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A brief overview of the process of attaining independence and the occupation and liberation of the Republic of Croatia in the Homeland War

The destruction of the Berlin Wall in November 1989 symbolically marked the beginning of a new era in European history, where most Eastern European states replaced the single-party communist regime with multi-party democracy. This process also affected most of the republics of the former Socialist Federative Republic of Yugoslavia (SFRY), however, it did not include the Socialist Republic of Serbia. Its citizens were held hostage by Serbian nationalists, who, in the middle of the 1980's revived the Greater Serbia movement from the 19th century, according to which the western border of the Serbian state, known as Greater Serbia, was planned to run deep into Croatian territory, along the line Virovitica-Pakrac-Karlovac-Ogulin-Karlobag. This was approximately the border of the Turkish conquests in Croatia from the 15th to the 17th century.

The media campaign to create the conditions needed to carry out the Greater Serbia project began with the publication of the draft Memorandum of the Serbian Academy of Arts and Sciences in the Belgrade newspaper *Večernje Novosti* on 24th and 25th September 1986, which pointed out the supposed threat to Serbs in Yugoslavia. The Serbian nationalists actually wanted increased centralization of the state. They sought the domination of Serbia in the federation and the complete rule of Belgrade over events in the socialist autonomous provinces of Vojvodina and Kosovo and the Socialist Republic of Montenegro. The result of these nationalist or Greater Serbian political activities was the replacement of the political leadership in those constituent parts of the SFRY, at the end of 1988 and the beginning of 1989, followed by the amendment of the Constitution of the SR Serbia, which *de facto* abolished the autonomy of those provinces. By imposing pro-Serbian representatives of Vojvodina, Kosovo and Montenegro in the state presidency of the time, which consisted of 6 representatives of the republics and 2 from the autonomous provinces, the Serbian leadership created the conditions for political domination of Serbia over the other Yugoslav republics. As a result, the Serb political elite tried to stop the democratic changes in Yugoslavia.

In line with Greater Serbian politics in Belgrade, at the beginning of 1990 mass rallies were organized in Croatia – known as “happenings of the people” – by Serbs from Croatia, Bosnia and Herzegovina and Serbia, which worsened Serb-Croat political relations. These rallies were dominated by pictures of the new “all Serbian” leader Slobodan Milošević, flags of Serbia, Yugoslavia and the Communist Party and Greater Serbian and anti-Croat slogans. But these aggressive Serb politics could not stop the democratic process in Slovenia or Croatia. In April and May 1990, free, multi-party elections were held in Croatia, which were won by the Croatian Democratic Union, led by dr. Franjo Tuđman.

SFRY military leaders reacted to the election results in Croatia, in agreement or on the orders of Serb politicians (the president of Serbia Slobodan Milošević and the representatives of Serbia in the Presidency of the SFRY and its president Borisav Jović) by disarming Croatia. This was planned and quickly undertaken before there had been a handover of authority in Croatia on the basis of the election results, and before the new government had been organized. The disarmament took place on 23rd May 1990 on the basis of a strictly confidential command, which was signed on 14th May, unlawfully (without the knowledge and agreement of the Presidency of

the SFRY) by the head of the armed forces of the SFRY, General Blagoje Adžić. In his journal *Poslednji dani SFRJ: Izvodi iz Dnevnika* (The Last Days of the SFRY: Journal Extracts) (Belgrade, 1995, p. 146) Borisav Jović wrote on 17th May 1990, “We practically disarmed them. Formally this was done by the head of the armed forces, but in fact it was on our orders. The Slovenes and Croats reacted strongly, but they have nowhere to go”. The arms taken from the Croatian Territorial Defense (it is estimated that there were about 80,000 to 200,000 “barrels”) were stored in the warehouse of the Yugoslav National Army (JNA).¹

The Parliament of the Republic of Croatia at the convening session of the multi-party assembly on 30th May 1990 then elected dr. sc. Franjo Tuđman as president of the presidency of the Socialist Republic of Croatia, and on 25th July amendments were adopted to the Constitution of the SRC, by which the term “Socialist” was removed from the title of the state, a new (“historical”) coat of arms and flag were introduced and more appropriate titles for state functionaries were adopted: president, the Government of the RoC, minister and others (Official Gazette 31, 28th July 1990). That day, at the Serb rally in Serb, the Declaration on the Sovereignty and Autonomy of Serbs in Croatia was adopted. It was also announced that a “referendum on Serb autonomy” would be held from 19th August to 2nd September 1990, which had no foundation in republic or federal regulations.²

