

CROATIA

**BRIEFING TO THE
EUROPEAN COMMISSION
AND MEMBER STATES OF
THE EUROPEAN UNION
(EU) ON THE PROGRESS
MADE BY THE REPUBLIC
OF CROATIA IN
PROSECUTION OF WAR
CRIMES**

**AMNESTY
INTERNATIONAL**



Amnesty International Publications

First published in April 2010 by
Amnesty International Publications
International Secretariat
Peter Benenson House
1 Easton Street
London WC1X 0DW
United Kingdom
www.amnesty.org

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Index: EUR 64/002/2010
Original Language: English
Printed by Amnesty International, International Secretariat, United Kingdom

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INTRODUCTION

This briefing is submitted by Amnesty International on the occasion of the discussion between the European Commission, the European Union (EU) Member States and the Government of the Republic of Croatia on the progress made by Croatia in fulfilling its commitments in the area of the judiciary and human rights. In particular, it provides an analysis of the latest measures undertaken by the Croatian authorities in the investigation and prosecution of war crimes¹ and in providing the victims of wartime atrocities with access to justice and reparation as stipulated by international law.

Amnesty International has no position on whether the Republic of Croatia or any other country should or should not be accepted as a member of the EU or any other international organization. However, the organization believes that the accession process is a good opportunity for Croatia to improve its human rights record by complying with the highest human rights standards.

In this context Amnesty International wishes to bring to the attention of the European Commission and the EU Member States its concerns related to Croatia.

The organization, while recognizing that some measures have been undertaken and that some progress has been made in the prosecution of war crimes cases in Croatia in the last couple of years, is continuously concerned that those measures do not translate into tangible effects. Many barriers to effective prosecution of war crimes identified by the European Commission in its Progress Reports on Croatia still exist and some new, negative trends occurred in 2009 and 2010.

Amnesty International is concerned that the justice system in Croatia continues to have low capacity to prosecute war crimes cases; the 2003 law to create four special war crimes chambers in county courts has not been implemented. This lack of capacity is apparent both in the limited number of prosecuted cases, as well as in prosecutions which frequently fall short of international standards. These factors have contributed to impunity for war crimes.

The organization continues to be concerned that both case selection by the prosecution, as well as an extensive use of mitigating circumstances in cases where the accused were members of the Croatian Army and police forces, provide for bias in the judiciary against Croatian Serbs.

Amnesty International is also concerned that measures of witness protection both in the courtroom and outside, and especially in war crimes cases, remain inadequate. Witness support services, which proved to be successful, exist only in four courts in Croatia.

The organization notes with concern that almost all of the above-mentioned obstacles were apparent in the prosecution of the most high-profile cases in Croatia in 2009 and 2010: namely, the case against Branimir Glavaš and five co-accused, and the Ademi-Norac case.

Based on the above and other examples presented later in this briefing, Amnesty

International believes that the prosecution of war crimes cases, irrespective of the ethnicity of those responsible and the victims, still receives very little priority from the authorities. Amnesty International considers that the lack of political will in Croatia to deal with the legacy of the war creates an atmosphere in which prosecution of war crimes cases is unpopular. The recent statements by many of the highest officials of the country, including by the Prime Minister, are a worrying indication thereof.

The organization recommends that the authorities undertake urgent efforts to address the issues identified in this briefing. This could include, but should not be limited to, the prosecution of war crimes in the four special war crimes chambers.

Amnesty International urges leading officials in the country to refrain from making statements which undermine efforts to guarantee the victims the right to a remedy and reparation, as enshrined in international law, including an official apology. The organization calls on the government of Croatia to show true commitment to prosecute all war crimes irrespective of the ethnicity of those responsible for war crimes and their victims.

Amnesty International calls on the EU and other members of the international community to support the Republic of Croatia in its efforts in the prosecution of war crimes, both by allocation of additional resources where necessary and by providing international monitoring of war crimes trials.

PROGRESS MADE

Amnesty International recognizes that some measures have been undertaken by the authorities of Croatia to address some of the obstacles to effective prosecution of war crimes in the country. Those measures have been largely undertaken under significant pressure from the international community, including by the EU and its Member States, and very often with its crucial support.

One of the most significant measures undertaken included the adoption by the State Prosecutor's Office of instructions for the county prosecutors which aimed at addressing the issue of bias against Croatian Serbs in the prosecution of cases.² The instructions, adopted in October 2008, established general criteria for work on war crimes cases, including their selection. In December 2008 an action plan was developed which intended to provide for the review by the State Prosecutor's Office of all cases and the elimination of those in which no "quality" evidence was available, as well for the review of cases in which judgments had been adopted in *in absentia* proceedings, with a view to requesting the renewal of the proceedings.³ In addition, county prosecutors were requested to identify priority cases for immediate prosecution.

In order to address the growing concern of the international community pointing to impunity for war crimes in Croatia and the apparent bias in the judiciary, the authorities in recent years have attempted to compile statistics on the number of prosecuted cases. Based on the

analysis of war crimes proceedings in the country in the period from the beginning of 2005 to the end of 2009, the government concluded that 80 war crimes cases have been prosecuted in this five-year period before county courts in Croatia.⁴

One of the obstacles contributing to impunity for war crimes in the countries of the former Yugoslavia has been the fact that these countries, in their legal systems, including in their constitutions, introduced clauses forbidding extradition of their own citizens to the neighbouring countries. This resulted in an inability to bring those responsible for war crimes to justice. In order to address this issue, in February 2010 an agreement was signed by the Croatian Minister of Justice and his counter-part from Bosnia and Herzegovina which envisaged extradition of persons convicted for military, fiscal and political crimes in one country to another. Although, as of April 2010 nobody has been extradited based on the agreement, Amnesty International recognizes the signing of the agreement as an important step forward in addressing impunity for war crimes in the region.

The lack of adequate witness support services in Croatia has been identified by a number of non-governmental organizations (NGOs) and international organizations, including by the United Nations Development Programme (UNDP), as one of the issues requiring to be addressed.⁵ Thanks to the project developed by the UNDP together with the Croatian Ministry of Justice, witness support services have been developed in four courts in the country, namely Vukovar, Osijek, Zadar and Zagreb. In November 2009 the responsibility for the project, including funding, was taken over by the Ministry of Justice. It is expected that following the successful development of the project, witness support services provided would be extended to all county courts in Croatia. Amnesty International calls on the authorities to take immediate steps in order to make it possible.

