

DONE THAT, BUT THE UNITED STATES CONTINUES TO LAG BEHIND. IN A HEARING THIS MORNING IN THE SENATE FOREIGN RELATIONS COMMITTEE, SECRETARY BAKER, IN RESPONSE TO A QUESTION ON THIS SUBJECT, SAID THAT SOME PARTIES INVOLVED IN MEDIATING THE CEASE-FIRE HAVE RECOMMENDED WE NOT GIVE OFFICIAL RECOGNITION AT THIS TIME BECAUSE IT WOULD MOVE THE PEACE PROCESS IN THE WRONG DIRECTION. HE ALSO NOTED THAT RECOGNITION IS STILL UNDER REVIEW WITH THE ADMINISTRATION. I HOPE THAT OUR WITNESSES TODAY WILL TOUCH ON THIS ISSUE, AS WELL AS SHARING THEIR OPINION ON THE GENERAL PATH TO PEACE THAT THE UNITED STATES AND THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE (CSCE) SHOULD BE TAKING TO ENHANCE THE PROCESS.

IN CLOSING MR. CHAIRMAN, THIS CONFLICT HAS BEEN A DIFFICULT TEST NOT ONLY FOR THE EUROPEAN COMMUNITY AND THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE (CSCE), BUT FOR THE COMMUNITY OF NATION-STATES AS A WHOLE. WE HAVE SEEN NUMEROUS CEASE-FIRE ATTEMPTS QUICKLY DISINTEGRATE, PEACE MONITORS SHOT AT, AND IN SOME INSTANCES KILLED. THE INSIGHTS THESE WITNESSES CAN PROVIDE WILL BE VERY HELPFUL AS THE SITUATION EVOLVES, SO THAT WE CAN IMPROVE OUR PURSUIT OF PEACE.

JIM MOODY
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Findings
Of a

Dec. 23-31 Visit to Yugoslavia
by Congressman Jim Moody

I have recently completed an 8-day fact finding and peace-supporting trip to Yugoslavia--a country I know well from serving there 2 years with CARE, whose language I speak, and whose people I deeply admire. My wife and I travelled at our own expense.

We met with over 50 political, military and religious leaders spanning the entire political and ethnic spectrum, visited the war front to see the devastation, and heard the horrifying personal experiences of Serbian and Croatian refugees driven from their homes by the war.

Unless decisive action is taken, Yugoslavia stands at the abyss of a catastrophic war that could easily (1) kill tens of thousands of people, (2) destabilize a region that is important for the U.S. economically and by historic ties, and (3) jeopardize the recent democratization process of the region.

The U.S. has a economic and political stake. The many billions of dollars American taxpayers have invested since 1948 to bring about a democratic and economically viable Yugoslavia is now in jeopardy. A general Balkan war would cost the West and the U.S. many billions more.

Key Points to Understand

. This war is essentially a continuation of an old conflict between Serbs and Croats, not an ideological struggle over Marxism as often alleged.

. The Yugoslav army has it's own political and economic agenda which seriously jeopardizes prospects for peace.

. Despite disagreements on details and timing, there are substantial points of agreement on both the Serbian and Croatian government sides that could serve as the basis of agreement.

Conclusions

My key conclusions are:

1. The shooting must be stopped as soon as possible. Given the seething distrust and ill will on both sides, every day the war goes on makes it harder to reach final solution by negotiation.

2. It is particularly important to prevent the fighting from spreading to Bosnia-Herzegovina where a spark could ignite a bloody war of endless reprisals involving not only Serbs and Croats, but also Moslems.

3. The Yugoslav National Army, the second largest and most powerful in Europe, must be brought under immediate civilian control. It now acts largely autonomously and has itself become a major "player" in the crisis. Its composition has become predominately Serbian, but it has institutional and political goals separate and apart from Serbia.

Crucial Concerns that must be Included in Any Solution

The two crucial concerns that must be addressed for any durable solution to the conflict:

I. Extreme concern by Serbia for the personal safety and free cultural expression of Serbs living under Croatian control.

In my judgement this Serbian insecurity and fear is the single most emotional element driving the war. Obviously it springs from the 1941-45 experience when an estimated 700,000 Serbs were slaughtered under the last existing separate Croation state. Croations were killed too but in far smaller numbers.

Clearly a separate Croatia state today would not be a puppet of Facist Germany as the 1941-45 one was, and it would be operating in a totally different European and international environment. Hopefully airtight and absolutely assured guarantees and circumstances could allay these intense Serbian fears. Likewise, given the historic ill feelings of Croations for Serbs, developed from earlier periods but strongly reinforced by this war, any durable solution would have to entail comparable guarantees for Croatian safety and cultural rights.

II. Croatia's absolute insistance on legal and political independence from any and all parts of Yugoslavia. They want to leave Yugoslavia at all cost. This is a many-decades old desire by Croatia and must also be part of any stable solution.

Here is where the Yugoslav army's separate agenda plays a crucial role. Only a state much larger than Serbia can support the army's enormous annual budget, its future pensions, the provision of housing etc. for its thousands of career officers. If Croatia succeeds from Yugoslavia, along with Slovenia and possibly Bosnia-Macedonia, the army's future economic status is deeply jeopardized. This explains the Yugoslav's army's strong motive to continue the war to prevent Croatia and the country from further break up.

I support fully meeting both sets of concerns, items #I and #II outlined above. Serbs must be protected and Croatia must be allowed to leave Yugoslavia.

The key issues will be how and when these are accomplished.

Achieving the Peace

The main ways to achieve both #I and #II fall into two approaches:

1. Plebiscites, held under international supervision, in the disputed border areas, to let people choose what republic they want to live in.

This could well--would probably--cause some changes in the border areas now in Croatia where Serbs are a clear majority. For this reason the Croatian government will clearly oppose this proposal just as "land for peace" proposals in the Middle East are often resisted by those with entrenched interest.

Plebiscites to confirm or adjust Yugoslav borders by popular will would have to be supplemented with voluntary population exchanges for people ending up on the "wrong" side of any border. (Other Balkan countries have had such swaps in the past, with very favorable results).

The alternative approach is:

2. Absolute guarantees for personal safety and cultural expression for Serbian and Croatian minority populations outside their "home" republics. These would have to be internationally guaranteed for the Serbs and Croatians to have confidence in them and prevent future violence.

I personally prefer option #I--plebiscites and voluntary population swaps--because continuous on-site guarantees by international organizations would be extremely expensive as they would have to be of open-ended duration. Also, the plebiscite option better fits with the traditional American philosophical commitment to self determination. In my opinion, the "land for peace" option based on popular vote, not political gerrymandering, would be far more secure and durable.

Final Observations

There is relatively little time left before the Yugoslav powder keg explodes.

The immediate need is for an outside force to physically separate the warring parties--both regular and irregular units. Only then can time be obtained to begin productive negotiations and stop continued needless killing.

provide the outside intervention needed right now--the so called "Blue Helmet" option. Neither the E.C. or any other multi-national body has the international stature or the neutral coloration to be effective. From my talks with Presidents Milosevic and Tudjman this would be acceptable.

The Blue Helmet option also depends on agreement by all members of the UN Security Council where the U.S. has particularly strong influence in light of the current international conditions.

Unfortunately--most unfortunately--the Bush Administration has until now deferred almost entirely to E.C. leadership, thus greatly strengthening the hand of Germany which is deeply distrusted by Serbs from their experience in World Wars I and II. The Bush Administration has also been very slow to recognize the two essential ingredients of Croatian independence and allaying Serbian minority fears for physical safety.

Official U.S. policy has clung tenaciously to the obsolete notion of Yugoslavia as a viable single nation state. In this context the U.S. policy until now has failed to address the key problem of a vastly oversized Yugoslavia army with its own agenda.

No one knows when the current momentum towards total war in Yugoslavia will reach the point of no return, so UN action must be swift.

The sooner the Bush Administration moves to urge the United Nations to act, the sooner lives will be saved and a peaceful outcome secured.

STATEMENT OF THE HONORABLE HELEN DELICH BENTLEY
BEFORE THE HELSINKI COMMISSION
FEBRUARY 5, 1992

Mr. Chairman:

I would like to thank the Commission for asking me to attend today's hearing, and look forward to the light that Ambassador van Houten and Ms. Laber can shed on the complex human rights situation in Yugoslavia.

I am particularly interested in Helsinki Watch's findings regarding human rights abuses perpetrated by the Croats against ethnic Serbs in the Serb majority and other areas of Croatia. Since the letter sent to Milosevic two weeks ago detailing Serbian violations, I have been waiting patiently for the letter that Helsinki Watch said it would send to Tudjman, but since it has not been sent yet, I certainly will be interested in what Ms. Laber can tell me about it.

I believe many of us are aware by now of the mass killing of ethnic Serbs perpetrated by the Croats in Gospic that was detailed in the January 25th New York Times.

In addition, Amnesty International has also documented a number of abuses from both sides in their November 1991 report entitled Yugoslavia: Torture and deliberate and arbitrary killings in war zones.

I would like to read from the introduction of this report in order that the general public be aware that widespread abuses are being perpetrated by all combatants in the current crisis:

"Reports from the war zones of Yugoslavia over the past four months show that all sides in the conflict have blatantly flouted international human rights and humanitarian standards that explicitly forbid the murder and torture of captured combatants and civilians not actively involved in the fighting. Among the thousands of people killed in the conflict, mainly in Croatia and in border areas of Bosnia-Herzegovina, are unarmed civilians and captured combatants who have been deliberately killed by police, military or paramilitary forces. People who have been detained in connection with the fighting have in some cases also been ill-treated or tortured, in some cases resulting in death. Reports from the media and other sources indicate that those responsible for committing these atrocities come from all parties in the conflict -- the federal army, Croatian security forces and Serbian paramilitaries."

I ask the Chairman's permission to insert these and a number of other articles and reports into the record.

I have been viewing over the last week or so, a number of videotapes, both professional propaganda efforts out of Belgrade, and amateur footage, of alleged atrocities committed against Serbs in the current conflict.

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I am aware that such tapes are also widely distributed by the Croatian lobby here in the U.S. If anything, this indicates that one must take them with the requisite grain of salt, but it is hard not to believe what one sees with ones own eyes. I even know of one documented instance of footage broadcast on German television, where Serbian victims were represented as Croats. After this was discovered, the bodies were repatriated to Serbia.

Everything that I have brought up today is indicative of the mood of intolerance and revenge that has been fueling the current civil war, and of the misinformation that has been obscuring the many of issues that must be addressed if there is to be a comprehensive solution to the crisis. The war started because of the human rights concerns of the Serbian minority in Croatia, and their human rights continue to be blatantly violated, not just in the war zones, but also throughout the republic.

Offers of autonomy for the Serbian minority in Croatia by the Tudjman government have been orchestrated for consumption by the international community, but do not bear close scrutiny. Tudjman's promise of more minority guarantees was just paying lip service to the demands of Germany and the EC for recognition. To my knowledge, no representatives of the Serbian minority in Croatia took part in that process, which one would think would be the first step if the process were to be considered legitimate.