Due to the appearance of armed Serb civilians at certain points (“guards”) and the threat that armed civilians would ensure the implementation of that “referendum”, the Ministry of the Interior of the RoC issued an order putting under control arms intended for the reserve MoI units in the RoC in police stations in areas where there was a threat of armed rebellion by Serbs. On the night of 16th-17th August 1990 some of those arms were taken over by special MoI units, after which citizens of Serb nationality began to gather in front of the police stations in Knin, Benkovac, Obrovac, Garčac, Titova Korenica, Dvor na Uni and Donji Lapac, and all the roads in that area were blocked by tree trunks and rocks, with the presence of armed men. This attempt, in the night between 16th and 17th August 1990, by the Croatian police to transfer the weapons to the reserve police units from certain police stations in Lika and Dalmatia and prevent the referendum being held, served the political leadership of the rebel Serbs as a direct incentive to declare a “state of war” on Radio Knin and on 17th August to occupy the roads in the area of Knin with armed rebels.³ The attempt by the Croatian police to restore order in that area was prevented by the federal army, the Yugoslav National Army (JNA).

What was known as the “tree-trunk revolution” was the response of some of the Serbs in Croatia to the democratic process in Croatia and may be seen as the beginning of the armed rebellion by Serbs in Croatia, against the Croatian, democratically elected authorities. The final goal of the rebellion they started was to annex part of the territory of the Republic of Croatia to a united Serb state, which would cover the majority of the former Yugoslavia. It is true that the armed action by rebel Serbs was at that time still limited to ambush attacks and terrorist action by individual groups including terrorists brought in from Serbia. There were particularly fierce conflicts between Croatian police and Serb terrorists in Pakrac on 2nd March 1991 and at Plitvice Lakes at Easter, 31st March, when the Croatian policeman Josip Jovič was killed – the first Croatian defender to fall in the Homeland War, and on 2nd May 1991 when 12 Croatian policemen were ambushed and killed in Borovo Selo (Slavonia), and one in Polača near Zadar (Dalmatia).

¹ O. Žunec, *Rat u Hrvatskoj* (The War in Croatia), *Polemos I*, Zagreb, 1998, 66; M. Špegelj, *Sjećanja vojnika*, (The Memoirs of a Soldier) Zagreb, 2001, 287, tab. III.

² The archives of the Constitutional Court of the RoC/legal documents related to file no.: U-VI-295/1991 of 2nd October 1992. (hereinafter: Archives of the CC of RoC).

³ HR – HMDCDR, Dossier Knin, 81-86.

Due to the unacceptable situation in the country and the politics imposed by the Serbian leadership, which were seen in the arbitrary and unconstitutional decisions of the presidency and assembly of the SR Serbia, that is, in the attempt to centralize and strengthen the political and economic position of Serbia at the cost of the other republics in the federation, the Croatian and Slovene leadership proposed the reorganization of the SFR Yugoslavia into a confederation. However, the Serbian leadership refused to talk about this, so Croatia and Slovenia began the process to become independent. After the new “Christmas” Constitution of the Republic of Croatia was proclaimed on 22nd December 1990 (Official Gazette 56, 22nd December 1990), the Parliament of the RoC, on the basis of the results of the referendum held on 19th May 1991, adopted the *Declaration on the Establishment of the Sovereign and Independent Republic of Croatia, and the Charter of Rights of Serbs and other nationalities in the RoC* (Official Gazette 31, 25th June 1991). The date when the Declaration came into force was postponed for three months, so that talks on a peaceful settlement of the Yugoslav crisis could continue.

