

AN OPEN LETTER TO THE CROATIAN PUBLIC

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Two open letters have appeared within a weak in the Croatian public, the letter of the bishop's conference and the letter from the Croatian generals. The content of both letters is more or less the same, and their immediate motive is to accuse the President of the Republic and the Prime Minister of "criminalisation of the Homeland War" due to the arrest of certain people accused of war crimes that took place in Croatia.

As a Committee for the protection of Human Rights we support every citizen's right to express their political views and address the public in open letters. Active soldiers and policeman are exempt from that right, formally because legal provisions are explicitly forbidding it, and essentially because as the commanding part of the armed forces which the state disposes with, they are in the optimal position to use that armed physical force against the democratically elected authorities.

The right to publicly express political opinions also includes the right of other citizens to discuss the expressed views. This is tentative criticism of the fundamental messages contained in the mentioned open letters, that can be reduced to the following citations:

"The media and politicians are conducting a criminalisation campaign of the Homeland War and a campaign of insulting the HV (Croatian Army) (...) which represents the criminalisation of the will of the Croatian people to defend themselves against the Greater Serbian aggression. " (the generals)

"Our homeland must not show a depreciation towards the defenders sacrifices (...) acts which are in contradiction with the international war code should be denounced by courts and in the public (...) the historic context should be taken into consideration as well as the difference between the cause and the consequence (...) The evil is committed even when the book of war crimes is skimmed over according to certain needs and instructions, and when according to such criteria the decision on whom and how to indict are made "(the bishops)

1. The open letters contain untrue statements

The criminalisation of the Homeland War was possible in two ways. Either by the criminal goals of the war, for example: aggression against another country, occupation of someone's territory, destroying or expelling of a certain ethnic group ... or by the criminal actions of the army at war, for example: killing of civilians and prisoners, torturing of people, looting of property.

Unfortunately, during the Homeland war there were tendencies to criminalise it on both principles The Croatian army units were sent to fight in Bosnia and Herzegovina, against the legally elected government of that country, often in tacit co-operation with Karadžić's and Mladić's forces who were previously ravaging Croatia. President Tudjman, who was at the same time the supreme commander of the Croatian Army and the president of the HDZ (Croatian Democratic Union), was making arrangements for the division of Bosnia and Herzegovina and the ethnic "resettlement " with Milosević, and was publicly supporting it ("the unnatural croissant shape of Croatia ", " bring the Serbs in Croatia down to three to five percent"). He was even trying to carry it out by military means. Torturing

and killing of civilians was unfortunately carried out from Lora to the Pakrac poljana, from Gospić to Karlovac. The criminals who committed those crimes were dressed in the Croatian army military uniforms. Most of the times they were known to the police who were often starting investigations. Most of the times investigations were interrupted upon the order of the political leadership. If any trials had started the perpetrators were liberated.

Hundreds of people, mainly women and children were forcefully evicted from their apartments and their property was looted. Such violence and crime was taking place in Zagreb, Split, Rijeka...and although the perpetrators were almost exclusively members of the Croatian army most of whom still live in those apartments, the Ministry of Defense of the Republic of Croatia has completely turned a deaf ear to the hundreds of NGO's reports, refused to take any responsibility and gave support to the criminals. After operation "Storm" and the completion of the military operations, over 20,000 houses were burnt, between 100 and 400 old people who listened to the President of the Republic of Croatia's appeal encouraging them to stay in their homes, were killed on the spot. These are notorious facts, which are generally known today, mostly thanks to the independent media.

It is too obvious that the conviction of the part of the Homeland War representing aggression on a neighboring country and the crimes which have tarnished the name and the uniform of the Croatian Army is the only way to decriminalising the Homeland War, too obvious for the bishops and the generals, the signatories of the open letters, not to notice. To assert the opposite, to assert in essence that the revelation of the true but inglorious events is tarnishing the Homeland war means either the incapacity to understand the fact that separating the individual crimes from the defensive character of the Homeland War is a debt not only towards justice but towards most of the participants of the Homeland War, or conscious bending of the truth.

2. The open letters contain parts that are hypocritical and immoral

The criminalisation of the Homeland war should have been opposed long ago-when the crimes have been committed. Hardly anyone was more appropriate for this than the institutions to which the signatories of the open letters, highly placed members in the hierarchy of the Catholic Church and the Ministry of Defense belong. But neither did the signatories of these letters nor their institutions come forward then. On the contrary, individuals from those institutions were the first ones to publicly condemn everyone who would call attention to the crimes and would label them through the controlled media as an enemy of Croatia, as a "Yugo- Serbo- Chetnik" and similar, which in those days were not at all benign qualifications.

It took a great deal of physical courage, huge patriotic feelings and love for Croatia to take a stand against the criminalisation of the Homeland war. Luckily for Croatia there were such people. Their fates differ – ranging from the fate of Stipe Mesić to the fate of Milan Levar.

It sounds rather hypocritical and immoral when those whose silence and non acting made the criminalisation of the Homeland War possible are lamenting over it today.

The bishops could have come forward with their Pythian message that the "the evil is perpetrated even when the book of war crimes is skimmed over according to certain needs and instructions..." in a more appropriate way during the last nine years;

there were grounds for it –from the political hate speeches, prejudged court decisions in staged court proceedings, unnecessary “demonstration of force” during arrests causing some of the arrested not to have survived the proceedings, to the tolerating, justifying of war crimes and thus encouraging them. Nevertheless they chose to express their concern now when the state is for the first time trying to find the courage “to condemn in court and in public deeds contrary to the international war code”.

The bishop’s sentence “ The evil is committed even when...” is of course true. However it is also related to them.

3. The open letters , taken in context, contain parts endangering human rights in Croatia

The messages conveyed in the mentioned open letters, where people are openly or in a barely concealed way, falsely accused of conspiracy against Croatia and the Homeland War, can induce the lowest passions in some criminal types of people. We had the opportunity to be convinced of this in the times which are behind us and which I hope will never be repeated not even as a farse. Something should have been learned from all those inciting political speeches and articles whose authors are offended when told that their articles have not ended up just in yesterday’s news papers but in Pakrac and Gospić fields. The criminals took such irresponsible accusations coming from people who had political power and respectability as a cover which gave looting, crime or murder an aureole of a political, almost patriotic act. In that context one should not be surprised when a criminal arrested for an armed bank robbery shouts in court “death to the Yugoslavians” or when immediately after the two open letters a third one appears calling for the liquidation of “all Croatian enemies”, with the democratically elected President and Prime Minister of the RC on the top of the list. This should be taken into consideration before the consequences become such that everyone will want to renounce them.