Even the Badinter report expressed reservations on Croatia's human rights guarantees. Despite this, Croatia was recognized by the EC. Since recognition, Zdravko Tomac, Deputy Prime Minister of Croatia, has been quoted in Danas, regarding Tudjman's promise of expanded minority rights as saying that, "Croatia has no need to change the Law on Minorities because it is in agreement with the Hague Conference", and that, "What the Arbitration has requested is already contained in the law." This is patently false, and I think of great concern.

In fact, the Washington Post published an editorial yesterday on the very subject on the independence wishes of the Krajina region. It states:

"Here is the dilemma of Croatian self determination. From a distance, 'Croatia' looks like an integral territory easily broken off and accorded recognition and independence in the name of high principle. But what about those Serbs in Croatia who to this day have not received constitutional guarantees of their minority rights and shows in any event resist living in other than a Serbian country."

The editorial continues later:

"Recognition of Krajina's right to self-determination would amount to dismemberment of Croatia and would build in an irredentist cause. But how is its claim to secession or independence any less worthy than Croatia's?"

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An article by Chuck Sudetic in the January 31st New York Times also sheds some light on Tudjman's sincerity vis-a-vis the Serbian minority in Croatia. It states:

"Another [western diplomat] described the Croatian objections [to the peace plan] delivered to United Nations officials this week, a result of 'post recognition euphoria, which he said emboldened officials in Zagreb to demand revisions after their Government gained recognition from Germany and then from the rest of the European Community."

The article continues later quoting another western diplomat:

"The Croats are obviously demanding explicit recognition from the United Nations that the disputed territory is Croatian and will be Croatian and that Croatia's constitution and laws will be valid there. This is obviously something that the Serbs will never go along with."

Summing up the current Croatian position, Mr. Sudetic states:

"While openly expressing support for the peacekeeping plan, according to one western diplomat, Croatian officials have threatened the United Nations team that Croat forces would invade Bosnia-Herzegovina to save Croats in that multi-ethnic tinderbox republic."

"Croatian officials have repeatedly warned that Zagreb will use force if necessary to retake Serb-held areas."

And then later:

"Croatia's foreign minister, Zvonimir Separovic, confirmed Serb fears that Croatia may not agree with a long-term presence of peacekeeping forces in the disputed areas."

"We are prepared to risk a certain amount of time, maybe the six months planned for the deployment, maybe even one extension," Mr. Separovic said in an interview published Wednesday in Frankfurter Rundschau, a German newspaper. "But there is no way they will be here for 10, 15, or 20 years. That is out of the question."

U.N. special envoy Cyrus Vance said in New York on Monday regarding current Croatian unwillingness to support the peace plan that the Croats were "backing off from what they committed to do at an earlier date, and that simply is unacceptable."

In addition, it has come to my attention that there currently is an effort to rehabilitate Cardinal Stepinac in the Croatian Parliament. Stepinac was a Roman Catholic Cardinal who was intimately involved with the Nazis and the World War II Ustashe government, and who was tried and convicted on war crimes. This echoes Tudjman's previous actions regarding the renaming of the Square of Victims of Fascism, a pivotal point in the events leading up to the current civil war.

I would also point out that Stipe Mesic was recently quoted in the German newspaper Die Zeit as saying that all Serbs within the boundaries of Croatia should be killed.

These events are evidently serious enough to provoke a response even from Germany. A Reuters article by correspondent Stephen Nisbet on February 3rd details this action. Mr. Nisbet begins:

"Germany undertook on Monday to press Croatia to restore impetus to peace moves in order to avert the threat of renewed civil war in Yugoslavia, British Foreign Secretary Douglas Hurd said."

"He told a news conference after an Economic Community foreign ministers' meeting the 12 EC states were anxious that their twin-track approach to peace in Yugoslavia was being blocked."

"German Foreign Minister Hans-Dietrich Genscher undertook to do what he could with Croatia to revive the impetus of the twin-track approach, Hurd said. This involved the planned deployment of 10,000 United Nations peacekeeping troops and the EC-sponsored peace conference chaired by former British foreign secretary Lord Carrington."

"Hurd's emphasis on Genscher's role in pressing the Community's concern on Croatia reflects Germany's role in pushing the EC to early diplomatic recognition of Croatia and Slovenia, which declared their independence last June."

Mr. Nisbet continues later in the article:

"Hurd said the foreign ministers reaffirmed their plan to lift economic sanctions against all Yugoslav republics except Serbia."

"Asked why the EC was lifting sanctions against Croatia when it was not satisfied with its actions, Hurd said ministers had not wanted to go back on earlier decisions."

"But he hinted that Croatia would not profit in other ways from its new international diplomatic recognition unless it became more cooperative in easing the Yugoslav crisis."

"Croatia needs many things, like entry into the United Nations, and international financial organisation, and the lifting of the arms embargo," he said."

"Hurd said Croatian President Franjo Tudjman should introduce legislation on ethnic minority rights."

The Republic of Croatia's record on human rights is dismal, not that Serbia's is any better. I think it is important for people to recognize this, and use appropriate caution in analyzing the current situation, or espousing support for one side or another in this bloody civil war.

To sum up, an editorial in the January 27th Washington Post does an excellent job of putting the current civil war in the Balkans in the proper perspective.

The most important U.S. policy goal at this point in time should not be to recognize Croatia, but to ensure the placement of U.N. troops to separate the warring factions and therefore protect the human rights of all groups involved.

The editorial states:

"There is no taking back whatever inadvertent license may have been given outside parties -- as when, for instance, Germany "unconditionally" recognized an independent Croatia whose regulars as well as irregulars (and of course Serbia's too) stand plausibly accused of hideous crimes. Perhaps the Germans, so eager to assert leadership in the new Europe, can break of the celebration of 'democratic self-determination' in Croatia and drop a word about human rights."

Let us address human rights concerns first, and only then, act on recognition. It is important that the U.S. maintain its flexibility in addressing the issue of human rights without restrictions like those that the EC has inadvertently set for itself by unconditional recognition of the break-away republics.

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**The Yugoslav Republics:
Prospects for Peace and Human Rights**

**Testimony of Jeri Laber, Executive Director,
Helsinki Watch**

**Before the Commission on Security and
Cooperation in Europe, United States Congress**

Wednesday, February 5, 1992

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Thank you, Chairman Hoyer, for holding this important hearing and for inviting me to testify. My name is Jeri Laber and I am executive director of Helsinki Watch, a human rights monitoring organization associated with Human Rights Watch. We appreciate your attention to the growing human rights crisis in the Yugoslav republics, and your commitment to human rights generally.

The human rights situation in the republics of Yugoslavia has worsened dramatically in the past year. Helsinki Watch takes no position on the claims to independence of the Yugoslav republics, provinces or other regions. Our only concern is that the human rights of all individuals -- including ethnic minorities -- be respected. A summary of our human rights concerns in the Yugoslav republics includes violations of the rules of war by Serbian paramilitary groups, the federal Yugoslav armed forces and the Croatian military, such as the summary execution of civilians and disarmed combatants; the indiscriminate and disproportionate use of force against civilian targets; the torture and mistreatment of detainees; the taking of hostages; the forced displacement and resettlement of civilian populations; and the killing of and attacks upon a large number of journalists covering the war. Moreover, Helsinki Watch is gravely concerned about the disappearances of both Serbs and Croats in Croatia and the harassment and repression of opposition political figures and anti-war activists in Serbia. Helsinki Watch also deplores the continuing persecution of the Albanian population of Kosovo. Moreover, Helsinki Watch has documented restrictions on

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freedom of expression and the press in Croatia, Montenegro and Serbia -- including the provinces of Kosovo and Vojvodina. We are also concerned that the potential for violence in Bosnia-Herzegovina and Macedonia will lead to a dramatic worsening of human rights in those regions.

Helsinki Watch's Letters to Serbian and Croatian Authorities

I believe that you have all been given copies of Helsinki Watch's letters to Serbian President Slobodan Milosevic and General Blagoje Adzic, Acting Minister of Defense and Chief of Staff of the Yugoslav People's Army. The letter to President Milosevic and General Adzic was released on January 23. The letter to Croatian President Franjo Tudjman will be sent to him this week and released to the public on February 12. We will see that you all receive copies.

Both letters call upon the relevant parties to take immediate steps to investigate and bring to an end flagrant violations of human rights in areas under their control. As a matter of policy, Helsinki Watch does not compare the extent of the violations by the offending parties. We did not release the two letters simultaneously because we wanted to avoid comparisons, particularly in the Serbian and Croatian press, and because we wanted to focus attention on abuses committed by each respective party on an individual basis.

Helsinki Watch's Chair, Jonathan Fanton, and I travelled to Belgrade in late January in order to meet with President Milosevic and General Adzic. Unfortunately, neither President Milosevic nor General Adzic agreed to meet with us but we were received by Dragan Ignjatijevic, Assistant Minister of Foreign Affairs of the Republic of Serbia and by General Milan Pujic, Assistant Secretary of National Defense, and Lieutenant General Vladimir Vojvodic, Director General of the Medical Service of the Yugoslav People's Army. Likewise, we will ask to meet with President Tudjman of Croatia in the coming weeks to discuss our concerns personally. Numerous violations of the rules of war are being committed by both sides in Croatia; I will summarize our conclusions and main concerns here.

Violations of the Rules of War in Croatia

Summary Executions and Disappearances

Helsinki Watch is gravely concerned about the summary execution and torture of civilians and disarmed combatants in the war in Croatia. We are also alarmed by the disappearance of thousands of people -- Serbs, Croats, and others. We have

documented 14 cases in which civilians were summarily executed in a brutal manner by Serbian paramilitary groups and army reservists and volunteers, usually after the fall of a Croatian-held area to Serbian forces. In many instances, the Yugoslav army appears to have been aware of such behavior by the Serbian irregulars and sometimes by members of its own forces, but it has not stopped such massacres. After the fall of various villages and towns to Serbian forces, many non-Serbs were taken to unknown destinations and remain missing. Over 3,000 people are missing from the city of Vukovar alone, which fell to Serbian troops in mid-November.

Croatian forces are abducting Serbian civilians, many of whom remain missing or have been found bestially murdered, as in the case of 24 Serbs who were massacred near Gospic. Croatian police and military forces have arrested Serbs without apparent reason -- particularly in the cities of Sisak and Gospic -- and their whereabouts remain unknown. Such flagrant violations of the rules of war by Croatian forces are frequently committed by local police officers and members of the Croatian army. In some cases, the republican authorities have lost control over local-level commanders, particularly in areas which have been under siege by Serbian forces and the Yugoslav army for prolonged periods of time. Nevertheless, the Croatian government is responsible for the acts of its agents and the Croatian government must investigate and vigorously prosecute all human rights abuses on territory which it controls.

Helsinki Watch has forwarded lists of missing persons believed to have been captured by Serbian forces to General Adzic and President Milosevic. We will present a similar list to President Tudjman. Helsinki Watch is gravely concerned that those still missing may have been killed by their captors and that their bodies may have been burned or disposed of in unmarked graves so as to disguise the nature of their deaths. Helsinki Watch is also concerned that the existence and whereabouts of certain internment centers are being concealed from domestic and international human rights and humanitarian organizations, particularly in Serbia.