But, precisely then, on the basis of an agreement between the Serbian political leadership and the leaders of the JNA, the terrorist activities of Serb extremists in Croatia escalated to become open and merciless aggression by JNA and Serb paramilitary formations against the Republic of Croatia. The Serbian representative in the presidency of the SFRY and the acting president of the presidency of the SFRY at that time, Borisav Jović, in his book, “The Last Days of the SFRY: Extracts from my journal” (Belgrade, 1995; page 349) wrote that on 5th July 1991 he and the president of Serbia, Slobodan Milošević issued the Federal Secretary for National Defense of the SFRY (the “minister of defense”) Veljko Kadijević, a series of demands related to the role of the JNA, which he accepted without comment”:

Slobodan (Milošević) and I (Borisav Jović) arranged a meeting with Veljko Kadijević which we believe to be decisive... We are currently requiring the following of Veljko: ... to concentrate the main forces of the JNA on the lines: Karlovac- Plitvice to the west; Baranja, Osijek, Vinkovci – Sava to the east and the Neretva to the south. In this way all the territory where Serbs live will be covered until the final resolution... To completely eliminate Croats and Slovenes from the army...

JNA documents show that the plans of its strategists were not limited merely to “covering the territory where Serbs live”. So, according to the Directive by the command of the 1st military region (JNA) for operations in Slavonia of 19th September 1991, after conquering eastern and western Slavonia, JNA units were supposed to be “ready to extend the attack towards Varaždin and Koprivnica”. The beginning of the attacks was set for 21st September and their execution was planned in two stages, of two to three and four to five days. According to this plan the “minister of defense” General Veljko Kadijević stated on 21st September 1991 that the JNA would take decisive action to “prevent civil war”. Thereby he showed that the leadership of the armed forces of the SFRY, in contravention to the Constitution of the SFRY, did not recognize the president of the presidency of the SFRY, nor the authorities in the Republic of Croatia, and he practically declared war on Croatia. Ignoring the peace talks, that is the attempts by the Government of the RoC and the international community to resolve the crisis by peaceful means, the JNA and the Serb paramilitary units began a general attack on all fronts in Croatia, with the aim of breaking the defenses of the Republic of Croatia in 20 days. According to the command by the head of the JNA, General Blagoj Adžić of 12th October 1991, “armed units, whether the JNA, the TD or volunteers” must act “under the united command of the JNA”. Naturally, JNA units, local Serb territorial defense and rebel Serb militia in Croatia (Martić’s militia) as well as the volunteer units coming in from Serbia, had already been acting under the joint command of the JNA up until then, practically since the beginning of open aggression against Croatia. The force of the attacks, supported by the JNA air force, commanded by General Zvonko Jurjević, may be

seen in the assessment by some foreign military analysts that Croatian defenders would not be able to withstand them *for more than two weeks*.⁴ In his book *Moje viđenje raspada* (My View of the Break-up) (Belgrade, 1993, p. 135) General Veljko Kadijević presents the plan of attack by the JNA on Croatia in the autumn of 1991:

- *Completely blockade Croatia from the air and sea*
- *Link the lines of attack by the main forces of the JNA as directly as possible with the liberation of Serb areas in Croatia and the JNA garrisons deep in Croatian territory. To this end, dissect Croatia along the lines: Gradiška – Virovitica, Bihać – Karlovac – Zagreb, Knin – Zadar, Mostar – Split. With the strongest grouping of armoured mechanical forces liberate eastern Slavonia, and then quickly continue to the west, link up with forces in western Slavonia and continue towards Zagreb and Varaždin, that is the border with Slovenia. At the same time, block Dubrovnik with strong forces from the Herceg Novi-Trebinje region from the land and come out into the Neretva valley, and in that way act jointly with forces now in action towards Mostar-Split;*
- *Having reached certain objectives, secure and hold the borders of the Serb “Kraijina” in Croatia, withdraw remaining units of JNA from Slovenia and then withdraw JNA from Croatia;*
- *For mobilization, preparation of mobilized or prepared units and bringing them to the planned lines for use, 10-15 days are needed, depending on the level of “battle readiness” of the units and their distance from the line of use.*

JNA planes showed that the aggressor did not choose means to reach its goal when they attacked Banski dvori – the seat of the Government of the Republic of Croatia in the centre of Zagreb, the capital of Croatia, on 7th October. By rocketing the building of the Government of the Republic of Croatia the Yugoslav, or pro-Serb leadership of the JNA intended to kill the president of the Republic of Croatia, Franjo Tuđman, the president of the presidency of the SFRY, Stjepan Mesić and the president of the Federal Executive Council of the SFRY, Ante Marković who were having a meeting just at that time. This attempted assassination shows that the Greater Serbian strategists were not even thinking about a peaceful settlement of the Yugoslav crisis.