FAILURE TO CONDUCT PROMPT, IMPARTIAL AND FULL INVESTIGATIONS AND PROSECUTIONS OF WAR CRIMES

Despite the efforts undertaken by the authorities of Croatia to address impunity for war crimes which have been outlined above, Amnesty International is concerned at the overall failure of the authorities to conduct prompt, impartial, independent and full investigations of war crimes and to bring perpetrators to justice.

In the course of the 1991-1995 conflict war crimes, including arbitrary killings, torture including rape, enforced disappearances, arbitrary detention and forcible expulsions were

committed on a large scale by both members of the Croatian Army and police forces on one side, and members of the Yugoslav People's Army (JNA – *Jugoslovenska Narodna Armija*) and Serb paramilitary groups on the other side.⁶

To date only a very limited number of those crimes have been investigated and a limited number of those responsible have been brought to justice in proceedings in line with international fair trial standards. According to Amnesty International's research, most of the prosecutions which have taken place since the end of the war relate to crimes committed by members of the Croatian Serb population while the crimes committed by members of the Croatian Army and police forces remain largely unaddressed.

Based on the analysis of war crimes proceedings in the country in the period from the beginning of 2005 to the end of 2009, the government concluded that 80 war crimes cases have been prosecuted in this five-year period in Croatia.⁷ The organization believes that the number of prosecuted cases is far from satisfactory considering the scale of war crimes committed by both sides in the 1991-1995 war.

Amnesty International is extremely concerned that the low capacity of the justice system in Croatia to deal with war crimes cases may cause an irreversible impunity for those crimes as together with the passage of time less and less potential witnesses are available to the prosecution and other evidence might be harder to collect.

SISAK

Proceedings related to the war crimes committed in the Sisak area, southeast of Zagreb, highlight Amnesty International's continuing concerns about the lack of progress in investigating and prosecuting crimes committed against Croatian Serbs.

The town of Sisak itself has a population of approximately 37,000 inhabitants.⁸ Before the war 24 per cent of its population were Croatian Serbs. Incidents of war crimes committed by both members of the Croatian Army and police forces on one side, and members of the Yugoslav People's Army (JNA – *Jugoslovenska Narodna Armija*) and Serb paramilitary groups on the other side, were common. According to the Head of Police in Sisak there have been 410 criminal reports filed against 520 perpetrators in relation to war crimes committed in the area. By the end of 2009 the bodies of 684 persons were exhumed and another 599 persons were still registered as missing.⁹

The research of Amnesty International and many other NGOs and international organizations indicates that the events in Sisak and surrounding villages followed a pattern which included killings, torture and enforced disappearances of Croatian Serbs in the town of Sisak; cases of killings, torture and other ill-treatment in the ORA detention facility in Sisak; as well as the 22 August 1991 military operation conducted by the "Thunders" unit in the surrounding villages. The estimates on the numbers of victims vary from 35 to more than 600 with the most reliable number of around 100 persons killed or disappeared, almost all of them Croatian Serbs.¹⁰

As of April 2010, there have been only two cases before the County Court in Sisak in relation to war crimes committed by members of the Croatian Army or police forces which resulted in

convictions.

In the first case which resulted in a conviction in August 2009, the accused was charged with killing of a civilian whom he had abducted from a hospital in Zagreb and killed in the woods near Sisak.¹¹ The trial in the other case relating to war crimes against Croatian Serbs, brought against two individuals, started in January 2010.¹² The accused were charged with killing, torturing and treating the civilian population in an inhuman manner. In April 2010 the judgment was announced and one of the accused was acquitted and the other one convicted *in absentia* and sentenced to 20 years' imprisonment.

In December 2009 an indictment was issued against two former Croatian Army members for beating to death a civilian.¹³

Amnesty International believes that the response of the Croatian authorities to address the war crimes committed against Croatian Serbs in Sisak has been insufficient and that it continues to result in impunity, including for war crimes involving or resulting in torture and other ill-treatment.¹⁴

In contrast, the authorities have been very active in the prosecution of cases of war crimes committed by the Croatian Serbs against ethnic Croats.

Since the war ended, the County Court in Sisak has been one of the busiest courts in the country prosecuting war crimes cases.¹⁵ In total to date, more than 100 Croatian Serbs have been tried and convicted for war crimes committed in the Sisak area.

As of March 2010, 315 war crimes cases had been registered with the County Prosecutor's Office in Sisak. This number included the following categories of cases:

1. Cases in which indictments were issued: 16 cases
2. Cases under investigation by the prosecutor: 22 cases
3. Cases at the pre-investigative stage where the alleged perpetrators have not yet been identified: all remaining 277 cases.

Amnesty International has been informed by the Chief State Prosecutor that of the 38 war crimes cases in which investigations are underway or indictments have been issued by the County Prosecutor's Office in Sisak, in six cases the alleged perpetrators were members of the Croatian Army or police forces and in 32 the alleged perpetrators were members of JNA or Serbian paramilitary groups.¹⁶

In an interview with Amnesty International the County Prosecutor in Sisak acknowledged that of the remaining 277 registered cases at pre-investigative stage (in which the alleged perpetrators have yet to be identified), the great majority of the alleged perpetrators were believed to be Croatian Serbs.¹⁷ The County Prosecutor in Sisak also informed Amnesty International that of the 10 priority cases (among the 277 at the pre-investigative stage) which will receive urgent attention in future, only one case, against several perpetrators based on their command responsibility, is against alleged perpetrators believed to be ethnic

Croats; all remaining nine cases are ones in which the alleged perpetrators are believed to be Croatian Serbs.

Amnesty International is concerned that these statistics indicate that a considerable discrepancy in prosecutions based on the ethnicity of the accused continues.

Concern about the issue of impunity for crimes committed against Croatian Serbs and other minorities has been raised by several international organizations and human rights bodies.

