



**Preliminary results of the research of content broadcasted in the central news and current affairs programme of the public television – „Dnevnik“ in the period between 15 and 30 April 2011, following the judgements delivered against Generals Gotovina, Markač and Čermak**

Prepared by:

Eugen Jakovčić and Suzana Kunac

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## 1. Introduction

The action<sup>1</sup> research of the content broadcasted in central news and current affairs programme „Dnevnik“ on the public television in the period between 15 and 30 April 2011, following the judgements delivered against the generals, was carried out using the content analysis method.

The content analysis is a "method for classifying and quantifying different verbal and non-verbal messages in the broadest sense of the word, according to their content- and formal characteristics, in compliance with upfront determined general rules" (Zvonarević, 1981:148). By using a systematic and objective study of verbal, written and visual information, we may learn a lot about communication features, senders and receivers" (Fanuko, 1992:14). According to Berelson, „content analysis is a research technique for the objective, systematic, and quantitative description of manifested (and latent) content of communication. Content of the analysis may be words, images, music, movement... or some other message expressed using other usual symbols" (Plačko, 1990:23).

Each content analysis must respect certain basic epistemological criteria. As already mentioned, this study does not aspire to satisfy all scientific criteria, thus the empiric material obtained will not play a role in generating a theory, nor will it represent a possibility of generalizing the results. However, for having an objective analysis and for collected data to be suitable for measurement and quantification, we created an analytical matrix for content analysis.

„That matrix mostly contains two groups of criteria: what was said (what was the communication about, whether an attitude was positive or negative, on the basis of which standards such an attitude was adopted, which values were advocated, on whose behalf that was done, the source of communication, the objective of communication etc.) and how it was said (communication form – literature, news, television etc., grammatical and syntactic form, emotional charge, rhetorical or advertising character etc.)" (Fanuko, 1992:15).

In case of studying the content of central news and current affairs programme broadcasted on public television, the focus was on the content itself, while we did not study in detail the features of message senders and/or receivers.

A content analysis segment was determined as a thematic unit within central news and current affairs programmes which contains a logical sequence of meanings, regardless whether different forms of television expression are contained within one thematic unit.

A content segment was defined as a statement of message carriers about four key topics: the judgement; Generals Gotovina, Markač and Čermak; the Military-Police operation 'Storm' (hereinafter: the VRA 'Storm'); and the victims.

During the analysis, we focused more on verbal elements of messages rather than on visual dimension of television journalism, meaning that, we did not study the latent, but only the manifested meanings of the messages.

The fragments of quantitative analysis were as follows: total duration of „Dnevnik“ and total duration of thematic units related to the judgement delivered against the generals per „Dnevnik“, while the substantial fragments of the analysis were message carriers and statements by message carriers per topic: the judgement, the generals, the VRA 'Storm',

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<sup>1</sup> Although the research was carried out using the content analysis method as a method which is frequently used in social sciences, we do not deem that the material before you has a scientific character. This is an action research because its main intention was to monitor the content broadcast by the public television to the largest number of citizens related to one socially relevant topic, in this case reporting on the judgement delivered against the generals as being an extremely important topic for dealing with the past.

victims.

A research sample was all central news and current affairs programmes broadcasted in the period between 15 and 30 April 2011, a total of sixteen editions of „Dnevnik“.

However, the analysis has demonstrated that the edition of „Dnevnik“ broadcasted on 25 April 2011 contained no coverage on the judgement against the Generals, thus the final total sample was fifteen central news and current affairs programmes.

**Research objectives were as follows:**

1. to determine quantitative features of the central news and current affairs programme in the period of two weeks following the judgement delivered against the generals in relation to the duration of judgement footage;
2. to determine who spoke the most about the judgement against the generals;
3. to determine to which extent the public television gave space to the victims of the VRA 'Storm', to which extent the descriptions of victims' sufferings were presented, to which extent documented footage illustrating the events was used, as well as whether forensic evidence substantiating the victims' testimonies was included;
4. to determine to which extent the public television adhered to professional standards and code of ethics of the public television itself, such as
  - information must be correct, true, objective, complete and timely;
  - information must be verified;
  - information must be balanced;
  - information must be understandable.

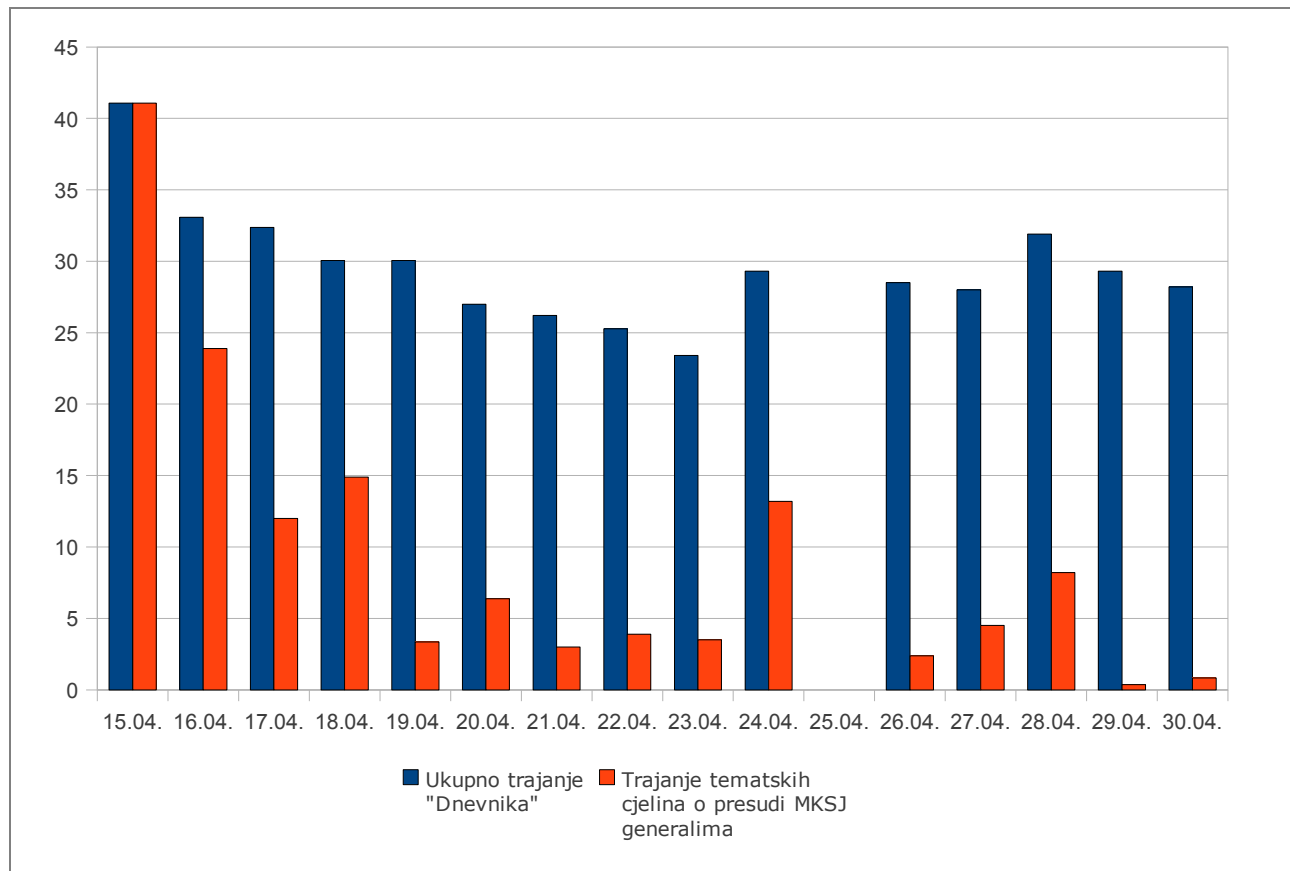
## 2. Preliminary results from researching the content of „Dnevnik“ editions broadcasted between 15 and 30 April 2011

