

YUGOSLAVIA

@Further reports of torture and deliberate and arbitrary killings in war zones

AMNESTY INTERNATIONAL'S CONCERNS

Introduction

In November 1991 Amnesty International issued a report *Torture and deliberate and arbitrary killings in war zones* (EUR 48/26/91) in which it stated that all sides to the conflict in Yugoslavia had 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. The organization called for an end to extrajudicial executions and other deliberate and arbitrary killings of civilians and for the lives of combatants who surrender or are wounded to be spared. For further information about Amnesty International's previous concerns and background to the conflict please refer to the above document.

Amnesty International's Concerns:

On 3 January 1992 a United Nations-sponsored ceasefire came into force, which has significantly reduced armed conflict in Croatia. A United Nations peace-keeping force, numbering some 14,000 people, is to be deployed in Croatia by 15 April 1992, with headquarters in Sarajevo in Bosnia-Herzegovina. An advance team of some 200 to 300 troops is due to arrive by mid-March.

However, new information continues to come to light concerning events between October and December 1991 involving the killing of civilians by members of armed forces and the torture and ill-treatment of prisoners detained in connection with the fighting. Commissions have been established by the Croatian authorities and by the federal military authorities to investigate war crimes, but as far as Amnesty International is aware no trials have taken place yet.

Amnesty International calls on all parties to the conflict to:

- institute thorough and impartial investigations into all reports of extrajudicial executions and deliberate and arbitrary killings of unarmed civilians or captured or surrendered combatants, regardless of the national or ethnic identity of the victim and perpetrator, and to bring those responsible to justice.

- similarly to institute investigations into reports of torture or ill-treatment of people detained in connection with the conflict and to bring those responsible to justice.
- ensure that all security forces under their command are informed of, and instructed to uphold, international standards concerning internal armed conflict, in particular, to treat humanely unarmed civilians and members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds or detention.
- to make known the whereabouts of all missing persons arrested or abducted by forces over which they have authority.
- to release all persons who remain detained, who have neither used nor advocated violence, and who have not been charged with a recognizably criminal offence.
- to ensure that lawyers, relatives and doctors be given prompt and regular access to detainees.

In the following document Amnesty International has focused on those atrocities and other human rights abuses for which it considers it has adequate supporting evidence. However, it believes that many others have taken place about which detailed information is as yet lacking.

CIVILIAN MASSACRES

Information received by Amnesty International confirms reports that massacres of civilians were carried out between October and December 1991 by Serbian paramilitary forces, often operating with, or in the wake of, Yugoslav National Army (JNA) units. It is clear, however, that at least in some instances the abuses committed by Serbian paramilitary forces have provoked condemnation amongst members of the JNA. There have also been less detailed reports of massacres of Serbian civilians by Croatian armed forces and Amnesty International is seeking further information about these.

Lovas

Amnesty International has received a 26-page account of events in the village of Lovas, some 20 kilometres from Vukovar, written by Croatian refugees from the village who escaped to Zagreb. According to this account, in October 1991 17 captured Croatian civilians from the village were killed when Serbian paramilitary forces used them to clear a minefield; 51 other Croatians in the village were shot or killed in other ways by Serbian paramilitaries between 10 and 18 October 1991. The following is a summary of the account:

The inhabitants of Lovas, a village with a large Croatian majority, were summoned for negotiations with the JNA in the town of Šid on 27 September 1991. The negotiations were unsuccessful; having witnessed the destruction of other local villages by JNA and Serbian paramilitary forces, they were reluctant to accede to the JNA demand that they surrender all their weapons. They decided to surrender part of their weaponry, and to refrain from all attacks on the JNA, but to defend themselves if necessary against Serbian paramilitaries. The first JNA attacks on the village took place on 31 September and two days later when artillery fire damaged farm silos and the Roman Catholic church.

On 10 October there was a further artillery attack by the JNA from the south. At the same time Serbian paramilitary forces, led by several (named) local Serbs from Lovas and Tovarnik, entered the village from the north. According to the account, the first victims of these forces were: Antun Sabljak, who was killed in his car on the outskirts of the village; Danijel Badanjak and his wife Cecilija; Vida Krizmanovi_, a pensioner; Antun Jovanovi_ and his wife Anka. Ivan Ostrun, a pensioner, was taken to a local café and killed. Others were dragged out of their basements where they had taken refuge and shot - among them Mate Keser. The account claims that on that 10 October a total of 23 Croatian inhabitants were killed in Lovas. The following day, a JNA commander in Ilok reportedly stated that the attack on Lovas had been in reprisal for the alleged murder of a member of the (Serbian) Territorial Defence; he commented that the killing of the inhabitants of Lovas and the burning of their houses had not been the work of the JNA.

On 17 October Serbian paramilitaries again attacked the village and occupied it. Among those killed were Jozefina Pavoševi_, her 18-year old daughter Marijana, and her mother-in-law Slavica. Josip Renduli_, aged 75, was also killed after being brutally beaten. All male inhabitants aged between 18 and 55 years were then summoned to a meeting where they were to be assigned to forced labour tasks. About 70 of them gathered; Serbian paramilitaries then ordered them into the courtyard of a workshop where they were forced to spend the night seated on chairs and were beaten if they moved. On the morning of 18 October a group of some 15 were selected for a so-called "technical platoon". A number of those remaining, including Luka Bali_, Josip Turkalj, Marin Madjarevi_, Djuka Luketi_, Marko Fili_, Ivan and Marko Sabljak, Mato Hodak, Marko Vidi_, Ivan Vidi_ and Ivan Djakovi_, were separated from the others and brutally beaten and slashed with knives. Afterwards, they and others (altogether about 50 men) were made to line up two by two and told they were to harvest grapes. According to the account, as this group passed through the village Serbian paramilitaries killed two of them: Stjepan Luketi_ and Boško Bodjanac. As they reached the outskirts of the village, they were ordered to enter a field of clover. They were then made to advance through the field, holding each other by the hand. At this point they realized that they were being driven into a minefield. When they caught sight of a taut wire, they stopped; they were then ordered to pull it with their hands. At that moment, one of them - Ivan Kraljevi_ - stumbled on a trip-wire mine; a series of explosions followed interspersed with machine-gun shots from behind. As the men fell, screaming, a military

vehicle drove up and a JNA officer got out and swore at the Serbian paramilitaries. The account describes some of the victims as being so badly wounded that they begged to be killed; a Serbian paramilitary opened a burst of machine-gun fire on Zlatko Bo_i_, who lay groaning with pain. Seventeen men were killed by mines or shots in the back: Ivan Kraljevi_, the brothers Marko and Ivan Sabljak, the brothers Zlatko and Antun Panjik, Marko Vidi_, Slavko Strangarevi_, Mija Salaj, Ivan Palijan, Marinko Markovi_, Darko Solakovi_, Petar Badanjak, Josip Turkalj junior (who died in Šid of his wounds), Slavko Kuzmi_, Tomo Sabljak junior, Mato Hodak and Ivan Vidi_. Their bodies were not collected until the following day; they were buried in shallow graves three days later. Eleven others were wounded; on the orders of the JNA officer they were taken to Šid, where medical staff received them with hostility and offered them only basic care - inadequate for those severely wounded - after which they were sent home.