The EU Progress Reports on Croatia have referred to the issue several times in the past. The last report observed “[...] impunity for war crimes remains a problem, especially where victims were ethnic Serbs or perpetrators were allegedly members of the Croatian armed forces. Many crimes remain unprosecuted, often due to a combination of lack of evidence, unwillingness of witnesses to come forward, e.g. due to intimidation, and unwillingness or reluctance of police and prosecutors, particularly in certain localities.”¹⁸

The UN Human Rights Committee, which in October 2009 reviewed the second periodic report submitted by the government of Croatia on its implementation of the International Covenant on Civil and Political Rights (ICCPR), raised concerns about “reports that many potential cases of war crimes remain unresolved, and that the selection of cases has been disproportionately directed at ethnic Serbs”.¹⁹

Based on the analysis of the proceedings in war crimes cases in Croatia conducted by the government it appears that the County Court in Sisak in the period between 2005 and 2009 prosecuted only 13 war crimes cases. Amnesty International is concerned that if all the 315 outstanding cases, which are registered at the moment with the County Prosecutor’s Office in Sisak, were to be prosecuted before the County Court in Sisak, considering its current capacity, it would take many years to reach first instance judgments in those cases.

ETHNIC BIAS IN SENTENCING IN WAR CRIMES TRIALS

Amnesty International is concerned that the apparent ethnic bias is reflected not only in decisions by prosecutors on which cases to prosecute but also in the sentencing of persons convicted of war crimes.

In particular Amnesty International is concerned that, as a general rule the ethnicity of the accused has had an effect on the sentence received following conviction for war crimes. From its analysis of war crimes verdicts in Croatia in recent years, Amnesty International considers that it is apparent that mitigating circumstances have been considered more often when the perpetrators were ethnic Croats and their victims Croatian Serbs or members of other ethnic communities.

Amnesty International also notes that service by the perpetrator in the Croatian Army or police forces during the war was itself considered to be a mitigating factor in sentencing in war crimes trials in county courts in Croatia. Amnesty International considers that such

practice runs counter to the duty of judges presiding over war crimes trials to ensure that sentences for such crimes are commensurate with the gravity of the crimes and are not affected by the ethnicity of the accused or the victim.

The organization is extremely concerned that the apparent practice of Croatian county courts of considering service in the Croatian Army or police forces during the war as mitigating circumstances in sentencing has been approved and endorsed by the Supreme Court of the Republic of Croatia.

For example, in the case against *Rahim Ademi* and *Mirko Norac* which was one of the most high-profile and rare cases in Croatia in which the accused were members of the Croatian Army, the Supreme Court in its March 2010 verdict, while considering the sentence for the second accused, concluded that the first instance court correctly established the mitigating circumstances in the case. Those circumstances were, among others: the fact that war crimes were committed as part of a lawful military action by the Croatian Army as well as the participation of the accused in the war for independence and that he had received medals and decorations for his contribution to the defence of the country. Further, the Supreme Court expanded the application of the mitigating circumstances by concluding that the accused was no longer able to repeat the same acts and that he had committed the crimes in the context of a war situation. In its verdict the Supreme Court also stated that the accused was pursuing the legitimate goal of defending his country against an armed aggression. The verdict concluded that the sentence of seven years imposed by the first instance court was too severe because the mitigating circumstances were applied too narrowly. Consequently, Mirko Norac's sentence was reduced to six years' imprisonment. The acquittal of the other accused, Rahim Ademi, was upheld.²⁰ (For more information on these cases, see below.)

A different panel of judges of the Supreme Court also considered the ethnicity of the accused and his service in the Croatian Army as a mitigating factor in the war crimes case against Mihajlo Hrastov.²¹

These aspects of these two Supreme Court judgments - which indicate a bias in favour of ethnic Croats convicted for war crimes against Croatian Serbs - serve as a precedent to be followed by the county courts presiding over war crimes trials.

This concern, which Amnesty International has raised several times in meetings with the Croatian authorities, remains unaddressed and has been echoed by other institutions. For example, the European Commission, in its Progress Report on Croatia in October 2009, observed that "*where cases are brought, judgments often take the convicted person's role in the defence of the homeland as a mitigating factor, which creates a clear ethnic bias in sentencing for comparable crimes*".²²

FAILURE TO ENFORCE ALL RELEVANT LEGISLATION PROVIDING FOR THE PROTECTION OF WITNESSES

Amnesty International is concerned about several instances which indicate that witness protection, especially in war crimes cases, has not been adequately provided by the authorities. The organization also considers that the lack of investigation and prosecution of cases of intimidation of witnesses perpetuates an atmosphere of impunity, not only for war crimes but also for perverting the course of justice.

For several years Amnesty International has raised concern that the authorities have failed to investigate the killing of Milan Levar. Milan Levar was a potential witness at the ICTY and had campaigned for justice for war crimes victims. He was killed in August 2000 by an explosive device planted underneath his car, after making statements to the media alleging that Mirko Norac and some other high level Croatian politicians were responsible for war crimes committed against the Croatian Serb population in the Lika region. Ten years later no one has been brought to justice for his death. Milan Levar's wife has received death threats from unknown individuals, which began after she was interviewed by the media about her husband's death. When asked by Amnesty International about the investigation of the case, the authorities of Croatia responded that the case could not be further investigated because the alleged perpetrator, who was identified and interrogated, gave his testimony without his lawyer present. They stated that the evidence collected in the case was therefore inadmissible. They also rejected the possibility of re-opening the case.

In relation to the crimes highlighted by Milan Levar in the Lika region, two Croatian Army generals, Mirko Norac and Rahim Ademi, were initially indicted by the ICTY in relation to war crimes committed during and after the "Međak Pocket" Operation in 1993. The case was transferred from the ICTY to the Croatian courts in September 2005. The accused were charged with ordering indiscriminate artillery attacks, failing to prevent or punish their subordinates for the torture and murder of Croatian Serb civilians and prisoners of war, and the destruction of property.

In this case the court was faced with difficulties in getting witnesses to testify, especially at the early stage of the trial. Despite the use of a video link, some prosecution witnesses refused to testify citing fears for their safety as the main reason. Others decided to do so only after having been promised that their identity would be protected.

In the end, 30 out of 74 of prosecution witnesses who testified did so through a video link. One-third of them were "endangered" witnesses residing in Croatia; video links were used with the aim of protecting their identities from public disclosure.

In May 2008 Rahim Ademi was acquitted and Mirko Norac was found guilty of some of the

charges and sentenced to seven years' imprisonment. On appeal, the Supreme Court reduced the sentence of Mirko Norac to six years' imprisonment, and upheld the acquittal of the other accused, Rahim Ademi.

Although in the Ademi-Norac case witness protection measures for those who agreed to testify were used effectively, Amnesty International is concerned that the high number of witnesses who were initially reluctant to testify points to the fact that there is still an atmosphere in Croatia which is not conducive to prosecution of war crimes. According to Amnesty International's research, the unresolved killing of Milan Levar had a strong negative impact on the confidence of some witnesses to testify.

