

International Community Peace Plans in Croatia and Bosnia-Herzegovina 1991-1995

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Abstract

The thesis offers a review of the Yugoslav war of dissolution with special reference to the international community's peace plans. The thesis' main aim is to examine the purpose and efficiency of international diplomacy and the role of the Republics of Croatia and Bosnia and Herzegovina in new geopolitical relations caused by the fall of Communism. Answers are provided as to what caused the war, what the war aims of the belligerent sides were and problems of international mediation. Moreover, special emphasis is put on the declassified intelligence records of the Clinton administration.

Abbreviations used in the text

ABiH	Armija Bosne i Hercegovine (Army of Bosnia and Herzegovina)
BiH	Bosna i Hercegovina (Bosnia and Herzegovina)
HDZ	Hrvatska demokratska zajednica (Croatian Democratic Union)
HVO	Hrvatsko vijeće obrane (Croatian Defence Council)
HR BH	Hrvatska Republika Herceg-Bosna (Croatian Community of Herceg-Bosnia, 1993-1996)
HZ HB	Hrvatska zajednica Herceg-Bosna (Croatian Community of Herceg-Bosnia, 1991-1993)
JNA	Jugoslavenska narodna armija (Yugoslav people's army)
RS	Republika Srpska (The Serb Republic in BiH, 1992-)
RSK	Republika Srpska Krajina (Republic of Serbian Krajina, 1990-1995)
SDA	Stranka Demokratske Akcije (Party of Democratic Action)
SDS	Srpska Demokratska Stranka (Serbian Democratic Party in BiH)
SR BiH	Socijalistička Republika Bosna i Hercegovina (Socialist Republic of BiH, 1943-1992)
UNPA	United Nations Protected Areas

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Introduction

The last war in Croatia and Bosnia-Herzegovina produced a multitude of scientific, semi-scientific, memoir and publicist work. The 1990's topics are a common subject of daily-political discussions and form a part of the national master-narratives of former Yugoslav nations.¹ Only a small number of related scientific contributions suit the requirements of modern historical science, being drastically outnumbered by personal and political interest-based attempts created under false scientific pretense. Furthermore, relevant participants are attempting to present themselves in a better way through their own literary actions. The authors of these works usually accuse others of not accepting their propositions. Consequently, current problems are results of wrong paths taken by others because of their conscious refusal of the authors' help.

A separate group of scholars consists of non-Yugoslav authors, usually poorly familiar with the topics as well as with the languages of the studied area. They usually produce some kind of colonial discourse regarding peoples of former Yugoslavia, i.e. how they have ancient hatreds or of their prewar unity, how they were not wise enough to choose *the right* choice in first democratic elections etc. These are mostly people who have

¹ I use term master-narrative as defined by James Wertsch as a socially usable knowledge of the past which describes whole national history in continuity in a shortened diachronic sequence and is precondition of the integration of the modern nation. James V. Wertsch, *Voices of Collective Remembering* (Cambridge: Cambridge University Press, 2002), 67.

spent some time in the former republic capitals of Yugoslavia where they gained acquaintances. In this way, they unintentionally portrayed a distorted picture in their scholarly works by neglecting the Yugoslav periphery.

Another problem regarding Western scholars, but also a part of scholars from former Yugoslavia, is the wrong use of terms such as Bosnia/Bosnia-Herzegovina, Bosnian Croats or Serbs/Croats or Serbs from Bosnia-Herzegovina, Bosnian/Bosniak, multiethnic/multinational. Firstly, Bosnia means part of Bosnia-Herzegovina, although authors usually use it when referring to the whole territory of the state. In my thesis, when I refer to Bosnia/Bosnian it is only in geographical terms, mostly Central Bosnia region (Središnja Bosna). Secondly, the authors refer to Bosnian Croats or Serbs, although they are considering the whole Croatian/Serbian population of Bosnia-Herzegovina. Consequently, the appropriate term should be Croats or Serbs from Bosnia-Herzegovina or Bosnian-Herzegovinian Croats or Serbs (or BiH Croats/Serbs in shortened version which I will use further on). Moreover, Bosnians are all people from Bosnia region and Bosniaks are Muslim population of Bosnia-Herzegovina who identify themselves as such in a national sense. Although Bosniak became the official name of the people only in 1993, I should use it from the beginning in order to avoid confusion. Finally, another blunder is in the use of the term multiethnic. The three constituent people of BiH are not multiethnic but multinational because in

BiH (and elsewhere in the Balkans) nationhood, not citizenship, provides membership in the nation.² Also, when I am using terms such as Serbian side/Croatian side/Bosniak side, I am referring to the elites in power and do not consider that their actions were supported and justified by the populations.

The biggest problem regarding the historiography of the former Yugoslavia is an absence of scholars who are familiar with most of the Western and domestic scholarly works. To be more precise, Western works are usually based on Western literature with some works from domestic literature that support their claims. The same goes for domestic literature from the states of former Yugoslavia. Therefore, all historiographical communities are separated by an unbridgeable gap and should get more familiar with each other.

In this contribution I will attempt to present the key events of the war that was led on Croatian and Bosnian-Herzegovian territory, with special attention to the peace plans under the aegis of the international community. More precisely, it is a comparative approach to American and European diplomacy during the above mentioned war. Considering these plans, I present the changes they brought to the outfields, the offers they made to all sides, but also the reasons for their general failure. However, it is important

² Victor Roudometof, *Collective Memory, National Identity and Ethnic Conflict – Greece, Bulgaria, and the Macedonian Question*, (Westport, CT: Praeger, 2002.)

to bear in mind that the given image is primarily made by the current level of knowledge, which could experience a drastic change in the future when official archives of all the involved sides open. In my thesis, I am going to examine recently published intelligence documents by Bill Clinton's former administration and try to place them in the broader picture of the existing literature. My main attention will be on the quality of the intelligence reports which were later used by higher officials, their main concerns, predicaments, solutions and perceptions of the war.

In the first chapter, I will briefly situate Yugoslavia in the context of global politics and changes caused by the collapse of communism. Furthermore, I will deal with the outbreak of the war in Croatia giving special emphasis to the general characteristics such as the armament of the local Serbian population by the Yugoslav People's Army, warfare tactics and the key domestic events, the debates on sovereignty, international relations with a special emphasis on the German-French debate and the acceptance of the Vance plan as a condition of the international recognition of Croatia. In addition, the question whether republics or peoples have the right to succeed will be discussed. Furthermore, it will be argued why both sides decided to accept plans only after a few months of mediation and what their particular reasons were. Finally, in the end it will be pointed out the disagreements regarding the acceptance of the Vance plan by the Serbian leadership and the

problem of “pink zones”- territories under Serbian rule that needed to be given to Republic of Croatia by the Vance plan.

The second chapter will discuss the referendum on independence and international recognition of BiH. Special emphasis will be put on the disagreement of the three national parties regarding the future organization of the state. In addition, Cutillero’s plan will be discussed and the reason for the Bosniak signature withdrawal from the plan.

In the third chapter, the Vance-Owen plan will be discussed with a special emphasis on the outbreak of the Croatian-Bosniak war and the reasons for the failure of this plan. Moreover, progressive implementation of the Vance-Owen plan and Joint action plan will be discussed.

The fourth chapter will deal with the Owen-Stoltenberg plan and the reasons for the establishment of the Croatian Community Herceg-Bosnia. It will also discuss the short lived Action plan of the European Union.

In the fifth chapter, discussion will be put on the Washington agreement and the new approach of the American policy towards the end of the war by forcing Croatian and Bosniak sides to form a military alliance in order to force Serbs towards peace settlement.

In the sixth chapter, the plans of the Contact group for BiH and Croatia will be discussed. Special emphasis will be on the proposal of the territorial autonomy to Serbian population in Croatia and the reasons for its refusal.

In the seventh chapter, Dayton agreement will be discussed with the special emphasis on its functioning and how it marked state-building in BiH. Also, it would be debated whether it resolved the pre-war problems or it even deepened national divisions.

In the last chapter, it would be discussed what lead to the Erdut agreement or more precisely what the causes were for the peaceful reintegration of the territories under Serbian rule into Republic of Croatia.

In conclusion, it would be argued what the main problems of the war were and international mediation, how the war created the newly formed states and was the war solution to the previous problems or it just deepened the old ones.

1. The Vance Plan and the international recognition of Croatia

1.1 Role of Yugoslavia in global context

The late 1980s of the twentieth century brought about notable global changes and subsequently the collapse of Communist systems in Europe. Significant changes also affected the European Community, today's European Union. Leading countries started establishing tighter co-operation, and the possibility of expanding the Union was growing stronger as an idea. Although it was the main potential entrant, Yugoslavia did not join the EC, having, as it did, preconditions to complete such reforms as political and cultural democratization and introducing the market economy system.³ Besides, democratic elections were also a precondition for receiving the loans Yugoslavia had been given since the start of the 1980s.⁴

The first democratic elections held in Yugoslavia in 1990 resulted in winning campaigns by democratic national parties, except in Serbia where the Communists led by Slobodan Milošević maintained their lead. This period was significantly affected by the turnaround in American politics, since the USA wanted to reduce its military obligations in Europe after the

³ Ivica Miškulin, "Sladoled i sunce" – Promatračka misija Europske Zajednice i Hrvatska, 1991.-1995., " " ["Ice cream and the Sun" – Observing mission of European Community and Croatia, 1991.-1995.] *Časopis za suvremenu povijest* 2 (2010): 299-301.

⁴ Andrea Bekić, "London i Bonn – dva pola politike Europske Zajednice prema priznanju Republike Hrvatske 1991. godine," [London and Bonn – two poles of European Community towards the recognition of Croatia 1991.] *Časopis za suvremenu povijest* 2 (2010): 340.

Cold War, but also retain its influence. This meant that the USA would not interfere in European security issues unless it was part of some direct interest, which was visible later during the obstruction of the Vance-Owen peace plan. By the end of the Cold War, Yugoslavia had lost its significant strategic position of a 'buffer-zone' between the East and the West, and was transformed into a guinea-pig, in other words, a training ground for American diplomatic experiments.⁵

Since the 1960's, Serbs have experienced a demographic drop, primarily in Kosovo which became a precondition for conflict. The economic crisis in the 1980's led to a hard struggle for already insufficient resources. The control of these resources was possible only under the condition of federal control, which led to control of the republics and that of local government. Federal control enabled arbitrary redistributions and the installation of politically suitable people in important positions. Due to insufficient resources, at least one group was expected to face losses. This is why Serbian elites were against decentralization which was favored by Slovenes and Croats. Nationalist parties won the elections in these republics because they asserted that the 'national wealth' belonged to the people, in other words, the redistribution which they advocated was more important than political power. An ideal denouement for Serbs was a strong centralized

⁵ James Gow, *Triumph of the Lack of Will: International Diplomacy and the Yugoslav War* (London: Hurst company, 1997): 29-30.

federation, which they would control and also redistribute all of its resources. A back-up plan was the creation of a Greater Serbia, with a loyal leadership in Croatia and Bosnia and Herzegovina.⁶ US intelligence estimate from the October of 1990 was that Yugoslav federation was kept only because of institutional inertia and with a help from the Communist party and military. Also, the estimate did not give much chance for success to Prime Minister Ante Marković and his anti-nationalist allies in comparison with national parties. Another predicament made, was that Serbia will refuse most of Croatian and Slovene claims for a reforms.⁷

1.2 An overhead of the nature of the war

The start of the war in Croatia and BIH had similar features. Firstly, local Serbian population would put an area under their control, which would lead to JNA (Jugoslavenska narodna armija - Yugoslav peoples army) separating the conflicted sides, which in praxis meant a confirmation of Serbian conquering, creating the so-called „tampon zones“. When local Serbian population would fail in seizing a territory, generally larger cities, the JNA would surround the cities and strike them with the cause of

⁶ Michael Mann, *The Dark Side of Democracy; Explaining Ethnic Cleansing* (Cambridge: Cambridge University Press, 2005), 363-67.