### 2.1. Quantitative dimension

**Table 1:** Total duration of „Dnevnik“ editions and of thematic units related to the judgement against Generals Gotovina, Čermak and Markač during the analysed period

Dates of broadcast of Dnevnik	Total duration of Dnevnik	Duration of thematic units related to the ICTY judgement against the generals in each Dnevnik
15 April	41.07	41.07
16 April	33.08	23.9
17 April	32.36	12.0
18 April	30.05	14.0
19 April	30.05	3.36
20 April	27.0	6.38
21 April	26.2	3.0
22 April	25.28	3.9
23 April	23.4	3.5
24 April	29.3	13.2
25 April	-	-
26 April	28.5	2.38
27 April	28.0	4.51
28 April	31.9	8.2
29 April	29.3	0.36
30 April	28.2	0.83

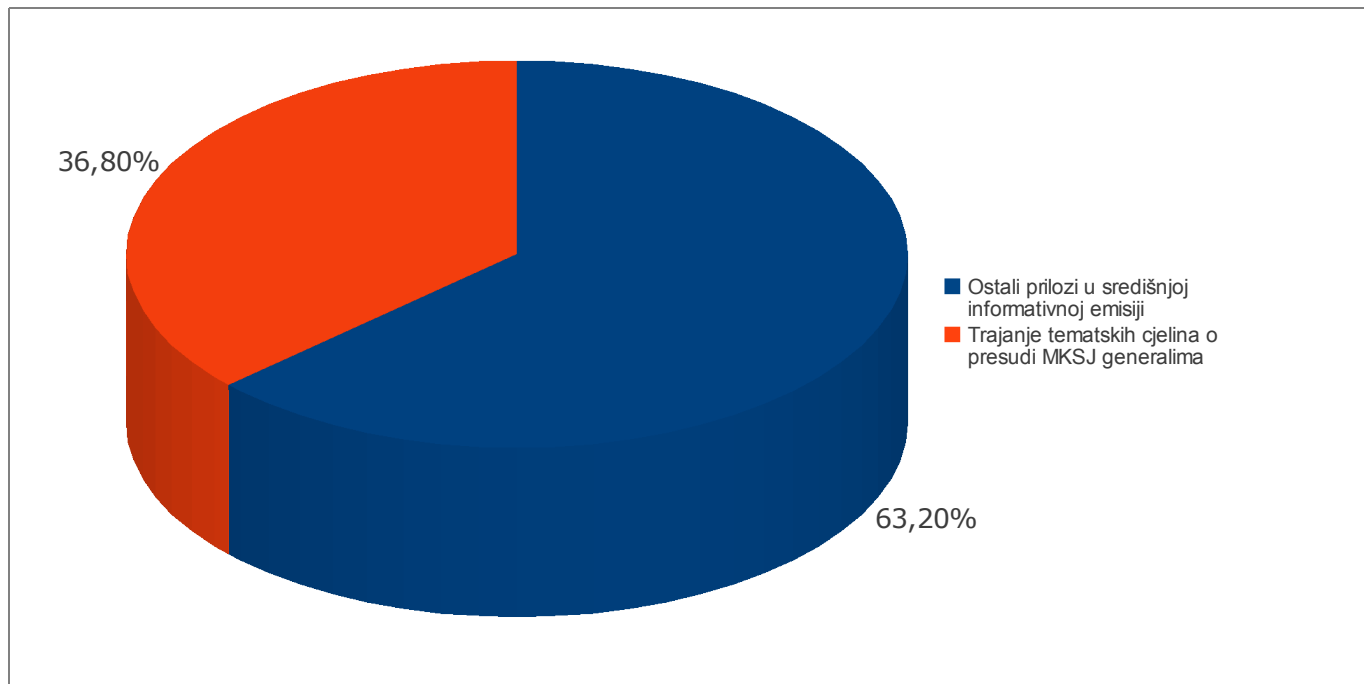
**Chart 1: Broadcast of thematic units related to the judgement in „Dnevnik“ editions according to dates**



Note: marked blue in the Chart: total duration of Dnevnik; marked red: Duration of thematic units related to the ICTY judgement against the generals in each Dnevnik

The central news and current affairs programme of 15 April was an absolute record holder, both according to total duration of „Dnevnik“ and according to the duration of thematic units related to the judgement against the generals. Namely, that „Dnevnik“ lasted for 41.07 minutes and it was entirely dedicated to the judgement against the generals. Likewise, it is evident from the quantitative analysis that editors-in-chief in four editions of „Dnevnik“ following the judgement (15, 16, 17 and 18 April) dedicated 64.1% of total duration of all thematic units to the judgement against the generals in all analysed editions of „Dnevnik“. Therefore, the number of thematic units related to the judgement against the generals, speaking in terms of minutes in the central news and current affairs programme, decreased after the first four days, until 24 April, when a large thematic unit on the judgement against the generals was in focus again. On that date, the topic of judgement against the generals received a total of 13.2 minutes of programme.