Representatives of the Yugo-army information service “The Federal Secretariat for National Defense” and the “Information Service of the Command of the Military Air Force and the anti-aircraft Defense” denied the role of the JNA in the attack on Banski Dvori in Zagreb in their statements, cynically suggesting that the “Croatian leadership had planned that attack”.⁵

Under the impression of this event and the pictures of destruction and the news of numerous casualties coming from other Croatian towns and villages under attack, in the circumstances of violent aggression by the JNA against the Republic of Croatia, the following day, on 8th October 1991, the Parliament of the Republic of Croatia declared the independence of the Republic of Croatia. That is to say, having established that the three-month postponement of the constitutional decision of 25th June 1991 had passed, the members of parliament adopted the “*Decision on Secession of the Republic of Croatia from the SFRY and its independence. The Republic of Croatia has broken all state and legal ties on the basis of which it formed a part of the former SFRY together with the other republics and provinces.*”

⁴ A. Tus, *Rat u Sloveniji i Hrvatskoj do Sarajevskog primirja*, *Rat u Hrvatskoj i Bosni i Hercegovini 1991.-1995.* („The War in Slovenia and Croatia up to the Truce of Sarajevo”, *The War in Croatia and Bosnia and Herzegovina 1991.-1995.*), Zagreb-Sarajevo, 1999, 78.

⁵ *Collection of Documents from the Defense and Security Administration of Yugoslavia 1990-1991* (prepared by: prof. dr. Slavoljub Šušić, General in retirement, Zlatoje Terzić, Lieutenant General, dr. Nikola Petrović Colonel), Military publications institute, Belgrade, 2002, 457-458.

Due to the danger of attack by JNA planes, that parliamentary session was held in the cellar of the INA building in Šubićeva Street in Zagreb (*Official Gazette* 53, 8th October 1991).

Amongst other things, in the *Conclusions* which the Parliament of the Republic of Croatia adopted that day at the joint session of all the assemblies, it was particularly emphasized:

1. There has been armed aggression against the Republic of Croatia by the Republic of Serbia and the so-called JNA. The Republic of Croatia is forced to defend itself from this aggression by all available means.
2. The so-called JNA is declared to be the aggressor and the occupying army and must without delay withdraw from the territory of the Republic of Croatia which it has temporarily occupied.
3. The Parliament of the Republic of Croatia demands the former JNA to allow Croatian citizens who are doing military service, to leave the army immediately and return freely to their homes.
4. The republics of Bosnia and Herzegovina and Montenegro are called on not to allow the use of their state territory for the conduct of war against the Republic of Croatia.

Reacting to the decision and conclusion adopted by the Parliament of the Republic of Croatia, at the Conference on Yugoslavia in The Hague on 18th October 1991, the European Community presented a plan to the representatives of the former Yugoslav republics to reorganize Yugoslavia into a community of sovereign states. “The Agreement on an Overall Settlement of the Yugoslav Crisis”, known as the Carrington Plan, proposed the creation of a “free federation of sovereign and independent states with comprehensive agreements on control mechanisms to protect human rights and with special status for specific groups” and foresaw the “recognition of republics who so wish within their existing borders”. The proposed plan was accepted by all the Yugoslav republics except Serbia. However, under pressure from Serb and pro-Serb politicians, Montenegro withdrew its approval of the plan although its president Momir Bulatović had initially accepted it.⁶ As a result the representative of the Prosecution at the International Criminal Tribunal for the Former Yugoslavia in The Hague, Geoffrey Nice, stated that if Serbia had accepted the Carrington Plan on 18th October 1991, and that all parties had begun to create a confederation with special rights for Serbs in Croatia, the war would have ended in Croatia (already then, *author’s note*) and thousands of lives saved.⁷ Therefore the exclusivity of the Serbian political leadership and the military leadership of the JNA sealed the fate of Yugoslavia and made its bloody break-up inevitable. After that Croatia speeded up the process of international recognition, basing it, amongst other things, on the provisions of the Yugoslav Constitution which had been valid until then, the *Constitution of the SFRY* of 1974, which affirmed the statehood of the republics, and the *Constitution of the SRC* of 1974 in which it was emphasized that the “Croatian people established their own state, the SR Croatia, on the foundation of the right to self-determination, including the right of secession”.⁸

By the end of 1991 the JNA, under whose command were the armed units of rebel Serbs from Croatia and Serbian volunteers from Serbia and Bosnia and Herzegovina, had occupied almost one third of Croatian territory. In so doing, Serb extremists had committed many murders and crimes against Croats and other non-Serbs but also against Serbs who did not accept their Greater Serbia policies. On the occupied territory of the Republic of Croatia on 19th December 1991 the rebel Serbs proclaimed the “Republic of Serbian Krajina” with its seat in Knin. Almost

⁶ Momir Bulatović, *Pravila ćutanja*, (The rules of silence) Belgrade, 2004, 64-74.