According to the account, other inhabitants of Lovas killed between 10 and 18 October 1991 included: Francika Pand_a, Petar Luketi_ and his sons Ante and Djuka, Djuka Krizmani_, Alojzije Krizmani_, Zoran Krizmani_, Luka Bali_, Josip Jovanovi_, Marin Bali_, Katica Bali_, Marija Luketi_, Rudolf Jonak, the brothers Darko and _eljko Pavi_, Andrija Dev_i_, Pero Renduli_, Stipo Dola_ki, Zvonko Martinovi_, Marko Damljanovi_, Anica Lemunovi_, Ivan Conjar, Bo_o Vidi_, _ivan Antolovi_, Kata Pavli_evi_, Dragoš Pei_, Mijo Bo_i_, Alojzije Poli_, Josip Poljak, Stipo Madjarevi_, Pavo Djakovi_, Stipo Pei_, Juraj Poljak and Josip Kraljevi_. Mato Adamovi_ from Tovarnik who had taken refuge in Lovas was also killed.

On 20 October most of the Serbian paramilitaries left Lovas, and were replaced by JNA forces and "life became more bearable". However, just before Christmas Serbian paramilitaries returned to the village and beat and tortured people there, among them: Djuka Rado_aj and his mother; Mate Madjarevi_, Emanuel Fili_, Djuka Fili_, Vjekoslav Bali_, Ivan Jovanovi_ and _ivko Franciskovi_. As a result, on 24 December 1991 many of the remaining Croatian villagers fled the village.

Amnesty International is not able to verify certain parts of the above account. However, some of the most serious allegations are confirmed by a document which was published in the Belgrade magazine *Vreme* on 24 February 1992. This was a facsimile of part of a military dispatch sent from the front in eastern Croatia on 23 October 1991 by a JNA officer to the headquarters of the JNA First Military District. In the section of the dispatch concerning factors negatively influencing the morale of his soldiers, the officer complained of the presence of "various paramilitary formations from Serbia, including _etniks, 'Dušan Silni' units and various self-proclaimed volunteers, whose primary aim is not to fight the enemy but to plunder local properties and to terrorize local innocent people of Croatian nationality. During the capture of 80 inhabitants of Croatian nationality in the village of Lovas by Territorial Defence and 'Dušan Silni' units, they [the 80 Croats] were physically abused after which four inhabitants of Lovas village were killed. After the arrival of the 'Valjevo' unit in Lovas village, the captured inhabitants were used to clear minefields, as a result of which 17 were killed. Those who were injured were refused medical aid by the medical staff of the Health Centre in Šid."

Škabrnja and Nadin

According to eye-witnesses who survived, at about 7am on 18 November 1991 units of the JNA began to bombard the Croatian village of Škabrnja, which lies in the Dalmatian hinterland behind the Adriatic port of Zadar. Later that morning JNA tanks entered the village shooting at a church and houses in the centre. It is reported that after local Croatian residents destroyed a JNA tank at the western end of Škabrnja, infantry, including Serbian paramilitaries from several nearby Serbian-inhabited villages, started a search of the houses. Many inhabitants fled but others, who had taken refuge in the basements of their homes, were dragged out, killed or arrested. Many houses were plundered or burned.

Delegates from the European Community peace-monitoring mission and from the local Zadar Red Cross were not permitted by the JNA to visit Škabrnja on 21 and 22 November on the grounds that the surroundings to the village had been mined. On 23 November the JNA handed over 35 bodies from Škabrnja and the neighbouring village of Nadin to the Croatian authorities in Zadar. On 26 November 10 more bodies from these villages were handed over. A report issued by the pathology department of Zadar's Medical Centre appears to support the villagers' assertion that with few exceptions those who were killed were civilians. It lists 45 dead from Škabrnja and Nadin. The majority of those who were killed were elderly or women. According to the report, all but 14 died as a result of being shot at close range. One woman was crushed by a tank. In several cases almost entire families were killed, including the Šegari_ family which lost at least six members. According to a report of 13 February 1992 by the New York-based human rights organization *Helsinki Watch* the bodies of three more people from these two villages were handed over by the JNA on 26 November; the autopsies on these bodies (which Amnesty International has not seen) were reportedly carried out by Šibenik hospital.

The conduct of local Serbian paramilitaries operating in the Dalmatian hinterland appears to have provoked anger and disgust among certain members of JNA units. According to press reports, on 5 December 1991 200 Serbian JNA reservists on leave after spending two months with JNA units in the Dalmatian hinterland publicly demonstrated in Belgrade. They protested against the atrocities which they said local Serbian paramilitaries conducting personal feuds had committed. They reportedly stated that after the JNA occupied Croatian villages, local Serbian paramilitaries would follow them, "pillaging, raping and even massacring". They said: "We can no longer assume moral responsibility for atrocities in which we did not take part and which we tried to prevent."

Vo_in, Hum

Over 60 people, many of them women and elderly men, were reportedly killed in December 1991 in villages in the Papuk hills, a predominantly Serbian-inhabited area in eastern Croatia, which had been under the control of JNA reservists and Serbian paramilitaries since August 1991. Following a Croatian offensive in the area local Serbian civilians fled. Retreating Serbian paramilitary forces, including local Serbs and members of paramilitary units from Serbia known as "White Eagles" and "_etniks" killed at least 42 local Croatians, many of them women and elderly, in the villages of Vo_in and Hum. As they left the village of Vo_in on the night of 13 December 1991, they destroyed Croatian houses and blew up a Roman Catholic church which they had used to store ammunition. Some 20 other Croatian inhabitants from neighbouring villages (Bokane, Kraškovi_, Miokovi_evo and Zve_ovo) were also reportedly killed.

A report issued on 19 December by the Institute for Forensic Medicine of Zagreb university stated that a team of forensic specialists was sent to the neighbouring town of Podravska Slatina on 17 December 1991 to carry out autopsies on the dead. The report lists the names, ages and causes of death of 43 dead, many of them elderly: of 15 women, 12 were aged between 57 and 76; while 11 of the men were aged between 60 and 84. Most had been killed by gunshot; two women had died as a result of wounds inflicted by a heavy, sharp tool, probably an axe, while the cause of death had not been established for eight other victims, because their bodies had been found severely burned. One of these was an unidentified corpse found burned and handcuffed near the ruins of the church. The victims also included S.N., a 77-year-old Serb, who according to an autopsy report died of shock from bruising and bleeding. A local priest reportedly stated that he believed the man may have been killed for attempting to protect Croatian neighbours.

Croatian villagers who survived the massacres reportedly told journalists that relations with Serbs in the area had been traditionally good and that for the first three months after the area came under Serbian control they had not suffered greatly. The situation had changed, they said, in November when "White Eagle" units came to the area who, together with certain

local Serbs, terrorized Croats and subjected young Croats who had not left the region to forced labour in the fields. Reports began to spread that some Croats had been arrested, killed or had "disappeared".

