

CAA POLICY POSITION SUMMARY 2005

Washington, D.C.

CONFIRM JOHN BOLTON AS U.S. AMBASSADOR TO THE UN

- The Croatian American Association supports the confirmation of John Bolton as a major step toward reform of the UN system to include accountability and better effectiveness in dealing with future conflicts.

NATO MEMBERSHIP FOR CROATIA

- The Croatian American Association believes that the Government of Croatia should move as quickly as possible to remove the Article 98 barrier to NATO membership.

LOCAL JURISDICTION FOR WAR CRIMES CASES AS PART OF UNITED NATIONS REFORM

- The Croatian American Association supports the conclusion of the report of the International Commission on the Balkans titled “The Balkans in Europe’s Future,” which states that the International Criminal Tribunal for the former Yugoslavia (ICTY) should move away from its “focus on specific individuals”...and allow domestic judicial systems to deal with war crimes.

MINORITY RESETTLEMENT IN BOSNIA-HERZEGOVINA

- The Croatian American Association urges members of the Senate Foreign Relations Committee and the House International Relations Committee to help secure funding for minority resettlement in Bosnia-Herzegovina.

REVOKE BONN POWERS OF UN HIGH REPRESENTATIVE IN BOSNIA-HERZEGOVINA

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The Croatian American Association supports the confirmation of John Bolton as a major step toward reform of the UN system to include accountability and better effectiveness in dealing with future conflicts.

The Croatian American Association believes that the inherent incompetence of the UN during operations in Croatia and Bosnia-Herzegovina resulted in the suffering, death and displacement of many thousands of innocent people and prolonged one of the most brutal episodes of the century.

For the past 15 years, the Croatian American Association has been a non-partisan organization working for the preservation of Croatian culture and the fair treatment of Croats worldwide. During that time, our members have closely observed the operations of the United Nations during the disintegration of Yugoslavia and its aftermath. Not only did the UN fail to stop yet genocide in Bosnia-Herzegovina, it has done everything possible to preserve the territorial gains of murderers presently congregated under the flag of the so-called Republika Srpska. The UN record in disintegrating Yugoslavia is not the exception, but the rule. We need to look no further than today's news about the Sudan to confirm that fact.

NATO MEMBERSHIP FOR CROATIA

The Croatian American Association believes that the Government of Croatia should move as quickly as possible to remove the Article 98 barrier to NATO membership.

It is the position of Croatian American Association that neither American nor Croatian patriots should be subjected to the demonstrated political capriciousness of the International Courts at The Hague.

The Croatian American Association was instrumental in the first effort to support an independent Croatia in the steps to NATO membership. We were behind Croatia's membership in the Partnership for Peace program, and we continue to view the NATO inclusion process as vital to long-term stability. The United States plays a central role in extending invitations to join NATO.

For the past three years, the primary impediment to Croatia's candidacy for NATO membership has been its failure to fulfill promises to sign the bilateral Article 98 treaty with the United States. That agreement provides that Croatia would not transfer to the International Criminal Court any U.S. former or current government officials, military or other personnel.

LOCAL JURISDICTION FOR WAR CRIMES CASES **AS PART OF UNITED NATIONS REFORM**

The Croatian American Association supports the conclusion of the report of the International Commission on the Balkans titled “The Balkans in Europe’s Future,” which states that the International Criminal Tribunal for the former Yugoslavia (ICTY) should move away from its “focus on specific individuals”...and allow domestic judicial systems to deal with war crimes.

At the present time, the State Department is emphasizing local jurisdiction for all new war crimes trials, including that of Saddam Hussein. The CAA believes that is good policy and supports U.S. insistence that the ICTY must, first, agree not to start any new trials, and, second, end the current proceedings by 2008 as suggested in UN Security Council Resolution 1503.

When the ICTY was formed in 1993, the judicial institutions of both Croatia and Bosnia had been badly damaged by war, and those left intact were attenuated by their communist origins. The ICTY was intended by its designers to bring badly needed justice to a region that, without assistance, could not by itself provide justice to its citizens. Unfortunately, the United Nations is a highly politicized organization, and the court that it established to sort out war crimes in ex-Yugoslavia quickly became a reflection of UN special interests, rather than a dispenser of justice.