⁷ O. Žunec, *Goli život – socijetalne dimenzije pobune Srba u Hrvatskoj*, I-II (Mere Existence – the social dimensions of the rebellion by Serbs in Croatia, I-II), Zagreb, 2007., 172-174, notes. 274, 277.

⁸ *The Constitution of the SFRY, the Constitution of the SR Croatia*, exposition by Jakov Blažević, Zagreb, 1974, 224.

all the non-Serb population was expelled from the area now ruled by the Serb rebels and their property destroyed or looted.

In the period that followed, after the international recognition of the RoC on 15th January 1992 and the RoC's reception into the UNO on 22nd May 1992, the Government of the RoC, with the help of European and world diplomacy, tried to reintegrate the occupied areas of its territory by peaceful means. But the rebel Serbs in Croatia, relying on help from Serbia and the SR Yugoslavia, rejected every peace proposal which prescribed the return of the occupied territory to the Croatian state and legal order, despite the fact that in the UN resolutions it was clearly stated that that territory was "temporarily occupied but an integral part of the Republic of Croatia".⁹ In their intention to create a new Serbian state and to be annexed to Serbia, the rebel Serbs in Croatia were not prepared to accept any other political option, especially not life together with Croats in the same state. As a result, in order to liberate the occupied parts of its territory and prevent further attacks by rebel Serbs, Croatia had to undertake limited military campaigns.

In April 1992, the Croatian army halted the advance of Serb units from Bosnia and Herzegovina towards the Adriatic Sea, whose goal was the complete occupation of the southernmost part of Croatia. The Croatian army then broke the siege on Dubrovnik – a city monument protected by the UNESCO Charter, which the JNA artillery was firing at from the surrounding hills – and then by the end of October 1992 liberated the occupied territory in the south of Croatia. In January 1993 the Croatian army and MoI units liberated the area around Zadar and after the construction of a pontoon bridge over the Masleničko ždrilo, road transport was re-established between the north and south of Croatia, and with the liberation of the Peruča hydro-electric power station near Sinj, Dalmatia once again had a normal electricity supply. In September 1993 Croatian soldiers and police liberated the area known as the Medak Pocket (Medački džep), from where the rebel Serbs were attacking and causing damage to the town of Gospić.

Despite their military defeats, the leadership of the rebel Serbs did not even accept the proposal by representatives of the USA, Russia, Germany and Great Britain (the Z-4 Plan) at the beginning of 1995 for a political resolution of the crisis in Croatia, which proposed exceptionally broad autonomy for the Serbs in parts of the Republic of Croatia with a majority Serb population (in the so-called UNPA areas North and South, in the area of Glina and Knin).¹⁰ As a result, the Croatian armed forces undertook a new liberating military and police campaign – "Flash" - and from 1st to 4th May 1995 they liberated the occupied territory of western Slavonia. In retaliation, on 2nd and 3rd May the rebel Serbs shelled Zagreb and other Croatian towns. In the cowardly terrorist attacks on Zagreb seven people were killed and more than a hundred were injured. The rockets hit the children's hospital, the high school in Križanićeva, cultural institutions and other buildings.¹¹

As before, the leaders of the rebel Serbs went on implementing their exclusive policies, intending to cut off the remaining occupied territory in the Republic of Croatia and, together with parts of Bosnia and Herzegovina under Serb control, to become annexed to the planned united Serbian state. When, with the preparation of the draft "Constitution of the United Serb Republic" that process reached its climax in July 1995, and it became clear that the problem of the occupied

⁹ For example in Resolutions 820, 847 and 871, adopted on 17th April, 30th June and 4th October 1993, in Resolutions 908, 947, 958 adopted on 31st March, 30th September and 19th November 1994, Resolutions 981 and 994 adopted on 31st March and 17th May 1995; see: *Specijalna policija MUP-a RH u oslobodilačkoj operaciji „Oluja“ 1995. prilozi (The Special Police of the MoI of the RoC in the liberation campaign "Storm", enclosures)*, Zagreb, August 2008, pp. 78-96; <http://www.un.org/documents/>.