**Chart 2: Total duration of „Dnevnik“ editions and of thematic units on the judgement against the generals during the analysed period**



In the period between 15 and 30 April of this year, total duration of all „Dnevnik“ editions was 385.14 minutes, while the duration of thematic units on the judgement against the generals was 141.89 minutes. When the total duration of „Dnevnik“ editions is compared with the duration of thematic units on the judgement against the generals, it becomes evident that more than one third (36.8 %) of all content broadcasted in analysed „Dnevnik“ editions was dedicated precisely to that topic. This finding leads to the conclusion that our basic thesis, that this was a socially relevant topic, was justified because the editorial office of the public television provided significant amount of air time in the central news and current affairs programme during the analysed period precisely to the topic of judgement against the generals.

## 2.2. Qualitative dimension

**Table 2: Message carriers in „Dnevnik“ broadcasted on 15 April**

1. Citizens	17
2. Journalists	16
3. Defenders/defenders' associations	7
4. Experts/analysts	6
5. Politicians from the ruling coalition	5
6. Generals' lawyers	4
7. Politicians from the opposition	3
8. Top ranking military personnel	3

9. Other civil society organisations	2
10. Victims	2
11. EU representatives	2
12. Judge Alphons Orié	2
13. Other message carriers (high ranking church officials, Franjo Tuđman, former President of the Republic of Croatia, Jadranka Kosor, Prime Minister of the Government of the RH, Ivo Josipović, President of the Republic of Croatia, Boris Tadić, President of the Republic of Serbia, Bruno Vekarić, Spokesperson of the Office of the War Crimes Prosecutor of the Republic of Serbia, General Ivan Čermak, Marijana Čermak, wife of General Ivan Čermak)	1

**Table 3: Message carriers in „Dnevnik“ editions broadcastd between 15 and 30 April 2011**

1. Citizens	30
2. Experts/analysts/commentators/journalists – 5; political scientists/sociologists/philosophers – 5; historians – 6; lawyers/legal experts - 11	27
3. HRT journalists <sup>2</sup> Sandra Križanec, Ilija Jandrić, Branimir Farkaš, Elizabeta Gojan, Lamija Alečković, Katarina Periša Čakarun, Edi Škovrlj, Majda Mikulandra, Martina Kiseljak, Eugen Husak, Tatjana Munižaba, Anka Bilić Keserović, Marija Stanić, Željko Korpar, Ivana Dragičević Veličković, Ivica Đuzel, Branka Brekaló, Goran Brozović, Darko Šokota, Zoran Šprajc, Petar Štefanić, Ivan Jabuka, Miro Aščić, Branka Slavica, Marina Radić, Stella Kolar Borovčak	26
4. Defenders/representatives of defenders' associations	18
5. Jadranka Kosor, Prime Minister of the Government of the RH	8
6. Generals' lawyers	7
7. Politicians from the opposition (Boro Grubišić HDSSB, Radimir Čačić HNS, Zoran Milanović SDP, Vesna Pusić HNS, Damir Kajin IDS)	7
8. Representatives of the EU and of the international community	6
9. Retired generals, former brigadiers, former commanders of HV units ...	6
10. Former ministers (Ivan Vekić, Vesna Škare Ožbolt, Ivan Jarnjak, Milan Kovač)	6

<sup>2</sup> Here we stated the number of all different journalists and editors-in-chief who appeared as message carriers on the judgement against the generals. However, their total number as carriers of individual statements/messages is far bigger because a journalist or an editor-in-chief appears between 5-8 times in a single edition of "Dnevnik", so that journalists and editors-in-chief comprise a group that appears as dominant message carrier.

But, since this finding was logical and expected because we are dealing with central news and current affairs programmes of the public television whose content is produced precisely by journalists, we were more interested which is the next group according to the frequency of appearances as message carriers on the judgement against the generals – rather than precise determination of a total number of appearances by each individual journalist or editor-in-chief as message carriers.



11. High ranking church officials	6
12. Ivo Josipović, President of the Republic of Croatia	6
13. Representatives of civil society organisations	5
14. Friends and fellow-soldiers of General Ante Gotovina	5
15. Politicians from the ruling coalition: Luka Bebić HDZ, Andrija Hebrang HDZ, Josip Friščić HSS	4
16. Victims and victims' associations (Zoran Požar, refugee from Petrinja; Mirjana Grujić, refugee from Daruvar, Dragan Pjevač, Deputy President of the Association of Families Suza)	3
17. Ministers of the Government of the RH (Gordan Jandroković, Radovan Fuchs, Tomislav Karamarko)	3
18. Stjepan Mesić, former President of the RH	3
19. Franjo Tuđman, former President of the RH	2
20. Advisers, envoys of the Prime Minister of the Government of the RH	2
21. Head of Pakoštane municipality - Milivoj Kurtov	2
22. Judge Alphons Orié, ICTY	2
23. Other message carriers (Marijana Čermak, wife of General Ivan Čermak; Đuro Perica, President of the Club of HDZ founders; Boris Tadić, President of the Republic of Serbia; Bruno Vekarić, Spokesperson of the Office of the War Crimes Prosecutor of the Republic of Serbia; Željko Kerum, Mayor of Split; Duško Mucalo, Theater Manager of the Split HNK; Jasen Boko, theatre critic; brigadier Dubravko Halovanović, Homeland War Museum in Turanj; Pero Kovačević, former HSP Member of Parliament; Božo Šuš, DPS councillor from Kistanje; Davorka Radalj, State Attorney's Office of the RH, Serge Brammertz, ICTY Chief Prosecutor; General Ivan Čermak) <sup>3</sup>	13

According to the analysis of carriers of message content, the most frequent group (after journalists) are citizens, the so-called *vox populi*, whom the journalists and editors-in-chief of the central news and current affairs programme should not use at all in news and current affairs programmes according to Article 60 of the Code of Ethics of the public television.

Namely, Article 60 reads: „the so-called 'street surveys' or recorded statements of randomly selected persons may be used in programmes only as illustration of a variety of attitudes that exist in general public regarding certain topic. Therefore, such surveys must present typical representatives who display the entire range or nuances of attitudes and must under no circumstances suggest that this is an attitude or an overwhelming opinion of the general public“, and this is precisely what public television did with their street surveys. After the journalists themselves, citizens were more prominently featured than the experts, lawyers, politicians, political scientists or sociologists. *Vox populi*, instead of illustrating different attitudes among the general public, served as an almost uniformed attitude, whereby hate speech could also be heard.