⁷ “Yugoslavia transformed, 18 October 1990,” 1-3
http://www.foia.cia.gov/sites/default/files/document_conversions/1817859/1990-10-01.pdf
 (accessed on May 23, 2014)

intimidating and banishing the population. This demonstrative type of violence was meant to force the population to leave without a struggle, due to the fact that the JNA did not have enough men for street combat, a vital factor for seizing cities, but merely artillery. Another advantage of population banishing was the inability of a potential guerilla war from within.⁸ The JNA's dread of guerrilla warfare was visible at the end of 1991 when they stopped strides and engaged forces forward cleaning the rest of spaces under control in Croatia. Cities under siege were easier to defend if they were demolished, and capturing these cities came at a price of a large number of dead and wounded, therefore these street combats were left for the Serbian voluntary militia.⁹

Public displaying of executions, rapes, demolitions of cultural institutions such as churches, served as a meaning of intimidation of peoples in other cities which were under siege or were awaiting it. The purpose of leading such a limited war was forcing the other side to retreat, not to expand the conflict.¹⁰ The unreadiness of the conflicted sides for an affair of great mortality lead to the creation of coercing strategies. This meant avoiding direct combat whenever possible. The cause of coercion was to influence the

⁸ Gow, *Triumph*, 41.

⁹ James Gow, *The Serbian Project and it's Adversaries – A Strategy of War Crimes* (London: Hurst company, 2003), 161.

¹⁰ Ibid., 300.; Davor Marijan, “Sudionici i osnovne značajke rata u Hrvatskoj 1990.-1991.,” [Participants and key features of the war in Croatia 1990.-1991.] *Časopis za suvremenu povijest* 1 (2008)

other sides' conduct expressing threats to change the previous conduct. In the case of disregarding the threats, the conflicted side will be exposed to a punishment which is probably better to avoid. However, the punishment is to be appropriate, so that the enforcers were satisfied, and not discontented.¹¹

1.3 From armed conflict to international recognition

Although information about the event itself, the first trace of the conduction of the Serbian project can be seen in the proclamation plan of federal units of Srpska Krajina in Knin in 1989 during the celebration of the Kosovo battle, planned by the Initial Serb Committee from northern Dalmatia, Lika, Kordun, Banija, Slavonija and Baranja, which was stopped by quenching the sound system.¹²

Events which marked the beginning of tensions in May 1990 were: disarming the Territorial Defence, enactment of new amendments in the Croatian Constitution, a staged assassination of Miroslav Mlinar, the stepping out of the Knin municipality from the Municipality Community of Dalmatia and the clash at a football match between Dinamo from Zagreb and the Belgradian Red Star.

¹¹ Gow, *Triumph*, 39.

¹² Nikica Barić, *Srpska pobuna u Hrvatskoj : 1990.-1995.* [*Serbian rebellion in Croatia: 1990. – 1995.*] (Zagreb: Tehnička knjiga – Golden marketing, 2005), 50.

Members of the Public Safety Station Knin sent in July 3, 1990 a letter to the secretary of the federal SUP Petar Gračanin, in which they stand that the Croatian government is relieving Serbian police officers and that they do not want new uniforms or changing the name of the 'milicija' to 'redarstvo' (police) due to its similarity to the NDH (Independent State of Croatia) nomenclature. Two days later minister of internal affairs Boljkovac met with the signatories of the letter in Knin, who requested founding of a municipal station, which in praxis meant an independent militia which the central government would have no control of.¹³ In early 1991, SUP SAO Krajina was founded. Consequently, Croatian government has requested the signing of a loyalty statement to the Republic of Croatia. Rejection meant a surcease of employment, which was interpreted by the Serbian leadership as a provocation.

By the end of June Borisav Jović and Slobodan Milošević were planning to use the JNA to force Croats and Slovenes to separate, with the condition that the Serbs in Croatia carry out a referendum to determine the borders.¹⁴ A similar idea came out from the royal court in The Kingdom of Yugoslavia in 1928, after the crisis developed due to the assassination of Croatian spokesmen in Belgrade. Serbs carried out a Serbian convocation in Srb (Croatia) on July 25th, where the „Declaration of independence and

¹³ Ibid., 68.

¹⁴ Same idea in Croatia was proposed by Žarko Puhovski in his *Socijalistička konstrukcija zbilje* [Socialist construction of reality] (Zagreb: Školska knjiga, 1990)

autonomy of the Serbian people“ was created. Main argument stressed in declaration was the privilege of independence should be given to peoples, and not republics.¹⁵

Shortly after this, on August 17th, 1990, the police in Zadar took away 70 rifles from the station in Benkovac, and at the same day in Obrovac and Knin arms of the back-up structure was given to local Serbian population. The Croatian police in Zagreb was instructed to deal with the situation with helicopters and transporters. The JNA stopped the helicopters, and the Serbian population in Titova Korenica stopped the transporters. That the rebellion was planned earlier and that JNA's interference was also planned is clearly visible in the fact that two months earlier the 221. Motorized brigade of the Knin corps had its classification brought to level „B“ (15-60% capacity), and was reinforced with two battalions of „A“ classification (60-100% capacity).¹⁶

Serbian declaration on autonomy was carried out from August 19th to September 2nd, and on September 30th autonomy was pronounced with 99.96% of the population approving. Considering that the voting was not completely regular and considering the media war lead against the Croatian government. The question remains whether the local Serbian population would remain to live in Croatia if Croatian government did not conduct

¹⁵ Barić, *Srpska pobuna*, 72.

¹⁶ Ibid., 78-80.

ethnic cleansing by the end of the war during “Flash” and “Storm” operations by forcing between 100 000 and 200 000 people to leave their homes.

In early March 1991, an armed revolt broke out in Pakrac with the intervention of the JNA, separating local Serbian population and the Croatian police, that is, enabling the local Serbian population to retreat. Pakrac was the first notice of the JNA's role as a „tampon-zone“. Preventing the Croatian police from entering the territory under armed siege with closed roads, the JNA secured better organizing of the rebels and basically gave them protection.¹⁷ Intelligence estimate from March was that the outbreak of violence is unavoidable mainly because of central government's wish for a greater authority of federal institutions.¹⁸ A week after this, demonstrations broke out in Belgrade against Milošević and the leading structures. The opposition resented Milošević's poor care for Serbs outside of socialist Serbia and claims were made for a more democracy.¹⁹ On Catholic Easter, March 31, local Serbian population had taken power over the National Park Plitvička Jezera Bureau. Croatian police came to intervene, and again the JNA appeared as a „tampon-zone“. In May, the Croatian village of Kijevo

¹⁷ Marijan, “Sudionici,” 57-58.

¹⁸ “Yugoslavia: Military Dynamics of Potential Civil War,” 1.

http://www.foia.cia.gov/sites/default/files/document_conversions/1817859/1991-03-01.pdf (accessed May 23, 2014)

¹⁹ Ivica Lučić, “Bosna i Hercegovina od prvih izbora do međunarodnog priznanja,” [Bosnia and Herzegovina from first elections to the international recognition] *Časopis za suvremenu povijest* 1 (2008): 120.

was attacked and 12 police officers were killed and massacred in Borovo Selo.

1.4 From declaring independence to the acceptance of the Vance Plan as a precondition for international acknowledgement

On June 25th, the Croatian Parliament proclaimed sovereignty and the independence of the Republic of Croatia. By mediation of the international community, specifically the Troika²⁰, on July 8th in the Brijuni Islands a three-month moratorium was proclaimed to the decision, that is a delay to further actions and acts. In praxis, this enabled the JNA and the local Serbian population to continue the planned overruns, the last attempt of salvaging Yugoslavia. Croatian authorities wanted an immediate transmission of international observers which was opposed by the federal authorities. The mission arrived to Croatia in the beginning of July, but they pointed specifically that their assignment was merely Slovenia. This standpoint will change only by the end of July, when Croatia became part of the mission. Federal authorities created problems with the observing, lingering as much as possible. After a few failed attempts, an ultimatum was given to all sides to agree to given conditions by September 1st. The mission

²⁰ Troika consisted of ministers of foreign affairs from past, present and future chair of European Community. In the beginning Troika was lead by Italy, Netherlands and Luxembourg. Italy was later succeeded by Portugal.

started working on a civil nature although Croatian authorities also argued military character.²¹ Besides the official work, the observers carried out intelligence for their home countries as well.

The last attempt of stopping Croatian independence was the bombing of official residence of Croatian government Banski Dvori in October 7th, 1991, after the expiry of the three-month moratorium, by the JNA. President of Croatia Franjo Tuđman, President of Yugoslav Presidency Stjepan Mesić and federal Prime Minister Ante Marković left the scene a few minutes earlier and avoided assassination. To this day it is not clear how did the JNA got precise information about the meeting held immediately before the bombings. The next day independence was proclaimed by the Croatian Parliament. The Croatian government wanted to establish international recognition as soon as possible to secure the arrival of the UN Peace keepers. In Paris, October 11, representatives of the European Community offered Krajina's president Milan Babić Serbian autonomy in Croatia and pointed that Croatia will soon be internationally recognized, which Babić refused immediately.²² Serbian government and the JNA wanted to conquer the planned areas and only after that secure the arrival of the UN Peace keepers. The Croatian government, however, started a series of successful operations

²¹ For more information on observing mission see Miškulin, "Sladoled i sunce."

²² Nikica Barić, "Djelovanje Vlade Srpske autonomne oblasti Krajine tijekom 1991." [Activity of the government of Serbian autonomus oblast of Krajina during the 1991.] *Časopis za suvremenu povijest* 1 (2008): 68.

(„Swathe 10“, „Hurricane 91“ and „Arrow“) which resulted in recuperation of parts of Bilogora region (central Croatia) and western Slavonija. In Geneva, November 23, a cease-fire and the deblockage of barracks was signed by the Presidency of Yugoslavia, Croatia and the JNA, which was meant to enable the departure of the JNA as one of the preconditions for the arrival of the Peace keepers.

Since the beginnings of the conflicts in ex-Yugoslavia territory, the main disagreement was the question of the right of separation – was it a people's or a nation's right? The inability of conducting sovereignty over its entire territory was the main problem for Croatia and later for BiH. Sovereignty has to be achieved through armed force, but also sustained in the case of individual rebel activity.²³ Accordingly, the Croatian government did not have full, but limited sovereignty because it was not able to control its full territory or to bound rebellion by negotiation or by force.

Due to the disagreement of the main participants, The Minister Council of the European Community decided to form an Arbitrage Commission which would investigate in the problem, popularly named the Badinter Commission to its president Robert Badinter who was the president of the Constitutional Court of France. Even though the commission was

²³ James Gow, “Serbian Nationalism and the Hissssing Ssssnake in the international order: Whose sovereignty? Which nation?,” *The Slavonic and East European Review* 72-3 (1994): 476.

made out of five high court judges (Italy, Germany, France, Spain and Belgium), main negotiations were lead between Germany and France, that is between the chancellor Helmut Kohl, the minister of Foreign Affairs Hans Dietrich Genscher, and the French president Francois Mitterand and the Foreign Affair minister Roland Dumas. Germany favored recognition of newly-founded republics of Croatia and Slovenia to prevent further warfare, while France and Great Britain claimed that premature recognition would only enhance the clash. United States were keener not to recognize new states, in order to keep close contact with Serbian leadership and main persons in military.²⁴

At the same time under the influence of Great Britain the Peace Conference on Yugoslavia was convoked under the presidency of Lord Peter Carrington, a highly recognized diplomat who had high positions such as the British Minister of Defense and Foreign Affairs, Head Secretary of the NATO and the president in solving problems in southern Africa, especially Rhodesia and its transformation to Zimbabwe. The Peace Conference's tactic was, as Peter Carrington stressed, shaping the conduct of conflicted sides by blackmailing them with international recognition by the “punishment-reward” system. Besides, they founded several ineffective work-groups. Germany made a major role with its lobbying for Croatia and therefore

²⁴ “Implications of US Posture on Recognition of Former Yugoslav Republics,” 1. http://www.foia.cia.gov/sites/default/files/document_conversions/1817859/1992-01-15.pdf (accessed May 24, 2014)

“jumbled“ the Peace Conference's plans. After Croatian recognition, the Conference blamed Germany for the extension of the war due to premature recognition. The German instance of unilateral recognition of Croatia is an exception in international relations. In praxis, only countries with full govern over its territory are acknowledged, and after been given approval by a majority of the international community. One of the causes for this behavior of Germany is surely its desire to present international status, the intrepidity in making unilateral decisions, without fearing potential sanctions or isolation.²⁵ An important role also was the German dread of refugee immigration which was a potential threat for the country.