One victim was a 60-year-old man from Hum, who died of a gunshot wound in the head. On 15 December 1991 his son told journalists:

"On 1 December Serbian police came to our house, searching for a radio transmitter. They accused us of passing information on to the Croatian army. When we said we didn't have a radio transmitter they put us all, my wife and children, into their van. They tied up my elder brother and beat him in the house. They stole everything and took us to the local police in Vo_in where they left us in a cold room. The children cried because there was no milk...At last a police officer who knew us rescued us and told the _etniks to let us go. When I came back our house had been burned and they had stolen everything of value. My father said, "Well, OK - but at least we are alive". But on the following Wednesday or Thursday we could smell smoke and hear shooting nearby...There was a loud bang as someone threw a smoke grenade into the house. We went out to the front of the house...The police then shouted to us to return inside...all of us except my father...Then we heard a shot and I and my mother both knew what it was...My father was lying on the ground and his brains were all over the wall. I covered him with a blanket so that the children wouldn't see..."

M.M. from Vo_in was among those killed on 13 December by retreating Serbian paramilitaries. His wife told journalists:

"...I can't say anything bad about the Serbs in our street; we were so afraid that we even went to sleep in their houses. I went to stay with some Serbian friends because I couldn't stay in my own house...As the _etniks were leaving, one of my Serbian neighbours said, 'Flee, bad things will happen now that they are leaving'. My husband refused to leave the house so they caught him there and killed him. They went from house to house...My husband was in the cellar when they began to knock at the door. He went out and then they pushed him back into the house and killed him."

(According to an autopsy report, M.M. aged 62, reportedly died as a result of a gun-shot wound in the thorax.)

Joševica, Glina

According to reports in *Politika, Borba* (published in Belgrade) and *Vjesnik* (published in Zagreb) on the night of 15/16 December 1991 20 Croatian civilians were killed (aged

between five and 65 years) and one wounded in the village of Joševica near Glina, an area under the control of local Serbian paramilitary forces. *Politika* reported that Serbian leaders of Glina municipal assembly had condemned "the brutal act" and had announced that an inquiry would be instituted and those found guilty would be punished according to the law. On 17 December 1991 an investigating judge was sent to the village to start investigation proceedings. According to *Borba*, the massacre in Joševica was said to be an act of revenge by Serbs for the recent killing of 21 members of local Serbian paramilitary forces in the village of Gračanica by Croatian forces.

Reports of massacres of Serbian civilians

Amnesty International has also received reports of massacres of Serbian civilians carried out by Croatian armed forces. These include reports that Croatian forces killed at least 10 civilians in the Serbian village of **Staro Selo** near Otočac on 4 November 1991. The dead allegedly included four women aged between 65 and 95 years, a 12-year-old girl and a child aged two or three years. It is also alleged that Croatian armed forces killed 24 people in the village of **Divoš** (near Osijek) in early December and massacred 18 others, aged between 50 and 80 years (17 Serbs and one Hungarian), on the night of 11/12 December 1991 in the village of **Paulin Dvor** near Osijek. Amnesty International is seeking further information about these events.

ARBITRARY ARRESTS, KILLINGS AND "DISAPPEARANCES"

Vukovar

According to Croatian official sources, at least 4,800 Croats and other non-Serbs have gone missing during the conflict. Many of these were wounded Croatian soldiers and civilians who were arrested by JNA and Serbian paramilitary forces after the fall of Vukovar on 18 November 1991. Families have been unable to obtain information of their whereabouts and it is feared that an unknown number of those who are missing were executed. According to the Croatian magazine *Globus* of 29 November 1991, a Serbian soldier who introduced himself as "one of Arkan's men" (a Serbian paramilitary formation) boasted to a reporter who visited Vukovar shortly after its fall that the previous day: "We summarily executed 300 prisoners. We have a people's court here, you shoot and that's it." Amnesty International has so far not been able to independently verify this figure.

On 21 February 1992, Milorad Pupovac, leader of the Serbian Democratic Forum, an organization of Serbian intellectuals based in Zagreb, alleged that in recent months an estimated 400 Serbian civilians who had not done anything to provoke revenge had been killed in Croatia. He said that more than 100 had been killed in Gospić, and that an

estimated 200 to 300 had been killed in Pakra_ka Poljana. He claimed that in the area of Virovitica alone 100 Serbs had been abducted at the end of December 1991 and all trace of them lost in Pakra_ka Poljana. He further stated that in Zagreb there were 11 officially registered cases of the murder of Serbs, another 11 in Ogulin and in Split and Osijek another eight or 10. Milorad Pupovac emphasized that he was informing the Croatian public about these abuses so that he could similarly demand the protection of the rights of Croats and other "non-Serbs" in areas of Croatia where Serbs formed the majority.

While Amnesty International cannot confirm the above figures, it is concerned about reports of the arrest, killing or "disappearance" of Serbs in a number of towns in Croatia. In some cases those responsible appear to have been members of the Croatian security forces; in others their identity is unclear, although it seems that Croatian paramilitary groups may have been involved. The Croatian authorities announced on 29 November 1991 that a commission had been created to establish the truth about these crimes, but to Amnesty International's knowledge it has not yet published its findings.

Gospi_

Reports of the "disappearance" of a number of local Serbs from the town of Gospi_ first appeared in the Croatian press in November 1991. Since then further information has been published in the Croatian press, in the *New York Times* (25 January 1992) and in a report by the New-York based human rights organization *Helsinki Watch* (13 February 1992). According to this information, five or six armed men, four of them wearing masks, entered a basement shelter in Vlade Kne_evi_a street at about 11.30pm on the night of 16 October 1991. In the basement were several mainly Serbian families who had taken refuge there from the fighting. The armed intruders were reportedly dressed in uniforms of the type worn by Croatian police prior to changes introduced in 1990. They demanded Radovan Bara_, a local Serbian post-office worker and took him away, together with two women, Danica Bara_ (his mother) and Radmila Stani_, and four other men, including Stanko Smiljani_, a Serbian lawyer and his brother, Milan, who is mentally ill. Mrs Milica Smiljani_, wife of Stanko Smiljani_, herself half-Serb and half-Croat, witnessed the abduction of her husband and brother-in-law. Neighbours reportedly saw them put into one of two lorries waiting outside in the street. According to unconfirmed reports, on that night and following nights, up to 120 Serbs in Gospi_ and neighbouring villages were arrested and taken away.

On 25 December, 24 charred bodies (15 men and nine women) were found close to the nearby village of Peruši_. They were brought to Široka Kula for identification. In January 1992 a Belgrade pathologist, Dr Zoran Stankovi_, reportedly stated that 12 of the bodies had been identified as Serbs who had been abducted from Gospi_. Some of the victims reportedly died of gunshot wounds to the chest or back of the head. Several had their skulls smashed with blunt instruments, according to Dr Stankovi_. He said that one of them, a Serbian judge, Branko Štulic, had a knife wound in the neck. Milica Smiljani_ was able to

identify her husband by the gold wedding ring he wore which had her name engraved inside the band. She denied that he had taken part in the conflict and said that he had a "heart condition and was in no shape to be in any kind of an army".