Excessive and Indiscriminate Use of Force

The excessive and indiscriminate use of force throughout Croatia by Serbian forces -- particularly by the Yugoslav army -- has resulted in thousands of civilian deaths and injuries. In almost all cases, artillery, aerial and naval attacks by Serbian troops and the Yugoslav army were disproportionate to the threat posed by Croatian troops, most notably in Dubrovnik, but also in Vukovar, Osijek and elsewhere.

Torture, Destruction of Civilian Property and Forced Displacement

Both Croatian and Serbian forces are guilty of torturing and mistreating persons held in detention. Civilian property has been destroyed by individual extremists as a means of intimidating and driving out members of the opposite ethnic group. In Croatia, residences, vacation homes and places of business owned by Serbs have been destroyed by Croats, particularly in Dalmatia. Likewise, Croatian property in Serbian-controlled areas has been vandalized while, in other cases, non-Serbs have been required to sign their property over to local Serbian authorities before being allowed to leave Serbian-occupied areas. Moreover, Croats, Hungarians, Czechs and others are being forcibly displaced by Serbian forces from their homes in Serbian-occupied territory in order to create purely Serbian regions in areas that are otherwise of mixed population. Displaced Serbs are being resettled in Serbian-occupied territory in Croatia to consolidate Serbian control over regions captured from Croats and to prevent the original non-Serbian inhabitants from returning. This practice is concentrated primarily in eastern Slavonia and Baranja and, to a lesser extent, in the Knin and eastern Dalmatian regions.

Harassment and Discrimination

Individual harassment of and discrimination against Serbian civilians in Croatian-held territory is increasing. In some instances, local government officials have condoned, encouraged or perpetrated acts of violence or harassment against Serbian civilians. The fact that Croatia is engaged in an armed conflict with Serbian forces in no way gives individual Croats or Croatian government officials -- whether at the republican or local level -- the right to violate the rights of Serbian civilians who are law-abiding citizens in Croatia. Moreover, in mid-1991, individual Croatian workers authored and organized the signing of "loyalty oaths" to the Croatian government. The loyalty oaths were typically written by Croatian workers and presented either to all employees or only to Serbian workers for signatures. Those who refused to sign -- mostly Serbs -- were threatened with dismissal or were, in fact, fired from their jobs. Although the Croatian government belatedly condemned such campaigns and required the reinstatement of those dismissed, the organizers of such campaigns were never prosecuted. Although the practice of signing loyalty oaths appears to have ceased, the Croatian government must ensure that such campaigns are not reorganized in the future, especially in light of growing inter-ethnic tensions and distrust in Croatia.

Killings and Attacks Against Journalists

An alarmingly large number of journalists have been killed, wounded, physically assaulted or otherwise attacked while reporting on the war in Croatia. On the basis of Helsinki Watch's investigations, we have found that at least 17 foreign and domestic journalists have been killed in Croatia in the past seven months. Nine journalists were captured and subsequently released by Serbian forces and four remain missing. At least 28 journalists were wounded while covering the war in Croatia. At least 63 were attacked and over 38 were otherwise harassed (i.e., threatened, property confiscated, etc.). Although some of the journalists appear to have been killed or injured by crossfire during a battle, Helsinki Watch fears that some of the journalists killed in Croatia were deliberately targeted because of their professional affiliation.

Restrictions on Free Expression

The Serbian government and the Yugoslav army are also conducting campaigns of harassment and repression against the Serbian opposition and anti-war activists in Serbia. Helsinki Watch is particularly concerned about what appears to be an effort by the Serbian government to silence anti-war activists and opposition figures by sending them to the battlefields in Croatia. Police intimidation has been used against ethnic Hungarian anti-war activists in the province of Vojvodina. Individual vandals -- many of whom are believed to be members of Serbian paramilitary groups active in Croatia -- have harassed members of the Serbian opposition, the anti-war movement and the independent or non-Serbian press and have vandalized their property or assaulted their persons. Helsinki Watch is not aware of any efforts by the Serbian government to investigate or prosecute reported cases of assault and vandalism. Rather, we are concerned that President Milosevic's government is condoning -- and possibly encouraging -- such attacks against those opposed to his regime or policies.

The Serbian government has also tried to silence and intimidate members of the political opposition by bringing criminal charges against them. Helsinki Watch believes that criminal charges brought against Vuk Draskovic, leader of the Serbian Renewal Movement, for his role in organizing a demonstration in Belgrade in March 1991 are unjustified. Rather, the Serbian government bears responsibility for the excessive use of police force during the March demonstrations, in which two persons were killed, at least 203 were wounded and scores of demonstration participants and organizers were arbitrarily arrested and harassed. Threats of criminal prosecution -- such as the charges brought against Vuk Draskovic -- are being used by President Milosevic's government as a means to intimidate

opposition groups in Serbia and to cow them into submission.

Restrictions on Freedom of the Press

Serious restrictions on freedom of the press exist in Serbia -- including the provinces of Vojvodina and Kosovo -- Montenegro and Croatia. The mainstream Albanian-language press in Kosovo has either been banned by the Serbian authorities or completely subordinated to the Belgrade media. The main Albanian-language daily in Kosovo, Rilindja, remains banned 19 months after its forcible closure by Serbian authorities. Between October 25 and December 1, 1991, four Albanian journalists were arrested and imprisoned for publishing a book, a map and two articles which were deemed subversive by the Serbian authorities.

The governments of Vojvodina and Montenegro have effectively taken control of the press in each region. Journalists, regardless of their ethnic affiliation, have been harassed throughout Vojvodina and Montenegro for their support of the political opposition. In addition to Vojvodina's Serbian-language media, the Hungarian-, Ruthenian-, Romanian-, and Slovak-language presses have been purged. The provincial government of Vojvodina -- which is widely regarded as an appendage of President Milosevic's regime -- is currently trying to strengthen its control over the Hungarian-language press in Vojvodina. Despite the fact that workers and journalists at the Hungarian-language daily, Magyar Szó, voted unanimously against the proposed appointment, Vojvodina's provincial government is trying to install an editor-in-chief who is an adherent of President Milosevic's policies.

In Croatia, after the adoption of a presidential decree in early November, foreign and domestic press reports about the war are subject to censorship by Croatian authorities. According to the new regulations, all media must comply with instructions issued by a government-appointed committee, local administrative bodies or regional defense centers before they can report on the war in Croatia. In effect, the decree establishes censorship panels on both the republican and local levels. Journalists can be sentenced to a maximum of five years' imprisonment for reporting military information if they fail to obtain permission from the Croatian armed forces. Helsinki Watch believes that such a decree seriously impedes freedom of the press in Croatia. The Croatian government has made no case for the imposition of such press restrictions and it has failed to prove that the press in any way obstructed military operations or endangered the republic's security.

Continuing Human Rights Abuses in Kosovo

The Serbian government's oppression of ethnic Albanians in

Kosovo is the most protracted human rights problem in Yugoslavia. Physical mistreatment in detention remains a serious problem, while systematic discrimination has increased dramatically in the past year.

Ethnic Albanians continue to be jailed for nonviolent political "offenses," including possession of certain Albanian-language publications, for participation in peaceful demonstrations and for committing so-called "verbal crimes," such as "insulting the socialist, patriotic, national and moral feelings of the citizenry," "insulting a public official, institution or organization," and "conveying disturbing news." Most Albanians are sentenced to 30- to 60-day prison terms for having committed such "offenses." By the time an appeal is filed and a hearing is granted, an individual has already served his sentence. Many Albanians have served multiple 30- to 60-day sentences; the purpose is to silence, intimidate and harass opponents and critics of the Serbian regime in Kosovo.

Over 20,000 Albanians -- including 2,000 medical personnel -- lost their jobs because of ethnic discrimination in 1991. Many Albanians were dismissed from their jobs and were subsequently replaced by Serbian and Montenegrin workers. Albanians have lost their jobs because they refused to sign loyalty oaths to the Serbian government, or because they organized or participated in peaceful demonstrations. Approximately 300 Albanian families have been illegally evicted from their homes. Such actions have worsened the socio-economic marginalization of Albanians in Kosovo, where 86 percent of the population already lives below the poverty line.

United States Policy

In contrast to the activism of the European Community, the United States has reacted sluggishly and ineffectively to the crisis in the Yugoslav republics. Although the United States, particularly the Embassy in Belgrade, has publicly criticized human rights abuses in each republic, the Bush Administration has devoted too much energy to trying to preserve Yugoslav unity and the faltering government of former Prime Minister Ante Markovic rather than to address the human rights violations by individual republican governments and the Yugoslav army.

The United States appears to have opted for "quiet diplomacy" in dealing with the Yugoslav military. Its approach has been to exercise its influence with the Yugoslav military by urging it to refrain from attacks against civilians in Croatia and from expanding the war into the ethnically-mixed republic of Bosnia-Herzegovina.

While Helsinki Watch understands the many factors that the United States government must weigh in its foreign policy

decisions, as a human rights organization we believe that the United States should distance itself from abusive governments or security forces engaged in the systematic and egregious abuse of human rights. The United States should have examined early on ways to punish the Yugoslav military and to prevent it from committing further abuses. Moreover, because paramilitary groups supported by the Serbian government act in conjunction with the Yugoslav military in attacking civilian targets in Croatia and because Serbian authorities are responsible for the systematic abuse of human rights in Kosovo, Helsinki Watch believes that economic sanctions should have been directed at both the Serbian government and the Yugoslav army.

The Bush Administration followed the European Community's lead and imposed economic sanctions against Yugoslavia in November. An arms embargo was also imposed against Yugoslavia. Currently, the United States can best exercise its diplomatic and political influence by trying to convince Greece and non-European Community members to impose similar sanctions against the Yugoslav military and the Serbian government.

In their meetings with Croatian government officials, the United States Embassy has frequently raised its concerns about human rights violations by Croatian forces. Helsinki Watch calls upon the U.S. to publicly express such concerns so as to bring greater pressure on Croatian authorities to ensure that the human rights of all of Croatia's citizens -- including Croats, Serbs and others -- are respected and that those found guilty of violating those rights are brought to justice. Insofar as local police or military officers are guilty of continued violations of human rights and humanitarian law, the Croatian government must take disciplinary action against all perpetrators of such abuses. The Croatian government must also be urged to take disciplinary measures against the perpetrators' immediate superiors, insofar as it can be established that such abuses are condoned -- or possibly encouraged -- by local military or police commanders. Should the Croatian government fail to take such steps and should egregious abuses of human rights and humanitarian law continue, Helsinki Watch advocates that sanctions also be directed against the Croatian government and any abusing agencies, such as abusive security forces or abusive local governments.

The United States should take active steps to condemn, and bring an end to the flagrant violations of human rights and humanitarian law in the Yugoslav republics. Such U.S. leadership would signal that gross abuses of human rights will not be tolerated as a way of resolving historical grievances, ethnic disputes and territorial claims.

