, including road blocks were often accompanying tactics of inciting tensions among the population and putting pressure on BiH political establishment on issues considered to be harmful to Bosnian Croats’ interests.

Institution building

Besides refugee return and persecution of war crimes as two areas of most intense engagement, HVIDRA has been a prominent actor at every major step in the peace implementation directed at strengthening the Federation. This is the structure, which the hardline faction of Bosnian Croat political establishment has never condoned. When the change in the electoral rules in 2000 threatened HDZ BiH control over legal and political representation of Bosnian Croats, and improved prospects for strengthening joint state and Federation institution, HVIDRA supported the HDZ BiH call for referendum on Bosnian self- rule. The victory of the moderate alliance of political parties triggered another attempt to establish Bosnian Croat autonomy. When the self-rule project did get off the ground in spring of 2001, HVIDRA provided essential support by flexing the muscle of HVO component of the Federation army, among whom many of its war time comrades served, to leave the barracks of the joint Federation army. HVIDRA warned Bosnian Croat government representatives that there would be consequences in case that they gave in to the international pressure. The usual scenario of mass gatherings with speeches by political and religious figures, public announcements, roadblocks, etc was deployed.

When in April 2001 in its attempt to stamp out Bosnian Croat self- rule, NATO- led stabilisation force (SFOR) seized all branches of Hercegovacka Bank across Hercegovina, HVIDRA was the key organiser and participant in mass protests around every single of those premises. During the riots, 21 peacekeepers were injured in Mostar and SFOR troops were trapped in the bank branch in Grude, West Hercegovina. The attempt to establish Bosnian Croat self- rule was identified by the international community as the most serious violation of the Dayton peace agreement.

It is believed HVIDRA has been involved in a number of violent attacks against Bosnian Croats who did not support the HDZ BiH hardline stance as well as international staff. In March 1999 the car bomb killed Jozo Leutar, BiH Federation deputy minister interior, himself a Bosnian Croat from Central Bosnia. The following day HVIDRA issued a statement accusing Muslims for the killing and calling for Bosnian Croats’ rights protection. The HDZ BiH announced the Declaration on Bosnian Croats’ Rights, which HVIDRA supported by organising mass gatherings across BiH. Leutar’s killing was politically motivated and happened at the time when efforts at uniting Federation ministry of interior had been stepped up. Also, shortly before the incident final decision on the status of the city of Brcko was announced on which occasion HVIDRA launched an action calling for the third entity. Although the case has not been resolved yet, it is believed that the murder had been organised by the HDZ BiH extremists, determined to
obstruct Federation institutions. Following the incident, Bosnian Croats’ boycott caused a crisis in the Federation government.

The trail of investigation led to the arrest of a Bosnian Croat in Mostar in September 2000; HVIDRA reacted promptly by blocking the main bridge connecting West and East Mostar, demanding to know who exactly made the arrests, suggesting that these were Muslim police forces. HVIDRA threatened that “hooded men”, referring to the uniforms the special police force wore doing the arrest, could appear on the East side soon. At the same time posters with call for referendum on Bosnian Croat self-rule and for mobilisation appeared throughout Bosnian Croat majority areas. In a series of actions following the murder of Leutar, HVIDRA forced non-Croat staff of customs service in a number of offices in West Herzegovina to leave their posts and threatened Federation financial police in the area with Bosnian Croat majority, thus directly challenging official institutions. Before this, in 1996, in Mostar an attempt was made to murder Josip Musa, the local prominent Bosnian Croat opposition politician, and the then head of the EU Administration, Hans Koschnik was attacked.

**Instead of conclusion: HVIDRA’s rhetoric (and strategy) changing?**

The context within which HVIDRA’s spoiling tactics have been pursued has been gradually changing over the years, causing a shift in both its focus and the way in which it pursues its agenda. As far as strategy of spoiler management is concerned, there has not been one as such particularly aimed at HVIDRA; rather the impact has come through undermining the position of the HDZ BiH and altering the relationship between the two actors.

The key role has been played by the international community, through applying concerted pressure on the HDZ BiH to co-operate in the implementation of the peace agreement. By using a range of strategies international community has succeeded in weakening the HDZ BiH power base and forcing it to increasingly channel its grievances through the formal institutions. To this end the HDZ BiH officials obstructing the peace agreement have been removed from public office; campaign against the war crimes indictees has gone unabated culminating in the indictment of six most prominent HZHB figures in the summer of 2004; political conditionality accompanying economic assistance has been strictly applied. The most effective of all have been strategies striking at the financial core of parallel HZHB institutions. These include the seizure of Hercegovacka Bank and the curtailment of informal flows of funding from Croatia.