It is important to point out that in peace mediations the main goal is to fulfill the interests of the ones who are mediating, and only after that the interests of the conflicted sides.²⁶ The international community had different interests, on one side the German and Austrian, and on the other French and British. Also, United States had separate interests, mainly to prove themselves as key international force, which they gradually established. However, good relations were more important to them than their stance towards Yugoslavia. The truncated Yugoslav Presidency was therefore surprised after France changed its stance. In lieu of strengthening relations

²⁵ Beverly Crawford, “Explaining Defection from International Cooperation: Germany's unilateral Recognition of Croatia,” *World Politics* 48-4 (1996)

²⁶ Vladimir Filipović, “Kontroverze Vanceova plana,” [Controversies around Vance plan] *Polemos* 11 (2008): 92.

with the united German state, France decided to sacrifice its support for sustaining Yugoslavia.

German diplomacy lead by H. D. Genscher advised Croatian diplomats to be completely cooperative towards the international community in case that the Peace Conference would collapse because of internal problems, and the recognition of Croatia was soon to come.²⁷ Besides, Croatia was told to accept the UN Peace keepers, that is, the Vance Plan as a condition for international recognition, but also for possible membership in the UN.

The Vance Plan was presented to all sides on December 11th, and the Security Council implemented it with the Resolution 724 on December 14th, 1991. Sending of Peace keepers was arranged, including the military component, but not before it was determined that all sides are respecting the fire-cease and the weapon-import embargo. After Vance's stay in Belgrade where he obtained Serbian government's acceptance of the peace plan and fire-cease on December 31th, 1991., on New Year's Day 1992., he met with Croatian president Tuđman who accepted the plan. The next day the Sarajevo Agreement was signed which stopped the war in Croatia.

²⁷ Mario Nobilo, *Hrvatski feniks: diplomatski procesi iza zatvorenih vrata: 1990. - 1997.* [*Croatian phoenix: diplomatic processes behind closed doors: 1990.-1997.*] (Zagreb: Nakladni zavod Globus, 2000): 160.

In Croatia, an idea appeared from parts of the ex-Yugoslav officers who switched to Croatian military structures (Anton Tus, Petar Stipetić, Martin Špegelj...) that it was possible to release the entire territory of western Slavonija, and maybe more. Having in sight the situation at the time, such an operation was impossible. The Croatian Army, with great casualties, had performed operations on the Bilogora region and in western Slavonija, and a great number of soldiers were not available for further combat. The inability of defending an overly large piece of territory is clear in the example of the Fifth Corps of the ABiH (Army of Bosnia and Herzegovina) from 1994.-1995. Besides, it was revealed that the Croatian Army captured areas which were less defended, that is, defended by the local Serbian population, while better defended lines held by the JNA were difficult to surpass.²⁸

According to the Vance Plan, the mission was to consist out of ten combat battalions, a hundred military observers and 500 civil police officers and assistant military and civil personnel, counting totally up to 10 000 people.²⁹ By then it was the most expensive UN project ever, and its cost is visible by the fact that they could not finance it themselves, but part of the expense was covered by the conflicted sides. UN's nature of separating conflicted sides was determined primarily by failure they experienced in

²⁸ Marijan, "Sudionici," 61.

²⁹ Barić, *Srpska pobuna*, 149.

Congo in the 1960's, after which they stopped producing offensive operations.³⁰ The area under the UN mandate was split into three UNPA (United Nations Protected Areas)³¹ zones, or four sectors which were in the zones.³² International forces and observers were to be distributed in the given areas that were to be demilitarized, with armed forces recessed or retreated. The JNA retreated, and the local Serbs reformed to a type of local militia. Arming of the local Serbian population was put under strict, “double” surveillance, one conducted by the international representatives and the other by the local. This “double” system proved ineffective by the end of the war, when the local Serbs managed to recapture arms. According to the plan, the return of the refugees was also to be enabled (which did not occur before the conflicts ended) and the found condition was to be kept until a political solution between the conflicted sides was found.³³

A part of the public was opposing the arrival of the Peace keepers because they considered that military actions should be continued, while others pointed the soon ending of the war and that the UNPA zones will soon be returned to the legal framework of Croatia thanks to international forces.³⁴

With time it was shown that the UN was not able to fulfill its task and that

³⁰ Mihajlo Ničota, “Trkači olovnih nogu,” [Lead leg runners] *Danas* 10-517 (1992): 7-9.

³¹ Eastern Slavonia, Western Slavonia and Krajina.

³² East (territory of Eastern Slavonia), West (territory of Western Slavonia), South and North (territory of Krajina).

³³ Filipović, “Kontroverze Vanceova plana,” 99.

³⁴ Ante Barišić, “Male ofenzive velikog doseg,” [Small offensives of high reach] *Danas* 11-516 (1992): 15-17; Mihajlo Ničota, “Pri kraju puta – intervju s Mariom Nobilom,” [By the end of the road – interview with Mario Nobilo] *Danas* 11-516 (1992): 25-27.

Serbian side was not prepared to make compromises, which resulted in military acquisition of the disputed territories (except eastern Slavonija, Baranja and part of Srijem which were returned through peaceful reintegration).

The military mission of the UN arrived in January 14th, 1992., in crucial areas and estimated that conditions for a mission exist. The next day Croatia received international recognition by twelve members of the European Community, which encouraged other countries who mostly acknowledged Croatia by the end of January. The president of the RSK Milan Babić was firstly against the UN mission because he considered it as a prejudicial decision in favor of Croatia, and demanded international recognition of the Republic of Krajina.³⁵ Babić also pointed that the Peace keepers should step on the clash-line and protect the Serbs. He opposed JNA's retreat and wanted to personally negotiate with Cyrus Vance and UN's general secretary Boutros Boutros Ghali.³⁶ International factors ignored Babić, letting him know that they are not considering him as an international subject. When meeting the UN's Head Secretary assistant Marrack Goulding, Croatian president Tuđman refused to accept to an undetermined mandate of the Peace keepers, which resulted in Goulding's fiery departure from the

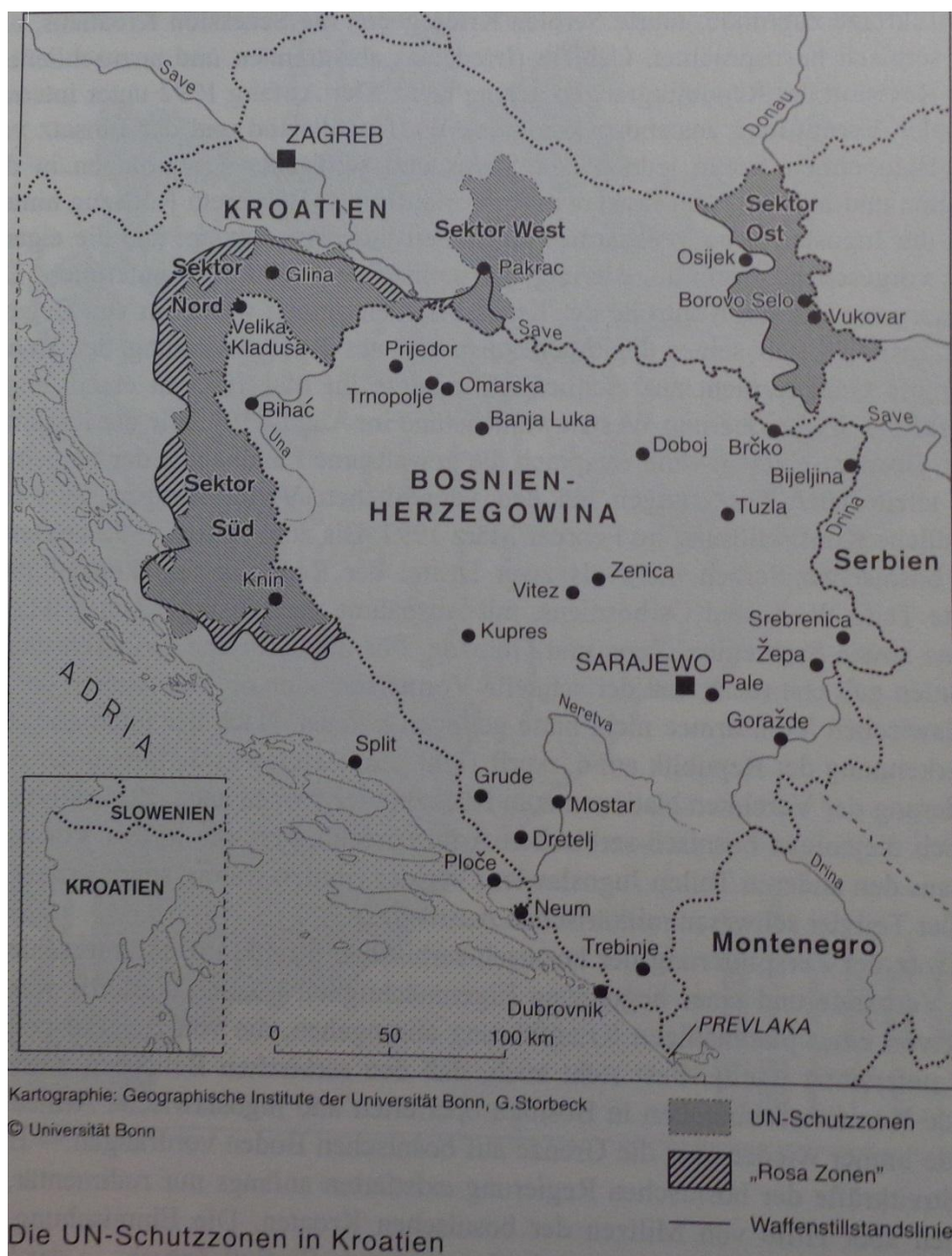
³⁵ Filipović, "Kontroverze Vanceova plana," 103.

³⁶ Barić, *Srpska pobuna*, 151.

meeting.³⁷ The Security Council on February 21st declared the Resolution 743 with which it confirmed that conditions were created to send the Peace keepers after the approval of the Serbian and Croatian authorities. UNPROFOR (United Nation Protection Forces) was founded at a mandate of 12 months, which was possible to extend.³⁸

³⁷ Filipović, “Kontroverze Vanceova plana,” 103.

³⁸ Ibid., 106.



1. 5 Split-ups in Serbian authorities over the acceptance of the Vance Plan

From January 31st to February 2nd, a meeting of the Presidency of SFRJ was held with Serbian participants from Croatia and BiH. The main purpose of the meeting was the convincing of the Krajina president Babić to accept the peace plan and the sending of the Peace keepers. Babić was the only one opposing the plan during the voting and soon left the meeting. According to the Krajina Constitution, the president in absence could be replaced by the president of the „Skupština“ („Assembly“). As president of the Skupština, Mile Paspalj accepted the plan, but pointed that it is to be accepted also by the Krajina's Skupština.³⁹ In Glina, February 9th, 1992, an immediate meeting of the Krajina Skupština was held under the presidency of Paspalj, with the presence of Branko Kostić, Blagoje Adžić and other members of military and civil authorities from Serbia, and the only topic was the acceptance of the Vance Plan. Immediately after the session, Babić notified Boutros Boutros Ghali that the meeting was illegal, but faced further disregard by the international community. The next day Babić held an immediate meeting in Knin, where it was pointed that the people have a legitimate right to decide for themselves, asking for a referendum. The Knin meeting was pronounced null on February 16th in Glina, Babić was recalled from presidential duty and the referendum was revoked as well. Babić's resistance was not an important

³⁹ Barić, *Srpska pobuna*, 154.

factor because Belgrade controlled the JNA and the local Martić's police. Therefore, the entire leadership in Knin was forced to accept the plan if they wanted to continue receiving help from Belgrade.⁴⁰

1.6 The matter of „pink zones“

„Pink zones“ were areas which were, according to the Vance Plan, under Croatian government, but were temporarily held by the local Serbs and were to be returned under Croatian rule. However, soon it was clear that the local Serbs supported with JNA were not prepared to hand over these areas, on which Croatia responded by warning the international representatives to this matter. The „pink zones“ represented a massive communication and economic problem for Croatia, and were also used to target nearby Croatian localities. After failed negotiations, it was decided to military occupy these areas. The first operation of this sort happened from June 21st – 22nd in 1992, when the 40km² area of Miljevci plateau was occupied.⁴¹ In the January 1993, the operation „Gusar“ („Pirate“) was held, known to the public as „Operation Maslenica“, which secured the strategically important Maslenica Bridge, the Peruča hydropower and the Zemunik airport. This

⁴⁰ Barić, *Srpska pobuna*, 158-162.