Thank you again for this opportunity to appear before you



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SERBIAN GOVERNMENT AND YUGOSLAV ARMY
CHARGED WITH HUMAN RIGHTS VIOLATIONS

(New York) January 23--The Serbian government and the Yugoslav army must take immediate steps to investigate and bring to an end a series of flagrant violations of human rights, according to the U.S. Helsinki Watch Committee, a New York-based human rights organization. In a letter sent to Slobodan Milosevic, President of the Republic of Serbia, and General Blagoje Adzic, Acting Minister of Defense and Chief of Staff of the Yugoslav People's Army, Helsinki Watch described severe abuses that it has documented during many fact-finding missions to Yugoslavia over a period of years. Helsinki Watch Executive Director Jeri Laber arrived in Belgrade on January 22 in order to meet with President Milosevic and General Adzic and to discuss the organization's concerns in person.

Many of the abuses listed in the letter involve violations of the laws of war relating to the armed conflict in Croatia. Helsinki Watch has also documented violations of the laws of war by the Croatian forces and will present a letter detailing these violations to

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President Franjo Tudjman of Croatia. Helsinki Watch is aware of the fact that abuses have been committed by both sides in the conflict. As a matter of policy, the organization does not compare the extent of the violations by the offending parties.

Among the violations of the laws of war attributable to the Serbian government and the Yugoslav army are the summary execution of at least 295 civilians and disarmed combatants in at least 14 separate instances in five months; the indiscriminate, discriminate and disproportionate use of force against civilian targets; the torture and mistreatment of detainees; disappearances and the taking of hostages; the forced displacement and resettlement of civilian populations; and the killing and attacks upon a large number of journalists covering the war.

In addition to violations connected with the armed conflict in Croatia, Helsinki Watch has also documented restrictions on the press and on free expression in Serbia and the harassment and repression of opposition political figures and people who have spoken out against the war, sometimes by mobilizing them into the Yugoslav army and sending them to fight in Croatia.

The Helsinki Watch letter also deplores the continuing persecution of the Albanian population of Kosovo, including restrictions against free speech, expression and the press. The letter points out that ethnic Albanians continue to be imprisoned for verbal crimes and are mistreated in detention. Albanians are also arbitrarily dismissed from employment and evicted from their homes.

The letter ends with separate appeals to the Yugoslav military and the Serbian government.

The letter calls upon the Yugoslav army and the Serbian forces in Croatia to:

- Investigate reports of summary executions and torture of civilians and disarmed combatants by Serbian military or paramilitary groups and prosecute and punish all those guilty of such crimes.
- Refrain from the indiscriminate and disproportionate use of force, which has caused thousands of civilian deaths and injuries, and cease all discriminate attacks against civilians -- including journalists -- and civilian objects.
- Immediately and unconditionally release all civilians held hostage and treat all captured combatants humanely.
- Make known the whereabouts of all missing persons abducted by Serbian forces.

- Cease the robbing, pillaging, and forcible confiscation of homes and property.
- Refrain from forcibly displacing persons for non-war related reasons and allow all persons forcibly displaced to return to their homes without reprisals or mistreatment.
- Refrain from mobilizing members of the anti-war movement and political opposition in Serbia as a means of silencing government critics.
- Refrain from interfering with freedom of the press by demanding that it print the names of purported army deserters.

The letter calls upon the Serbian government to:

- Investigate reports of harassment of, and attacks upon, anti-war activists, opposition groups, and the independent-minded media.
- Drop all criminal charges brought against Vuk Drašković for his role in organizing the March 1991 demonstrations in Belgrade.
- Cease all harassment, arrest, demotion and dismissal of independent journalists and respect freedom of the press.
- Cease all arrests, prosecution and imprisonment of ethnic Albanians who have peacefully exercised their right to free speech and expression in Kosovo.
- Cease the mistreatment of Albanians held in detention.
- Immediately and unconditionally lift the ban against Rilindja.
- Cease all forms of discrimination against ethnic Albanians in Kosovo, including the arbitrary dismissal of Albanian workers from their jobs and their subsequent eviction from their homes.



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January 21, 1992

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**His Excellency Slobodan Milošević
President of the Republic of Serbia
Marsala Tita 14
11000 Belgrade
Serbia**

**General Blagoje Adžić
Acting Minister of Defense and
Chief of Staff of the Yugoslav People's Army
Kneza Miloša 35
11000 Belgrade
Serbia**

Dear President Milošević and General Adžić:

The U.S. Helsinki Watch Committee is deeply troubled by reports of serious human rights abuses by the Serbian government and the Yugoslav Army. Our own investigations of these reports, conducted during a series of fact-finding missions to Yugoslavia over several years, indicate that many of these reports are well founded. We call upon you to investigate the abuses enumerated in this letter and to punish those responsible for them. We call upon you to take immediate measures to ensure that such violations of human rights do not occur again.

The abuses described in this letter include violations of the laws of war in the Croatian conflict, including the summary execution of civilians; the indiscriminate and disproportionate use of force against civilian targets; the torture and mistreatment of detainees; disappearances and the taking of hostages; the forced displacement and resettlement of civilian populations; and the killing of journalists covering the war. In addition to violations connected with the armed conflict in Croatia, Helsinki Watch has also documented restrictions on the press and on free expression in Serbia and the harassment and repression of opposition political figures and people who have spoken out against the war. Finally, we object to the continuing persecution of the Albanian population of Kosovo.

Rules of War Violations in the Croatian Conflict

We hold the government of the Republic of Serbia responsible for violations of the rules of war by two groups of rebels -- local Serbian irregulars organized in Croatia, and those organized in Serbia and sent to Croatia.

The government of Serbia has provided military, economic and political support to locally-based insurgents in Croatia. Moreover, President Milošević has asserted that if Croatia were to secede from Yugoslavia, the Serbs in Croatia and the territory on which they live could not be part of an independent Croatian state. The Serbian government's statements that Serbs in Croatia need protection from Croatian government persecution has stirred up fear and hysteria among the Serbian population and contributed to the tension that has led to violence.

The Serbian government has also condoned and, in some cases, supported the formation of at least three paramilitary groups in Serbia which operate in Croatia. What appears to be the most brutal of these groups is led by Vojislav Šešelj, leader of the Serbian Radical Party (*Srpska Radikalna Stranka*) and the Serbian Četnik Movement (*Srpski Četnički Pokret*). Šešelj's group of paramilitaries call themselves "Četniks" and operate throughout Croatia. A second paramilitary force is commanded by Željko Ražnjatović (a.k.a. Arkan) and a third group is led by Mirko Jović. Both Arkan's and Jović's forces are most heavily concentrated in the eastern Slavonian region of Croatia. In addition, various Serbian paramilitary groups are organized and trained by the so-called Captain Dragan, described by the *Washington Post* as "a half-Serb mercenary with Australian citizenship who refuses to give his real name."¹

We hold the Yugoslav People's Army (JNA) and the federal Yugoslav government responsible for the conduct of these groups as well, since the JNA has conducted military operations in which it commands the irregulars or operates in conjunction and/or in coordination with them. Both local insurgents and Serbian-based paramilitary groups have been armed, either directly or indirectly, by the JNA and provided with army uniforms and possibly military intelligence.

We therefore request a response from both the Serbian President and the Chief of Staff of the Yugoslav People's Army to the following very serious and credible reports of violations of humanitarian law during the conflict in Croatia.

Summary Executions

Serbian rebel forces appear to be responsible for the extrajudicial executions of at least 200 civilians and disarmed soldiers in at least 14 separate instances in five months, committed in areas where these forces had exclusive military control or shared that control with the JNA. In several cases, the victims were tortured before their execution. Some were captured because they were not able to flee before advancing Serbian insurgent forces due to advanced age or physical incapacity.

July 22, 1991 - Benkovac

Three Croats were arrested in Benkovac by Serbian paramilitary police. Ivica Knez, 39, was beaten to death and the whereabouts of the other two men, Tomislav Čeranja and Tomislav Kolerić, remain unknown.

¹Mary Battiata, "Serbian Guerrilla Camps Operate Inside Croatia," *The Washington Post*, July 22, 1991, p. A1.

July 26, 1991 — Struga (municipality of Dvor)

During a Serbian assault against the predominantly Croatian village of Struga (population 254), three Croatian police officers surrendered after Serbian insurgents encircled a house in which they had taken up positions. According to eyewitnesses,² the police officers were stripped of their clothing, humiliated and ordered to run through a field, where they were shot and killed by the insurgents.

August 1 — Dalj (municipality of Osijek)

On August 1, Serbian insurgents attempted to take over the local police station in Dalj.³ Police trapped inside the station refused to surrender to JNA troops and a battle for the town ensued. After the JNA occupied Dalj, Serbian paramilitary groups reportedly searched the village for Croatian soldiers, police officers and civilians, and killed many of those who were found wounded. Some victims had been killed by a bullet to the head at close range, apparently after being wounded or beaten, according to autopsy reports.⁴ Pjetar Djevelekaj, a baker of Albanian origin was first beaten and then executed by two close-range gunshots to the head.

Between August 5 and 14 — Lovinac (municipality of Gračac)

Serbian paramilitary groups attacked the village of Lovinac (population 499) on August 5 and reportedly kidnapped five Croats (Ivan Ivezić, 38, Stejepan Katalinić, 55, Marko Pavičić, 75, Jure Sekulić, 57, and Martin Sarić, 40). Their bodies were found 10 days later.

August 16 — Pecki (municipality of Petrinja)

After the village of Pecki (population 374) was occupied by Serbian forces, four Croatian men were killed when they returned to the village to feed their livestock. Three of the men appear to have been tortured prior to their execution. According to autopsy reports,⁵ Ivica Bugarin, 23, was shot and stabbed repeatedly, most probably with bayonets. His left arm was amputated, probably with an ax.

² Interviewed by Helsinki Watch in late July 1991. Serbian insurgents launched an offensive from the town of Dvor against Croatian police in the village of Kozibrod. En route, the insurgents captured approximately 40 civilians, including some of these witnesses, and used them as human shields during their advance through the villages of Struga and Zamlača. Their testimony is contained in "Yugoslavia: Human Rights Abuses in the Croatian Conflict," Helsinki Watch, September 1991, pp. 6-10.

³ Dalj has a population of 5,492, in which Serbs constitute a slight majority over Croats and Hungarians.

⁴ The information was obtained from reports of autopsies performed by doctors from the Department of Pathology and Forensic Medicine at Osijek Hospital and the Department of Anatomy at Zagreb University's School of Medicine. The autopsy reports cited herein were performed by Croatian and non-Croatian doctors, including Serbian pathologists and forensic experts. Helsinki Watch interviewed some of the doctors who performed the autopsies in Osijek and Zagreb.

⁵ The following information is contained in reports of autopsies performed by doctors from the Department of Pathology and Cytology at Sisak Hospital and the Department of Anatomy at the Zagreb University School of Medicine.

Hand axes were probably used to kill Djuro Horvat, 28, and Mate Horvat, 32, whose skull was fractured after his head was held firmly to the ground while heavy blows were inflicted with a blunt object. Stjepan Horvat, 70, died as a result of multiple gunshot wounds.