For example, in „Dnevnik“ broadcast on 15 April, interviewed citizens of Pakoštane stated: "What did we fight for, for them (a voice from behind: "they should all be expelled, even

<sup>3</sup> All of those contained in the category „Other message carriers“ appeared only once in central news and current affairs programmes during the analysed period.

more")<sup>4</sup> and they are protected as a "bear in Lika". We are not allowed to say a word, and look what they are doing to our people".

The following quotes, also from „Dnevnik“ broadcasted on 15 April, show that citizens' attitudes presented in the central news and current affairs programme were pretty unified and could not serve the acceptable function of illustrating a variety of attitudes as the beginning of conversation about a certain topic, in this case the topic on the judgement against the Generals:

<b>"Dnevnik", 15 April</b>	
Interviewed citizen, Pakoštane	"This is unjust, this cannot be happening."
Interviewed citizen, Pakoštane	"Of course I am shocked, it could not have been worse .... "
Interviewed citizen, Knin	"Our generals victoriously entered this fortress, so tomorrow they should victoriously leave The Hague and we will happily meet them here"
Interviewed citizen, Knin	"I can only send a message to all our generals that Knin is with them, I hope they know this (these words are spoken with a large spasm, on the brink of tears)"
Interviewed citizen, Zadar	"I would never give Ante Gotovina for any Europe (the interviewee is on the brink of tears, he weeps as he speaks the name of Ante Gotovina, author's remark) ...."
Interviewed citizen, Zadar	"The complete Government should be relieved of duty because they did not do anything.... "
Interviewed female citizen, Đurđevac	"As far as Mladen is concerned, this is a man who wouldn't hurt a fly". (she refers to Mladen Markač, author's remark)
Interviewed citizen, Đurđevac	"This is a terrible shame for Croatia which defended itself. "
Interviewed citizen, Krapinske toplice in the vicinity of Čermak estate/castle	"It makes a man cry, what else can he do ... those who gave all for their homeland are in prison, and those who were stealing are still walking free ... "
Two interviewed female citizens of Vukovar	<p style="text-align: center;"><b>The first one:</b> "I am so disappointed. "</p> <p style="text-align: center;"><b>The second one:</b> "Hey, what was the judgement? "</p> <p style="text-align: center;"><b>Prva:</b> "24 years. "</p>

<sup>4</sup>The statement "They should all be expelled, even more " in the context of what was stated most probably pertains to Croatian citizens, members of Serb national minority (author's remark), whereby that statement could be characterized as hate speech and could be seriously sanctioned according to the Code of Ethics of the public television. Hate speech is defined as "verbal expression of aggressivity towards minority social groups. That is each «kind of speech that spreads, incites or justifies national and racial non-tolerance, xenophobia, anti-semitism, religious and other forms of hatred based on non-tolerance." (Malović and others, 2007:6, according to Vilović, 2011:68).

	<p><b>Druga:</b> "Oh my God ... (curse) ..... "</p> <p><b>Prva:</b> "Markač received 18 years. "</p>
Interviewed female citizen on bana Josipa Jelačića Square, protest rally, Zagreb	"You know, more than two decades ago my husband gave his life for this homeland. 20 years have passed and I am still weeping, weeping for my husband, for Gotovina and for my Croatia."
Interviewed female citizen on bana Josipa Jelačića Square, protest rally, Zagreb	"Croatian Government did not do enough, I think they did not.... "
Interviewed citizen on bana Josipa Jelačića Square, protest rally, Zagreb	"This is, this is... God forbid, don't let this happen to anyone, but we were not ... we were attacked ... "
Interviewed citizen on bana Josipa Jelačića Square, protest rally, Zagreb	<p>"How to comment on this, you are just as much defeated as I am" (he addresses the journalist, author's remark).</p> <p>(The footage portrays the mass shouting: "U boj, u boj za narod svoj!" – To war, to war for our people! – translator's remark )</p>

To conclude: the only interviewed persons with almost opposite attitude from consternation, shock and disbelief expressed by Croatian citizens were three citizens interviewed in Belgrade. Citizens from Belgrade stated: "I am surprised that Čermak was acquitted of charges, I did not know this"; "He got what he deserved, I agree with the judgement", while the third citizen had a stereotypical attitude of equalising guilt among the war parties and said: "I think all sides are equally to blame for what had happened on the territory of the former Yugoslavia". Such a polarised approach, where citizens of Croatia express full dissatisfaction with the severity of judgement rendered to Generals Gotovina and Markač while citizens of Serbia deem such judgement to be absolutely appropriate and resented the acquitting judgement to General Čermak, definitely did not contribute to the expression of pluralistic opinions, but only to creation of radically different attitudes along the same dimension.

The examples we have presented above pertain only to the edition of „Dnevnik“ broadcasted on 15 April, but the fact remains that street surveys and citizens' attitudes were also featured in other thematic units related to the judgement against the generals during the analysed period – it was precisely *vox populi* which was, according to presented data, the most dominant group after the journalists (a total of 30 citizens appeared as message carriers in 15 editions of „Dnevnik“) appearing as a message carrier in all analysed editions of „Dnevnik“.

It is important to stress that ICTY representatives appeared only three times in all 15 analysed „Dnevnik“ editions: President of the Trial Chamber Alphons Orié appeared two times, while Serge Brammertz, ICTY Chief Prosecutor, appeared only once, meaning that the key stakeholders spoke very rarely. There is no single statement issued by the ICTY spokeswoman which is an indication of (non)objective informing of citizens about the judgement.

### **2.3. Victims of the VRA 'Storm' as message carriers**

The victims were once again invisible and inaudible, those citizens who suffered the most, whose family members were either killed or disappeared during and after the VRA 'Storm'. Namely, in all 15 analysed central news and current affairs programmes of the public television, victims' families and victims appeared only three times as message carriers. Due to the brevity and conciseness of these statements, we will here present victims' statements from „Dnevnik“ edition broadcasted on 15 April in their entirety:

#### **Zoran Požar, refugee from Petrinja, provided a statement from a refugee camp in Belgrade (Dnevnik, 15 April):**

"Fear, fear not only of dying, perhaps least of all fear of dying, fear of torture. "

#### **Mirjana Grujić, refugee from Daruvar, provided a statement from a refugee camp in Belgrade (Dnevnik, 15 April):**

"Whatever it is, it is insufficient (the judgement). My father was killed .. and nothing can bring him back ... "

#### **Zoran Požar:**

"I don't have that satisfaction ....to live long enough to see them serving prison sentences until the end of their lives or to have them released. "

Central news and current affairs programmes completely omitted and unprofessionally disregarded victims' testimonies provided during the two-year trial in The Hague, the description of their suffering, documented footage which illustrates that suffering, as well as evidence that substantiates their testimonies. Thus, interested general public remained deprived of an objective picture of suffering of Croatian citizens, in most cases members of Serb national minority during and after the VRA 'Storm', which rendered impossible a more complete and objective understanding of the judgement delivered against Generals Gotovina and Markač.