Like the UN, the ICTY is not what the United States defines as a legal body. It is, rather, a political body whose decisions and views are colored by notion of moral equivalency, the idea that good and evil do not exist as absolutes, but are evaluations one must make within a larger context of circumstances, ideologies, and different religious and political beliefs. Moral equivalency precludes clear judgments regarding guilt or innocence: there are no benchmarks offered by this viewpoint that allow one to separate attacker from defender, or aggressor from victim.

When Pol Pot murdered millions, the UN refused to characterize the slaughter as genocide, because UN does not define the mass murder of *political* opponents as genocide, something the current Secretary-General recently noted in Madrid during an event commemorating the one-year anniversary of the Madrid bombing. At that event, for the first time, Kofi Annan called on governments to arrive at a clear and common definition of terrorism, and noted that caveats used by States in the past to excuse terrorist actions via political rationales had seriously undermined the moral credibility of the UN.”

No moral equivalency in wars of aggression against Croatia and Bosnia-Herzegovina

When the ICTY began trials, the politically correct doctrine of moral equivalency demanded that a good number of Croats and Muslims needed to be put in the dock along with the Serbs. Otherwise, there was a danger that history might validate reports submitted by the Central Intelligence Agency (CIA) that indicated approximately 90 percent, or more, of the war crimes in disintegrating Yugoslavia were being perpetrated by Serbs. (Some politically improper historian might also point out that the Serbs were supported by most of the Great Powers until late 1995.)

During the war in the former Yugoslavia, when the Serbs initiated a massive campaign of what they called “ethnic cleansing” in Yugoslavia, the UN was unable to assign blame or guilt to either side, since different Member States with different alliances were able to sustain the argument that Catholic Croats in Croatia, and Croats and Muslims in Bosnia should be classified as “political opponents,” a classification that precluded any clear moral judgment or claim that genocide was being committed.

As a result, it was necessary for UN prosecutors to identify a respectable number of Croats and Muslims in the attempt to offer them up as the moral equivalent of a group which included Slobodan Milosevic, Vojislav Seselj, Ratko Mladic and Radovan Karadzic. General opinion held that these four were the individuals most likely responsible for 90 percent of the deaths charged to the Serbs (roughly 300,000 civilians). The dilemma, clearly, lay in locating individual Croats or Muslim with comparable records. The best the UN prosecutors could do was to point the finger at the Croat General, Ante Gotovina.

So now, according to the UN, the actions of Ante Gotovina, who is charged with command responsibility in the deaths of as many as 150 people, have been deemed morally equivalent to the actions of four Serbs who initiated 90 percent of the mass murder, rape and torture in the former Yugoslavia. The UN portrays Gotovina as a criminal counterpart to Mladic and Karadzic, a political device whose sole aim is to placate Member States and other stakeholders determined to prevent the assignation of blame to Serbia, a nation with which they still retain strong political, economic, and military links.

MINORITY RESETTLEMENT IN BOSNIA-HERZEGOVINA

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According to figures released by the Bishop of Banja Luka and the Franciscans in Sarajevo, out of the 220,000 Catholics who fled what is now known as the Republika Srpska, only 15,000 have returned. According to former U.S. Ambassador to Bosnia-Herzegovina, Clifford Bond, \$13 million administered by the U.S. Embassy would go a long way in solving this unresolved displaced minority issue.

The return of displaced Serbs and Muslims have been mostly successful. However, both the UN and the EU have failed to solve the problem of minority displacement in Republika Srpska.

The Croatian American Association supports the new report issued in March by the Global IDP Project of the Norwegian Refugee Council (see attached), which finds that in Bosnia-Herzegovina the “remaining displaced persons are among the most vulnerable in the country and their return requires particular support and assistance.”

According to the United Nations Development Program (UNDP), which has been heavily involved in refugee resettlement in BiH, the biggest problem remaining is that of returning minority Croats to the Posavina region of the Republika Srpska in Bosnia-Herzegovina.