September 3-4 — Četekovac, Čojlug and Balinci (municipality of Podravska Slatina)

On September 3-4, the villages of Četekovac (population 310) Čojlug (population 86) and Balinci (population 295) were attacked by Serbian forces. After the villages fell to Serbian forces, two policemen and 21 civilians (16 men and five women) were killed. The dead ranged in age from 18 to 91 years. According to autopsy reports,⁶ 15 civilians were killed by gunshots to the chest or neck. J.B., 65, died from two wounds inflicted by a sharp object, presumably a knife. The body of M.S., 36, was set on fire.

A man from Četekovac recounted how his 58-year-old sister was shot in the knees and then killed with a knife by local Serbian insurgents, many of whom were known to him. A 67-year-old man said that he was dragged from his home and then witnessed his house and barn set on fire by Serbian paramilitaries.⁷ Four separate witnesses interviewed by Helsinki Watch all identified Boro Lukić, a Serb from a nearby village, as the main perpetrator and organizer of the massacres in Četekovac and Balinac.

October 13 — Široka Kula (municipality of Gospić)

Reportedly 13 people (mostly elderly persons and at least one child) were shot or burned to death after a mob, led by a Serbian police officer, looted Croatian homes and set them on fire. Eight remaining survivors identified their attackers and those who looted their homes.

Of the 536 people who lived in the village of Široka Kula, approximately half were Serbs and half Croats. According to eyewitness statements, most of the Croats had fled by late September after being threatened and intimidated by local Serbian authorities, who had occupied the village. On October 13, the Serbian leader of the local police, Iso Poskonjak, promised to evacuate the remaining Croats from the village and instructed Dane Orešković (a Croat) to gather the Croatian villagers in two houses. As the Croats assembled in the buildings, Serbian paramilitary groups began looting the homes and shot at the assembling villagers. Most of those killed were members of the Orešković family. They were killed with shotguns and their bodies were thrown into their homes which had been set on fire.

Mande Baša and Ana Nikšić, both over 70, were reportedly found with their throats slashed in Mande Baša's home.

October 31 -- Grubišno Polje and other villages in western Slavonia

Reports by the news agency Tanjug accused Croats of having committed war crimes against Serbs in the areas near the town of Grubišno Polje⁸ in Croatia. The allegations were

⁶The autopsy reports were prepared by doctors from the Department of Pathology and forensic Medicine at Osijek Hospital and the Departments of Forensic Medicine and Anatomy at the Zagreb School of Medicine.

⁷Interviewed in the village of Četekovac and Balinac on January 7, 1992.

⁸The population of the municipality of Grubišno Polje is 14,186, of which 42.3 percent are Croatian, 32.1 percent are Serbian, 13.7 percent are Czech, 3.5 percent are Hungarian, and 4.5 percent are Yugoslav.

investigated by members of the European Community (EC) monitoring mission who found that Serbian forces, not Croatian forces, were guilty of summary executions and destruction of civilian property in the area. The monitoring mission's report concludes:

We established evidence of crimes which were committed by the [Serbian forces] during the two- and three-month period that they controlled that particular zone [western Slavonia]. Our team did not find evidence of killings later, nor of the systematic destruction of Serbian property by the Croatian National Guard or Croats from the area.⁹

The EC report also found that Czechs and Croats were killed in 16 villages visited by the mission, homes were destroyed and residents were terrorized.

November 10-11 -- Bogdanovci (municipality of Vukovar)

A 46-year-old Albanian woman, Z.B.,¹⁰ had lived in Bogdanovci (population 1,208) for 18 years with her family. In early July, members of the Croatian National Guard had taken up positions in the village and many slept in the cellars of people's homes, reportedly with the proprietors' permission. After hostilities in the surrounding areas commenced in early July, many villagers fled. When the JNA and Serbian paramilitary groups launched a mortar attack against Bogdanovci on July 24, only about 100 people remained in the village. Z.B. hid in the cellar of a house with nine other people ranging in age from 46 to 83. At the time of the attack, approximately 50 members of the Croatian National Guard were stationed in the village. Z.B. recounted the attack:

We were shelled from the Serbian-controlled villages of Petrovci, Bršadin and Pačetin. We hid in a basement for nearly two months, including my blind 83-year-old mother-in-law. The Croatian Guardsmen would bring us food during that time. On November 10, the village fell to Serbian insurgents and the JNA and they told us to leave the cellar.

After three hours of detention in a local store,¹¹ the Serbian forces told us to go home. When we got outside into the yard of the store, they told us to form a line. Two elderly Croats - about 80 years old - who they had evidently found in the village, were also put in the line with us. One of the soldiers started shooting at each person in the line with a machine gun. When he got to

⁹ Excerpts of the European Community monitoring mission's report were published by the Paris-based newspaper *Liberation* on November 20, 1991, and Stephen Engelberg, "Villagers in Croatia Recount Massacre by Serbian Forces," *The New York Times*, December 19, 1991, p. A1.

¹⁰ The woman was interviewed on December 12, 1991, in the village of Drsnik (municipality of Klina) in Kosovo.

¹¹ Four men who had hid with the witnesses and others were severely beaten by Serbian forces. The beatings are described below.

me, he said "I am going to spare this one" and I was the only one who wasn't killed. During this shooting, a crowd of [JNA] soldiers stood by but did nothing to stop him from killing us. They left me alone and I hid behind a wall. I saw them loading videos and televisions into a truck; they were confiscating property from abandoned homes. A soldier later saw me and they put me into a house. I was taken to a room where I was interrogated and raped repeatedly for twelve hours by several men. One of the men raped me twice and took away my wedding ring. At 9:00 the next morning, two soldiers took me out of the house and I saw that the dead bodies had been covered with blankets during the night. I was then interrogated by a Serbian lieutenant colonel in his mid-fifties who greeted me in Albanian. He told me that he was a friend of my late husband's and that he was from the village of Lukavac in Kosovo. He saw the bodies of the people who had been killed the night before and asked me who these people were and I identified the bodies. He told me that maybe the Croatian Guardsmen had killed them but I replied that I saw a man in Yugoslav army uniform shoot them. The lieutenant colonel frowned and appeared angry. He said that he would spare my life because he knew my husband. The two soldiers and the lieutenant colonel drove me to the predominantly Ruthenian village of Petrovci, where I stayed with a Ruthenian couple for ten days. I was then put in a truck full of soldiers and driven to Valjevo [in Serbia]. Two soldiers gave me money for a bus ticket to Belgrade, from there I took a train to Kosovo.

November 18 — Vukovar

The city of Vukovar¹² was under constant siege by Serbian forces for three months. When the city fell on November 18, 15,000 people who had not fled the fighting emerged from the basements in which they lived for 12 weeks. After Vukovar's fall, civilians and soldiers *hors de combat* were beaten or arrested by Serbian paramilitary groups and the JNA. On the basis of interviews with displaced persons from Vukovar and foreign journalists and humanitarian workers who visited Vukovar immediately after its fall,¹³ Helsinki Watch has reason to believe that many Croatian men, both civilians and combatants who had laid down their arms, were summarily executed by Serbian forces after Vukovar's fall.

¹²Prior to its occupation, Croats comprised a majority of the population of the city of Vukovar (population 44,342) while the villages surrounding the city are predominantly Serbian. Croats comprised 43.7 percent and Serbs 37.4 percent of the population of the entire Vukovar municipality (population 84,024). Hungarians, Ruthenians, Slovaks, Ukrainians and Yugoslavs accounted for the remaining 18 percent of Vukovar's population.

¹³These interviews were conducted in Belgrade and Zagreb on December 14-19, 1991 and January 2-6, 1992, respectively.

November 18 — Škabrnje (municipality of Zadar) and Nadin (municipality of Benkovac)

On November 18, at approximately 7:15 a.m., the JNA and the Serbian paramilitaries launched a mortar and artillery attack against the Croatian village of Škabrnje (population 1,964). At 11:00 a.m., a JNA tank reached St. Mary's Church in the center of town and fired a mortar at the main door. Serbian paramilitaries then sprayed the church with machine gun fire and one paramilitary took up position in the bell tower and shot at the village from the tower. On November 19, at approximately 1:30 p.m., the same forces attacked the neighboring Croatian village of Nadin (population 678). By 4:30 p.m., both Škabrnje and Nadin had fallen to Serbian forces.

Reportedly after Croats¹⁴ destroyed a Yugoslav army tank at the western end of Škabrnje, the Serbian forces turned against the civilians. Serbian paramilitaries began plundering and shooting throughout the villages, killing 48 civilians (41 from Škabrnje and seven from Nadin). Most of those killed were elderly persons and, according to autopsy reports, the vast majority were killed by a bullet to the head shot at close range.¹⁵ A tank crushed the head and chest of K.R., a 59-year-old woman. B.S., F.R., and S.S., were severely beaten and were subsequently killed by blows to the head with a blunt instrument.

A 19-year-old woman recounted her experience during the attack on Škabrnje.¹⁶

About 500 insurgents and 20 tanks entered Škabrnje and occupied the village. They told us that we were all Ustašas and that they were going to kill us. Approximately 35 of the villagers were taken to the basement of the local church, where the insurgents beat many of the men, most of whom were elderly, with fists, rifle butts and sticks. My 80-year-old grandfather was beaten to death. We were later removed from the basement and taken to a detention center in Benkovac. When we emerged from that cellar, I saw approximately 10 bodies in a pile. The victims were both men and women and I recognized one of the dead women. I also saw that my house had been ransacked and sprayed with machine gun fire.

The local Zadar Red Cross and members of the European Community monitoring mission were denied access to the area after Škabrnje's and Nadin's occupation. Despite the fact that Nadin had been under control for over 24 hours, the JNA claimed that access to the villages was restricted because fighting continued. After a week of negotiations, the JNA agreed to deliver several corpses from Škabrnje to the Croatian authorities. Thirty-five bodies were delivered on November 23, and 13 more bodies were delivered on November 26.

¹⁴ Eyewitnesses claim that neither members of the Croatian police force nor the Croatian army were stationed in Škabrnje or Nadin at the time of the attack. The resistance with which the Serbian forces were met was apparently organized by local Croats.

¹⁵ The autopsies were performed by the Pathology Departments at Zadar Hospital and Sibenik Hospital (three bodies).

¹⁶ Interviewed by Helsinki Watch on January 7, 1992, in Zagreb.

Mid-December - Joševica (municipality of Glina)

Serbian paramilitary groups reportedly killed 20 Croats (ages five to 65) in the village of Joševica (population 120), which is part of the Serbian-controlled municipality of Glina.