The Croatian authorities have stated that they are investigating the killings and disappearances. According to the Croatian weekly magazine *Slobodni Tjednik* of 22 January 1992, Tihomir Orešković, commander of the Croatian army in Gospić, was arrested in December 1991 - apparently in connection with the killings in Gospić - but was shortly afterwards released. On 21 February 1992 an official of the Croatian Ministry of Internal Affairs was reported in the Zagreb newspaper *Večernji list* as denying that large numbers of Serbs had been killed in Gospić. He said that 12 corpses had been found in the Gospić area, some of whom had been identified and were on a list of "disappeared". He said that others alleged to have "disappeared" had in fact left Gospić and gone over to "the other side". Further, he claimed that in the area where the corpses were said to have been found, there had in fact been a massacre of the Croatian population and that the Ministry had the list of names of those who had carried out the massacre (no further details were reported).

Amnesty International has been informed that a number of arrested or captured Serbs have been held in prison in Gospić. Such cases include Vasilije Kovač, aged 66, a retired Colonel of the JNA resident in Zagreb (see below). Amnesty International has also received information alleging that Vasilj and Zoran Gagić (Serbs) and Milan Mršić (a Croat) from Obrovac, Velebit municipality, are currently detained in or near Gospić. They reportedly went missing while tending their flocks. Amnesty International has been informed that the authorities in Zadar have confirmed orally that the three are held in the Gospić area, but that no further information has been provided about the place of their detention or whether any charges have been brought against them.

Daruvar

Amnesty International is seeking further information concerning some 80 Serbian civilians from Daruvar in Croatia who are alleged to have been arrested on 31 December 1991 and held in the basement of the "Varteks" department store. They are said to have included Drs Novaković and Lolić, and a Mr Maletić. According to a statement by Milorad Pupovac of 21 February 1992 (see above), 63 were "saved at the last moment by the rapid intervention of the Croatian central authorities".

Zagreb

On 7 December 1991 a Zagreb businessman, Mihajlo Zec, a 38-year-old Serb, was killed outside his home and his wife Marija and 12-year-old daughter Aleksandra were abducted and murdered. Four men and a woman were subsequently arrested and an investigation started. The motives for these murders is not yet clear. According to a police statement of 16

December 1991 the accused were not members of the Croatian Army or police force but were allegedly dressed in camouflage uniforms and used the forged identity cards of members of the reserve police. However, subsequently it appears that at least two of the men had fought in Croatian military units in Vukovar, under the command of Tomislav Mer_ep. In January 1992 the latter is alleged to have described Mihajlo Zec as an extreme Serbian nationalist. Members of the Serbian community in Zagreb have alleged that there have been other kidnappings and killings of Serbs in Zagreb, and that while it was not possible to prove that the authorities were encouraging these, not enough was being done to stop them.

Sisak

At least 12 Serbs (according to some accounts many more) are reported to have been killed in Sisak in recent months; in most cases there is so far little information about those responsible for the killings. However, in one case (that of Danjan _ili_), it is officially suspected that the murderers were members of the Croatian Army. In another (that of Vlado Bo_i_), the chief of police of Sisak appears to have admitted that a member of his police force was responsible. Several of those killed were employed at INA oil refinery in Sisak; others were active or retired police officers. Local Serbs reportedly fear that these people were murdered because of their ethnic origins and because they were suspected of disloyalty to Croatia.

On 13 September 1991 the family home of Danjan _ili_ in the small town of Petrinja was bombarded with machine guns and hand grenades, allegedly by members of the Croatian Army. Danjan _ili_, aged 52, a chemical engineer and chief of production at the INA oil refinery in Sisak, was not injured, but the house was considerably damaged. Although he was not a member of any political party, and had signed an oath of loyalty to the Republic of Croatia, he was aware of hostility at his place of work, apparently based on his nationality (the security guards had on a number of occasions refused him entry to the premises). After the attack on their home, he and his wife (a Croatian) moved to Zagreb. On 23 November 1991 he was abducted from outside his home in Novi Zagreb. His body was discovered the following day at a Zagreb rubbish dump. On 7 December four reservists of the Croatian Army, two of whom had been employed at the INA refinery, were arrested and charged with his murder. Their trial before the district court of Zagreb began on 20 February. It is reported that a large group of Croatian Army soldiers were present in the court building and shouted abuse and threats at Danjan _ili_'s wife and daughter. The president of the court reportedly suspended proceedings, after declaring that she had received death threats and that in these circumstances it was not appropriate to try the case in a civil court. It was reportedly decided to transfer the case to a military court.

Other Serbs reportedly killed in Sisak in recent months include:

-Evica and Dušan Vila and their two sons Marko and _eljko;

- Vlado Bo_i_, a truck driver for "Slavijatrans" from Petrinja. The police chief of Sisak reportedly stated at a news conference that his death had been caused by someone "overstepping their orders", but apparently gave no further details;
- Miljenko Djapa, worker at the Sisak oil refinery;
- Branko Olja_a and Zoran Vraneševi_, police officers of the Croatian police force in Sisak;
- Mi_o _ali_, worker at Sisak steelworks;
- Nikola Arbutina, worker at at the "Graditelj" firm in Sisak;
- Ilija Marti_ - reportedly killed near a restaurant in Sisak;
- Miloš Grubi_ from the village of Blinjski Kut in Sisak municipality, who was reportedly first arrested and then found dead at entrance to the village of Komarevo.

On 26 August 1991 Dragan Rajši_, a security guard at the Sisak oil refinery until his retirement in 1986, was reportedly arrested by members of the Croatian Army at his home. It appears that some witnesses saw his arrest and others later saw him taken into a building used by the Croatian Army. His family connect his arrest to the appearance of his name in *Slobodni Tjednik* of 19 June 1991 in a list of people alleged to have worked for JNA counter-intelligence in Sisak. His family have persistently demanded from the relevant authorities information about his whereabouts and the grounds for his arrest but so far have learned nothing.

Four other Serbs living in same housing complex as Dragan Rajši_ have also reportedly disappeared: Branko Dabi_ and Petar Pajagi_, both employed at the Sisak oil refinery, Blagoje Savi_, a retired police officer, and Branko Luka_. In addition, Jovo Crnobrnja, another retired police officer from Sisak, has also reportedly disappeared.

ILL-TREATMENT OF CAPTURED COMBATANTS AND CIVILIANS

Since the outbreak of armed conflict in Yugoslavia many thousands of people, including civilians, among them the elderly and minors, have been captured and held as prisoners.

Amnesty International is concerned about reports that prisoners, the majority of them Croats, held in camps in the province of the Vojvodina in Serbia by the JNA, have been systematically beaten and otherwise ill-treated following their arrest and detention. In some cases this ill-treatment reportedly resulted in the victim's death. Amnesty International believes that the military in charge of these camps were aware of international standards regarding the treatment of prisoners, but have either been unwilling or unable to control abuses carried out by their subordinates.

Amnesty International is also concerned that prisoners held in the camps, including the sick and wounded, elderly civilians and minors, have been held in crowded, dangerously

unhygienic and sometimes bitterly cold conditions, with minimal food rations and generally rudimentary medical care.