Amnesty International is also concerned about the intimidation of witnesses in another high-profile war crimes case, in which Branimir Glavaš is one of the accused.

Since 1995 Branimir Glavaš has been an influential member of the Croatian Parliament. In 2006 he split from the Croatian Democratic Union (*Hrvatska Demokratska Zajednica* – HDZ) and created his own political party, the Croatian Democratic Council of Slavonia and Baranja (*Hrvatski Demokratski Sabor Slavonije i Baranje* - HDSSB).

Branimir Glavaš, together with five other co-accused, was charged with unlawful detention, ill-treatment and killing of Croatian Serb civilians in Osijek. He has been charged for command responsibility, in his capacity as the local military leader, for having failed to prevent his subordinates from committing war crimes as well as for ordering some of them.

Serious intimidation of witnesses in the case started at a very early stage of investigation. For example, in December 2005 Anto Đapić, president of the Croatian Party of Rights (*Hrvatska Stranka Prava* - HSP) and mayor of Osijek, disclosed to the media a list of 19 witnesses cooperating with investigators. Some of the potential witnesses consequently refused to testify.

In 2006, with a view to reducing pressure on the witnesses, the case against Branimir Glavaš and the other co-accused was transferred to the Zagreb County Court. This, however, did not prevent the first accused from taking action which reportedly resulted in the intimidation of witnesses. On several occasions in 2006 and 2007 Branimir Glavaš published court records, witnesses' statements and other evidence related to the case on his website.²³

In February and in April 2008, Drago Hedl, a journalist from Osijek, received death threats following his reports about Branimir Glavaš's role in the murders of Croatian Serbs.²⁴ The journalist later on refused to testify in the case giving the death threats as one of the reasons.

On 3 June 2008 Branimir Glavaš disclosed the identity of the protected witnesses in a news programme of a local television station of Slavonija and Baranja.²⁵

In May 2009, Branimir Glavaš was convicted by the Zagreb County Court and sentenced to 10 years' imprisonment. The other co-accused were also convicted and sentenced to between five and eight years in prison. Appeal proceedings before the Supreme Court in the case are due to start in 2010.

Prior to the announcement of the verdict, Branimir Glavaš fled to Bosnia and Herzegovina where he has been living since. On his website he has continued to make statements about the witnesses' role in the proceedings and during the war in Croatia, having the effect of intimidating witnesses.

Amnesty International is extremely concerned that neither the judge presiding over the case nor the State Prosecutor's Office has investigated or addressed the intimidation of the witnesses, other than by transferring the venue of the proceedings. The organization is concerned not only about the threats themselves and their impact on this case but also that the failure to take action has sent a message to potential witnesses in war crimes cases that they risk not being protected, if they agree to come forward. This may have a chilling effect on the participation of witnesses in future trials.

Amnesty International is concerned that intimidation of witnesses and human rights defenders also takes place at the local level in relation to war crimes cases where there is little media attention, and the risks for witnesses may be greater. The threats received by Vjera Solar, highlighted below, are an example.

Vjera Solar, the mother of 19-year-old student Ljubica Solar who was killed in Sisak on 17 September 1991, established her own NGO called the Civic Association against Violence (*Gradjanska Udruga Protiv Nasilja*) in order to raise awareness and collect data on crimes committed by members of the Croatian Army and police forces against Croatian Serbs and other minorities. She has collected the names of 115 people who were killed or disappeared in the Sisak area during the war. Together with other families of victims she has been campaigning for the perpetrators of the crimes committed in Sisak to be brought to justice.

When the first war crimes trial of a member of the Croatian Army started in Sisak in 2009, Vjera Solar started receiving death threats by telephone and by letters.²⁶ The authors of the threats have so far evaded apprehension and Vjera Solar continues to live in fear for her safety.

FAILURE TO PROSECUTE WAR CRIMES IN ACCORDANCE WITH INTERNATIONAL STANDARDS

Amnesty International is concerned that the authorities of Croatia have failed in their obligation to prosecute war crimes in accordance with international standards. In particular, the authorities have failed to implement their own commitments related to the implementation of the Completion Strategy of the International Criminal Tribunal for the former Yugoslavia (ICTY).

Under the terms of the Completion Strategy of the ICTY outlined in UN Security Council resolution 1503 adopted in 2003, the ICTY was supposed to *"take all possible measures to... complete all trial activities at first instance by the end of 2008, and to complete all work in 2010"*. Since then the deadline has been extended several times. In parallel with the

work of the ICTY the countries of the former Yugoslavia, including Croatia were supposed to undertake measures in order to be ready to prosecute all outstanding cases before their domestic courts in accordance with international standards.

In this context in 2003, Croatia adopted The Act on the Application of the International Criminal Tribunal and on the Prosecution of Criminal Offences against the International Military and Humanitarian Law.²⁷

Based on this law special war crimes chambers were supposed to be created in four county courts in Croatia, namely in Osijek, Rijeka, Split and Zagreb. The aim of the establishment of those special war crimes chambers was to try war crimes cases outside of the community where those crimes were committed which was supposed to decrease pressure on witnesses in war crimes proceedings.

It was also recognized that many county courts do not have the sufficient capacity to prosecute war crimes cases. An insufficient number of criminal judges being able to form a trial panel in those courts has resulted in civil department judges sitting on war crimes trials in almost all county courts in Croatia. In addition, most county courts in Croatia lacked the necessary material conditions to provide for witness protection and support. Most of them did not have separate entrances for the public, accused and witnesses. In trials against members of the Croatian Army and police forces members of the associations of former combatants were almost always present in the public gallery, sometimes making threats and intimidating witnesses. This exposed witnesses to unnecessary pressure and often reduced their ability to give structured testimonies due to the stress related to giving testimony in such circumstances.

The three Croatian NGOs monitoring war crimes trials have been raising this issue for several years in their annual reports, including in the one issued in March 2010 as well as in case-monitoring reports.²⁸

All those concerns were supposed to be addressed by the 2003 law. The law envisaged establishment of war trials panels consisting only of judges with extensive expertise in criminal law, as well as increasing the material capacity for witness protection and support in those courts. In addition, special investigative centres were supposed to be created in those four county courts responsible for working on war crimes cases.