⁴¹ Barić, *Srpska pobuna*, 178-179.

connected the Croatian North with the South, also solving the energetic problem.

2. International recognition of Bosnia-Herzegovina and Cutillero's mission

2.1 The main political parties and their goals

In the summer of 1990, three national parties were founded, gaining significant support at the first free elections, and which were to play crucial roles during the war, and still do to this day. Alija Izetbegović became the president of the SDA (Stranka demokratske akcije/ Party of Democratic Action), which defined itself as the party for Yugoslav citizens who belong to the Muslim historical and cultural circle. Radovan Karadžić was chosen to lead the SDS (Srpska demokratska stranka/ Serbian Democratic Party), and this party was declared as an ‘all-Serbian national movement’. Davor Perinović was elected to be the president of the BiH branch of the HDZ (Hrvatska demokratska zajednica/ Croatian Democratic Community), but was removed in September and his place was taken, as the officer in charge, by a former sports journalist, Stjepan Kljuić. Kljuić was replaced after short period of time by hard-liner Mate Boban from Herzegovina who was fully enacting state policy from Zagreb, while Kljuić was more moderate and for the dialogue with Bosniaks. The HDZ declared itself as ‘the movement of all Croats in the world’.⁴² Therefore, none of these parties were based exclusively on Bosnia-Herzegovina. It is important to point out that, out of these three national parties, HDZ had the least educated members, which led

⁴² Ivica Lučić, “Bosna i Hercegovina,” 109-110.

to incompetence in strategic thinking, both medium and long term.⁴³ HDZ and SDS were dependent on the ruling parties in Croatia and Serbia so they could not act independently. As a result, HDZ changed two leaders in short period of time before they found person who fulfilled their goals.

The first democratic elections were held on November 18, 1990, and won by a coalition of national parties which secured 84% of the mandates in the Parliament of the SR BiH. The elections reflected the national structure which has remained the practice until the present day. The key question was that of BiH remaining in or leaving Yugoslavia, which happened after the acceptance of the Declaration of Sovereignty. Accordingly, the relationship with Yugoslavia determined mutual relations between the three nations.⁴⁴ All three sides had a different vision of the internal arrangement of Bosnia-Herzegovina, which would remain visible during the entire war. Bosniaks wanted classical democratic civil state by principle 'one man-one vote'. The Serbian plan was to secure the territory as a federal unit in Yugoslavia. When this turned out to be impossible, due to international factors, they aimed to secure the unification of all Serbian territories or to have a loose and basically independent status within BiH. BiH Croats desired unification with Croatia, but it proved impossible after Tuđman and Milošević met in Karadžević on 25th March, 1991 to partition BiH. The partitioning failed

⁴³ Ivica Lučić, "Evolution and Condition of the Elites in Bosnia-Herzegovina – A Personal View," *National Security and Future* 6 (2005): 161.

⁴⁴ Lučić, *Uzroci rata*, 179.

because they could not divide it to keep both sides satisfied. After this failure, BiH Croats wanted ethnic federal unit in BiH which would be closely connected with Croatia.

2.2 The referendum on independence and international recognition of Bosnia-Herzegovina

The decision on holding the referendum to confirm status of BiH was brought on January 24 and 25 in 1992 in the *Skupština* in the absence of Serbian representatives. In October 1991, Serbian representatives founded the *Skupština* of the Serbian people in Bosnia and Herzegovina.

On BiH Croatian side, Stjepan Kljuić was replaced at the beginning of February in Široki Brijeg with hard-liner Mate Boban because Kljuić was for negotiations and cooperation with Bosniaks, while Croatian HDZ under presidency of Tuđman was radicalizing their stance. The central committee of the HDZ was not satisfied with the formulation of the referendum and wanted to put forward a demand for national cantons. As the meeting was held in Livno, the matter of national cantons is now known as the *Livanjsko pitanje* (The Livno Question). The Parliament of SR BiH rejected the *Livanjsko pitanje*, but invited Croats to vote for independence. The international community accepted the Croatian demands, which were included in the Cutillero Plan, according to which Bosnia-Herzegovina was

to be a state composed of three units based on national, geographic, economic and other criteria. The first round of talks was held on February 13 and 14, on the first day with the three leading parties, and including the opposition on the second day. An agreement was not reached, while an extension for talks was announced for February 21 and 22 in Lisbon.⁴⁵

The referendum was held on February 29 and March 1, resulting in 62.68% of the population voting for independence, primarily Bosniaks and Croats. The negotiations continued and on March 9 in Bruxelles the ‘Statement of principles for new constitutional arrangement for Bosnia and Herzegovina’⁴⁶ was proclaimed, reflecting the negotiations held hitherto on the arrangement of BiH as a state divided into three units with a national appellation. Local governments would have broad authority, while the state would be decentralized with the central government being a guardian of sustainability and key strategic interests. After the negotiations were nearly finished, Izetbegović stated that he did not want nationally divided regions which were the basis of the new constitutional proposal. On March 11, the BiH Serbian Skupština rejected the Bruxelles constitutional arrangement emphasizing that the minimum Serbs could accept was to either remain in

⁴⁵ Kasim I. Begić, *Bosna i Hercegovina od Vanceove misije do Daytonskog sporazuma* (Sarajevo: Bosanska knjiga, 1997), 84-85.

⁴⁶ “Statement of principles for new constitutional arrangements for Bosnia and Herzegovina,” in B.G. Ramcharan (ed.), *The International Conference on the Former Yugoslavia – Official Papers, Vol. 1* (The Hague, London, Boston: Kluwer Law International, 1997), 24-27.

Yugoslavia or a confederate state consisting of three national states.⁴⁷

On April 6, a group of citizens from large anti-war rally crashed into the building of the *Skupština* and proclaimed the ‘All-National Parliament of the Citizens of Bosnia and Herzegovina’. The Council of Ministers of the European Community recognized BiH on the same day, while the United States, Austria and Croatia followed on April 7.⁴⁸

CIA’s intelligence records from the March 1992 suggest that the main intention of the Serbian side was to gain more time during the negotiations to finish the conquest of the desired territories.⁴⁹ After Izetbegović retreated, there was a lack of international pressure on the sides to accept the plan, which resulted in further negotiations throughout April and May in Sarajevo and Lisbon with poor chances of being accepted. The impossibility of a real threat from the international community in case of non-acceptance of the plan highlighted its weakness i.e. its inability to force an implementation through the deployment of land troops, which is one of the main tasks in international mediation. One of the causes of the reluctance of the international community to send combat forces was, as Boutros Boutros-Ghali pointed out, the unfavorable natural geographic conditions, which

⁴⁷ Begić, *Bosna i Hercegovina*, 88-91.

⁴⁸ Lučić “Bosna i Hercegovina,” 139.

⁴⁹ “A Broadening Balkan Crisis: Can it be managed?,” iii.

http://www.foia.cia.gov/sites/default/files/document_conversions/1817859/1992-04-01.pdf
(accessed May 25, 2014)

caused dread considering the American experience in Vietnam.⁵⁰

According to the Cutillero Plan, the Parliament was to be bicameral. One House would be directly elected, while the other would have an even number of representatives from all three communities to prevent over-voting. The central government would be in charge of defense and foreign affairs, the economy and finances, infrastructure and the basic needs of the population. Every community would have broad regional authority and the possibility of veto in the Parliament on everything that could damage their interests. Besides, all communities were allowed to decide for themselves as long as this did not endanger the independence and territorial integrity of the whole of the country.⁵¹

The rejection of the Cutillero Plan by the Muslim side was accompanied by three documents published by the Presidency and the Government – ‘The Platform for Actions of the BiH Presidency in Warfare’, ‘Standpoints on the Administrative and Territorial Arrangement of BiH’ and ‘Constitutional Principles for the Internal Arrangement of the Republic of BiH’. The documents shared a negative attitude towards cantonization, i.e. the organization of the state upon the ethnic principle. According to these documents, an arrangement similar to the plan was proposed, but differed from it by renouncing sovereignty for the regions. The Cutillero Plan saw the

⁵⁰ James Gow, *Triumph*, 97.

⁵¹ Gow. *Triumph*, 85-86.

regions as the source of sovereignty i.e. as units with constitutionality, in which national majorities could form their own administration. As a result, Bosniak elites resisted the ethnic criteria so strongly because all citizens could not participate in political power. According to Bosniak plans, the regions were to be established by the Republic of Bosnia-Herzegovina, and most of them would not have been able to make independent political decisions, but only economic and cultural.⁵²

On July 21, Tuđman and Izetbegović signed the ‘Agreement of Friendship and Cooperation’, but Izetbegović refused to sign a military agreement, stating that the Serbian people would “... *surely see it as a threat*” and that “... *it would be better to leave more room for the operations of international factors.*”⁵³ Simultaneously, as intelligence officers noticed, existence of ABiH was dependent on tactical alliance and military supplies from the Republic of Croatia. Also, all international aid to BiH was dependent on cooperation with Republic of Croatia because of its transit character.⁵⁴ Nevertheless, Izetbegović naively tried to negotiate and establish peace with BiH Serbs. In the summer and early fall of 1992, BiH Serbs occupied and ethnically cleansed many predominantly Bosniak places in

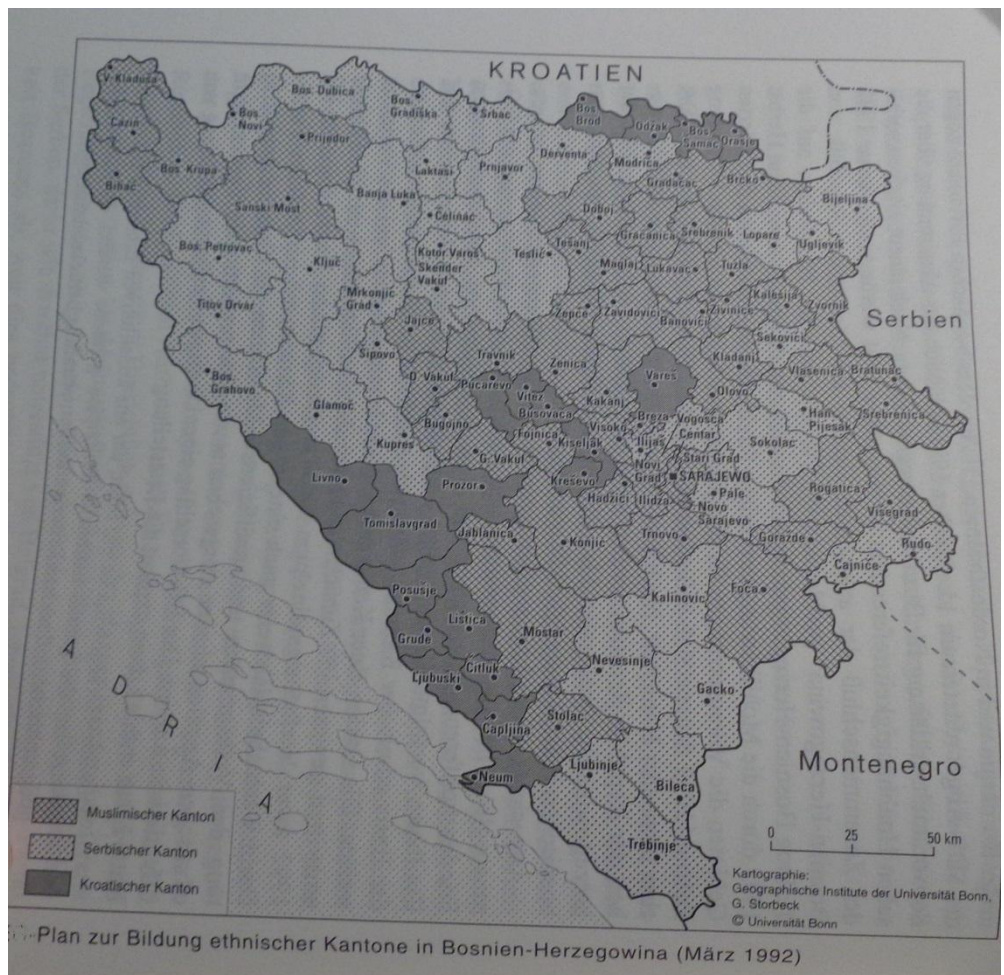
⁵² Saša Mrduljaš, “Prvi međunarodni pokušaj unitarizacije Bosne i Hercegovine: Vance-Owenov plan (2.siječnja 1993.),” *National Security and the Future 10* (2009): 126-28.