The organization has details of conditions in improvised camps at Staji_evo and Begejci near Zrenjanin (since closed) and in Sremska Mitrovica prison in the Vojvodina. These include written testimonies by four doctors held in these camps, who were released in December 1991 (Dr Nenad Kuljic, Dr Mohammed Micham Halla (a Syrian doctor working in Borovo Naselje), Dr Juraj Njavro and Dr Mladen Lon_ar) and by Lav Bosanac, a civil engineer from Vukovar who at the time of his arrest was organizing electricity supplies to Vukovar hospital and a shelter in Borovo Naselje where a number of patients were cared for.

The above three camps are not the only JNA camps for prisoners, but Amnesty International does not have detailed information about others. The organization notes, however, that recently released Croatian prisoners reportedly compared the conditions and treatment they had received as prisoners of the JNA in Stara Gradiška favourably with those they had previously experienced when held by Serbian paramilitaries in Bu_je and Grdjevica.

Amnesty International believes that Croatian security forces have also severely beaten and ill-treated captured prisoners, in general Serbs, detained in Zadar, Gospi_ and Kerestinec (Zagreb).

According to official Croatian figures of 16 February 1992 4,768 prisoners, both military and civilians, have been released, generally in prisoner exchanges supervised by the International Committee of the Red Cross, which has also visited a number of centres where prisoners are held. The exchanges have continued since the latest United Nations-sponsored ceasefire of 3 January 1992. Of the prisoners released, 1,462 were released by the Croatian authorities and 3,306 by the JNA and Serbian paramilitaries.

The total number of prisoners currently held in Serbia, Bosnia, Montenegro and Croatia as a result of the conflict is not known to Amnesty International. Croatian official sources stated on 16 February that 3,700 prisoners remained detained in some 40 prisons and camps under the control of the JNA and Serbian paramilitaries. Of these 1,244 were said to be held in Sremska Mitrovica prison. Other camps and prisons where captured prisoners were said to be held included: Banja Luka, Belgrade, Bile_a, Borovo Selo, Bujanj Potok, Ernestinovo, Glina, Hrvatska Kostajnica, Jagodnjak, Knin, Manja_a, Morinje, Niš, Novi Sad, Plaški-Titova Korenica, Sarajevo, Slunj, Stara Gradiška, Šid, Vojni_ and Vupik. The corresponding figure for prisoners held by the Croatian authorities is not known to Amnesty International.

Amnesty International has called on all parties to the conflict to release all prisoners who have neither used nor advocated violence and who have not been charged with a

recognizably criminal offence. It has also appealed for all prisoners to be treated humanely in accordance with international human rights standards.

JNA CAMPS AT STAJI_EVO, BEGEJCI AND SREMSKA MITROVICA PRISON

Staji_evo camp

According to accounts by three prisoners Staji_evo camp was sited at a deserted farm some 15 to 20 kilometres from Zrenjanin in the direction of Belgrade. It consisted of two or more buildings called pavilions, each surrounded by a barbed-wire fence about three metres high: the first was a cowshed some 100 metres long and 12 metres wide, with remains of cowdung on the concrete floor, cobwebs on the walls and four to six broken windows. It was to this cowshed that prisoners from Vukovar were brought on 20 November 1991. They included members of Croatian security forces, civilians and medical staff and patients from Vukovar hospital and its annexe in Borovo Naselje.

Torture and ill-treatment

Dr Nenad Kuljic described their arrival as follows:

"We arrived at the camp on 20 November 1991 at about 8.30pm in some 10 buses escorted by two armoured military vehicles and police. As we entered the pavilion with our heads bent and our hands crossed behind our necks we passed through a corridor of about 30 policemen who kicked us and beat us mercilessly with truncheons."

Dr Mohamed Hicham Malla, a Syrian doctor who had been working in Borovo Naselje at the time of his capture, said:

"Five of us, two doctors and three medical technicians, were the last to leave our bus. Because we were wearing the insignia of the Red Cross on our arms and were carrying First Aid kits we thought we would not be subjected to this treatment. Unfortunately they beat us too."

According to Lav Bosanac, a civil engineer who was in charge of organizing electricity supplies in Vukovar hospital and Borovo Naselje at the time of his arrest:

"During this savage and brutal treatment of prisoners, many of them suffered severe injuries: Marin Kjarnovi_, a dental technician, sustained a broken rib... and Vladimir Marinovi_ suffered a cracked rib. Mangled, exhausted and hungry,

prisoners were made to sit on the concrete floor, with their heads bent and hands crossed behind their necks. The physical and verbal abuse went on. The guards walked around yelling, punching and kicking. Some prisoners (mostly National Guardsmen) were taken to the central floor area and beaten unconscious...Around 1am, there was firing outside and a terrible commotion ensued. The guards brought in dogs and said they had shot a prisoner who had attempted to escape."

According to Dr Mohamed Hicham Malla, on the second evening of their imprisonment, a prisoner, Mico Turkalj, approached him complaining of pain in his left arm as a result of a beating he had received at the hands of camp guards. The doctor diagnosed that his arm was broken, bandaged it and told guards to take the prisoner to the camp commander, Lieutenant-Colonel _ivanovic, to make a complaint:

"...after 15 minutes, we heard shooting. A doctor was urgently sent for and Mico was found with a bullet in his chest: he had allegedly attacked the guards who were escorting him. He was taken to hospital and four days later I learned from a military doctor that he died there."

Dr Mohamed Hicham Malla and Lav Bosanac both refer to the death of another prisoner, whom Lav Bosanac names as Ivan Kunac. According to Lav Bosanac:

"Ivan Kunac was the victim of a particularly savage beating. On the second day, he was found drenched and covered in vomit by the doctor on duty, Dr Nadaš [a prisoner]. The latter woke Dr Emedi and the two of them laid Kunac on a door. In the morning they demanded that Kunac be examined by the official (military) doctor, a woman, and they also informed the camp commander about the serious condition of this prisoner. The military doctor said that he was not seriously ill, and that she would bring some medicine the following day. The next day Ivan Kunac was dead."

According to Lav Bosanac a number of prisoners were singled out for savage and persistent beating by prison guards:

"Every night such prisoners would be taken outside at about 2am or 3am. There they were met by a dozen soldiers who proceeded to kick and punch them and to beat them with truncheons until they lost consciousness. They aimed at the victim's chest, belly, back, kidneys, arms and legs. When the victim lay motionless, they would leave him to regain consciousness and return inside. People would totter back into the pavilion, groan and fall down. The next night it would all be repeated over again. One of these prisoners gave his watch to the person lying next to him and said: `I can't take any more of this. When they

take me out tomorrow I'll start running to make them kill me. Please, give my watch to my wife."

[Amnesty International understands that the camp commander was informed of the ill-treatment suffered by this prisoner and he was transferred from this pavilion.]

According to Dr Kuljic:

"Conditions were worst the first seven days. Prisoners were physically and psychologically ill-treated daily, as a result of which four died. The first few days at least two prisoners would come to the medical station with severe psychological disturbances, because of torture."