Change in Croatia’s official policy towards Bosnian Croats and its increased susceptibility to international pressure in view of its desire to join the EU, have not only handed financial blow to the sustainability of the Bosnian Croat political project, but have also de-coupled it from Croatia’s own political agenda. Croatia has given up on pursuing Dayton provision on special ties to the Federation of BiH; instead it has re-defined it relationship with the state of BiH. The outcome of an increasingly better co-ordinated and targeted international effort has been incremental strengthening of Federation and BiH state joint institutions and steady deconstruction of parallel structures of governance. In developing its multi-pronged strategy, despite all its shortcomings, international
community has made an effort to tune it better to the particular context of BiH post-war rehabilitation, deploying the instruments available under its unique mandate. As an example of the latter, in addition to the above mentioned strategies, in 2002-2003 international community undertook an intense campaign to disclose the scale of corruption across BiH public institutions, which revealed the extent to which narrow groups in and around the HDZ BiH had misused the system. This highlighted the long neglected reality of the uncertainty of the position of the Bosnian Croat war veterans outside the context of an “all-Croat” rule. In a way this provided a wake up call for veteran associations, which became increasingly critical of the work of some of the HDZ BiH high ranking officials, accused of guarding solely their own position.

The best illustration of the change in HVIDRA’s position is its conduct in the course of the adoption of the Federation law on war veterans and invalids, initiated under the World Bank sponsored social sector reform. The adoption of the law was a condition for the World Bank loan, essential for the continuation of reforms. When the draft law was first proposed in 2003, HVIDRA tried some of its old pressure tactics, in an attempt to prevent the establishment of one social security fund and equalisation of entitlements between HVO and BiH Army veterans. In a prolong procedure that followed HVIDRA assumed more moderate position, but refused to support the law and accused the HDZ BiH representatives in the government of “capitulation” for having accepted the main solutions suggested by the international community. However, the soothing factor to HVIDRA’s dissatisfaction was proposition on continuing support, albeit at a much smaller scale, from Croatia. For law to come into force cantonal legislation will have to be passed. HVIDRA announced that it would establish a committee for drafting the law on additional veterans’ rights - a sharp turn from its practice of violence, blackmails and deals outside of official institutions. Should the promise of additional rights to HVO veterans fall short of demands, there is however no guarantee that HVIDRA might not try to go back to its old ways. But at this stage of peace implementation process in BiH the potential for its activity having damaging effect appears to have been significantly reduced. Its relationship with the HDZ BiH has been altered and so is the power of the latter; its determination to pursue Bosnian Croat autonomy will have to rely on formal political channels and instruments.

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i This practice was termed “ethnic cleansing”.
ii In view of the region’s complex political dynamics, to this day it is not possible to totally discard this option. It is certainly often evoked in the debates on the implications the final Kosovo status could have on the political reconfiguration of the region.
iii Indeed in preparation for the war and particularly its early stages, political leadership of all three ethnic groups cooperated actively with criminal groups in providing arms and engaging them in combat. The latest 2004 Transparency International Report on BiH indicates this link between political leadership of BiH and criminal structure as one of the key obstacles to the advancement of economic and political reforms.
iv For the detailed analysis of the origins and evolution of HZHB see Ribicic (2001)
v Croatian constitution allows for Bosnian Croat to vote (“diaspora vote”) in elections for Croatian government; thus the HDZ BiH has important role in sustaining HDZ power in Croatia.
In the International War Crimes Tribunal’s indictment against a group of Bosnian Croat high ranking officials, issued in March 2004, following interpretation of the real intentions behind the establishment of Herceg Bosna was made: “From on or before 18 November 1991 to about April 1994 and thereafter, various persons established and participated in a joint criminal enterprise to politically and militarily subjugate, permanently remove and ethnically cleanse Bosnian Muslims and other non-Croats who lived in areas on the territory of the Republic of Bosnia and Herzegovina which were claimed to be part of the Croatian Community (and later Republic) of Herceg-Bosna, and to join these areas as part of a “Greater Croatia,” whether in the short-term or over time and whether as part of the Republic of Croatia or in close association with it, by force, fear or threat of force, persecution, imprisonment and detention, forcible transfer and deportation, appropriation and destruction of property and other means, which constituted or involved the commission of crimes which are punishable under Articles 2, 3, and 5 of the Tribunal Statute. The territorial ambition of the joint criminal enterprise was to establish a Croatian territory with the borders of the Croatian Banovina, a territorial entity that existed from 1939 to 1941. It was part of the joint criminal enterprise to engineer the political and ethnic map of these areas so that they would be Croat-dominated, both politically and demographically”. Source: www.un.org/indictment/english/prl-11040304.e.htm. The indictment portrays Herceg-Bosna as a “joint criminal enterprise” and defines it as part of a project to create “Greater Croatia”, therefore rendering the often used adjective “defensive homeland war” as justification for the establishment of Herceg- Bosna, a false one.

The establishment of Herceg Bosna is one the main reasons behind the conflict between Bosnian Croats and Muslims, which started in spring 1993.

The exodus of Bosnian Croats from Central Bosnia was partly due to BiH Army (largely staffed by Bosnian Muslims) military activity and partly prompted by the HVO policy of reallocating population to create ethnically homogenous territory. The latter involved resettlement of Bosnian Croats to Hercegovina. Gojko Susak was the most prominent member of Croatian diaspora supporting HDZ rise to power. When the HDZ won the elections in Croatia, Susak left Canada to become Croatian defense minister and his wife a highly positioned civil servant in the Croatian government.