Reportedly, members of the JNA and Serbian paramilitary units attacked Joševica and conducted a house-to-house search. Twenty people were taken from their homes and brought to the center of the village, where they were subsequently executed. According to the Serbian press, the killing of civilians in Joševica was meant to avenge the recent deaths of 21 Serbian paramilitaries killed during a Croatian offensive in the village of Gračanica, near Pokupsko. The Serbian authorities in Glina are said to be conducting an investigation of the killings.¹⁷

December 19 - Hum and Vočin (municipality of Podravska Slatina)

In August, Serbian insurgents seized control of several villages in the western Slavonian region of Croatia, including the predominantly Serbian villages of Hum (population 245) and Vočin (population 1,558). The area was reportedly held without any support from the JNA.¹⁸ After Croatian forces launched an offensive to regain lost territory in western Slavonia in early December, over 20,000 Serbian civilians and an undetermined number of paramilitaries fled the area. As the Serbian forces withdrew from the villages, they killed 43 Croats and burned many Croatian homes in both Hum and Vočin. The Catholic Church in Vočin, which served as a storage area for the Serbs' munitions, was completely destroyed after the paramilitaries exploded the ammunition to prevent it from falling into Croatian hands.

Eyewitnesses¹⁹ claim that members of the "White Eagles" (Beli Orlovi) paramilitary group, were responsible for the massacre and destruction. According to one witness:

Serbian irregulars from Valjevo and other parts of Serbia came to our village by bus on December 1. Using these same buses, they evacuated the Serbs from our village; they were reportedly taken to Bosnia and then to Belgrade. Četniks [members of a paramilitary group led by Vojislav Šešelj] were coming in small trucks packed with trunks of body bags. They spread rumors throughout the village that hundreds of Serbs had been massacred by Croats in Podravska Slatina and that they [the Serbs] would retaliate.

Another witness from Hum recounted her father's murder:

Some time around December 1, 1991, my children and I were at my parents' and brother's home. Five or six police officers from the Krajina region came to our door dressed in army camouflage uniforms. They had driven in a car with "Z-101 - SAO Krajina" registration plates. They demanded that we turn over a radio transmitter which we did not have. They did not believe us and searched the entire house but found nothing.

¹⁷ "Ubijeno 20 Hrvata," *Borba*, December 18, 1991, p. 7.

¹⁸ Stephen Engleberg, "Villagers in Croatia Recount Massacre by Serbian Forces," *The New York Times*, December 19, 1991, p. A1.

¹⁹ Interviewed by Helsinki Watch on January 5, 1992, in Vočin, Hum and Podravska Slatina.

They took me, my parents, my children and my brother to Vočin. They put my brother in handcuffs and called him an Ustaša, because our other brother was in the Croatian Guard in [Podravska] Slatina. When we got to the Vočin police station, they told us that "this is where you will be seeing throats slashed." We were put in a room and periodically people would come in and say, "Ustaša, we are going to cut your throats and kill you." We were kept in detention from 2:00 pm to 8:00 pm and were periodically interrogated by an inspector who was in his early 30s and claimed to be from Daruvar. At 8:00 pm, we were released and we went to our friend's home in Vočin. We were told to report back to the police station at 8:00 am the next morning.

The next morning we went to see the police inspector. A second man in a white overcoat was also present and he told us that he had to kill us because we were all Ustašas. At 3:30 pm they took us back to Hum and we saw that my father's home had been burned. More Četniks then arrived in the village. My mother, children and I were forced into the house and my father was left in the yard. When we got into the house, they threw something that sounded like a bomb outside. Three Četniks were yelling "The old man stays." I recognized one of the voices as that of Jovan C., with whom I went to school for many years. I heard my father say, "Don't shoot," but shortly thereafter, we heard shooting and when we came out into the yard we saw my father's body; only half of his head remained. We then hid at the home of B.D., a Orthodox [Serbian] man who helped us remove my father's body from the yard.

According to autopsy reports,²⁰ many of the victims had multiple gunshot wounds to the face and neck, usually from the back. Some also were shot in the legs and arms. Ten bodies were badly burned. I.S. had his hands bound, was strangled and then stabbed in the thorax. M.S. and V.A. were hit on the crown of the head with a sharp object, probably an axe. F.M. and M.M. were both shot in the eyes with a 9mm handgun. T.M. and M.M. appear to have been chained to a table and then set afire while still alive, according to the autopsy report.

The body of a 77-year-old Serb, S.N., was severely beaten and bruised; his arms appeared to have been branded with a hot iron. S.N.'s body was found a few meters from the bodies of an elderly Croatian couple who were chained and burned in their backyard. The village priest believes that the Serb may have been beaten and then killed for coming to the defense of the Croatian couple.

Among the civilian victims was a 72-year-old American citizen, Marija Majdanžić, nee Skender, who was born in Erie, Pennsylvania, but moved to Croatia at an early age. She appears to have died of smoke inhalation after being trapped in her burning home.

²⁰ This information is taken from autopsy reports from Osijek Hospital and photographs of the dead bodies. When a Helsinki Watch representative visited Hum and Vočin on January 7, a local parish priest who had identified the bodies at the site of their murders also described the condition of the bodies and houses one day after the massacre. The bodies of burned animals and remains of the victims' clothing were still visible when Helsinki Watch visited the villages in January. Chains with which some victims were reportedly shackled also were found at the site where the bodies of the dead were burned.

December 16-17 -- Jasenice and Zaton Obrovački (municipality of Obrovac)

In the evening of December 16, five civilians were executed in the village of Jasenice (population 1,280). The predominantly Croatian village was situated between the Maslinički bridge and the town of Obrovac, which had been under the control of Serbian forces for several months. Two men (Stipe Žubak, 71, and Ivo Maruna, 71) and three women (Zorka Žubak, 67, Božica Jurjević, 66, and Manda Maruna, 67) were killed in Jasenice. On the same day, Luka Modrić, 66, was killed in the town of Zaton Obrovački (population 464). Reportedly, the bodies remained unburied 15 days after the murder.

December 21 - Bruška (municipality of Benkovac)

Ten Croats and one Serb were reportedly killed in the village of Bruška (population 360), in the Serbian-controlled municipality of Benkovac. All 10 Croats were surnamed Marinović and were between 20 and 70 years of age. A deaf woman was among the dead.

Reportedly four Serbs entered the Marinović home, where the Serb was having dinner with the Marinović family. They stabbed four victims and shot the other seven with rifles, according to autopsy reports.

General Vladimir Vujović, the commander for the Knin-based corp of the JNA, reportedly confirmed that the killings had taken place and that he had formed a commission to investigate the matter and send a written report to the Croatian authorities in Zadar.²¹

Court Martial and Execution

It was reported that Nemanja Samardžić, an advocate against Serbian extremist groups, was hanged after a court-martial for urging the expulsion of Četniks from Mirkovci in late August.²² Such grounds for condemnation to death violate free speech and due process.

Torture and Mistreatment in Detention

Serbian forces maintain approximately 36 detention camps throughout Vojvodina, Serbia, Bosnia-Herzegovina and Krajina (where approximately 18 such camps exist).²³ Helsinki Watch has received reports that the conditions in these detention areas are often appalling and in many cases, detainees are tortured and beaten by their captors and guards. Begejci Camp, Vojvodina

Dr. Malden Lončar, who worked at the Novi Sad hospital in the Serbian province of Vojvodina, was arrested by Serbian police reportedly after a package of medicine he was carrying to his parents in Ilok, Croatia, was found on his person. Lončar was beaten for 30 hours and then released. He was subsequently arrested several times thereafter and finally ended up in Begejci camp near Zrenjanin, Vojvodina. According to Lončar's written statement received by Helsinki Watch:

²¹ *Vjesnik*, December 27, 1991.

²² "Report on Civilian and Non-Combatants Killed as of 31.08.91," United Nations, Center for Human Rights, Geneva, p. 21.

²³ According to an international humanitarian organization, some of the camps are located in the following places: Niš (about 500 prisoners), Sremska Mitrovica (about 1,000 prisoners), Stajićevo, Bjelići, Stara Gradiška, Marinc, Kotor, Knin, Glina, Begejci, and Manjača (near Banja Luka). See also Mary Batiata, "Serbian Guerrilla Camps Operate Inside Croatia," *The Washington Post*, July 22, 1991, p. A1.

The camp was an old barn filled with hay. There were over 550 people packed in this camp and we had to sleep on our sides for lack of space. People were tortured and beaten regularly. They would even put a barbed wire around your neck and beat you: if you moved, your throat would be cut from the wire. One old man died before my very eyes after he had been severely beaten.

Over 90 percent of the people held were Croats and many were old. Some people were sick, some were paralyzed while others just needed immediate medical help. This maltreatment was not the work of individuals acting on their own accord. The orders came from above, from the commanders.

Lončar was released on December 10.

Sremska Mitrovica camp, Serbia

Helsinki Watch interviewed people who had been released from Serbian detention centers, many of whom were tortured, beaten and otherwise maltreated. Dr. Jure Njavro, a surgeon at the Vukovar Hospital, was taken to a detention camp in Sremska Mitrovica by Serbian forces after the fall of Vukovar on November 18. During his 22-day detention, Dr. Njavro was also physically maltreated and was forced to attend to people who had been severely beaten in the prison on a daily basis.

Every day I was called to attend to someone who had been badly beaten by his or her captors. I was usually awakened at night, which is when many people were beaten. I saw a prison guard beat and kick a medical technician. When I examined the technician, I saw that he had four broken ribs and that he was badly bruised.²⁴

Bogdanovci

On November 10, as Serbian forces were advancing on the village of Bogdanovci, three grenades were thrown into the cellar in which Z.B. and nine other people had hidden for over three months during the conflict. Z.B. told Helsinki Watch:

None of us were killed [by the grenades] because we hid in a narrow concrete corridor in the basement. A tank also fired at the house. At 9:00 the next morning, two bearded men dressed in Yugoslav army uniforms told us to leave the basement and go to our homes. We put my mother-in-law in a cart and started to move toward our house only to be stopped by a crowd of about 50 soldiers who kept asking us why we came to Bogdanovci and did we come because of our Catholic faith. They shouted vulgarities at us and took us to a store where the army had set up a headquarters. They searched all of us and I saw a soldier drop a bullet into the pocket of Nikola Falushi who had hidden with us

²⁴ Interview by Helsinki Watch on January 4, 1992, in Zagreb.

in the basement the entire time. When they searched Palushi and found the bullet in his pocket, the four men who had been hiding with us in the basement for over three months were beaten. They separated me from the rest of the crowd and put me in a room where I could see them beating Krist Lleshi in the corridor with machine gun butts and fists; he was also kicked repeatedly. I never saw Krist again and I presume that he died from the beatings.²⁵

Benkovac

On July 22, 1991, three Croats were arrested in Benkovac by Serbian paramilitary police. Ivica Knez, 39, was beaten to death and the whereabouts of the other two men, Tomislav Čeranja and Tomislav Kolerić, remain unknown.²⁶

Vukovar

One week after Vukovar's fall, only 128 of a total of about 440 patients from the Vukovar Hospital were handed over to the Croatian authorities. In some cases, it is feared that medical treatment was denied to the sick after their capture. More than 200 members of the hospital staff were captured and removed to Serbian detention centers.²⁷

Disappearances

Vukovar

According to independent humanitarian organizations, at least 3,000 prisoners, including many noncombatants, were captured after the fall of the city of Vukovar on November 18. During half the day on November 20, the JNA denied journalists and the ICRC access to Vukovar Hospital. Helsinki Watch interviewed medical personnel who were in the hospital when it was sealed off to outside observers by the JNA.²⁸ According to these eyewitnesses, the JNA interrogated the director of the hospital, Dr. Vesna Bosanac, and other doctors. In the interim, Serbian paramilitaries evacuated male medical personnel and wounded individuals who were identified as Croats by some Serbian members of the hospital staff.