Conditions

All accounts describe extremely harsh, cold and unhygienic conditions. Prisoners in the first pavilion (some 900) slept on a concrete floor. The day after their arrival they were issued with a blanket and a week later they were given a second blanket. After some 10 days, when the weather turned very cold, most prisoners were given a military overcoat and straw to lie on. Prisoners attributed these improvements to the prospect of a visit from the International Committee of the Red Cross (ICRC) which took place on 2 December 1991.

During the first 10 days of their imprisonment, prisoners received two meals a day, consisting of a "third of a cup of unsweetened tea, a slice of bread and a piece of salami or processed cheese". On the eve of the visit of the ICRC they received three meals, including cooked food (though reportedly of poor quality), for the first time.

No washing or toilet facilities were provided for prisoners on their arrival. The first three days of their detention, prisoners relieved themselves on the floor in an area in the centre of the pavilion, where there were no doors or plumbing. When the stench became intolerable, prisoners were taken outside under guard to relieve themselves against the wall of the pavilion. After 10 days, latrines were built. According to Dr Kuljic, they received drinking water on the second day of their imprisonment and water for washing only five or six days later.

Medical care

In these conditions, the sufferings of the sick, wounded and elderly were particularly severe. According to the two doctors and Lav Bosanac, among the total of 1,300 held in Staji_ovo were about 170 wounded, including people with serious bullet wounds and amputated limbs and several hundred sick. There were also about 150 people over 60. Many of the sick suffered from chronic illnesses, including diabetes, heart and lung diseases, active tuberculosis and epilepsy. One of the prisoners was semi-paralyzed and two were schizophrenics. The camp's inmates included 23 young people under 18. As the weather became colder, many inmates succumbed to diarrhoea. At one end of the pavilion captured doctors and medical personnel set up an improvised medical station, with five doctors and five technicians. They had just one bag of medicines they had brought with them from Borovo Naselje and some medication they collected from other prisoners in the camp. When they requested medicines from the camp authorities they were reportedly told that the JNA did not have the drugs they required and they should obtain them from the ICRC. After about a week an infirmary with places for some 20 patients was set up with the help of a military doctor. At the end of two weeks about 80 prisoners were released, mostly the elderly and prisoners under 18. The first exchange of prisoners took place a week later, involving eight medical workers.

Begejci camp

Dr Mladen Lon_ar, aged 30, is a graduate from the Medical School in Novi Sad, capital of the Vojvodina, who has worked at the Institute for Neurological Psychiatry and Mental Health in Novi Sad since 1990. He was reportedly arrested on four occasions in the period between 2 October and 6 November, when he was sent to Begejci camp. He was released in an exchange of prisoners on 10 December 1991.

According to Dr Lon_ar, the Begejci camp was sited near the village of Begejci near Zrenjanin; it was set up at the beginning of October 1991:

"It is in fact a deserted farm building, which formerly served as a cattleshed. The building is about 50 metres long and 10 metres wide, with large doors which were never completely closed. When the first prisoners were brought there, they were made to clear the surrounding bushes and trees to build up the camp fence. The fence consisted of two concentric rows of barbed wire with police dogs, watch-towers, spot-lights and deep ditches. The JNA officers and soldiers repeatedly told prisoners that the barbed wire was electrified. At first 25 arrested members of the Croatian defence forces were held in the camp, but later many more prisoners (mostly civilians from Vukovar municipality) arrived... Before the first agreement on the exchange of prisoners there were 527 people detained in the camp, among them 25 to 30 women."

"Over 90 per cent were Croatians...The youngest prisoner was only 14 years old, while the oldest was an 82-year-old lady. There were 10 to 15 young people aged between 14 and 18 years and about 100 people over 60 years. Over 80 per cent of prisoners were civilians who had never been members of any military unit...Among them were two Sri Lankans who said they had been arrested at Belgrade airport...After the fall of Vukovar a large group of prisoners arrived, composed mainly of civilians (about 130)"... When the ICRC visited, some prisoners were deliberately hidden from their sight, so that their names would not be recorded. The JNA officers did not allow private conversation between ICRC representatives and prisoners..."

Torture and ill-treatment

According to Dr Lon_ ar:

"The hallmark of life in the camp was the regular, daily and systematic ill-treatment of prisoners. The soldiers would come in drunk at night and force prisoners to stand to attention and sing all night or they would order them to lie down and cover their heads and proceed to call out their names and beat them. Prisoners were kicked and punched and beaten with heavy wooden sticks outside the building while they were working. The civilian police from the Vojvodina also entered the camp on many occasions and beat various prisoners with the permission of the JNA officers in charge. Prisoners were taken outside the camp, shown to Serb civilians who were given the opportunity to beat them. These prisoners were put on public show as criminals, murderers...Some prisoners were tied naked to posts and then beaten so brutally they had post-traumatic delirium afterwards. One prisoner over 60 years, a heart disease patient, was beaten to death in the camp and died without receiving any medical care. JNA officers regularly beat prisoners during interrogation. Even arrested medical doctors were beaten and also minors (under 18 years) who were called for interrogation, although some of them had been wounded by shrapnel. There were dozens of prisoners with broken ribs in the camp, and practically every prisoner was marked by bruises from frequent beatings. As a result of physical ill-treatment, some prisoners lost their sight, hearing, or several teeth, while several suffered broken jaws. Prisoners were forced to write and sign statements and to confess to things they had not done. Some of them were then displayed on Novi Sad and Belgrade Television as the worst kind of criminals."

Conditions

"We slept on the bare stone floor, in four rows, lying on a little straw, with only one blanket to cover ourselves. Because the room was crowded, people were not able to sleep stretched out...At first men and women slept in the same room. We were allowed to leave the room only for breakfast, lunch and supper, and to go to the WC if the guards permitted. (The WC was of the field type, sited two metres from the building, with eight places covered by plastic sheeting.) There was no heating in the building and the door was always only half-closed so that the temperature near the door was close to zero. In three months prisoners were allowed to bathe only once and people slept for a month or two without taking off their boots. They were not able to wash their faces regularly because the water pipes froze outside. Water was available in only small quantities for drinking."

Medical care

"...There were many old people in the camp, suffering from chronic heart and lung diseases and their medicines were taken away from them on arrival at the camp - in the camp itself they received no medicines. There were also 25 psychiatric patients (four schizophrenics with no medication). Because of the lack of food, all prisoners lost five to 10 kilograms in weight...There was an epidemic of lice infestation. The wounded were accommodated in the same building together with the other prisoners; they had open wounds which did not receive proper surgical treatment. In addition they were regularly beaten day after day. Ninety-five per cent of prisoners suffered from infections of the upper respiratory tract and they did not receive medication for these infections or for fevers. The soldiers selected and determined who needed medical help. There was an epidemic of diarrhoea in the camp, and those patients were not even allowed to go to the WC. Urinary infections were also quite common."

Sremska Mitrovica prison**Torture and ill-treatment**

According to Dr Juraj Njavro:

"When entering the camp for the first time, practically all prisoners were beaten, irrespective of their age, except for women and children. Even severe injuries were inflicted. This can be confirmed by all prisoners who were held in room No. 5 of Pavilion III. Women and children were in a separate room. After being brutally beaten, male prisoners were made to undress; they were left naked while all their belongings were taken away (money, watches, documents, jewelry, as well as other metal objects irrespective of their size or purpose, belts and similar things). When they left the camp these belongings were generally returned to them, but it has to be pointed out that most of the money and jewelry was never returned - moreover, no prisoner dared to ask for it because they had been previously threatened: 'If you just mention this to anybody you will be killed!'"