“Hercegovinian” faction in both the HDZ and the HDZ BiH has been the most radical one; the latter has favored secession from BiH in contrast to Bosnian faction more supportive of common BiH state.

ICG (2000), p7. Mostar is the largest town in Hercegovina and was the administrative center of BiH while it was a part of SFRY. The problems of Mostar’s reunification are illustrative of the issues pertinent to the establishment of a functioning Muslim- Bosnian Croat Federation.

This entailed the “vital national interest” clause at any government instance where one ethnic group could be outvoted on a range of issues falling within the definition of “vital national interest”.

Re-kindling fear of ethnic others has been one of the main strategies used to obstruct peace settlement.

Both were subsequently imprisoned on fraud charges related to Hercegovacka Banka case- the bank which had been the key financial institution underpinning the project of establishing Bosnian Croat entity in BiH.

Recently, there have suggestions to scrap or re-negotiate Dayton agreement coming from various corners of policy making and academic community. The HDZ BiH leadership has remained adamant that any such move should consider the option of establishing the third entity.

It would be wrong to attribute this attitude entirely to the political goals of Bosnian Croat political leadership, since there is an element of genuine concern for the protection of Bosnian Croat interests. Already smallest ethnic group at the start of the conflict, their share in the overall population of BiH is likely to have fallen significantly as dual citizenship with Croatia has facilitated Bosnian Croat migration out of BiH.

See: European Stability Initiative, Reshaping International Policies in Bosnia and Herzegovina. The organisation with the same name exists in Croatia.

Mladen Naletilic has been indicted by the War Crimes Tribunal in the Hague for war crimes committed during the 1992-1995 war. Croatia provided him with protection when he was first indicted by the Tribunal, but had to extradite him under the threat of sanctions.

Gojko Susak, together with Ivic Pasalic, Tudjman’s home affairs advisor, and Ljubo Cesic Rojs, a fomer general and deputy minister of defense, who all hail from West Hercegovina, were the key players in the creation of Croatian policy towards Bosnian Croats.
Although it is difficult to establish the precise number, it is believed that the membership was more numerous at the early years and has fallen later as the result of progress in peace implementation.

Within HDZ BiH there have been two main factions: the separatist Hercegovinian one, and generally more modest Bosnian faction, more favorably disposed towards BiH Federation.

There is evidence that HVIDRA has controlled substantial property belonging to non-Croat population, which it allocated to its members or rented it out as a way of earning income for the individuals as well as to fund the organisation itself.

This has been made possible by the fact that the management of state owned companies are HDZ BiH appointees, who condoned this practice. See: The Electricity Board of HZHB Mostar- The Report of the Special Auditor, March 2003 www.mans.cg.yu/cijevna/Dokumenta/OSCE_RevizijaEPHZHBCro.pdf

This is an important feature that underpins the alliance of actors taking part in actions aimed at obstruction of the peace agreement.

One of the directors of HZHB Security Fund said that the then Federation defense Ante Jelavic asked him to transfer KM5m to HVIDRA; or else “you will have HVIDRA on your back”. Reported in an interview in Slobodna Dalmacija, 3.11.2001.

Direct funding to HVIDRA from Croatia’s budget is estimated at KM4million per year. This is the official figure but the actual amount prior to the election of Social Democratic Party-led government in 2000 is believed to have been much bigger.

“Criminal enterprise” is the term used by the International War Crimes Tribunal in the indictment of six Bosnian Croats against whom charges were pressed in the summer of 2004.

One of HVIDRA’s goal was to obstruct building of Federation institutions and undermine their work.

This included attacks on individuals crossing over to West Mostar from Muslim-controlled East Mostar, which for a long time hindered freedom of movement guaranteed by all relevant articles of the overall peace settlement i.e. Washington, Dayton and agreement on Mostar.

By July 1998 of 6.507 claims for property return in 3 Bosnian Croat controlled municipalities in Mostar, only handful were processed, and no eviction took place without the consent of the illegal occupant. ICG, Reunifying Mostar: Opportunities for …, p8

Vjesnik, 9 February 1999

Lack of progress in arresting war crime suspects is the main reason for BiH non-admission to NATO’s Partnership for Peace Programme.


This message was issued immediately after Wolfgang Petritch, the then High Representative announced that any individual or parallel structure engaged in anti-Dayton activities would be liable to sanctions, which included removal from public office. This indeed happened with the main protagonists of the Bosnian Croat self rule project,

Financial aid from Croatia to Bosnian Croats was channeled through Hercegovacka Bank.

District of Brcko, the only unresolved territorial issue under the Dayton agreement, was placed under the jurisdiction of BiH state.

Soon after Koschnik resigned from his post, pointing at the local HDZ BiH structures as the main culprits for a lack of progress in the reunification of Mostar.

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