The only institution capable of both overcoming Serbian impediments and honestly overseeing spending is the U.S. Embassy in Sarajevo. As Ambassador Bond told International Relations Committee staffers, “It’s the right thing to do.”

Prior to the 1991-1995 war, the population of the Posavina region was about 40 percent Serb, 39 percent Croat, 12 percent Muslim and 9 percent other, according to the UN. After the Yugoslav Army and its paramilitary forces “ethnically cleansed” the area and destroyed most of the non-Serb villages, the demographics changed significantly. After the war, the population in that area was determined to be 97 percent Serb, one percent Croat, and 2 percent Muslim. According to statistics collected by the Catholic Church, those numbers remain about the same to this day.

REVOKE BONN POWERS OF UN HIGH REPRESENTATIVE IN BOSNIA-HERZEGOVINA

The Croatian American Association is asking Congress and the State Department to follow the recommendations of the International Commission on the Balkans report, and start the process leading to Paddy Ashdown's removal.

The report published in late April by the International Commission on the Balkans titled "The Balkans in Europe's Future" (attached) notes that High Representative Paddy Ashdown and his predecessors have been allowed by the Bonn Powers to "dabble in social engineering but are not held accountable when their policies go wrong." The report states without equivocation that democracy in Bosnia-Herzegovina has been stifled by Ashdown's "Stalinist methods." Since the Clinton Administration played a central role in creating the current chaos in Bosnia-Herzegovina.

Not long after Ashdown summarily removed Dragan Covic, the strongest and most respected member of the elected Bosnian Presidency, the Council of Europe's Venice Commission issued an Opinion highly critical of the Bonn Powers and called for an end to Ashdown's "coercive authority."

Ashdown, who told the press that Covic had been "a good President," fired him to "spare Bosnia-Herzegovina embarrassment" after the Croat Member of the Presidency had been accused of being involved in corruption five years ago. The indictment against Covic is based on hearsay testimony by a "secret witness," and by an unsuccessful political opponent whose campaign had been waged via the support of Ashdown, the National Democratic Institute, and other international interests.

For the past five years, it has been the position of the Croatian American Association that the time has come to end the oppressive powers given to the UN High Representative for Bosnia-Herzegovina in December 1997 under the terms of the Bonn Peace Implementation Council meeting. Both High Representative Wolfgang Petrich and his successor Paddy Ashdown, who have operated on the premise that they are charged with rebuilding Bosnia-Herzegovina, have seriously weakened the popularly elected government there, as well as its civilian institutions.

U.S. GOVERNMENT OFFICIAL
INACCURATELY DISPARAGES CROATIA

The Croatian American Association calls on Ambassador Warren Miller to retract his statement made in February 2005 in the White House that Croatia perpetrated state-sanctioned genocide twice in the twentieth century.

Croatian Americans are deeply concerned that Ambassador Miller's remarks have distorted the historical truth and as such are an affront to the memory of victims.

Croatia did not perpetrate state-sanctioned genocide during its 1991-1995 war of independence, unlike Serbia and the Bosnian Serbs.

Furthermore, it would serve Ambassador Miller and America better to look at independent research among Croatian, Serbian and other scholars, including the U.S. Holocaust Memorial Museum, as events occurring during World War II, which include inflated reference to "hundreds of thousands" of victims at Jasenovac concentration camp in Croatia.

According to two independent researchers, one a Croat (Vladimir Zerjavic) and the other a Serb (Bogoljub Kocovic), the number of victims at Jasenovac does not exceed 83,000. The Holocaust Museum in Washington, D.C. officially sites the following on its website:

"The Ustasha authorities established numerous concentration camps in Croatia between 1941 and 1945. These camps were used to isolate and murder Serbs, Jews, Roma, Muslims, and other non-Catholic minorities, as well as Croatian political and religious opponents of the regime. The largest of these centers was the Jasenovac complex, a string of five camps on the bank of the Sava River, about 60 miles (97 kilometers) south of Zagreb. Although further research may yield more exact figures, current estimates place the number of victims murdered by the Ustasha in Jasenovac during World War II between 56,000 and 97,000."
(www.ushmm.org/museum/exhibit/online/jasenovac/)