Amnesty International is concerned that the authorities of Croatia have failed to implement the 2003 Act on the Application of the International Criminal Tribunal and on the Prosecution of Criminal Offences against the International Military and Humanitarian Law. By doing so, they have also failed to strengthen the capacity of its judiciary, which was required by the ICTY Completion Strategy.

The organization notes with concern that the special war crimes chambers have not been formally established in those four county courts. The websites of the courts, in the sections explaining their structure, do not include any information related to the fact that war crimes chambers exist in those courts. The president of the Osijek County Court explained to Amnesty International in January 2010 that he did not believe that the establishment of special war crimes chambers was necessary in the first place due to the very small number of

war crimes cases prosecuted in his jurisdiction and that such a special chamber did not exist in his court.

Amnesty International is also aware of only three cases prosecuted so far based on the provision of transfer of cases to the special war crimes chambers as stipulated by the 2003 law. All three cases have been prosecuted before the Zagreb County Court and even so, as shown in the paragraphs above, in two of them, their prosecution fell short of international fair trial standards.²⁹

The organization notes with concern that the very limited number of cases prosecuted in the special war crimes chambers runs against the recommendations made by several international human rights bodies, including by the UN Human Rights Committee (HRC) which oversees the implementation of the ICCPR. In 2001 the HRC in its concluding observations on Croatia recommended the establishment of the special war crimes chambers.³⁰ In 2009 it urged the Croatian authorities to *“increase [their] efforts to ensure that the possibility to refer cases to the special war crimes chambers is utilized to the fullest extent”*.³¹

The problem has also been recognized in the EU Progress Reports on Croatia in 2008 and 2009.

In terms of witness support services only two out of four county courts in which the special war crimes chambers were supposed to be established (the County Court in Osijek and the County Court in Zagreb) have such units at their disposal.

Amnesty International believes that the failure to effectively establish and support the special war crimes chambers in Croatia is an indication of the lack of political will to make prosecution of war crimes in the country a priority.

The authorities of Croatia have shown that addressing the most challenging criminal issues through the administration of justice is possible only if sufficient political will exists. In this context, in 2008 special court departments were established in the county courts in Osijek, Rijeka, Split and Zagreb (the same courts in which the special war crimes chambers were supposed to be established), which were tasked exclusively with the prosecution of cases of corruption and organized crime (so called USKOK courts).

The judges serving in those special departments receive higher salaries and are recruited from amongst the most experienced criminal law judges in the country. Special investigative centres were also established in those courts in order to make their work more effective.

Amnesty International welcomes those efforts. The organization urges the authorities in Croatia to allocate the same high priority to the prosecution of war crimes and to use the lessons learnt on the establishment of the USKOK courts in order to effectively establish similar special chambers responsible for prosecution of war crimes cases.

FAILURE TO MAKE JUDGES, PROSECUTORS AND LAWYERS FULLY AWARE OF INTERNATIONAL OBLIGATIONS IN THE FIELD OF HUMAN RIGHTS

Based on its analysis of a substantial number of indictments and verdicts in war crimes proceedings as well as its observations of hearings in several war crimes proceedings, Amnesty International is concerned that judges, prosecutors and lawyers often do not demonstrate sufficient knowledge of Croatia's international obligations in the field of human rights and in particular those related to prosecution of war crimes.

In some instances, while attending war crimes hearings, the organization observed the lack of awareness of presiding judges of standards related to examination of traumatized witnesses, which resulted in undue pressure being exerted on those witnesses by the defence counsel.

Amnesty International also noted with concern that war crimes of sexual violence, as a form of torture, were not included in the indictment, despite the fact that, according to the jurisprudence of the ICTY, acts described in the indictment would qualify to be prosecuted as such.³²

The organization is not aware of a single indictment or a verdict in a war crimes case which has been brought in Croatian courts between 2005 and 2010 in which a reference was made to international standards other than the Geneva Conventions. The organization has also noted with concern that the jurisprudence of the ICTY is rarely relied upon by judges, prosecutors and lawyers in Croatia.

FAILURE TO ENSURE FAIR AND ADEQUATE REPARATION TO VICTIMS OF WAR CRIMES

All victims of war crimes have a right to a remedy and reparation as set out in the United Nations Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International

Humanitarian Law (UN Basic Principles). The right to reparation derives also from other international human rights instruments including the ICCPR and the European Convention on Human Rights (ECHR) both of which Croatia is party to. Under international law the right to reparation includes restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.

Amnesty International is concerned that the authorities have failed to guarantee the right to reparation for the victims of war crimes and their families.

At the moment the only form of reparation for the victims of war crimes and their families envisaged by the law in Croatia is compensation. However, the relevant laws and in particular their interpretation by the courts prevent victims and their families from receiving compensation.

Until 1996 compensation for material and non-material damage was regulated in Croatia by Article 180 of the Obligations Act.³³ In 1996, when a new Obligations Act entered into force, all pending compensation proceedings, related to the war, were suspended. It was assumed in the law that all proceedings would be re-opened when a new law on the responsibility of the Republic of Croatia for wartime damages entered into force.

In July 2003 new laws entered into force, based on which the suspended compensation proceedings were automatically re-opened.³⁴

According to the Croatian law now in force applicable to war-related compensation claims against the Republic of Croatia, the interest of the state is represented by the State Prosecutor's Office. Under the law, the burden of proof lies on the applicants, who have to prove that the damage they seek compensation for was caused in the period between 17 August 1990 to 30 June 1996 and that it was as a result of an action by the Croatian Army or police forces.

Amnesty International believes that this law creates a conflict of interest for the State Prosecutor's Office, which must both investigate and prosecute those responsible for war crimes and then under this compensation law, it must defend the interest of the state in compensation claims for such crimes.

Amnesty International is also concerned about the implementation of the law in practice.

According to a Croatian NGO, families of victims of war crimes have filed at least 50 compensation claims.³⁵ Amnesty International is aware that out of this number at least 22 compensation cases have been filed by inhabitants of the Sisak area.³⁶ In all but one of the cases from Sisak, compensation claims have been rejected.³⁷

In all of the cases which Amnesty International has examined in which compensation claims have been rejected, the reasoning by the courts was the same, namely that the statute of limitation applied and that the applicants had failed to prove that the damage was caused by the members of the Croatian Army or police forces and therefore that the Republic of Croatia was not liable for the damage.