Likewise, the public television, sporadically but in a very biased manner, reported from the court proceedings against Croatian generals in The Hague and very often featured the announcements of acquitting judgements. By doing so, the public television contributed to the escalation of an attitude, obviously deeply rooted among the majority of the Croatian society, about denying/justifying crimes committed by „our side“ against Croatian citizens, members of Serb national minority, during and after the VRA 'Storm'.

So far we have attempted to answer the three objectives set forth in this research: to demonstrate quantitative features of the central news and current affairs programme in the period covering two weeks after the judgement delivered to the generals in relation to the duration of footage about the judgement; we answered the question who spoke the most about the judgement against the generals and we also demonstrated to which extent the public television gave space to the victims of the VRA 'Storm'.

It is still necessary to answer to which extent the public television adhered to professional standards and ethical principles of the public television itself, such as that the information must be correct, true, objective, complete and timely, verified, balanced etc.

In this final segment of the summary of preliminary results of researching the content of central news and current affairs programmes on the public television, we will single out statements by message carriers (in most cases public television journalists) who presented incorrect, biased and/or non-verified information. These statements have not been

quantified for the purposes of this summary<sup>5</sup>. In the following segment, apart from mentioning such statements from the central news and current affairs programme, we will also mention more correct and objective information related to the aforementioned statements, according to our findings.

## **2.4. Examples of imprecise, incorrect, non-objective statements from Dnevnik editions during the analysed period with corrections.**

### **Example 1**

**"Dnevnik" of 15 April 2011 / Sandra Križanec, host and editor-in-chief;**

"A joint criminal enterprise is behind the 'Storm' action".

#### **Correction:**

*„A joint criminal enterprise does not represent the responsibility of the state, but a special form of individual criminal responsibility. A decision by the state's top political and military leaders to ethnically cleanse the area of the so-called Republic of Srpska Krajina from Serb population was proclaimed a joint criminal enterprise, but not the legitimate decision of the Croatian authorities to use military force to crush rebellion of the Serb population in the so-called RSK and regain control over its territory. Already in his closing speech at the end of the two-year trial, The Hague Prosecutor Alan Tieger stressed that: "Croatia's decision to conduct military operation to overtake Krajina is not disputable. No one here claims that Croatia had a plan or a policy to expel anyone. That was the plan of the members of a joint criminal enterprise. It is absolutely indisputable that Croatian people suffered a great deal because of the horrible crimes committed by Serb forces. But, there is no contradiction between the victimisation and the plan to expel Serbs. Those two issues exist parallelly in that tragic circle of victimisation...." (Center for Peace, Non-violence and Human Rights Osijek, 2011:9)*

### **Example 2**

**"Dnevnik" of 15 April 2011 / Branimir Farkaš, HTV journalist**

Branimir Farkaš: "...Judge Orie points out in the explanation of the judgement that it is a fact that the 'Storm' operation was carried out under the circumstances of a long war on the territory of the region and serious suffering by Croatian civilians, but this was not within the merits of this case ...." Alphons Orie, President of the Trial Chamber: "...This case does not concern the legality of the war and of the events that preceded it..." Branimir Farkaš: "...and the events that preceded it are occupation and destruction of Croatia and its towns, Vukovar, Dubrovnik, Zadar, Gospić, Karlovac and others **for which no one was found liable by virtue of command responsibility ...**"

#### **Correction:**

*The Hague Tribunal sentenced, pursuant to command responsibility (Article 7(3) of the*

<sup>5</sup> Therefore, from the overview that follows we will not learn what was the percentage of incorrect, non-verified or biased information presented by journalists and other message carriers in relation to the total verbal content of messages within thematic units on the judgement against the generals. We will only state some key examples which the research team deems to be relevant for objective understanding of the judgement against the generals.

ICTY Statute) the following persons for the crimes committed in Croatia:

- Pavle Strugar (for the shelling of the historic Old Town of Dubrovnik to 7 years in prison, the first final judgement for the crimes committed on the territory of the RH);

Miodrag Jokić (pleaded guilty, received a final sentence in the duration of 7.5 years in prison also for the shelling of the historic Old Town of Dubrovnik).<sup>6</sup>

### Example 3

#### **"Dnevnik" of 15 April 2011 / Sandra Križanec, host and editor-in-chief;**

"Markač and Gotovina are guilty simply because they participated at the meeting on which the 'Storm' operation was planned and because of their importance in its implementation, without taking into account the circumstances due to which that military action was organised".

#### **Correction:**

*"The judgement states that General Gotovina, as Commander of the Split Military District (SMD) undoubtedly commanded all units which participated in the 'Storm' operation and which committed crimes against Serbs in the summer of 1995. His contribution to the joint criminal enterprise, according to the Trial Chamber, is reflected in the fact that he participated in the Brijuni meeting, during which the plan for the expulsion of Serbs from Krajina was designed. In the judgement, the Trial Chamber reminds, inter alia, of his order dated 2 August 1995 in which he requested from his subordinates that, when **opening artillery fire "entire towns should be treated as targets". According to the judgement, his contribution to realisation of the objectives of the joint criminal enterprise is also reflected in the fact that he failed to act to prevent murders and other crimes committed against Serb civilians, nor did he undertake measures to punish the perpetrators, which "had an impact on the general attitude towards crimes" in the liberated areas".***<sup>7</sup>

*"The judgement, by which General Markač was sentenced to 18 years in prison, states that his contribution to the joint criminal enterprise is reflected in the fact that he participated in the Brijuni meeting, during which the plan for the expulsion of Serbs from Krajina was designed, that he ordered non-selective artillery attack on the town of Gračac and that he failed to punish the perpetrators and prevent the crimes committed by members of Special Police forces in Gračac, Donji Lapac, Grubori and other villages in Krajina in which civilians were killed and their property was destroyed. Upon the completion of the 'Storm' operation, Special Police was tasked with several search actions. One of such search actions took part in Plavno valley at the end of August 1995, during which five elderly Serbs were murdered and several houses were burned in the village of Grubori for which, according to the findings of the Chamber, members of Croatian Special Forces were responsible. According to the judgement, instead of conducting an official investigation about this incident, Markač*

<sup>6</sup> Data collected by Jelena Đokić Jović, *Documenta* - Center for Dealing with the Past, by using data that can be found on the official web site of the ICTY's Office of the Prosecutor, <http://www.icty.org/sections/OICTY/Tuilatvo> (last visit on 27 July 2011).

