

AMNESTY INTERNATIONAL

Public Statement

AI Index: EUR 64/002/2004 (Public)
News Service No: 131
28 May 2004

Embargo Date: 28 May 2004 00:01 GMT

Croatia: Implement recommendations to prevent torture

Amnesty International today called on the Croatian authorities to immediately implement the recommendations of the United Nations (UN) Committee against Torture (CAT) which were issued on 14 May 2004, after the CAT considered Croatia's third periodic report.

Prior to the examination of Croatia's report, Amnesty International had submitted a written briefing to the CAT. The document *Croatia: Briefing to the United Nations Committee against Torture*, published today, details Amnesty International's concerns with regard to issues related to torture and other forms of cruel, inhuman or degrading treatment or punishment in Croatia as they were included in the organization's briefing to the CAT. Amnesty International's concerns focus in particular on:

- the failure of the Croatian authorities to thoroughly and promptly investigate acts of torture or cruel, inhuman and degrading treatment, which occurred during the 1991-1995 armed conflict between the Croatian Army and Croatian Serb armed forces, aided by the then Yugoslav People's Army (*Jugoslovenska narodna armija* - JNA), and to ensure that the perpetrators of these human rights violations are brought to justice, either before domestic courts or before the International Criminal Tribunal for the former Yugoslavia (Tribunal);
- the failure of the authorities to thoroughly and promptly investigate violent attacks by non-state actors against returnees and members of ethnic minorities and to ensure that the perpetrators of these human rights abuses are brought to justice;
- reports of harassment, ill-treatment and arbitrary detention of refugees and asylum-seekers detained in the Ježevo Reception Centre for Foreigners;
- the failure of the authorities to prevent serious violence and bullying between children and young adults placed in social care institutions.

Amnesty International welcomed the recommendations issued by the CAT and urged the Croatian authorities to implement them. The CAT recommended inter alia:

- to "take effective measures to ensure impartial, full and prompt investigations into all allegations of torture and other cruel, inhuman or degrading treatment, the prosecution and punishment of the perpetrators as appropriate and irrespective of their ethnic origin, and the provision of fair and adequate compensation for the victims";
- to fully cooperate with the Tribunal ensuring that all indicted persons present on Croatian territory are arrested and transferred to the Tribunal's custody;
- to ensure the protection of ethnic and other minorities by undertaking all effective measures to prosecute and punish all violent acts against these individuals, establishing programs to increase awareness raising, preventing and combating this form of violence, and including this issue in the training of law-enforcement officials and other relevant professional groups;

to refrain from detaining asylum-seekers and illegal migrants for prolonged periods and adopt all necessary measures to improve the material conditions of the reception centres for asylum-seekers and immigrants, ensuring the physical and psychological integrity of all individuals accommodated in these centres;

to "increase the protection of children and young adults placed in social care institutions, inter alia, by ensuring that violent acts are reported and investigated, providing support and treatment for children and young adults with psychological problems, and ensuring that these institutions employ trained personnel, such as social workers, psychologists and pedagogues".

In its own recommendations to the Croatian authorities, Amnesty International called for measures to be taken to ensure that perpetrators of war crimes and crimes against humanity, including acts of torture, cruel, inhuman and degrading treatment or punishment committed during the 1991-1995 conflict are brought to justice, either before the Tribunal or before domestic courts in proceedings that meet recognized international standards of fairness.

Amnesty International urged the authorities to protect Serbian and other minority refugees returning to Croatia and to end impunity for violent attacks against returnees. The authorities should also promptly and thoroughly investigate all racially motivated attacks against members of Romani communities ensuring that the perpetrators are brought to justice.

Amnesty International urged the Croatian authorities to stop routinely detaining, in some cases for prolonged periods, asylum-seekers and undocumented migrants and to promptly, thoroughly and impartially investigate all alleged cases of harassment and ill-treatment of refugees held in detention facilities for asylum-seekers and undocumented migrants.

The organization also called on the authorities to ensure that children resident in social care institutions are protected from violence and are treated and supervised by professionally trained staff.

Amnesty International called on the European Union (EU) to ensure that these recommendations will be given adequate attention in the implementation of the European Partnership for Croatia proposed by the European Commission in April. The draft Partnership lists the strengthening of the judicial system, improved protection for minorities, speeded up refugee returns and full cooperation with the Tribunal as priorities for the country's preparations for further integration with the EU. The European Partnership for Croatia is to be endorsed in conjunction with the expected positive decision by the EU summit in mid-June to start accession negotiations with Croatia.