¹⁰ D. Marijan, *Oluja (Flash)*, Zagreb, September 2007, pp. 379-399.

¹¹ Damir Luka Saftić, „Kod Šoštarićeve prvi trg civilnim žrtvama“ (The first square with civil victims, near Šoštarićeva), *Večernji list*, 8. 3. 2007, 26.

territory of the RoC could only be resolved by military means. The final, liberating military and police campaign, known as “Storm”, was undertaken by Croatia from 4th to 8th August 1995. Croatian units liberated the occupied territory of the Republic of Croatia in northern Dalmatia, Lika, Banovina and Kordun (a total of about 10,500 km²) and broke through to the state border of the RoC and enabled the army of Bosnia and Herzegovina to break the Serb’s siege of Bihać. This prevented another humanitarian disaster in Bosnia and Herzegovina and a massacre such as the one in Srebrenica, when in July 1995 members of Serb units killed more than 8000 Bošnjaks (Muslims). Only the territory in the east of Croatia remained under Serb occupation, known as the UN sector East, which included Baranja and part of eastern Slavonia and western Sirmium (about 4.5 % of the total territory of the Republic of Croatia).

Along with the liberation of its own territory, Croatia also made a significant contribution to the liberation of parts of the occupied territory of Bosnia and Herzegovina. So, on the basis of an agreement by the presidents of the RoC and B&H (the Split Declaration of 22nd July 1995) at the end of July 1995, in coordination with the army of B&H, Croatian forces (the Croatian army and the Croatian Defense Council), liberated about 1600 km² (operation Summer 95), in September about 2500 km² (Operation Maestral) and in October 1995 about 800 km² (Operation Southern Move) territory in south-western and western parts of B&H which were occupied by Serb units. This made the signing of the Dayton Agreement possible in November 1995, that is, the end of the war in Croatia and Bosnia and Herzegovina, which began with the aggression by the JNA and Serb paramilitary units in 1991.

That is to say, even seeing the disastrous nature of their policies so far and the decisiveness of the Croats to liberate all the occupied parts of their state by military means, it was not until after “Storm” and the defeat of the army of the Republika Srpska in B&H that the leadership of the rebel Serbs in the remaining parts of the occupied territory of the RoC agreed to the proposals offered and a peaceful resolution of the conflict. So on Sunday 12th November 1995 representatives of the rebel Serbs from Eastern Slavonia, Baranja and western Sirmium signed the “Fundamental Agreement on Peaceful Reintegration of that Area into the constitutional legal order of the Republic of Croatia” in Erdut. On the same day the agreement was signed in the presidential palace in Zagreb by the representative of the Government of the RoC, Hrvoje Šarinić.¹²

This Erdut Agreement, which due to a large number of concessions to the rebel Serbs aroused the dissatisfaction of the Croats displaced from that area, confirmed the consistency of Croatia’s policy of endeavoring, even with painful compromises, to resolve problems with rebel Serbs by negotiations and peaceful means. The agreement on the peaceful reintegration of Eastern Slavonia, Baranja and western Sirmium into the Republic of Croatia was also ratified on 23rd November 1995 by the UN Security Council (Resolution 1023). The period of the peace-keeping operations for which the Security Council (Resolution 1037, of 15th January 1996) founded a special “Transitional Administration for Eastern Slavonia” or UNTAES, came to an end on 15th January 1998 when the Croatian Danube basin (Podunavlje) – that is Eastern Slavonia, Baranja and Western Sirmium – was finally returned to the rule of the Republic of Croatia. Thereby the Croatian authorities, if we overlook disputes with neighboring countries over some border issues, established complete control over the internationally recognized borders of the Republic of Croatia.

¹² Hrvoje Šarinić, *Svi moji tajni pregovori sa Slobodanom Miloševićem 1993-95* (All my secret talks with Slobodan Milošević) (98), Zagreb, 1999, p. 311.