⁵³ Davor Marijan, “Vještački nalaz: o ratnim vezama Hrvatske i Bosne i Hercegovine,” *Časopis za suvremenu povijest* 36 (2004): 229.

⁵⁴ “Responses to Transition Team Questions on the Balkans,” 13.
http://www.foia.cia.gov/sites/default/files/document_conversions/1817859/1992-12-28.pdf
 (accessed May 26, 2014)

Drina region (Bijeljina, Zvornik, Višegrad, Foča), Posavina region⁵⁵ (Bosanski Šamac, Modriča, Odžak, Brčko, Derventa) and parts of Sarajevo. It was the bloodiest period of the war in BiH in which most of approximately 65 000 Bosniaks were killed and many others became refugees.

The Cutillero mission officially failed on August 26, 1992 at the London conference when Cutillero and Lord Carrington resigned, and were replaced by Cyrus Vance and Lord David Owen.⁵⁶



⁵⁵ Region around river Sava.

⁵⁶ Begić, *Bosna i Hercegovina*, 101.

3. The Vance-Owen plan

As regards the aforementioned Bosniak objections, the newly elected Vance and Owen started working on a new plan which would partly satisfy the demands of all sides. According to this new plan Bosnia-Herzegovina would be organized as a decentralized federal state divided into ten regions– three for every nation and a neutral Sarajevo. Again the plan was made by a principle of ethnic division of the country so the SDA leadership was not particularly satisfied. Vance and Owen’s opinion was that Bosniaks are delaying with negotiations because they are counting on the international help. On the principals committee meeting held on February 5, 1993, Vice President Al Gore conveyed opinion of Vance and Owen, although he considered Bosniak’s claims justified: “Vance/Owen claim that the Bosnians (Bosniaks, author’s remark) only hold out because they hope we would come in.”⁵⁷

The Vance-Owen Plan was supported by the European Community and Russia, but the main role in its rejection was played by the new Clinton’s administration of the United States. The Bush administration had kept away from Bosnia-Herzegovina since the beginning of the crisis. Also, the territory of Yugoslavia lost its geostrategic importance so that the United States left

⁵⁷ “Principals Committee Meeting on Bosnia, February 5, 1993,” without page number http://www.foia.cia.gov/sites/default/files/document_conversions/1817859/1993-02-05.pdf (accessed May 26, 2014)

the resolution of the crisis to the European Community.⁵⁸ The Plan consisted of three parts: military, political and a map of delineation. The military part included the separation of the warring sides, demilitarization of Sarajevo and placing heavy armament under control. According to the political part, every unit had to have an administrative and economic center, but without political autonomy. A bicameral parliament was to be organized with a directly elected House of Representatives and House of Peoples which would consist of members of the regional governments. The House of Representatives would be elected by the principle of proportional representation. It was proposed that in the case of disagreement between the Houses, the last word would be the one of the House of Representatives.⁵⁹

The situation changed drastically when presidential candidate Bill Clinton started to mention possible military intervention against the Serbs in Bosnia and Herzegovina in his campaign. Since then, the Bosniak side started to linger in negotiations, although they were seen by American diplomacy as “the clear losers” who should be helped with the map.⁶⁰ In the case of military intervention against the Serbs, state could have been organized on equal principles and Serb military expansion would not be adopted.

⁵⁸ Gow. *Triumph*, 205.

⁵⁹ “Deklaracija o BiH,” *Večernji list* (13.05.1992): 6-7.

⁶⁰ “Deputies Committee Video Conference on the Former Yugoslavia, 26 February 1993,” 2. http://www.foia.cia.gov/sites/default/files/document_conversions/1817859/1993-05-01.pdf (accessed May 26, 2014)

BiH Serbs rejected the plan and seized mostly Bosniak territories in eastern Bosnia, except the enclaves of Srebrenica, Goražde and Žepa.⁶¹ A potential reason for the Serbian rejection may be linked to the third unit in the Vance-Owen plan, which would have split the unification of all territories under Serbian control, causing problems of supply in western Bosnia and the parts under Serbian control in the Republic of Croatia.⁶²

The Vance-Owen plan led to an open Bosniak-Croat war in territories under joint control. Bosnian Croats cleansed Busovača, Novi Travnik, Vareš, Kiseljak, Vitez, Kreševo and Žepče while Bosniaks cleansed Jablanica, Konjic, Fojnica, Kakanj, Zenica, Travnik and Bugojno. This led to the long lasting loss of multiethnicity and multiculturalism of these territories.

After the Serbian rejection of the Vance-Owen plan, the International Conference on the former Yugoslavia decided to move from Geneva to New York so that the Security Council could adopt the resolution on its implementation. Its implementation was overruled by the votes of the five permanent members after the objection of the United States. After unsuccessful negotiations with his former deputy from the State Department, Warren Christopher, Cyrus Vance resigned from duty. He was replaced by the former Norwegian minister of defense and actual minister of international affairs Thorvald Stoltenberg on May 1. In order to retain good

⁶¹ Mrduljaš, “Prvi međunarodni pokušaj“, 139-40.

⁶² Gow. *Triumph*, 240.

relations with their European allies, on February 10, 1993, the United States announced its six statements on American policy towards Bosnia and Herzegovina: all agreements must be the result of negotiations, not imposed, sanctions against Serbia should be stricter; the use of military force in case of Serbian involvement in Kosovo; the cessation of murders and destruction; and all agreements needed to be conducted on the field after consultation with the allies of the US.⁶³ The United States rejected the Vance-Owen plan because of its unwillingness to send combat troops.

The Security Council adopted Resolution 820 on April 17, 1993 in order to force the Serbian side to sign the Vance-Owen plan within a period of nine days under the threat of the enlargement of sanctions. Lord Owen was in Belgrade from April 21 to 26 trying to convince Milošević and Dobrica Ćosić to force the Serbs from Bosnia-Herzegovina to sign the plan. On April 25 and 26, the ruling BiH Serbs from Bosnia-Herzegovina decided to conduct a referendum on whether to accept the plan. The purpose of conducting the referendum was probably to gain more time and not to suffer more sanctions. Such a plan proved to be wrong because of the Security Council's Resolution 821, which expelled Yugoslavia from ECOSOC (UN economic and social committee). The last attempt to save the Vance-Owen Plan occurred at the beginning of May in Athens when Milošević, Ćosić and Greek Prime Minister Mitsotakis tried to convince Karadžić to sign the plan.

⁶³ Gow. *Triumph*, 242-44.

Karadžić signed the plan, but stated that his signature had to be ratified by the Parliament.

Milošević, Ćosić, Mitsotakis and the Montenegrin president Momir Bulatović were present during the assembly in order to force a positive outcome. A great majority of Parliament members (96%) supported the referendum.⁶⁴ Although Milošević was disappointed, it was only due to the sanctions against Yugoslavia. That moment was a turning point because local Serbian leaders were not ready for a compromise and wanted the promised unification with, or federal status within, Yugoslavia. Serbs in Bosnia-Herzegovina had a ‘plan B’ which was stated in the ‘Declaration of the continuation of the peace process’⁶⁵ on May 19. After rejection of the Vance-Owen plan, the main idea of this new plan was a Serbian republic in Bosnia-Herzegovina. Intelligence assessments from May 1993, point out to a few significant American concerns. Firstly, international intervention against Serbs was avoided because it could induce others to provoke conflicts to trigger international response. Moreover, additional troops from Eastern Europe, Ukraine and Russia were considered to be military and political burden.⁶⁶

⁶⁴ Gow. *Triumph*, 245-47.

⁶⁵ “Narodna Skupština Republike Srpske: Deklaracija o nastavku mirovnog procesa,” *in* *Službeni glasnik Republike Srpske* 2/6 (1993)

⁶⁶ “Prospects for Bosnia,” iv, 2, 6, 8.

http://www.foia.cia.gov/sites/default/files/document_conversions/1817859/1993-05-01.pdf (accessed May 29, 2014)



3.1 Progressive implementation and the Joint action plan

The international community and Russia held a meeting on May 16 in Moscow on a Russian initiative. The main topic was the progressive implementation of the Vance-Owen plan. An agreement was generally accepted, but the biggest problem was the sending of military troops and observers. The United States promised to send air-force without ground troops. Lord Owen held a meeting with the Croatian and Bosniak side on

May 18 in Međugorje at which a progressive implementation of the plan was accepted. The Vance-Owen Plan was to be put into action in territories under Croatian and Bosniak control. During the next two days, Lord Owen travelled to NATO headquarters in Naples, as well as to Minsk and Kiev to find military troops and observers for the mission. Although Belarus and Ukraine accepted the deployment of troops, the plan of progressive implementation was not carried out because the strongest forces rejected sending ground troops, probably because a potential failure would be hard to explain to their domestic public.⁶⁷

The major forces published the 'Joint statement of Bosnia-Herzegovina'⁶⁸ on May 22, also known as the 'Joint Action Plan'. The plan was adopted by states which were to provide the majority of troops: United States, Russia, Spain, France and United Kingdom. This plan meant the final ending of the Vance-Owen plan. The main points of the new plan were: sending humanitarian help, enlargement of sanctions against Serbia and Montenegro until their withdrawal from the occupied territories, closure of the borders of Bosnia-Herzegovina (especially with Serbia), founding of protected areas, continuing the prohibition of flights over Bosnia-Herzegovina, founding of a court for war crimes, establishing permanent peace in order to prevent the conflict from spilling over into neighboring

⁶⁷ Bertrand de Rossanet, *War and peace in the former Yugoslavia* (The Hague, London, Boston: Kluwer Law International, 1997): 26-32.

⁶⁸ Ivan Bandić, "Washingtonski sporazum," *Međunarodne studije* 1 (2001): 155.

countries.

The shortcoming of the Joint Action Plan was that there was no specific mention as to what would happen, apart from sanctions, if Serbs continued their offensive or how much time was anticipated for a Serbian retreat from the occupied territories. A meeting was supposed to be held on June 3 and 4, but did not take place because Mate Boban's helicopter was fired upon. In the agreement with representatives of the international community concerning the meeting, Izetbegović requested that Serbian positions in the presidency belonging to the SDS should be replaced with Serbs from other parties. As the meeting failed to take place, negotiations were led with each side individually. Karadžić wanted observers to be sent and emphasized the Bosniak attacks on all fronts, while Bosniaks were pointing out to the siege of Goražde.⁶⁹

After the attacks on buses in Novi Travnik, it was decided that negotiations would be continued in Geneva on June 13 and 14.⁷⁰ According to the agreement, the establishment of provinces and local jurisdictions was to be enabled, as well as the creation of a court for human rights which would support international humanitarian law, and cooperation with the international humanitarian mission. The result of the voting was three in favor, three opposing and three sustained, after which the agreement was

⁶⁹ de Rossanet, *War and peace*, 39-40.

⁷⁰ de Rossanet, *War and peace*, 42.

then forwarded to the Presidency for voting.⁷¹ Izetbegović categorically rejected the agreement primarily because it was based on ethnic principle and awarded Croatian and Serbian conquests.

Military estimate from June 1993, was that ABiH will not be able to preserve territories they possess nor recapture the lost territories. Also, ABiH was predicted to deteriorate without significant international help. BiH Serbs were envisioned to slowly capture Bosniak enclaves in Eastern Bosnia. Croatian position in BiH was stated to be firm – they could keep the territories under control against Bosniaks and Serbs and were predicted that further conquest of territories under Bosniak rule is only possible with the Serbian help.⁷²

⁷¹ Ibid., 43.