The Obligation Act which is used by the Croatian courts in compensation cases to establish whether the statute of limitation applies prescribes the period of three years since the claimant became aware of the damage but no more than five years starting from when the damage occurred. Compensation claims related to criminal acts are an exemption from this rule and the statute of limitation in those cases equals the same period prescribed for the statute of limitation in criminal proceedings. However, according to the practice established by courts in Croatia, in order to benefit from the extended statute of limitation the applicants have to prove that the acts they claim compensation for were indeed criminal acts. This, in all compensation cases filed by the families of victims of war crimes, proved to be impossible as criminal proceedings have either not been initiated or concluded by the State Prosecutor's Office and as a result nobody has been convicted in criminal proceedings in relation to those acts.

This practice is inconsistent with the principle enshrined in international standards that a victim's status is not dependent on the identification, prosecution or conviction of the perpetrator of human rights violations or crimes under international law³⁸.

Amnesty International is also concerned that the applicants whose compensation cases have failed, many of whom are pensioners, have been ordered to cover the costs of the proceedings. Some of the cost orders amounted to almost €10,000.³⁹ Amnesty International is also aware of several cases in which proceedings have been initiated to seize the property of the applicants who have lost their compensation cases against the Republic of Croatia and who were not able to pay the costs of those proceedings.⁴⁰

In May 2009, by a decision of the government, the costs of the compensation proceedings brought under the compensation law in effect until 1996, Article 180 of the Obligation Act, and which had been resumed under the 2003 laws, were annulled and the applicants were exempted from paying them. However, the decision does not include compensation proceedings which have been initiated *after* 1996 - which are the majority of the claims. For compensation cases initiated *after* 1996, under the government decision, the costs of the proceedings would be annulled only if applicants withdrew the claims.

Amnesty International also notes that the granting of other measures of reparation - restitution, rehabilitation, satisfaction and guarantees of non-repetition - which should be available to the victims of war crimes are not even regulated by the Croatian law. In that regard, Amnesty International notes that the authorities have yet to translate and disseminate in the Croatian language the UN Basic Principles.

THE LACK OF POLITICAL WILL TO DEAL WITH THE PAST

As observed in the paragraph above, Amnesty International is concerned at the lack of political will to prosecute war crimes cases in Croatia and the failure of the authorities to make it their priority. The failure to effectively prosecute cases in the special war crimes chambers is, however, only one of several indications pointing to this conclusion.

When the three Croatian Army generals (Ante Gotovina, Ivan Čermak and Mladen Markač) were awaiting their trial in The Hague, the government of Croatia, instead of distancing itself from the case, asked the ICTY in September 2006 to be allowed to act in the capacity of *amicus curiae* in the case. On that occasion, the-then Prime Minister Ivo Sanader stated that Croatia "*shall thus try to refute the unacceptable allegations in the indictments*".⁴¹ Croatia's proposal was rejected by the ICTY on 18 October 2006.⁴²

However, the official support for the indictees by the government of Croatia continued. In February 2008 the-then Deputy Prime Minister Jadranka Kosor (now Prime Minister) visited the three Croatian Army generals in the detention facility in The Hague in order to express her support for them.⁴³

Amnesty international is also concerned about another example of the lack of political will to deal with the past, which is the failure of the authorities to provide the ICTY with all the relevant military documents related to the 1995 Operation Storm, which were requested by the ICTY in relation to the trial of the three Croatian Army generals.

The ICTY's Prosecutor has claimed that the Croatian authorities have intentionally hidden or concealed military documents concerning Operation Storm.⁴⁴ In June 2008 the ICTY's Prosecutor filed an application for an order requesting the Croatian authorities to provide his office with all outstanding documentation in the case.⁴⁵

In September 2008 the ICTY Trial Chamber ordered the Croatian authorities to continue the investigation into the whereabouts of the documents, which had yet to be provided, and to provide the Tribunal with a further report on the steps undertaken to obtain the requested documents.

In his last report to the UN Security Council in November 2009, the ICTY Chief Prosecutor stated that "*since the previous report to the Security Council [...] no substantial progress has been made in locating a number of key military documents related to Operation Storm of 1995, which the Office of the Prosecutor had first requested in 2007.*"⁴⁶

In October 2009 the UN Human Rights Committee recommended that the authorities in Croatia "*expedite the recovery and delivery of the records of Croatian military operations required by the ICTY in the completion of its investigative work*".⁴⁷

According to information available to Amnesty International, as of 1 April 2010 the authorities of Croatia had failed to provide the ICTY with the requested documents.

The lack of political will was more than apparent through the investigation and prosecution of the case against Branimir Glavaš. A significant political involvement in the case enabled the accused to evade justice.

As explained in paragraphs above, Branimir Glavaš has been a Member of the Croatian Parliament since 1995. When the criminal case against him was initiated the State Prosecutor requested the Parliament to lift his immunity. This was granted in November 2006 and due to the possible risk of tampering with witnesses the Parliament allowed for the accused to be detained. During his time in detention Branimir Glavaš went on hunger strike and in December 2006 he was pronounced unfit to stand proceedings as a result of the hunger strike. In February 2007, once he had recovered, the investigation continued.

In November 2007, Branimir Glavaš was again elected a Member of the Croatian Parliament which resulted in granting him full immunity once again. In early January 2008 the Supreme Court decided that due to the gravity of the crime his immunity should be lifted. On 12 January 2008, the Croatian Parliament – against the decision of the Supreme Court – allowed the immunity from prosecution to be waived but did not allow for his detention. As of January 2008 Branimir Glavaš was at liberty. On the day when the verdict was announced - 8 May 2009 - the accused fled to Bosnia and Herzegovina, which citizenship he acquired in the meantime and where he has been living since.

Amnesty International is extremely concerned about the political involvement in the case preventing the course of justice.

Amnesty International is also concerned at the latest statements by some of the highest officials of the country.

On 14 April 2010 the President of Croatia during his speech in the Parliament of Bosnia and Herzegovina apologized for the Croatian policy in the 1990s which contributed to the killing of many innocent people and other wartime atrocities. He called on the perpetrators of all crimes to be brought to justice.⁴⁸ On 15 April 2010 he visited the village of Ahmići where in April 1993 the member of the Croatian Defence Council (*Hrvatsko Vijeće Odbrane* – HVO) killed 116 Bosnian Muslim civilians, including many women, children and elderly people. The President during his visit paid tribute to the victims of Ahmići. In relation to the crime several Croatian military officials had been convicted, including Dario Kordić, who was sentenced by the ICTY in February 2001 to 25 years in prison.