Helsinki Watch is concerned about the arrests and disappearances of wounded Croatian forces and civilians, most of whom are males between the ages of 16 and 60. While most of the disappeared come from Vukovar, many Croatian males were captured by Serbian paramilitary groups after the fall of other villages, towns or cities.

Families have not been notified of their whereabouts and many missing are feared to have been the victims of extrajudicial executions. Ljubo Voloder was captured by Serbian forces after having spent three months in a basement in Vukovar. According to Ms. Marija Voloder,

²⁵ Interviewed by Helsinki Watch on December 12, 1991 in Kosovo.

²⁶ "Report on Civilian and Noncombatants Killed as of 31.08.91," United Nations Center for Human Rights, Geneva, p. 14.

²⁷ An American journalist who visited Vukovar two days after its fall saw two Serbian irregulars beat a man's head against a concrete wall while she looked on. Thereafter, a JNA officer ordered the two to stop beating the man.

²⁸ The interviews were conducted between January 2-6, 1992, in Zagreb.

five army soldiers abducted her 58-year-old husband on November 19. She was forced to join a group of women, children and elderly persons who were being led away from the city. Ms. Voloder claims that her husband was not a member of the Croatian security forces or a combatant during the siege of Vukovar. Because she has not seen or heard of her husband since, she fears that he has been either imprisoned or executed.

As of January 10, 1992, about 3,000 people from Vukovar remain missing, according to the Association of Evacuated Vukovar Residents in Zagreb, which is keeping a list of names.

Hum and Vočin

Approximately 100 villagers from Hum and Vočin have been missing for over four months, according to the local parish priest in Vočin.²⁹ Local Serbs from the village raided Croatian homes and took some Croats prisoner in early September. According one witness:

Franjo Banovac and Drago Jukić were taken to Gudnog, near the village of Sekulinac. Those who weren't captured fled and hid in the forests and cornfields. In later raids, Serbs came in trucks and entered only Croatian homes. The local Serbs stayed in their homes and did not help the others hunt down the Croats.

Zadar

The whereabouts of over 110 people from Serbian-controlled villages in the Zadar municipality remain unknown.

Benkovac

Some 1,500 persons residing in the villages of Bruška, Popovići, Lisičić, Rodajlice, Šopot and Podlug in the Serbian-controlled municipality of Benkovac are missing. On July 22, 1991, three Croats were arrested in Benkovac by Serbian paramilitary police: Ivica Knez, 39, was beaten to death and the whereabouts of the other two men, Tomislav Ceranja and Tomislav Kolerić, remain unknown.³⁰

Obrovac

Some time around December 20, many of the 354 Croats who remained in the Obrovac municipality (from the villages of Kruševo, Jasenice, Zaton Obrovački and Medvidja, including the town of Obrovac itself) were reportedly taken to Knin jail. Most were elderly persons who had remained in their homes after Serbian insurgents assumed control in the Obrovac municipality.

Dalj

The fate of over 100 police officers and 200 civilians after the August battle for Dalj remains unknown.

²⁹ Interviews by Helsinki Watch were conducted in Hum and Vočin on January 5, 1992.

³⁰ "Report on Civilian and Noncombatants Killed as of 31.08.91," United Nations Center for Human Rights, Geneva, p. 14.

Hostages

Hostages are defined as "persons who find themselves, willingly or unwillingly, in the power of the enemy and who answer with their freedom or their life for compliance with the orders of the latter and for upholding the security of its armed forces."³¹

Helsinki Watch has received many reports of persons who have been captured for the purpose of exchange, as set forth in our publication "Yugoslavia: Human Rights Abuses in the Croatian Conflict."

Indiscriminate and Disproportionate Attacks Against Civilians and Civilian Targets

Serbian forces indiscriminately shelled the cities of Dubrovnik, Vukovar and Osijek for prolonged periods. The Yugoslav military justified its attack against these and other Croatian cities by claiming that it aimed to protect the Serbian population in Croatia and to liberate JNA barracks encircled by Croatian forces. However, such an argument cannot explain the shelling of Dubrovnik, a municipality in which the local Serbian population numbers only 6.7 percent and in which no JNA barracks exist. Dubrovnik was shelled from the beginning of October and the shelling of Osijek and Vukovar began in late August. The shelling of Vukovar lasted until November 18, when Croatian forces capitulated to Serbian troops, who occupied a city that had been reduced to rubble. Although the attacks against Dubrovnik and Osijek have subsided since the recent cease fire took effect, the shelling of the two cities was indiscriminate and caused much damage to civilian, historical and cultural objects. In all three cases, the use of force by Serbian troops was disproportionate to the threat posed by Croatian troops, and the indiscriminate shelling resulted in hundreds of civilian deaths and casualties.

Approximately half of those killed and one-third of those wounded in the conflict in Croatia are estimated to have been civilians. Most independent observers believe that at least 10,000 people have been killed since hostilities began in late June 1991 although Croatian officials say that less than 3,000 people died.

In addition, considerable civilian property, including hospitals, churches, and cultural monuments have been damaged or destroyed by the JNA's and Serbian rebels' shelling of towns.

Hospitals

Yugoslav armed forces have shelled hospitals in Croatia. Hospitals in Osijek, Pakrac, Vinkovci, Vukovar and Zadar have all been damaged or destroyed by aerial, mortar and artillery attacks. During the course of three days, from September 14-17, Osijek hospital was hit 56 times by mortar shells, 21 times by tank shells, and 17 times by rockets from multiple rocket launchers. The hospital was also hit by bullets from light weaponry. During one attack a 38-year-old nurse was killed and two doctors were wounded. Most of the hospital wards, including the intensive care unit, were damaged during the attack.

Dalj

Reportedly, at least 80 Croatian police officers and 195 civilians were wounded during or after the battle for Dalj on August 1. The JNA restricted access to journalists and the local Red Cross for several days after the attack. Initially, only 25 cadavers (only two of whom were civilians) were taken to Osijek hospital. By August 5, 70 dead and 195 wounded civilians were

³¹ International Committee of the Red Cross, *Commentary on the Additional Protocols of 1977* (Geneva 1987) at 874.

received by the Osijek morgue and hospital. More people were reportedly killed as they fled Dalj into the nearby town of Erdut during the siege.

Vukovar

During the four month siege against Vukovar, the hospital was repeatedly attacked and badly damaged, forcing the medical personnel to grant medical assistance, and even perform surgery, in the basement of the hospital.

International and local medical personnel have been hampered from evacuating the dead and wounded and delivering humanitarian aid because of continued fighting and disrespect for the red cross emblem.

Churches

Z.R. from the village of Bogdanovci said:

Although there were no Guardsmen in the Catholic Church at the time of the attack, the shells seemed to be aimed at it. All the other shells fell indiscriminately throughout the village. Planes bombed the village and at one point 12 people were killed from aerial bombardment.

In addition, members of the Croatian Catholic Bishops' Conference have compiled a list through November 1991 of 348 churches destroyed or damaged during the conflict.

Osijek

In mid-1991, a woman travelling in a trolley car was killed after a mortar fell in Osijek's city center during rush hour.

Split

On November 15, 1991, three crew members on board a ferry in the port of Split were killed when federal gunboats opened fire.³²

Indiscriminate Use of Land Mines

A 12-vehicle convoy, organized by Doctors Without Borders, evacuated 108 seriously injured people from the besieged town of Vukovar on October 19. Leaving the town on a road designated for their travel by the JNA, one of the trucks hit a mine and two nurses (from Luxembourg and Switzerland) were injured.

Targeted Attacks on European Community Helicopter

On January 7, 1992, a helicopter carrying five members (four Italians and one Frenchman) of the EC monitoring mission was shot down by a Yugoslav Air Force MIG fighter. The clearly marked helicopter had left Belgrade for Zagreb via Hungary and was shot down over Novi Marof, Croatia (30 miles east of Zagreb). All five persons aboard the plane were killed.

³²Yugoslavia Says Withdrawal Offer Made; Split in Command Seen, The Associated Press, November 15, 1991.

Shortly after the attack the Yugoslav military command announced that that air force chief, Zvonko Jurjević, ASC, had been suspended pending an investigation.³³

Robbery

Dalj

Four days after Dalj's fall to Serbian forces on August 1, the army command put local Serbs in charge of all civilian functions. As of October 7, 533 non-Serbs (about 165 families) remained in Dalj and were forbidden from leaving the town. Families from Dalj were forcibly made to sign over their belongings and property to the local Serbian authorities before they were finally allowed to leave the town.

According to a written statement by Stjepan Papp, a member of the town council before Dalj's occupation, armed men in Yugoslav army uniforms entered his home on October 8. The Papp family was ordered to lock up their home and go to the local defense center, where Milorad Stričević, appointed by the Yugoslav Army as Minister for Ethnic Affairs for Dalj, Erdut and Aljmaš, took the Papp's car and apartment keys. Their belongings were subsequently confiscated by Serbian paramilitaries. While at the defense center, Ms. Ruža Papp was robbed of gold coins, money and a bank book which she had in her purse. The Papps were forced at gunpoint to sign over all their belongings to the defense center of Dalj. The statement claimed that the Papps were giving all their belongings to the local Serbian authorities as "gifts." After they signed the statement, they received passes allowing them to leave Dalj.

Forced Displacement and Resettlement

The JNA and Serbian paramilitary groups are responsible for the displacement of thousands of people.

Helsinki Watch is concerned that Croats, Hungarians, Czechs and others are being forced by Serbian rebels from their homes in Serbian-occupied territory in order to create purely Serbian regions in areas that are otherwise of mixed population. We are concerned that this non-Serbian population is being discriminated against and being forcibly displaced on the illegal grounds of ethnic origin. We are also concerned that displaced Serbs are being resettled in Serb-occupied territory in Croatia to consolidate Serbian control over regions captured from Croats and prevent the original non-Serbian inhabitants from returning.

According to *The Washington Post*, displaced Serbs who fled from western Slavonia in November "have since been advised by Serbian officials in Belgrade to resettle" in Serbian-occupied territory in the region of Baranja,³⁴ where the most active resettlement campaign is currently taking place. Serbia plans to resettle 20,000 Serbs into 17 occupied villages in Baranja, some 4,000 homes and 100 stores are to be taken over by prospective Serbian settlers in Baranja and Serbian officials say "they have no intention of allowing tens of thousands of displaced Croats and ethnic Hungarians to return to their Baranja homes and force out Serbian

³³ Slobodan Lekic, "Five EC Observers Die in Yugoslav Attack," Associated Press, *The Washington Post*, January 8, 1992, p. A16.