<sup>7</sup> Sense Tribunal, Judgement against Croatian Generals - report "Gotovina's Contribution to the Joint Criminal Enterprise", 3 May 2011, [http://www.sense-agency.com/tribunal\\_%28ICTY%29/gotovinin-doprinos-udruzenom-zlocinackom-poduhvatu.25.html?cat\\_id=1&news\\_id=12746](http://www.sense-agency.com/tribunal_%28ICTY%29/gotovinin-doprinos-udruzenom-zlocinackom-poduhvatu.25.html?cat_id=1&news_id=12746) (last visit on 27 July 2011), official web site of the ICTY, Summary of the Judgement Gotovina et al. (IT-06-90) "Storm Operation", 15 April 2011. [http://www.icty.org/x/cases/gotovina/tjug/bcs/110415bcs\\_summary.pdf](http://www.icty.org/x/cases/gotovina/tjug/bcs/110415bcs_summary.pdf) (zadnja posjeta 27. srpnja 2011.)

"made up a false story" about conflicts with alleged Serb "terrorists" in order to cover up the crimes and sent a "false report" to the Head of HV Main Staff Zvonimir Červenko".<sup>8</sup>

#### **Example 4**

**"Dnevnik" of 15 April 2011 / Lamija Alečković, HTV journalist**

**Franjo Tuđman off (from the original sound recording of the Brijuni meeting);**

"Resolve, but how? That is the topic of our discussion today, to hit them so hard that Serbs would practically disappear, i.e. that those who will not be immediately hit must capitulate within the next several days ...."

**Lamija Alečković, HTV journalist;**

"...some legal experts are of the opinion that when he says Serbs, Tuđman actually means the army, while the Hague Tribunal interprets it that he meant all of Serbs... it is clear that the Tribunal adopted a standpoint that the departure of Serbs from Croatia was a clear intention of the political leadership.... "

#### **Correction:**

*„According to the Brijuni transcript, which was entered into court files as Prosecutor's evidence No. P461, President Tuđman defined the topic of the meeting with the following words: " To hit them so hard that Serbs would practically disappear, i.e. that those who will not be immediately hit must capitulate within the next several days". According to the Prosecutor, Tuđman was talking about "practical disappearance" not only of the Serb Army of Krajina but of Serb civilians as well, but the Trial Chamber dismissed that, pointing out that later in the discussion the Croatian President talked about "hitting them so hard from several directions that Serb forces will not be able to recover, but will have to capitulate". It clearly ensues, concluded the Chamber, that "practical disappearance" pertains mostly to Serb military forces and not to civilians".<sup>9</sup>*

#### **Example 5**

**"Dnevnik" of 16 April 2011 / Martina Kiseljak, HTV journalist**

"...No one was held liable for Karlovac, Zadar, Šibenik, Osijek, Slavonski Brod, Novska, Gospić. On 6 December 1991 Dubrovnik was attacked from sea, land and air. 2000 direct hits to the historic centre of the city, 19 killed civilians and defenders. And that was going on for months...."

<sup>8</sup>Sense Tribunal, Judgement against Croatian Generals - report "Markač's (non)actions during the Storm Operation", 6 May 2011, [http://www.sense-agency.com/tribunal\\_%28ICTY%29/markacevo-necinjenje-tokom-operacije-quotstormquot.25.html?cat\\_id=1&news\\_id=12761](http://www.sense-agency.com/tribunal_%28ICTY%29/markacevo-necinjenje-tokom-operacije-quotstormquot.25.html?cat_id=1&news_id=12761) (last visit on 27 July 2011), official web site of the ICTY, Summary of the Judgement Gotovina et al. (IT-06-90) "Storm Operation", 15 April 2011, [http://www.icty.org/x/cases/gotovina/tjug/bcs/110415bcs\\_summary.pdf](http://www.icty.org/x/cases/gotovina/tjug/bcs/110415bcs_summary.pdf) (last visit on 27 July 2011).

<sup>9</sup>Sense Tribunal, Judgement against Croatian Generals-report "Analysis of the Brijuni transcript", 18 April 2011, [http://www.sense-agency.com/tribunal\\_%28ICTY%29/analysisa-brionskog-transkripta.25.html?cat\\_id=1&news\\_id=12709](http://www.sense-agency.com/tribunal_%28ICTY%29/analysisa-brionskog-transkripta.25.html?cat_id=1&news_id=12709) (last visit on 27 July 2011).

### **Correction:**

*"Office of the Prosecutor of the International Criminal Tribunal for the former Yugoslavia (ICTY) issued indictments against 161 persons. We will single out some of the persons indicted and sentenced before the ICTY for the crimes committed during the war in Croatia between 1991 and 1995;*

*Momčilo Perišić (first-instance trial is ongoing); Jovica Stanišić (first-instance trial is ongoing); Franko Simatović (first-instance trial is ongoing); Vojislav Šešelj (first-instance trial is ongoing); Milan Babić (received a final judgement, deceased); Slavko Dokmanović (deceased); Miodrag Jokić (received a final judgement); Milan Martić (received a final judgement); Slobodan Milošević (deceased); Mile Mrkšić (received a final judgement); Miroslav Radić (received a final judgement); Veselin Šljivančanin (received a final judgement); Pavle Strugar (received a final judgement); Milan Zec (indictment was withdrawn); Vladimir Kovačević (indictment forwarded to Serbian judiciary)".<sup>10</sup>*

### **Example 6**

#### **"Dnevnik" of 17 April 2011 / Zoran Šprajc, editor-in-chief and host**

„As far as crimes committed during and after the 'Storm' action are concerned, particularly in the part pertaining to plunder, arson, rapes and murders, numbers do not support the conclusion expressed in the Hague judgement that those crimes were not prosecuted, i.e. that they were a part of the criminal enterprise which was designed by the state's top ranking officials. Namely, as we learned from the DORH (the State Attorney's Office of the RH), a total of 6,390 such crimes were reported, 4,128 crimes were prosecuted, while more than half of the cases were concluded with convicting judgements. That speaks contrary to certain politicians who stated these days that the judgement would have been different had we prosecuted crimes from the 'Storm' operation ourselves.“