The action by the President was condemned on 15 April 2010 by one of the leaders of the governing party, the Croatian Democratic Union (*Hrvatska Demokratska Zajednica* – HDZ) who said that the President by his statement “*placed Croatia in the ranks of the world’s aggressors*” which was unacceptable.⁴⁹

Statements by other officials followed shortly. The Prime Minister, Jadranka Kosor, while condemning the speech by the President stated that the war for independence was a “just, defensive war for liberation” and that Croatia has never attacked Bosnia and Herzegovina which, “*as well as Croatia, was a victim of the Great Serbian aggression by Slobodan Milosevic*”.⁵⁰ She added that the President should have consulted her before making the speech.

On 16 April 2010 a press conference was organized with four former Prime Ministers of Croatia (Hrvoje Šarinić, Nikica Valentić, Franjo Gregorić and Zlatko Mateša) as well as former deputy Prime Minister and Minister of Foreign Affairs Mate Granić, all of whom supported the statement made earlier by Jadranka Kosor.⁵¹

Amnesty International urges the authorities of Croatia and the leading politicians of the country to refrain from making statements aiming at undermining efforts to ensure reparation for all victims of the wars. The organization calls on Croatia to, in line with the United Nations Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, undertake immediate efforts to grant the victims the right to reparation, including an official apology, for the war crimes which, beyond any doubt and as confirmed by the ICTY, have been committed by the Croatian military and political officials.

¹ For the purpose of this briefing the term “war crimes” is used to describe acts of war crimes, crimes against humanity and genocide.

² *Naputak u svezi primjene odredbi OKZRH i ZKP u predmetima ratnih zlocina – kriteriji (standardi) za kazneni progon. Drzavno Odvjetnistvo Republike Hrvatske. Broj: O-4/08*, 9 October 2008.

³ *Action Plan for the implementation of Instructions Number o-4/08 related to work on war crimes cases.* The Chief State Prosecutor’s Office, Number: A-223/08-2, 12 December 2008.

⁴ *Analysis of proceedings in war crimes cases at county courts of the Republic of Croatia from 2005 to 2009*, December 2009, Ministry of Justice of the Republic of Croatia. On file with Amnesty International. Document received by email on 08 February 2010.

⁵ *Support to Victims and Witnesses of Criminal Offences in the Republic of Croatia*, United Nations Development Programme, Zagreb, 2007.

⁶ For information about Amnesty International’s documentation of such war crimes, please see: *Yugoslavia: Torture and deliberate and arbitrary killings in war zones*, (AI Index: EUR 48/26/91), November 1991; *Yugoslavia: Further reports of torture and deliberate and arbitrary killings in war zones*, (AI Index: EUR 48/13/92), March 1992; and *Croatia: A shadow on Croatia’s future: Continuing impunity for war crimes and crimes against humanity*, (AI Index: EUR 64/005/2004).

⁷ *Analysis of proceedings in war crimes cases at county courts of the Republic of Croatia from 2005 to 2009.*

⁸ Official website of the Town of Sisak: http://www.sisak.hr/?page_id=716

⁹ Amnesty International interview with the Head of the Police in Sisak, 23 March 2010.

¹⁰ The estimate of 35 persons is quoted by the Croatian authorities including the State Prosecutor in Sisak. The figure of 115 persons was given by Vjera Solar, president of the Civic Association against Violence (*Gradjanska Udruga Protiv Nasilja*). The number of 600 killed and disappeared people was quoted by the Union of Serbs in the Republic of Croatia (*Zajednica Srba u Republici Hrvatskoj*) in their criminal complaint filed in April 2007 with the County Prosecutor in Sisak.

¹¹ *RH vs. Ivica Miric*. The accused was convicted and sentenced to nine years’ imprisonment.

¹² *RH vs. Damir Raguz and Zeljko Skledar*, K-DO-16/09.

¹³ *RH vs. Ivica Kosturin and Damir Vrbana*,. K-DO-22/09.

¹⁴ The unresolved cases of enforced disappearance in of themselves may amount to torture with respect to the disappeared persons but also may amount to cruel, inhuman and degrading treatment of families of the disappeared who are not able to establish the fate of their beloved ones.

¹⁵ According to the *Analysis of proceedings in war crimes cases at county courts of the Republic of Croatia from 2005 to 2009*, the County Court in Sisak was the third busiest court in the country with 13 judgments in which 16 persons were convicted.

¹⁶ Letter of 23 February 2010 received by Amnesty International from Mr Mladen Bajic, the Chief State Prosecutor.

¹⁷ Amnesty International interview with the State County Prosecutor in Sisak, 23 March 2010.

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- ¹⁸ *Croatia: 2009 Progress Report*, European Commission, 14 October 2009, p. 9.
- ¹⁹ Croatia: Concluding observations of the Human Rights Committee, CCPR/C/HRV/CO/2, 29 October 2009, para. 10.
- ²⁰ *RH vs. Rahim Ademi and Mirko Norac*, I Kž 1008/08-13.
- ²¹ *RH vs. Mihajlo Hrastov*, III Kž 12/09-10.
- ²² *Croatia: 2009 Progress Report*, European Commission, p. 9.
- ²³ The documents are still available on-line on the official website of the accused: <http://www.branimirglavas.com> Accessed on 29 March 2010.
- ²⁴ Amnesty International. *Croatia: Briefing for the Human Rights Committee on the Republic of Croatia*, AI Index: EUR 64/001/2009, p. 12.
- ²⁵ Feral Tribune, *Gospodar Fascikla*, 8 June 2008. http://feral.mediaturtle.com/look/weekly1/article_tisak.tpl?IdLanguage=7&IdPublication=1&NrArticle=18239&NrIssue=1184&NrSection=1&ST1=text&ST_T1=teme&ST_AS1=1&ST_max=1
- ²⁶ Prijetnje zbog traganja za ubicama sisačkih Srba, Radio Free Europe: http://www.slobodnaevropa.org/content/sisak_vjera_solar/1504080.html
- ²⁷ Zakon o primjeni Statuta Međunarodnoga kaznenog suda i progona za kaznena djela protiv međunarodnoga ratnog i humanitarnog prava. Adopted by the Croatian Parliament on 17 October 2003. *Narodne Novine*, br. 175/2003, 4 November 2003.
- ²⁸ *Monitoring of War Crimes Trials. Report for 2009*, Centre for Peace, Non-Violence and Human Rights Osijek; Documenta – Centre for Dealing with the Past; Civic Committee for Human Rights, February 2010, p. 27 onwards.
- ²⁹ The three cases were: the case of Slobodan Davidovic, a member of the Serbian paramilitary unit “Scorpions”; the case against Mirko Norac and Rahim Ademi and the case against Branimir Glavaš and five other co-accused.
- ³⁰ *Croatia: Concluding observations of the Human Rights Committee*, CCPR/CO/71/HRV, 30 April 2001, para. 10.
- ³¹ *Croatia: Concluding observations of the Human Rights Committee*, CCPR/C/HRV/CO/2, 29 October 2009, para. 10.
- ³² Indictment in the case of *RH vs. Damir Raguz and Zeljko Skledar*, K-DO-16/09, in which one of the victims was found dead, naked and with her legs spread wide, in a room upstairs of the house where allegedly she was brought by the two accused.
- ³³ *Zakon o obveznim odnosima. Sluzbeni list SFRJ 29/78* together with later amendments.
- ³⁴ *The Act on the Responsibility for Damage Caused by the Acts of Terrorism and Public Demonstrations and the Act on the Responsibility of the Republic of Croatia for Damage Caused by Members of Croatian Armed and Police Forces during the Homeland War*.
- ³⁵ *Monitoring of War Crimes Trials. Report for 2009*, p. 32.
- ³⁶ *Ana Jelic vs. RH; Stojanka Trivkanovic vs. RH; Dragica Ferenc, Aleksander and Robert Trivkanovic vs. RH; Evica, Mirjana and Desa Djapa vs. RH; Dijana Pajagic request for out-of-court settlement; Vjera,*