³⁴ Blaine Harden, "Serbia Plans Resettlement of Croatian Region," *The Washington Post*, November 25, 1991, p. A14. Baranja is located north of the city of Osijek, between the Danube and Drava rivers. This fertile region is populated by Croats, Serbs and Hungarians and has been occupied by Serbian forces since late August.

settlers . . . People are to be moved to conform to the Serbian notion of where a new border" between Croatia and Serbia should be drawn.³⁵

We are also concerned that Serbian insurgents have evacuated Serbian women and children, presumably for reasons of safety, just prior to the launching of an offensive against Croatian positions or prior to an attempt to take over Croatian government institutions and the police station in various localities, particularly in eastern Slavonia. In almost all such cases, no non-Serbs were told to evacuate an area prior to a Serbian offensive. In instances where a Croatian offensive was anticipated (such as in western Slavonia in late November, for example), Serbian forces evacuated occupied territory and demanded that the local Serbian population flee with them. In almost all cases, Serbian insurgents frightened the villagers into fleeing, claiming that Croatian "Ustašas" were planning an attack and slaughter of the Serbian population and the burning and looting of Serbian homes, a fear reinforced by the Belgrade press. In television interviews, Serbian refugees from western Slavonia "have themselves disputed that it was the Croats who forced them to leave their homes. . . . [Rather,] Serb refugees said the federal army gave them 48 hours to flee."³⁶

Killing, Assault and Harassment of Journalists

Helsinki Watch is concerned about the large number of journalists who have been killed, wounded, physically assaulted or otherwise attacked while reporting on the war in Croatia. According to the International Federation of Journalists (IFJ), Yugoslavia was "the most perilous site for journalists" in 1991.³⁷ According to the IFJ, some of the journalists killed in Yugoslavia were deliberately targeted because of their professional affiliation.³⁸

Since July 26, 1991, at least 16 foreign and domestic journalists have been killed while covering the war in Croatia. Nine journalists have been captured and subsequently released by Serbian forces and four remain missing. At least 28 journalists have been wounded while covering the war in Croatia. At least 63 have been attacked and over 38 have been otherwise harassed (i.e., threatened, property confiscated).³⁹

Deaths

The following journalists were killed while covering the war in Croatia under circumstances in which Serbian forces or JNA were or may have been responsible:

- On July 26, Egon Scotland, a 42-year-old German reporter for the

³⁵Ibid.

³⁶Ibid.

³⁷"Record Number of Journalists Reported Killed in 1991," Associated Press, January 6, 1992. According to the IFJ, of the 83 journalists killed worldwide in 1991, 21 were killed in Yugoslavia alone. More journalists have been killed since the IFJ released its report in late December.

³⁸Ibid.

³⁹ The figures in this section were gathered in Helsinki Watch interviews with witnesses and information from the International and American PEN Centers, the Committee to Protect Journalists, the Foreign Press Bureau in Zagreb, Croatia, and non-Yugoslav press and wire reports.

Munich-based *Sueddeutsche Zeitung* and his colleague, Peter Wuest, were fired upon reportedly by armed Serbs. The two men were driving in a clearly marked press car when they were attacked as they left the village of Glina. Scotland was wounded by gunfire and bled to death on the way to the hospital.

- Stjepan Penić, a Vukovar radio producer and correspondent for *Glas Slavonije*, was killed on August 4 near the town of Dalj. His body was discovered on August 19.

- Gordan Lederer, a cameraman for Croatian Television, was critically injured in Kostajnica on August 9. Despite a request by his colleagues, the Yugoslav army refused to transport the wounded Lederer to the hospital and he died.

- Žarko Kajić, a cameraman for Croatian Television, was killed in Osijek on August 28, reportedly after he was fired at by an armored Yugoslav army vehicle.

- On August 29, Djuro Podboj, a technician for Croatian Television, was killed in the town of Beli Manastir reportedly during an attack by Serbian forces.

- Nikola Stojanac, a technician for Croatian Television, was killed on September 15 in the Gospić area reportedly while he was trying to film Yugoslav army jets.

- On September 19, Pierre Blanchet, a correspondent for the French weekly, *Nouvel Observateur*, and Damien Ruedin, a correspondent for Radio Suisse Romande, were killed when their vehicle hit a mine outside army barracks near Petrinja.

- Zoran Amidžić, Bora Petrović, Dejan Miličević and Sreten Ilić of Belgrade Television were killed on October 9 on the road between Petrinja and Glina in circumstances still unclear.

- Živko Krstičević, a cameraman for WTN, was killed in the town of Turanj, near Karlovac, on December 30, by a mortar reportedly launched by Serbian forces.

Arrests

On September 4, two French journalists, Jean-Pierre Musson and Eric Micheletti, were captured by Serbian paramilitaries and taken to Yugoslav army authorities in Banja Luka. Although their equipment was confiscated, both men were released three days thereafter.

On September 6, Maciej Maciejewski and Marcin Kowalczyk, journalists for the Polish *Dziennik Łódzki*, were captured by armed Serbs near Vrgin Most and were accused of spying. Their release was negotiated by diplomats. On September 26, WTN reporters, Diviek Quemener and Jacques Languein, their guide, Alan Bubalo, and two French journalists reportedly were

captured by Serbian paramilitaries near Pakrac. After three days, they were handed over to the Yugoslav army and were subsequently released.

Disappearances

The whereabouts of four journalists remains unknown.

On September 1, Viktor Nogin and Genadi Kurinaj, a reporter and cameraman for Soviet Television, left Belgrade for Zagreb, via Osijek, and have not been heard from since. They were driving a dark blue Opel Omega with diplomatic license plates. They are presumed to have been killed.

Radio Vukovar correspondent Siniša Glavašević and cameraman Branimir Polovina have been missing since the city of Vukovar fell to Serbian forces on November 19. It is believed that they were removed from a column of civilians evacuating Vukovar Hospital and that they are being held by Serbian forces within Vukovar or in a detention camp in Serbia.

Restrictions on Free Expression

Forced Mobilization

Helsinki Watch is alarmed by what appears to be an effort by the Serbian government to silence anti-war activists and opposition figures by sending them to the battlefields in Croatia. This practice is most widespread in Vojvodina and Belgrade. The most notable example of such forced mobilization is the case of Nenad Čanak, President of the League of Social Democrats of Vojvodina/Yugoslavia (Liga Socijaldemokrata Vojvodine/Jugoslavije - LSV/J) and a vocal anti-war activist and opposition figure. On November 7, Čanak⁴⁰ was arrested by local police and taken to the police station; he was subsequently transferred to military police custody and taken to a military detention center. Čanak was then sent to Ilok, Croatia, as a member of the volunteer corps of the army. Čanak's arrest and forcible mobilization was vehemently protested by many domestic and foreign organizations and he was subsequently released on December 12.

Although Čanak's case received much publicity, Helsinki Watch has received reports of similar cases of arrests and subsequent mobilization of anti-war activists by Serbian authorities and the Yugoslav army, particularly in the province of Vojvodina and among independent-minded journalists in Belgrade. Repression against ethnic Hungarian anti-war activists is also taking place. Reportedly, after peaceful anti-war demonstrations were held in the Hungarian communities of Zenta and Temerin, special police forces intimidated ethnic Hungarians in Zenta and Ada, the seat of the Hungarian community in Vojvodina. The organizers of the demonstration, Janos Szabo, Jozsef Bodo, and Jozsef Papp were arrested and their whereabouts were not disclosed to their families.

Criminal Charges

The Serbian government has also tried to silence and intimidate opposition politicians and political groups by bringing criminal charges against them. In early January, charges were brought against Vuk Drašković, leader of the Opposition Serbian Renewal Movement (Srpski Pokret Obnove -- SPO) that has criticized President Milošević's policies in Croatia and Serbia. On March 9-10, 1991, demonstrations were held in Belgrade to protest Serbian government control of the media. Excessive police force and an ensuing riot resulted in the deaths of a 17-year-old youth and one police officer. At least 203 were wounded. Demonstration participants

⁴⁰ Čanak was interviewed by a Helsinki Watch representative on December 17, in Novi Sad.

and organizers -- including Drašković -- were arbitrarily arrested and harassed.⁴¹ Almost one year later, charges have been brought against Drašković purportedly because of his role in organizing the March demonstrations. Drašković is charged with bearing the responsibility for the deaths of two men, the injuries of 29 individuals and 15.5 million dinars worth of material damage. If convicted, Drašković could face fifteen years in prison.

Helsinki Watch believes that the charges brought against Vuk Drašković are unjustified and are being used as a means of political intimidation. Although Drašković was one of the main organizers of the March demonstrations, it was the excessive use of force by the Serbian police against demonstrators that resulted in the ensuing riot. Criminal charges were filed against Drašković after he and other Serbian opposition figures voiced their discontent regarding President Milošević's policies toward Croatia, continued government control of the media and stifling of the Serbian opposition. Helsinki Watch believes that Drašković's arrest is being used as a means to intimidate opposition groups in Serbia and cow them into submission.

Persecution of Anti-War Activists

The Serbian government now portrays anti-war activists as fascists and traitors to the Serbian nation. Many prominent intellectuals such as Mirko Kovač, Bogdan Bogdanović, Filip David and Vesna Pešić have been threatened with bodily harm and are otherwise harassed for their opposition or anti-war activities.⁴² In some cases, groups and persons who refer to themselves as "Yugoslav," rather than "Serbian," are targets of attacks and harassment. The Serbian government's propaganda campaign has resulted in the political marginalization of Serbia's once-active opposition movement.

Moreover, members of Serbian paramilitary groups and individual vandals have harassed members of the Serbian opposition, the anti-war movement and the independent or non-Serbian press. In some cases, Serbian authorities appear to have condoned, if not encouraged, such harassment and assaults. In November, the headquarters of the Center for Anti-War Activities was vandalized. On November 11, five men vandalized the headquarters of the Reformist Party of Serbia, an opposition group that advocates the maintenance of a single, democratic Yugoslavia.⁴³ The Belgrade headquarters of Yutel, a pan-Yugoslav television program based in Sarajevo, was also ransacked and members of its staff were physically assaulted. Helsinki Watch is not aware of any arrests by the Serbian authorities of individuals responsible for such violence.

Press Restrictions

Helsinki Watch is concerned about reports that the Yugoslav army is forcing local newspapers in Kragujevac and other areas in inner Serbia to print lists of persons whom the JNA claims are army deserters who fled from the battlefields in Croatia. Military authorities reportedly intended to post such lists in public areas. At anti-war rallies in Serbia, petitions were signed protesting such action by the Yugoslav military. According to the Center for Anti-

⁴¹For an account of human rights violations and the excessive use of force by the Serbian police, see "Yugoslavia: The March 1991 Demonstrations in Belgrade," Helsinki Watch, May 1, 1991.

⁴²See Slobodan Kostić, "Grafit na jasenovačkom cvetu," *Borba*, December 12, 1991, p. 22.

⁴³See Dušan Stojanović, "Yugoslav Military Bombards Dubrovnik, Appears Near to Capturing Vukovar," Associated Press, November 11, 1991.