"The day after arrest prisoners had to complete a questionnaire [containing personal details]...The same day prisoners were twice obliged to make a statement in front of TV cameras. Several days later they were all forced to put on military uniforms over their dirty and ragged civilian clothes - the reason for this was to enable the army to accuse them in front of the ICRC and other international organizations of being members of military formations (so it would seem that they were real prisoners of war and not innocent civilians). From the beginning,

some prisoners were repeatedly investigated and questioned ("to clarify the circumstances and events concerning Vukovar"). If the investigators were not satisfied with the answers they received, they insisted on their view of events and on their own interpretations - some prisoners were continually beaten (with sticks, or they were kicked repeatedly in the ribs, belly and legs, or their heads were repeatedly banged against the walls). I myself was not beaten."

"Interrogations were always conducted "in confidence". Collaboration was offered to some prisoners - the reward was supposed to be release from prison or some privileges within the camp. After interrogation, prisoners always had to write and sign a statement (while I was in the camp, 10 to 15 people from my room underwent this process; others were told there was plenty of time and their turn would come). Some prisoners whom the JNA regarded as important were interrogated several times a day - I was also interrogated several times a day for 15 days. I have to say that JNA officers personally told me that it was forbidden to ill-treat prisoners, but this was not the case in reality, especially if the prisoners were members of the Croatian police, Croatian National Guard or territorial defence. Some men were held in isolation cells (Josip Tomašić and Marin Vidić-Bili, who was the government's representative for the municipality of Vukovar). Some prisoners were denied medical care."

Conditions

"After entering the camp, prisoners (beaten, dishevelled, covered with their own blood, dust and mud) were pushed into rooms with wooden floors but no beds. In each room (about 50 square metres) 100 prisoners were held, so that they were unable to sleep normally - instead they had to sleep on the floor like "sardines in a can". There was a small cubicle with running water at the entrance to the room, but only with cold water - there were no soap, towels, toilet paper or detergent - this water was usable only for drinking. The rooms were equipped with central heating, but a bright light was kept turned on throughout the night (in a few rooms the light was dimmed). Several days later each prisoner received a mattress, a blanket, towel, soap and toilet paper. Even minimal personal hygiene was obstructed (we could not bath or wash underwear, there was no warm water or detergent)."

"For breakfast we were given a slice of hard, several-days-old bread, a small sausage or a piece of meat from a can. There was never tea or white coffee. For lunch it was usually cabbage, beans, or goulash, but always too salty, too spicy or too acid; we were given the same for supper."

Medical care

"I ran a small medical station within the camp; at first all kinds of medicines were lacking, although there were enough bandages...for the treatment of wounds. Later, medicines were supplied according to need. The most frequent illnesses (besides chronic illnesses in the case of people over 70) were infections of the upper respiratory tract, pneumonia, urinary infections and different psychological or psychiatric disturbances...The representatives of the ICRC visited the camp, interviewed the prisoners and took their written statements; but the JNA officers succeeded in hiding some prisoners (whom they regarded as especially interesting) from the ICRC."

ACCOUNTS BY PRISONERS HELD BY SERBIAN PARAMILITARIES IN KNIN AND BU_JE

By the end of 1990, a number of areas in Croatia with large Serbian populations had refused to recognize the authority of the Croatian state, and had set up self-proclaimed "Serbian autonomous districts" under their own control, with their own institutions, including a locally-recruited Serbian police force. With the outbreak of armed conflict in Croatia in July 1991, JNA units were deployed in these and other areas of Croatia. A number of released Croatian prisoners have reported that they were held in Knin and Bu_je in detention centres under the control of local Serbian insurgents, rather than the JNA.

Knin prison

Father Mirko Barbari_, Provincial of the Roman Catholic Salesian Order in Zagreb and Father Franjo Halu_an, a priest of this order were arrested on 27 September 1991 by the JNA near Zadar; they were released on 29 October 1991 in exchange for a Serbian Orthodox priest. Following their arrest they were taken by JNA military police to Benkovac, where they were questioned. According to an interview published in the Roman Catholic weekly *Glas Koncila* on 17 November 1991, in Benkovac they were told that there were no charges against them and that they would be released shortly, if the Croatian side agreed to exchange them for a Serbian police officer. The same evening they were taken to Knin, where they were handed over to police officers of the insurgent Krajina region and held in the "district prison of Knin", which had been set up in a disused hospital. In this prison some 70 Croatian prisoners were held, about half of them civilians and half National Guardsmen.

Both priests reportedly said that many of their fellow-prisoners were brutally beaten and ill-treated by prison guards, although they stated that there were some guards who treated them humanely. As regards their own treatment, Father Franjo Halu_an stated that guards forced him to cross himself with three fingers (in the Orthodox manner) and that when he did so a guard beat his hand with a truncheon. Several days later he was again beaten by several guards and his spine was injured so that it was painful to sit down.

Father Mirko Barbari_, who said that on two occasions he was threatened with a rifle held to his head, stated that other prisoners had suffered broken teeth, jaws and ribs and injuries to their ears, legs and kidneys as a result of beatings; several fellow-prisoners in his room had begun to urinate blood. He said that four elderly prisoners, shepherds and farmers from local villages, had been forced to swallow two spoonfuls of salt and then without pause drink two litres of water. He alleged that two fellow-prisoners had died in prison. He also cited the case of another fellow-prisoner who was alternately beaten and revived under a cold shower six times in the course of one evening. He said the worst was when guards would burst into the prisoners' rooms at night and take out a prisoner to be interrogated and beaten. Beatings generally took place in the passage or bathroom.

According to Father Mirko Barbari_, a nurse visited prisoners daily, accompanied twice a week or more by a doctor, "although we wondered what was the sense in first beating and then treating the same person". Prisoners had feared to report the ill-treatment they suffered to the prison director or to monitors of the European Community peace-monitors for fear of subsequent reprisals by guards.

Bu_je and Grdjevica

On 16 January 1992 some 100 prisoners were exchanged by the JNA and the Croatian authorities outside the town of Pakrac (Croatia). According to reports in the Zagreb daily newspaper *Vjesnik* of 17 and 20 January 1992, most of the Croatian prisoners released in the exchange had spent five months in captivity, first under the control of Serbian paramilitary forces in Bu_je (where they were held in a school-building), then in Grdjevica and finally in the former prison of Stara Gradiška where they were detained by the JNA. The reports said that many had been arrested at their workplaces or in their vineyards. One of them, Franjo Glazer from Pakrac, who was arrested at the beginning of August 1991, reportedly still bore scars on his hands. He said that their treatment had been worst in Bu_je and Grdjevica, where he and other prisoners were beaten by their captors while handcuffed and blindfolded. "Life in Stara Gradiška, under the control of the JNA was bearable, indeed a positive blessing in comparison with Bu_je. While I was in Grdjevica I met the physician Dr Ivan Šreter, the former director of Lipik hospital, whom the Chetniks [Serbian paramilitaries] beat senseless." (The report stated that Dr Šreter and a colleague, Dr Solar, had been later taken to another camp and their current whereabouts remained unknown.) Another released prisoner, Vladimir Jaguš, a member of the Croatian National Guard from Zagreb, also reportedly complained of having been tortured in Bu_je.