Jovan and Djorde Solar vs. RH; Zahida, Radivoje and Dobrivoje Martinovic vs. RH; Bozica Perkovic, Mirjana and Branislava Bozic vs. RH; Milja and Petar Bojinovic vs. RH; Milos, Nada and Dragica Crljenica vs. RH; Radojka, Damir and Jovic Pajic vs. RH; Ruzica Vucinic vs. RH; Dragica Kladar vs. RH; Dusanka Miljevic vs. RH; Mara, Milan, Milena, Dragan and Ruza Kragulj vs. RH; Kate Martinovic, Branka Bjelic and Branko Martinovic vs. RH; Milka, Dusko, Dunjo, and Danijel Bekic vs. RH; Sofija Bekic vs. RH; Anka and Djordje Simic vs. RH; Danica, Nikola and Marija Todorovic vs. RH; Veljko Cakalo vs. RH; Jasenka Borojevic, Edita Mihic and Lahorka Maric vs. RH.

³⁷ The only compensation case in which compensation was granted by the Municipal Court in Sisak is the one filed by *Milja and Petar Bojinovic vs. RH*. The case is now on appeal before the County Court in Sisak.

³⁸ Principle 9 of the UN Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law; Article 2 of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power.

³⁹ *Vjera Solar, Jovan Solar, Djorde Solar vs. RH*, Municipal Court of Sisak, 18 December 2007, Presuda i Rjesenje III P-1323/04. The Municipal Court of Sisak ordered the applicants to pay HKN 74,580 (approximately €10,280). In another case regarding the killing of Zoran Trivkanovic the applicants were ordered to pay HKN 71,480.

⁴⁰ See, for example: the Decision of the Sisak County Court of 22 March 2007, case GŽ-1200/06 in which the application for compensation was rejected and the Decision of the Sisak Municipal Court of 14 May 2008, OVR-1112/08 which ordered the seizure of the applicant's property.

⁴¹ Croatia seeks to defend itself at Hague tribunal, Reuters, 01 September 2006.

⁴² *Prosecutor v. Ante Gotovina, Ivan Čermak, and Mladen Markač*, Case No. IT-06-90-PT, Decision on Requests of Republic of Croatia to Appear as *Amicus Curiae*, 18 October 2006.

⁴³ Statement from the official website of the government of Croatia:

http://www.vlada.hr/hr/naslovnica/priopcenja_za_javnost/2008/veljaca/potpredsiednica_vlade_kosor_u_de_n_haagu

⁴⁴ Prosecution's Application for an Order Pursuant to Rule 54 bis Directing the Government of the Republic of Croatia to Produce Documents or Information, with public and confidential Appendices, 13 June 2008. p. 3. The document states "[t]he following factors lead to the conclusion that the only plausible explanation for the fact that these documents are missing is that they have been removed or concealed as a result of purposeful efforts by Croatian officials to collect and conceal documentation related to ICTY investigations [...]."

⁴⁵ Prosecution's Application for an Order Pursuant to Rule 54 bis Directing the Government of the Republic of Croatia to Produce Documents or Information, with public and confidential Appendices, 13 June 2008.

⁴⁶ Letter dated 12 November 2009 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, addressed to the President of the Security Council. S/2009/589, Annex II. Report of Serge Brammertz, Prosecutor of the International Tribunal for the Former Yugoslavia, provided to the Security Council under paragraph 6 of Security Council resolution 1534 (2004), para. 40.

⁴⁷ *Croatia: Concluding observations of the Human Rights Committee*, 29 October 2009, para. 10(e).

⁴⁸ *Josipović se ispričao za pokušaje Hrvatske da podijeli Bosnu i Hercegovinu.* Jutarnji List. Article available on-line: <http://www.jutarnji.hr/ivo-josipovic-u-sarajevu-se-ispricao-za-sudjelovanje-hrvatske-u-pokusajima-podjele-bih-714907/>

⁴⁹ *Hebrang: Josipović je Hrvatsku uveo u red svjetskih agresora!* Jutarnji List. Article available on-line: <http://www.jutarnji.hr/hebrang--josipovic-je-hrvatsku-uveo-u-red-svjetskih-agresora/716549/>

⁵⁰ *Kosor: Pozvat ću Josipovića, Hrvatska nije bila agresor u BiH.* Jutarnji List. Article available on-line: <http://www.jutarnji.hr/jadranka-kosor--ivo-josipovic-nije-mi-najavio-ispriku-izgovorneu-u-bih/719023/>

⁵¹ *Bivši premijeri: Povijesna je neistina da smo izvršili agresiju na BiH.* Jutarnji List. Article available on-line: <http://www.jutarnji.hr/bivsi-premijeri-s-jadrankom-kosor--povijesna-je-neistina-da-smo-izvršili-agresiju-na-bih/722384/>

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