### **Correction:**

***"Not a single person has been sentenced for war crimes committed during and after the 'Storm' operation yet",*** said Davorka Radalj, Adviser at the War Crimes Department of the DORH, adding that criminal investigations are ongoing in 24 war crimes for the killing of 156 persons. As she pointed out, the perpetrators are, for the time being, unidentified. According to her, murders of a total of 47 persons were recorded. Out of that number, 33 perpetrators were prosecuted for the killing of 21 persons, while 14 persons were sentenced. *„We do not claim that crimes did not occur“,* stated Deputy Chief State Attorney Jasmina Dolmagić, adding that there was not a single criminal report filed against members of the Croatian army or the MUP (the Ministry of the Interior) which remained non-prosecuted. The DORH is determined to investigate and prosecute all crimes regardless of national or ideological orientation of victims, she concluded. The DORH will, as she announced, consider the facts and data from the report issued by the HHO (Croatian Helsinki Committee) titled *"Military Operation Storm and beyond" from 2001*".<sup>11</sup>

<sup>10</sup>Data collected by Jelena Đokić Jović, *Documenta* - Center for Dealing with the Past, by using data that can be found on the official web site of the ICTY's Office of the Prosecutor, <http://www.icty.org/sections/OICTY/Tuilatvo> (last visit on 27 July 2011).

<sup>11</sup>*Documenta* - Center for Dealing with the Past, public discussion "Prosecution of war crimes in Croatia", 29 April 2011, [http://www.documenta.hr/documenta/index.php?option=com\\_content&view=article&id=390%3Aizvjeta-s-tribine-qprosecutedje-warih-zloina-u-Croatiaojq-29-April-2011&catid=35%3Adogadjanja&Itemid=38&lang=hr](http://www.documenta.hr/documenta/index.php?option=com_content&view=article&id=390%3Aizvjeta-s-tribine-qprosecutedje-warih-zloina-u-Croatiaojq-29-April-2011&catid=35%3Adogadjanja&Itemid=38&lang=hr) (last visit on 27 July 2011).



## Example 7

### Central "Dnevnik" of 18 April 2011 / Petar Štefanić, HTV journalist

"Prime Minister Jadranka Kosor in front of the Wall of Pain at Mirogoj cemetery with families of detained and missing persons. There used to be 18,000 unresolved destinies, while at this moment there are 1,013. Today they are bothered by the current Hague judgements."

#### Correction:

*"According to the official records of the Directorate for Detained and Missing Persons (records dated 1 October 2010), destiny of 1,859 missing persons is still unknown. Out of that number 1,024 persons were forcibly taken and went missing in 1991, while 835 persons are those who disappeared without a trace since 1995".<sup>12</sup>*

In the above segment we presented only some examples of superficial and unprofessional journalism, which sufficiently demonstrate the placing of very serious inaccuracies for understanding the judgement against Generals Gotovina and Markač, whereby they manipulate and delude general public. By doing so, we have answered yet another question – to which extent the public television adhered to professional standards when reporting about the judgement against the generals.

### 3. Instead of conclusion

During all analysed editions of „Dnevnik“ (we would particularly like to single out central news and current affairs programme broadcasted on 15 April 2011 - editor-in-chief Sandra Križanec), citizens did not receive the context of the judgement. During the marathon edition of „Dnevnik“ on 15 April in the duration of 41.07 minutes completely dedicated to the judgement against Generals Gotovina, Markač and Čermak, general public was not presented with the facts that speak of war events, victims and the course of trial in The Hague itself, which began on 11 March 2008 and ended in the first days of September 2010 when, during 303 working days, a total of 145 witnesses were heard. Citizens simply did not receive an answer as to why the generals were in The Hague in the first place and why the judgements were so severe.

Through the footage and comments in all fifteen analysed editions of „Dnevnik“ in the period between 15 and 30 April 2011, there was a complete mess regarding data from the DORH related to "reports, prosecuted cases and victims of war crimes and proceedings concerning criminal acts committed during and after the operation 'Storm'". What was missing was the key information, the fact that not a single person had so far been sentenced for a criminal act of war crimes committed during and after the operation 'Storm'.

Explanations that a joint criminal enterprise does not represent responsibility of the state, but a special form of individual criminal responsibility, that a decision by the state's top political and military leaders to ethnically cleanse the area of the so-called Republic of Srpska Krajina from Serb population was proclaimed a joint criminal enterprise, but not the

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<sup>12</sup>Ministry of the Family, Defenders and Intergenerational Solidarity, Directorate for Detained and Missing Persons, 1 October 2010, <http://www.mobms.hr/ministarstvo/uprava-za-zatocene-i-nestale.aspx> (last visit on 27 July 2011).

legitimate decision of the Croatian authorities to use military force to crush rebellion of the Serb population in the so-called RSK and regain control over its territory, did not receive media space in the analysed editions of „Dnevnik“ on the public television. On the contrary, statements of support and sympathy for the sentenced generals completely pushed back the need to inform the general public about the proportions of crimes committed (murders, inhumane treatment, plunder and wanton destruction of property) and the mass exodus of Serb population. There was an evident lack of sympathy and reverence towards the victims of committed crimes.

Having inspected all transcripts of central news and current affairs programmes and content analysis protocols for the period between 15 and 30 April 2011, it became evident which content was missing within the thematic units related to the judgement against the generals broadcasted on public television. Namely, there was a lack of serious analyses and presentation of facts for which we deem that the public television was obliged to present to the general public concerning the following complex parts of the judgement, such as: the Brijuni transcripts; Gotovina's contribution to a joint criminal enterprise; Markač's actions or a lack of actions during the operation 'Storm'; arguments by the Trial Chamber which led to Ivan Čermak being acquitted of charges. Likewise, there was a lack of analysis and answer to the question how the Trial Chamber reached a conclusion that artillery attacks on towns during the operation were carried out for the purpose of expulsion of civilian population as the Prosecutor's Office claimed, and not for the purpose of achieving military victory, which was the standpoint presented by the defense. "(Why, in spite of the order issued by Milan Martić's Government on the evacuation of civilian population dated 4 August 1995, the Trial Chamber reached a conclusion that Croatian Army and Special Police forces were responsible for the departure of Serbs during and after the operation 'Storm'....)".<sup>13</sup> Likewise, Croatian general public did not learn anything about Tuđman's attitudes concerning Croatian citizens, members of Serb national minority, which are important for understanding the joint criminal enterprise. For instance, at the meeting in Knin held on 26 August 1995, Franjo Tuđman said: "There will be no return to the old situation, meaning that in the heart of Croatia they will spread cancer which destroyed the Croatian national being and which did not allow the Croatian people to really be one's own men in one's own country. (...) They were gone in two or three days, they did not have time to collect their dirty money, foreign currencies, nor their underwear".<sup>14</sup>

Likewise, when addressing members of the Croatian Army on 5 August 1995, Tuđman talks about "the return to Knin, pure as it was at the age of Croatian King Zvonimir".<sup>15</sup> Due to the same reasons, it was equally important to inform citizens about discriminating laws adopted after the 'Storm' operation, when Croatian authorities tried to impose legal measures with the objective that abandoned Serb property at the liberated areas "is allocated to Croats, whereby real owners would be deprived of the right to their houses and estates"<sup>16</sup> which also affected the finding of the Trial Chamber about the existence of a joint criminal enterprise.