⁷² “Combatant Forces in the Former Yugoslavia,” iii, 3, 5.
http://www.foia.cia.gov/sites/default/files/document_conversions/1817859/1993-06-01.pdf
(accessed June 1, 2014)

4. The Owen-Stoltenberg Plan

After the Serbian rejection of the Vance-Owen Plan, and the short failed episode with progressive implementation and the Joint Action Plan, the international community attempted to find a solution with the new Owen-Stoltenberg peace plan which was very much like the Cutillero plan, a plan generally accepted by the Serbs. Owen and Stoltenberg organized negotiations on June 15 and 16 in Genthod, Switzerland, which was attended by presidents Milošević, Bulatović, Tuđman and Izetbegović, as well as Radovan Karadžić and Mate Boban. Presidents Tuđman and Milošević suggested the idea of a Federative Republic of BiH, consisting of three constitutive republics without international subjectivity, the securing of Bosniak territory with a gateway to the sea, the right of return for refugees and respect for human rights. After it seemed that all was arranged, on June 23 Izetbegović promised to discuss the model with the Presidency, but immediately after leaving the meeting told the journalists outside that he had given up on that plan.⁷³ In a statement for the BiH radio-television on July 8, Izetbegović claimed the following with regard to the peace initiative: “*It is a very ugly option. That is all I can say to you at the moment.*”⁷⁴ The following day, the Office of the BiH Presidency issued a denial on agreeing to

⁷³ de Rossanet, *War and peace*, 45-46.

⁷⁴ “Predsjednik Predsjedništva BiH Alija Izetbegović: Interview za RT BiH,” *Hina, Baza* EVA 7080209 (1993)

confederate BiH, in which it was stated that confederation, that is, ethnic division can:

“ (...) be imposed as a solution only under the condition that there is no other choice, in other words, if the following choice is presented – either that [ethnic division] or starting a never ending war, which would lead us back to living in caves.”⁷⁵

On July 17, 1993, the Presidency of BiH issued a ‘Starting Point of the BiH Presidency for Negotiations in Geneva’.⁷⁶ The ‘Starting Point’ stressed that the Parliament should be bicameral, with the Lower House being represented proportionally to the population. At the end of the document, it was noted that, in the case of the rejection of the proposal, the Presidency was prepared to propose to the Security Council the establishment of an international protectorate over BiH.

In Geneva, on July 30, the ‘Constitutional agreement of the Union of Republics of Bosnia and Herzegovina’ was concluded and was supposed to be implemented once agreement over maps and humanitarian rights was reached. Each republic would have a right to veto, while the Parliament would consist of 120 positions according to the principle of parity – equal

⁷⁵ “Ured predsjednika BiH: Demanti izjave Alije Izetbegovića da „pristaje na konfederalizaciju BiH,” *Vjesnik* (10.7. 1993): 11.

⁷⁶ “Polazište Predsjedništva BiH za pregovore u Ženevi,” *Hina, Baza Eva* 0085 (1993)

representation from each member of the Union. The Presidency was to consist of presidents of the three republics who would change every four months, and would decide by consensus. The competencies of the Union were to be foreign affairs, foreign trade and the functioning of common institutions, while all other power would be handed to the republics. None of the constitutive republics would be allowed to leave the Union without the consent of all republics.⁷⁷

The next day Alija Izetbegović withdrew his signature on the advice of his legal advisor, Francis Boyle, because the membership of BiH in the UN seemed to be in question. Even though Izetbegović was promised that the status of the Union in the UN would not be changed, Bosniak side sought an immediate guarantee from the Security Council and the General Assembly.⁷⁸ On August 4, Alija Izetbegović sent a letter to Tuđman in which he suggested a union between the territories of the Bosniak and Croatian Republics and the continuation of the fighting against the Serbs. Resignation of people who had brought about the current state of affairs was sought and offered by Izetbegović.⁷⁹ The answer from Tuđman arrived on August 10, in which it was stressed that Croatia was ready for cooperation between the two

⁷⁷ “Constitutional Agreement of the Union of Republics of Bosnia and Herzegovina,” in B.G. Ramcharan (ed.), *The International Conference*, 291-300.

⁷⁸ “Predsjednik predsjedništva BiH Alija Izetbegović povlači svoje „da,” *Hina, Baza EVA* 7310060 (1993)

⁷⁹ “Report of the Co-Chairmen of the Steering Committee on the activities of the International Conference on the Former Yugoslavia,” in B.G. Ramcharan (ed.), *The International Conference*, 824; “Pismo predsjednika predsjedništva BiH Alije Izetbegovića predsjedniku RH dr. Franji Tuđmanu,” *Vjesnik* (8.8. 1993): 11.

constitutive units, but that this agreement had to be reached by the local representatives of those republics and that Bosniak offensive operations against Croatian areas had to be stopped.⁸⁰ The military chiefs of all three sides signed a truce on August 11 at Sarajevo Airport. It was agreed upon to postpone discussion on the disputed areas of Brčko, Posavina, eastern Bosnia, Bihać pocket, eastern Herzegovina, central Bosnia and Sarajevo for a later date.

In line with the idea of a union between the three republics, on August 28, 1993 the Croatian side proclaimed the HR HB (Hrvatska Republika Herceg-Bosna/ Croatian Republic Herceg-Bosnia) in Grude. HR HB was proclaimed with the goal of establishing Greater Croatia by the hardline lobby from Herzegovina. In the resolution of its establishment it was stressed that the Croats, as a constitutive nation, were establishing a state community with other nations as the bearers of sovereignty. However, there was no mention of the right to secession or the desire for annexation to Croatia.⁸¹ The HR HB House of Representatives issued the 'Declaration for an independent BIH as a union of equal republics' in which it was stressed that: “ ... we are in favor of Bosnia and Herzegovina's independence in internationally recognized borders, as a state of three equal constitutional nations” and:

⁸⁰ “Pismo predsjednika RH dr. Franje Tuđmana predsjedniku predsjedništva BiH Aliji Izetbegoviću,” *Hina, Baza EVA 8110167* (1993)

⁸¹ “Temeljna odluka o uspostavi i proglašenju Hrvatske Republike Herceg-Bosne,” *Večernji list* (29.8. 1993): 4-8.

*“ ... the founding of the state of Bosnia and Herzegovina, as an independent and internationally recognized state, is only possible with the consent of all three equal and constitutional nations and all together, through the Union of the Republic of Bosnia and Herzegovina.”*⁸²

Nevertheless, acts made by both HR HB and Republic of Croatia proved that they were secretly working on the unification.

On September 20, negotiations were held on the British HMS Invincible war ship between the representatives of the international community and Tuđman, Izetbegović, Milošević, Bulatović and Radovan Karadžić and Mate Boban. It seemed that all parties agreed to the proposed arrangements and territorial solutions, but Bosniak side rejected the agreement. The treaty offered 30% of the territory to the Bosniak Republic with access to the Brčko and Neretva ports, which would be connected with the Adriatic at the Port of Ploče, through a concession of 99 years provided by Croatia. Sarajevo would be under UN administration and Mostar under EU administration.⁸³ It is interesting to note that in one of the later intelligence records there is a mention it was agreed on the HMS Invincible that Serbian Republic would

⁸² “Deklaracija za neovisnu BiH kao uniju jednakopravnih republika,” *Vjesnik* (9.2. 1994): 9-11

⁸³ Gow, *Triumph*, 255-56.

have a possibility for a referendum on secession after two or three years.⁸⁴ What were the circumstances and under which conditions this decision was made, remains unclear.

After yet another rejection of the amended version of the Owen-Stoltenberg Plan known as the 'The Peace Packet on Bosnia and Herzegovina' from late September 1993, on October 20 Alija Izetbegović issued a resolution on the recall of the Croatian members of the Presidency, Franjo Boras and Miro Lasić, and replaced them with Ivo Komšić and Stjepan Kljuić.⁸⁵ In the meantime, regional boss of Western Bosnia region Fikret Abdić proclaimed Autonomous Province of Western Bosnia on 29th September because of his disagreement with majority of the ruling SDA party. Autonomous Province of Western Bosnia lived from black market with Serbs and Croats, but was soon militarily defeated by the BiH Government forces.

⁸⁴ "Bosnia Strategy," 4.

http://www.foia.cia.gov/sites/default/files/document_conversions/1817859/1995-07-20A.pdf (accessed June 2, 2014)

⁸⁵ Nevenko Herceg and Neven Tomić, *Izbori u Bosni i Hercegovini* (Mostar: Centar za studije novinarstva, 1998): 258.



4.1 The Action Plan of the European Union

After the Bosniaks refused the plan from HMS Invincible, Lord Owen started the initiative for the wider pacification of the region, including Kosovo, RSK and BiH. If a solution could be found for RSK, then sanctions against Yugoslavia would be removed. This plan failed when Tudman announced after talks in Norway in early November that he was prepared, at most, to acknowledge the local and cultural autonomy of the Serbs in

Croatia.⁸⁶

In his peace initiative from November 2, Tuđman requested that the international community impel all conflicting sides to sign in favor of the Union within 14 days, under the threat of sanctions.⁸⁷ Following this, the international community started a peace initiative known as the Action Plan of the EU, the primary goal of which was to convince Bosniak side to accept the Union, and was set in motion by Germany and France. Bosniak side was offered a small expansion of its territory, according to which they would be given 33.56%, and the Croats 17.5%. The starting point for the negotiations was the packet from the HMS Invincible, while Bosniak side was advised to agree with the other sides under the threat of reducing international support. Izetbegović demanded the opening of the airport in Tuzla, which was not agreeable to the Serbs because they were afraid that it would be used for military purposes, and he also requested sending of peace troops to the only Bosniak parts of the territory for a period of five years, in order to protect the Bosniak side until it developed an armed capacity for self-defense. Milošević requested the removal of sanctions because he had fulfilled all conditions, while the acceptance of the plan depended on the Bosniaks.⁸⁸

At the meeting in Bruxelles between the three BiH sides and the

⁸⁶ Steven L. Burg & Paul S. Shoup, *The War in Bosnia-Herzegovina – Ethnic Conflict and International Intervention* (Armonk, New York, London: M.E. Sharpe, 1998) 282.

⁸⁷ “Peace Initiative of 1 November 1993. of Dr. Franjo Tuđman, President of the Republic of Croatia,” B.G. Ramcharan (ed.), *The International Conference*, 1358.

⁸⁸ Burg & Shoup, *The War in Bosnia-Herzegovina*, 282-283.

ministers of foreign affairs of the European Twelve, on December 22 and 23, Izetbegović rejected the solution offered, and after that Karadžić no longer agreed to the UN administration in Sarajevo.⁸⁹ On the initiative of Tuđman, Milošević and Bulatović, a meeting was held on January 18 and 19 in Geneva with Izetbegović, Karadžić and Mile Akmadžić. The Bosniak side remained inflexible and demanded 40% of the territory, access to Neum, the merging of the eastern enclaves and access to the Sava River.⁹⁰ Also, Izetbegović stated that some changes should be made in the Western and Central Bosnia so the Muslim Republic should get the territories which Muslim majority had before the war. The Co-Chairmen proposed a solution whereby the disputed territory could be referred to an arbitration commission and its recommendations come to the Security Council after a peace agreement has been implemented. Croatian and Serbian side accepted these provisions, while Izetbegović stated that large number of important areas would be left unresolved and Bosniak side is not ready to have Serb or Croat forces remaining in the disputed territories.⁹¹

⁸⁹ Gow, *Triumph*, 257.

⁹⁰ Burg – Shoup, *The War in Bosnia-Herzegovina*, 284.

⁹¹ “Peace talks, 18 and 19 January 1994,” in B.G. Ramcharan (ed.), *The International Conference*, 911.

5. The Washington Agreement

At a meeting on January 18, 1994, Presidents Tuđman and Izetbegović, together with Haris Silajdžić and Krešimir Zubak, signed a proposal drafted by the BiH Federation Constitution and a preliminary agreement on the future economic and military cooperation between the Federation of BiH and Croatia. According to the treaty, there had to be ethnic parity in parliamentary representation, while cantonization was a subject for future discussion. Silajdžić was in favor of the deal, but Izetbegović was against it. The new initiative brought the active involvement of the USA toward solving the crisis in which it had previously stood to the side. Meanwhile, hardliner Mate Boban was removed from office, and replaced by more moderate Krešimir Zubak. Prime ministers Silajdžić and Granić were invited to a new round of negotiations in the State Department from February 27 to March 2. Both prime ministers were left surprised by the radical turn in the negotiations.⁹²

Specifically, it was no longer possible to hold long negotiations, as was the practice before, or to change key points of the agreement. All that was left to them was to agree over trifles. It was the principle of ‘take it or leave it’, which would now be promoted by the USA, and the ‘leave it’ option meant severe sanctions and air raids. This was best seen during the Dayton

⁹² Nobilo, *Hrvatski feniks*, 606-607.

Peace Talks during which the negotiators were in kept semi-incarcerated conditions found in the Wright Patterson military base. Besides the inability to stall, these conditions did not allow the sides to use statements made for the domestic media as a means of creating pressure on the international public.

According to the agreement, the central government would control foreign affairs, citizenship, national currency, monetary and fiscal policies, finances, telecommunications, energy and infrastructure. Jurisdiction was to be divided between the central and local authorities in the areas of human rights, health care, environment, social policies, immigration and asylum, tourism, infrastructure and the use of natural resources. Canton jurisdiction would cover the police, education, culture, public services, radio and so on. Besides this, the Federation of BiH should form a confederation with Croatia and enter into a customs and monetary union with it. The Washington Agreement was signed on March 18.⁹³ Even though the treaty was signed, the Croatian areas remained under the rule of HR HB, and the Bosniak areas under the government in Sarajevo.⁹⁴ The Washington agreement was in practice a military-political alliance designed by the Clinton's military advisors in order to force the BiH Serbs to the negotiating table. It served its

⁹³ Ibid., 609-10.

⁹⁴ Gordana Ilić, "Hrvati u BiH 1991.-1995. godine: Nacionalni sukobi i uloga Međunarodne Zajednice u mirovnim procesima," [Croats in BiH 1991.-1995: National conflict and the role of International community in peace process] *National Security and the Future* 3-9 (2008): 110.

main purpose, but proved to be completely outdated by the end of the war. Even intelligence estimates did not give much chance to the Federation with the strong international support.⁹⁵

One of the primary tasks of the American ambassador in Croatia, Peter Galbraith, according to his own testimony, was to convince Croatian president Tuđman to stop supporting the BiH Croats under the threat of sanctions if he decided to continue his support. The abandonment of the HR HB was dependent on the incorporation of the Serb-held territories of the Republic of Croatia and the promised aid of the USA concerning the establishment of stronger connections with the West. It seems that the crucial role in convincing Tuđman was played by foreign minister Mate Granić.⁹⁶ The agreement itself was in fact a modification of the Action Plan of the EU, because the Federation was basically meant to be comprised of the Croatian and Bosniak territories which were anticipated by the previous plan. Neither side was particularly satisfied with the agreement, but there was no more choice to make, except over details.

⁹⁵ “Muslim-Croat Federation: More than a Cease-Fire?,” 1.

http://www.foia.cia.gov/sites/default/files/document_conversions/1817859/1994-11-22.pdf (accessed June 2, 2014)

⁹⁶ Peter Galbraith, “Turning points: Key decisions in Making Peace in Bosnia-Herzegovina and Croatia,” in Maya Shatzmiller, ed., *Islam and Bosnia – Conflict Resolution and Foreign Policy in Multi-Ethnic States* (Montreal: McGill University Press, 2002): 138-41.

6. Plans of the Contact Group

6.1 Z-4 Plan

After the signing of the Zagreb Agreement on the cessation of fire between the RSK and Croatian authorities on March 30, a new round of negotiations began which included the USA, Russia, UN and EU, so that they became known as the Z-4 (Zagreb Four Talks). According to the agreement, the delineation line was to be 2km long, while the treaty itself was understood by the Krajina Serbs as a chance to stabilize the RSK. After the signing, the UN mandate was prolonged which gave Serbs an extra feeling of security. Serbs were demanding, pension payments, which was partially agreed to by Croatia. Economic relations were also discussed, but Prime Minister of RSK Mikelić said that he needed the confirmation of the RSK Skupština which in practice meant that it was a failure. The economic part of the deal was only signed before the end of December through the direct telephone intervention of Slobodan Milošević.⁹⁷

The Contact Group was formed in April 1994, and consisted of Russia, the USA, and – as the representatives of the EU, UN and the International Conference on Former Yugoslavia – Germany, France and Great Britain. According to the plan for Croatia, named Z-4, Serbs were to be given broad autonomy with their own symbols, separate legislative bodies, a president

⁹⁷ Barić, *Srpska pobuna*, 261-65.

and ministry cabinet (government), a separate currency and a police force. At the request of the American ambassador Galbraith a meeting took place with Tuđman on September 12 1994, at which the ambassador proposed that two majority Serbian districts, Glina and Knin, linked via Slunj, should have some elements of statehood, while the rest of the Serb-held territories in Slavonia should be reintegrated into Croatia. The next meeting was held on October 10, at which Galbraith introduced an expanded version of the plan. According to this version, besides the above, it was suggested that the area of Serbian autonomy be called Krajina, and that it should have a president, a parliament and courts. There would be no border between Krajina and Croatia, and Krajina would have autonomy in the areas of education, culture, energy, tourism, trades, taxes and police. It would be allowed to sign state treaties in agreement with Zagreb, and in the area of autonomy it could also sign treaties with other Serbian states. The currency would be controlled by the Croatian National Bank, but Krajina could have its own banknotes. A separate constitutional court was to be established, consisting of two judges from Krajina, two from Croatia and three representatives of the international community. Krajina would enjoy the rights to its own flag and coat of arms. A precondition for acquiring Krajina citizenship was possession of Croatian citizenship. State borders with BiH would be controlled by the central government, while Krajina would be demilitarized within 5 years.

Tuđman opposed such a proposal, stating that he could agree to the

cultural autonomy of the Serbs in Croatia, and territorial autonomy in the districts of Glina and Knin, but without the elements of statehood. In a meeting on January 30, 1995, Tuđman stated that he would consider the plan, which could be a starting point, but could not depart from the constitutional decrees of Croatia. The Krajina Serbs rejected the plan claiming that it was made in agreement with the Croats at the expense of the Serbs, and on the same day they refused to receive an international delegation. Croatia was opposed mainly due to the possibility that Krajina could sign international agreements, thus providing it with subjectivity and a basis for potential separation from Croatia in the future.

The uncompromising politics of the Krajina Serbs led to a situation where it was no longer possible to discuss arrangements of any kind or coexistence with Croatia, even though there definitely were people in the leadership who understood that the plan was the best they could get. Prime Minister Mikelić also rejected the Plan, which, considering his loyalty to Milošević, also meant that it was not agreeable to Belgrade. This proved to be true after the international representatives, who were not received by Krajina authorities, were also not welcomed in Belgrade the next day. This type of behavior can primarily be interpreted by Milošević's abandonment of the maximum Serbian demands for a Greater Serbia with the western borders of Virovitica–Karlovac–Karlobag and his desire to strengthen Serbian authority in east Bosnia. Besides, it was becoming clear that, due to

international factors, Krajina would not be internationally recognized. Milošević could not publicly declare his rejection of the plan because he would have probably been accused of betraying national interests. Rather he ordered Knin to reject the plan and distanced himself from further political moves by the Krajina leadership.⁹⁸ To Milošević, Krajina served as a means to blackmail Croatia in the negotiations over BiH.⁹⁹

6.2 The Plan of the Contact Group for BiH

According to the plan of the Contact Group, BiH would be organized into two entities, the Federation of BiH and the Republika Srpska (Serbian Republic) as well as Sarajevo under the jurisdiction of the UN. Since 1994, Croatian-Bosniak cooperation had led to the conquest of territories under Serbian rule. In the case of a Serbian rejection of the plan, threats were made to lift the arms embargo and impose stricter sanctions as well as to withdraw UNPROFOR. For the first time Milošević distanced himself from the politics of the BiH Serbs. The Contact Group did not officially withdraw after its failure and nor did it undertake some sort of action which would bring significant changes on the field.¹⁰⁰ In July, the Group presented a map according to which the ratio between the Federation of BiH and the RS

⁹⁸ Ibid., 474-80.

⁹⁹ Albert Bing, "Put do Erduta – Položaj Hrvatske u međunarodnoj zajednici 1994. - 1995. i reintegracija hrvatskog Podunavlja," *Scrinia Slavonica* 7 (2007) 391.

¹⁰⁰ Gow, *Triumph*, 261-64.

would be 51% : 49%. The Bosniak side felt that the Federation should have 58%, but it agreed in principle, stating publicly its conviction that the Serbs would not agree, which soon turned out to be true. According to the suggested constitutional principles, the presidency was to consist of one member of all constitutive nations, and would change every four months. The parliament would make decisions upon the basis of a two-thirds majority, which would have to include a simple majority of every nation. The American demands on lifting the arms embargo was heavily criticized by the other members of the Group, who feared for their combat troops and threatened to withdraw them. As a counter-proposal they put forward the idea of stricter sanctions.¹⁰¹

The different interests of the Group's members proved to be too big of a problem when decisions had to be made on how to act after the Serbian rejection of the plan, that is, should the embargo be lifted (USA), await Serbian approval (Russia) or tighten sanctions (Germany, France and Great Britain).

¹⁰¹ Burg & Shoup, *The War in Bosnia-Herzegovina*, 303-04.



7. The Dayton Agreement

In the autumn of 1994, the Bosniak side started a series of operations in the Bihać area, most probably encouraged by the Americans. The autumn attack operations revealed the weakness of the ABiH which was winning territories, but was not capable of keeping them, resulting in Serbian reconquests.¹⁰² The Croatian side undertook successful actions in the late autumn of 1994 in the Livno and Kupres areas. The Croatian actions were, among other causes, boosted because a part of the military intelligence structures from the Pentagon was in favor of halting the conflict based on the situation on the field in Croatia and BiH.¹⁰³ Contrary to the expected, international attacks did not discourage Serbs who stopped UN movements and captured their observers. According to some opinions, Serbs had intentionally provoked the intervention to gain legitimacy and to speed up the continuation of their operations. The USA demanded NATO to continue their offensive, which was against the opinion of all the NATO members which had troops in BiH. The former American President Jimmy Carter arranged a four-month truce with the BiH Serbs, which was activated on January 1, 1995. Tuđman threatened that they would not prolong the UNPROFOR mandate, which was to expire on March 31, 1995, if the

¹⁰² Ivo H. Daalder, *Getting to Dayton: the making of America's Bosnia policy* (Washington: Brookings Institution Press, 2000): 31-33.

¹⁰³ Bing, "Put do Erduta," 390.

situation did not change. The UN mission was renamed the UN Peace Force on March 31, and divided into UNCRO for Croatia, UNPROFOR for BiH and UNPREDEP for Macedonia. Whilst stressing the truce, all sides were preparing for the continuation of combat which was to continue in April.

On May 22, BiH Serbs captured ammunition storehouse near Sarajevo, despite the ban on heavy weaponry. After the unfulfilled 48-hour ultimatum to return the captured munitions, NATO air raids followed. In retaliation, the Serbs struck Tuzla and killed 67 civilians as well as taking observers as hostages. General Rupert Smith sought the continuation of the air raids, but the command was refused. In June, Rapid Reaction Force was founded on a French suggestion to secure UNPROFOR.¹⁰⁴ The RRF was meant to be a mobile military formation prepared to perform offensive operations. To this day its role is not completely clear, but there are signs that the RRF formations were to serve as wedges for the stopping of further Croatian and Bosniak offensives against the Serbs, that is, to secure the interests of France, Great Britain and The Netherlands, which were the sole contributors to the RRF.

Joint Croatian-Bosniak forces managed to capture, from June to October, a significant amount of territory, including Bosansko Grahovo, Glamoč, Drvar, Jajce, Mrkonjić Grad and were stopped around Banja Luka to keep the power balance intact, that is, to prevent a total Serbian defeat.

¹⁰⁴ Daalder, *Getting to Dayton*, 37-44.