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<sup>13</sup>Sense Tribunal, Judgement against Croatian Generals - report „Deportation, not evacuation“, 29 April 2011, [http://www.sense-agency.com/tribunal\\_%28ICTY%29/deportacija-a-ne-evakuacija.25.html?cat\\_id=1&news\\_id=12737](http://www.sense-agency.com/tribunal_%28ICTY%29/deportacija-a-ne-evakuacija.25.html?cat_id=1&news_id=12737) (last visit on 27 July 2011).

<sup>14</sup>Sense Tribunal, Judgement against Croatian Generals - report „Tuđman's attitudes towards Serbs“, 19 April 2011, [http://www.sense-agency.com/tribunal\\_%28ICTY%29/tudjmanovi-attitudesi-o-srbima.25.html?cat\\_id=1&news\\_id=12713](http://www.sense-agency.com/tribunal_%28ICTY%29/tudjmanovi-attitudesi-o-srbima.25.html?cat_id=1&news_id=12713) (last visit on 27 July 2011).

<sup>15</sup>Sense Tribunal, Judgement against Croatian Generals - report „Tuđman's attitudes towards Serbs“, 19 April 2011, [http://www.sense-agency.com/tribunal\\_%28ICTY%29/tudjmanovi-attitudesi-o-srbima.25.html?cat\\_id=1&news\\_id=12713](http://www.sense-agency.com/tribunal_%28ICTY%29/tudjmanovi-attitudesi-o-srbima.25.html?cat_id=1&news_id=12713) (last visit on 27 July 2011).

<sup>16</sup>Sense Tribunal, Judgement against Croatian Generals - report „Discriminating laws following 'Oluja'“, 20 April 2011, [http://www.sense-agency.com/tribunal\\_%28ICTY%29/diskriminatorski-zakoni-nakon-quotolujequot.25.html?cat\\_id=1&news\\_id=12718](http://www.sense-agency.com/tribunal_%28ICTY%29/diskriminatorski-zakoni-nakon-quotolujequot.25.html?cat_id=1&news_id=12718) (last visit on 27 July 2011).

Journalists and editors-in-chief have the right, and that is a part of their journalistic freedoms, to deal with the facts in such a manner as to incorporate them into their own views but, while doing so, they must not distort the facts themselves, in this case the facts that were seen and heard in the Hague courtroom. As stated in the internal journalistic Code of Ethics by the colleagues from the Hague news agency „Sense Tribunal“, who monitor all trials before the Tribunal: "We try to select the testimonies and images which reconstruct the events on which the process is based, which are relevant for the subject of the trial and which emphasise the role of the defendants. The focus is placed on victims' testimonies, description of their suffering, documented recordings which illustrate that suffering and forensic evidence which substantiates their testimonies" (ICTY Secretary, The Hague, 2010:145)

We deem that the public television severely violated the rules of journalistic profession by omitting the victims' voice, as well as descriptions of their suffering. Instead of victims, TV screens were over-flooded with statements of support and sympathy of citizens, fellow-soldiers and friends of sentenced generals which completely suppressed the need to inform general public about the scope of crimes (murders, inhumane treatment, plunder, wanton destruction of property and mass exodus of Serb population) and the victims of those crimes.

"The Chamber received and considered evidence on a large number of specific incidents of alleged murders. Much of this evidence came from family members of victims and from international observers. For instance, one witness testified that on 7 August 1995, he heard the sound of shooting and saw Croatian soldiers just outside his house in Mokro Polje in Ervenik municipality. He overheard their conversation about [I quote] "*killiingčne more person, another one*" [end of quote] whereupon he went downstairs and found his elderly mother and his mentally-ill brother who had both been shot. The Chamber found that they were murdered by Croatian soldiers. Another witness testified that on 6 August 1995, she witnessed Croatian soldiers taking five men out of the basement of a house in or near Očestovo, where she was also being held. One of the men was her son. Shortly thereafter, gunshots could be heard and later the five men were found dead by gunshot wounds. The Chamber found that members of the Croatian army murdered the five men. ".<sup>17</sup>

From everything presented so far, we conclude that the public television, instead of informing general public about the facts concerning the judgement against Generals Gotovina, Markač and Čermak, produced a successive sequence of manipulative and biased propaganda contents because of which responsible people on HTV should be sanctioned. They took away everything substantial from the content, whereby completely disregarding the central issue of the court proceedings in the case of three Croatian generals which is: "whether Serb civilians in Krajina were the target of crimes and whether the defendants should be held criminally liable for those crimes".<sup>18</sup>

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<sup>17</sup>Official ICTY web site, Summary of the judgement to Gotovina et al. (IT-06-90) "Operation 'Storm'", 15 April 2011, [http://www.icty.org/x/cases/gotovina/tjug/bcs/110415bcs\\_summary.pdf](http://www.icty.org/x/cases/gotovina/tjug/bcs/110415bcs_summary.pdf) (last visit on 27 July 2011).

<sup>18</sup>Official ICTY web site, Summary of the judgement to Gotovina et al. (IT-06-90) "Operation 'Storm'", 15 April 2011, [http://www.icty.org/x/cases/gotovina/tjug/bcs/110415bcs\\_summary.pdf](http://www.icty.org/x/cases/gotovina/tjug/bcs/110415bcs_summary.pdf) (last visit on 27 July 2011).

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**CONTACT:**

***Documenta* – Center for Dealing with the Past**

**Selska cesta 112c, 10 000 Zagreb**

**tel: +385 (0)1 457 23 98**

**fax: +385 (0)1 457 23 99**

**e-mail: [kontakt@documenta.hr](mailto:kontakt@documenta.hr)**

**[www.documenta.hr](http://www.documenta.hr)**