With BiH Serbs defeated, a completely new situation would emerge, and the international intention was the end of the conflict as soon as possible. The biggest problem would have been the complete change of the demographic structure of BiH in the case of a complete Serbian defeat. The loss of territory forced the previously unyielding Karadžić to seek help from Milošević and to accept that Milošević was internationally representing BiH Serbs. The most important event which shocked public all around the world and hastened peace settlement surely was genocide of more than 7 000 Bosniak people in the safe zone of Srebrenica from 13 to 19 July, 1995.¹⁰⁵

In February 1994, Boutros Boutros-Ghali requested that NATO create a possible plan for the withdrawal of UNPROFOR from BiH. The withdrawal plan was named the Oplan 40104, and its seriousness was visible in the fact that it consisted of 1,300 pages of text and 24 appendices. According to the plan, 82,000 NATO troops were to be involved in the extraction of UNPROFOR, 25,000 of these to be contributed by the USA. Bearing in mind the American share, it is clear why they decided to solve the BiH conflict rapidly. The duration of the operation was to be 22 weeks, while the expense just for the United States would be over 700 million dollars. A significant problem in the operation was the mountainous terrain in BiH with poor and mined roads. The UNPROFOR withdrawal also raised humanitarian issues. The civil population would be left unprotected, and a

¹⁰⁵ Gow, *Triumph*, 279.

massive immigration wave to Europe was at risk.¹⁰⁶ Also, the Federation would probably collapse and cause once again war between all sides. Considering all of the risk-full situations, the USA forced the conflicting sides to accept a treaty, so as not to risk the engagement of a large number of combat troops and financial expense which would have to be justified to the American public. Also, the USA made clear to the German ambassador Ischinger that the American military force was to be part of the BiH implementation mission only if the peace agreement was negotiated on the American territory under the American supervision.¹⁰⁷

The negotiations on the establishment of a permanent peace began on November 1st at the American military base Wright Patterson, Dayton, Ohio, after which the treaty was named. Negotiations lasted for three weeks, and one of the preconditions was the international recognition of BiH by Serbia. The delegations were separated during the meeting, and met only during bilateral meetings. There were no press or radio conferences so as to prevent the development of various interpretations and public pressure, although there was some leakage of information. For Croatia, it was agreed that the reintegration would last one year, with the possibility of extending it for one more year, if everything was not done in time. The Bosniak side managed to secure Sarajevo and the corridor to Goražde, which was the subject of

¹⁰⁶ Daalder, *Getting to Dayton*, 48-49.

¹⁰⁷ Gret Haller, *Granice solidarnosti – Evropa i SAD u ophođenju sa državom, nacijom i religijom* [Borders of solidarity – Europe and USA in Treatment with State, Nation and Religion] (Sarajevo: Buybook, 2006), 282.

numerous discussions. Milošević wanted a narrower corridor, but gave up after he was shown on a computer that it was as narrow as possible. After the agreements were made, a problem occurred concerning the fact that BiH Serbs got 45% of the territory, and not 49% as was predicted. This was solved by giving the Serbs Mrkonjić Grad, while the Bosniak side was given arbitration for Brčko.¹⁰⁸

The Dayton peace agreement was signed on December 14 in Paris and consisted of 10 articles, 11 appendices and 102 maps. According to appendix 1a¹⁰⁹, a time and program was calculated for the separation of the conflicting sides and the redeployment of IFOR (Implementation Force) which had the task of implementing the peace. Its basic task was to protect the delineation line, and it numbered about 60,000 personnel. Besides the above, they were meant to be a „reminder“ to the warring sides to exclude the possibility of further conflicts. The delineation line held by IFOR was 4 km wide.¹¹⁰ The number of personnel would have surely been higher if the progressive implementation had been agreed upon earlier, which would have raised the problem of finances.

The official name of the country was no longer The Republic of Bosnia and Herzegovina, but Bosnia and Herzegovina. According to the BiH

¹⁰⁸ Gow, *Triumph*, 279-285.

¹⁰⁹ “Dayton agreement: Annex 1a - Military Aspects of the Peace and Settlement & Appendices to Annex 1a,” http://www.ohr.int/dpa/default.asp?content_id=368 (accessed 20th May, 2014)

¹¹⁰ Gow, *Triumph*, 287.

Constitution (appendix 4)¹¹¹ in article III, point 1, the central institutions governed foreign affairs, foreign trade, customs, monetary policies (which was limited considering the fact that the governor of the central bank was chosen by the International Monetary Fund), the financing of institutions, international obligations of BiH, policies concerning immigration, refugees and asylum, international implementation of criminal law, implementation of entity rights, control over common resources, regulation of traffic between entities and air traffic control. The jurisdiction of the entities covered the functioning of human rights, making agreements with countries and international organizations, with the acceptance of the Parliament. According to article VI, the Parliament consisted of two houses: *Dom naroda* (House of the Peoples) and *Zastupnički dom* (House of the Representatives). *Dom naroda* had 15 delegates, five from each nation. Nine members were needed to reach a quorum, at least three from each nation. The *Zastupnički dom* consisted of 42 representatives, with two thirds from the Federation and one third from RS. To reach a quorum a majority was needed. To proclaim any law the consent of both houses was required. Each nation had the right to veto in case its vital interests were endangered. In that case, the president of the *Dom naroda* had to immediately call a commission consisting of three representatives whose task would be to solve the issue within five days. In

¹¹¹ “Dayton Agreement: Annex 4 – Constitution of Bosnia and Herzegovina,” http://www.ohr.int/dpa/default.asp?content_id=372 (accessed 20th May, 2014)

case of failure, the issue was forwarded to the Constitutional Court.

Ministers and their deputies had to be of different nationalities in order to secure control. The coordination of civil implementation was given to the High Representative who was named by the Security Council. Foreign bodies included in governing were the human rights attorney named by the OSCE (Organization for Security and Co-operation in Europe), the central bank governor who was named by the International Monetary Fund with a six year mandate and three of nine members of the Constitutional Court were to be named by the President of the European Human Rights Court.



7.1 A security guarantee or a cause of instability?

The Dayton Agreement established the paradoxical formulation of „two entities and three nations“. The Serbian nation has its own entity through which it achieves its sovereign rights, and has the future possibility of exercising its right of self-determination, which is a common topic to this day. The ethnic division which was mostly opposed by the Bosniak leadership continued to be visible and has even deepened further. Creating

this order was used by the USA as a guarantee of avoiding the deployment of a large number of combat troops and avoiding financial expense in the case of a further armed conflict. This kind of BiH was (and remains) sustainable only because of the international protectorate and financing. BiH is unable to function independently which is visible in the role of the High Representative as an independent sovereign who can stop any decision, which means that BiH is a country of limited sovereignty or a quasi-state.¹¹² The BiH elites wish to retain their economic and social power, which they try to achieve by preserving the current state of the country's division and isolation.¹¹³

In general, the Vance-Owen plan and Dayton agreement had similar features – federal arrangement and division of governmental powers between the central and local/cantonal/ethnic institutions. The reason why the Vance-Owen plan failed and Dayton agreement succeeded was the American will to make peace under their own terms (and not European) and affirm themselves as the leading power in international politics.

All BiH elites remain unsatisfied with current position – Bosniaks and Croats because they are not able to conduct their own policy without the other side's support due to complex constitutional mechanisms; Serbs because of the impossibility to secede; "Others" because they cannot gain

¹¹² David Chandler, *Empire in Denial – The Politics of State-building* (London – Ann Arbor: Pluto Press, 2006): 34. See also the other author's book for the post-war BiH *Bosnia – Faking democracy after Dayton* (London – Sterling, Virginia: Pluto Press, 2000)

¹¹³ Lučić, "Evolution," 171.

any significant position due to national key principle. The question remains whether BiH will be able to transform itself into a functioning state and how long the international community will be prepared to finance the current state.

8. The Erdut Agreement

After the return of the territories of Krajina and west Slavonia to the state-legal framework of Croatia, American President Bill Clinton stated that the problem of Serb-held territories in eastern Slavonia had to be solved within the framework of a solution to the conflict in BiH. The task of renewing contacts with the local Serbs in the Danube basin was given to the American ambassador Galbraith and to the UN's ambassador Stoltenberg. The meetings between the representatives of the international community and the local Serbian leadership were held during September and October in 1995 in Erdut. As a starting point for a solution the Z-4 Plan was suggested, but the situation changed significantly when the political autonomy of Serbs who formed the majority in those areas before the war was called into question. The Croatian delegation responded to the international mediators by noting that the local Serbs had not formed a majority in any municipality in any prewar census and that a military action was not excluded. In early October, the Croatian and Serbian delegations in Erdut managed to agree to the acceptance of eleven agreement articles on solving the conflict. The question of Croatian Podunavlje was meant to be solved before the start of the Dayton negotiations, but this was rejected by Milošević probably so that he could negotiate in case the talks somehow turned in an unexpected direction. One of the reasons for finding a quick solution was the artillery bombardment of

Croatian areas from the territory of the BiH Serbs.¹¹⁴ In considering the implementation of a military operation a large number of military victims was predicted, as well as the possible interference of the Army of Yugoslavia and the bombings of Croatian cities, which resulted in the plan being rejected. Nevertheless, the USA estimate was that VJ (Vojska Jugoslavije/Army of Yugoslavia) will not intervene due to poor morale and insufficient mobilization.¹¹⁵

At the request of the Croatian delegation in Dayton, on November 2, the question of the reintegration of the Croatian Podunavlje was raised, and both sides agreed to it on November 11. Opinions differed on the question of the duration of the UN mandate in the transitional period. Finally it was agreed that the UN mandate would last one year with the possibility of it being extended for one more year in case one of the parties sought an extension. Also, Croatian side searched for the guarantee that the Serbs from other parts cannot move to the sector East because they were afraid that Milošević would send majority of Krajina refugees to settle down in the sector East.¹¹⁶ After reaching the agreement, Galbraith and Stoltenberg travelled to the signing of the treaty in Erdut which occurred the next day. Hrvoje Šarinić signed the treaty on behalf of the Croatian government, and

¹¹⁴ Bing, "Put do Erduta," 397-401.

¹¹⁵ "Resolving Sector East: By Pen or Sword," 6.

http://www.foia.cia.gov/sites/default/files/document_conversions/1817859/1995-10-12B.pdf (accessed June 3, 2014)

¹¹⁶ Ibid., 4

Milan Milanović on behalf of the Serbian. According to the agreement, the territory was to be under UN administration for a period of between one to two years. The basic task of the UN was to organize a multinational police force, organize local elections and conduct demilitarization. The agreement was fulfilled in early 1998, which resulted in the establishment of the total territorial sovereignty of the Republic of Croatia.¹¹⁷

¹¹⁷ Bing, “Put do Erduta,” 401-403.

Conclusion

The calling of the first democratic elections in Yugoslavia with the encouragement of the international community, especially of its European part, for the purpose of democratization and transformation to a market economy, led, in the eyes of the international community, to the unexpected collapse of Yugoslavia.

International mediation during the war in the area of the former Yugoslavia, observed in detail through the proposed peace plans, highlighted a lack of consensus between the main members in key issues regarding the prevention and conclusion of the war. Besides, it also highlighted the weakness of the European part of the international community in imposing its own solutions due to the lack of military capacity. The USA as a global superpower had the potential to control the development of the war, refusing to send combat troops which were requested by Europe and the UN to implement a peace process. By establishing the Vance Plan in Croatia, the infirmity of international peace mediations via the UNPA zones was revealed, since they were unable to complete their primary mission – demilitarization, establishment of civil life and the return of refugees.

The war ended relatively shortly after the active involvement of the USA in early 1994. American diplomacy was led by the simple principle of forcing peace under physical threats of military force, in which the

conflicting sides were left merely with the details during negotiations. Also, genocide in Srebrenica put international public pressure on the key actors to end the war as soon as possible to stop the mass murder of civilian population.

From the declassified intelligence documents it can be seen that they were carefully selected and that they hide more than reveal. Nevertheless, some general conclusions can be made. Firstly, the United States were mostly concerned about restructuring themselves as the leader in international politics after the end of Cold War. Secondly, they were willing not to impose decisions if they would infringe relations with the other key powers. Finally, their main concern was to establish peace under their own conditions and to reaffirm themselves as the leading world power, although they were not willing to risk and engage if more intense war broke out.

In conclusion, it can be said that the most important local perpetrators of the war escaped justice. Croatian president Tuđman, Minister of defense Šušak and Mate Boban died soon after the war; Croatian generals Čermak, Markač and Gotovina accused for the crimes in the operation “Storm” were released by the ICTY; Krajina’s leader Babić was found hanged while on trial; Serbian president Milošević died while on trial; head of the Serbian State Security Service Jovica Stanišić and the head of the Special Forces of State Security of Serbia Franko Simatović were released by the ICTY; Goran Hadžić, Ratko Mladić, Radovan Karadžić and six BiH Croats are still on

trial; a former president of Republika Srpska Biljana Plavšić was sentenced to eleven years, but released after six; only Krajina's president Milan Martić was sentenced to 35 years of prison from highest officials. States that emerged after the collapse of Yugoslavia are mostly young democracies with a lot of difficulties, with the exception of BiH which is under international govern and cannot function independently. Finally, the war caused great changes in demography of Croatia and BiH. Most Serbian population left or was expelled from Croatia, while Croatian and Bosniak population was expelled from Eastern Bosnia.

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