STATEMENTS BY JNA SOLDIERS HELD BY THE CROATIAN AUTHORITIES AT ZADAR MILITARY PRISON

According to a report in *Borba* of 16 December, a number of prisoners released from Zadar military prison in an exchange of prisoners on 12 December 1991, stated that they had been beaten and ill-treated by Croatian security forces. Raša Lili_, a JNA reservist from Niš in Serbia, stated:

"When they captured us on 26 October in Murvica, in the primary school there, they beat me so badly that for four days I was scarcely aware of what was going on. For several days we received no food, and after that they would daily throw at us, as if we were dogs, a tin to be shared between two of us...I'm still limping, and because I suffered a slight heart attack, I was exchanged while in hospital."

The report notes, however, that Raša Lili_ and other prisoners said that not all the military police of the National Guard had treated them badly, and indeed praised several who had treated them correctly.

Vukadin Stanojevi_, another reservist from Niš, also stated that he and others had been kicked, punched and beaten with rifles in Murvica following capture, and said that in Zadar military prison one guard had beaten and punched him, but another had protected him. (According to the report he still bore bruises on his face.) Both Vukadin Stanojevi_ and Bekim Musoli, an ethnic Albanian from Kosovo province, a conscript in the JNA, stated that during their detention they were woken at night and beaten by guards.

MILITARY PRISONS IN GOSPI_ AND KERESTINEC

Vasilije Kova_, aged 66, a retired JNA officer from the village of Široka Kula in the Gospi_ area, was reportedly abducted from his home in Zagreb on 23 November 1991 by four armed and uniformed members of the military police, who said they wished to speak with him for a few minutes. His family, having failed to obtain information from the Croatian authorities as to his whereabouts, learned at the beginning of January 1992 via the ICRC that he was detained in a military prison in Gospi_. He was reportedly being held in solitary confinement in extremely cold conditions despite his poor health (he suffers from a heart disease). Croatian government authorities apparently indicated that the military and police in Gospi_ were beyond their control. However, in late January 1992 he was transferred to a detention centre in Kerestinec on the outskirts of Zagreb. No charges were brought against him and his family were not permitted to visit him. He was released in late February 1992.

According to Vasilije Kova_'s account, in Gospi_ prison he was questioned about alleged links between Serbs in Široka Kula, Zagreb and Belgrade of which he had no knowledge. On 16 January 1992 a police officer from Zagreb questioned him, apparently with the aim of trying to ascertain who had been responsible for his arrest in Zagreb. He was given two blankets, but suffered severely from the extreme cold: the heating in the prison was turned off on 27 November and the window in his cell did not close properly. From 27 November onwards, breakfast was cancelled and prisoners received only two meals a day. During the entire time he spent in Gospi_ prison he was not permitted a change of clothes or to wash. There was no toilet in his cell; at night he was obliged to use a bucket. On 15 December 1992, three days before the ICRC visited the prison, breakfasts were resumed and the heating turned on.

According to Vasilije Kova_, he was among the few prisoners who were not - at least until 7 January 1992 - beaten by guards; he had suffered "only a few slaps". On 7 January he was escorted from his cell to the toilet by a guard; on his return to his cell he was set upon by five guards who rained blows on him. Another guard helped him into his cell, where he lay unable to move. The following day he experienced heart disturbances and temporarily lost consciousness. In his account, Vasilije Kova_ noted that "some guards take part in every beating; some only when they must; others never do," and referred to several guards who had treated him well.

On 27 January 1992 he was brought to a military detention centre in Kerestinec, on the outskirts of Zagreb. On arrival, he and other prisoners were made to stand with their face to the wall and with raised hands. Many of his fellow-prisoners were beaten, punched or kicked. He was taken out to be examined by a doctor. On his return he almost fell from weakness, but was made once again to stand face to the wall with his arms raised. He then felt a blow and lost consciousness. Until his release he was held in a small room (six square metres) with a concrete floor, together with six other prisoners. On the third night they were

given pillows and a blanket each. Vasilije Kova_ said that the prisoners were permanently hungry, and stated that they were frequently beaten and otherwise ill-treated. Croatian prisoners were particularly subject to ill-treatment and humiliation. He also alleged that some prisoners, including a woman, were tortured with electric-shocks. Vasilije Kova_ noted, however, that although most guards in Kerestinec behaved in a violent, aggressive way, there were exceptions who carried out their duties correctly.

On 21 February 1992, Vasilije Kova_ was released from Kerestinec and advised that he would be safer if he stayed at home and did not venture outside. Five days later, at about 5.00pm, three military police officers again came to his home and returned him to Kerestinec. There a prison doctor from Gospi_, in charge of organizing prisoner exchanges, informed him that the JNA demanded to see him to confirm he had not been killed. Two police officers from the detention centre took him into a room where they threatened they would imprison both him and his son, and gave him several slaps and blows. The doctor from Gospi_ told Vasilije Kova_ and six other prisoners who had also been detained previously in Gospi_ that it was his advice that they should go to the Serbian-held insurgent region of Krajina; he said that if they remained in Zagreb they would receive 15 to 20 year prison sentences. They were driven to Gospi_ where they were again advised to "go over" to Krajina, and threatened that if they refused they would be imprisoned by a military court. From Gospi_ they and some 13 other prisoners were brought to Pakovo Selo near Šibenik, where a Croatian police officer threatened Vasilije Kova_ that if he refused to go to Krajina his sons would be killed. At 2.00pm he and some other prisoners who did not wish to be exchanged were taken aside and he was able to inform representatives of the ICRC overseeing the prisoner exchange of these threats. Afterwards he was returned to Šibenik where he spent the night in prison but was correctly treated. The following day, he was presented to a representative of the JNA, who also urged him to go to Krajina and appeared displeased when he refused. The same day he returned to Zagreb.

INVESTIGATION AND PROSECUTION OF WAR CRIMES

According to an article in the British newspaper the *Guardian* of 7 December 1992, a Yugoslav military court has begun criminal proceedings against an undisclosed number of Serbian paramilitaries from the Knin area accused of war crimes against civilians. The report cited Colonel Jovan Buturovi_, a senior judge of the federal military court, who proposed the setting up of a Yugoslav state commission, comprising legal experts from all the republics, to investigate war crimes committed by the JNA, Croatian forces and Serbian paramilitaries. The article also stated that the JNA threatened to bring criminal charges against some of the 2,000 Croatian national guardsmen captured in Vukovar. Colonel Buturovi_ reportedly admitted that it was difficult to raise the question of war crimes while the conflict was going on, because "the warring sides accused each other, trying to hide or mitigate the crimes of their own side".

On 19 February 1992 the human rights committee of the Federal Assembly approved an initiative by four members of the SFRY Presidency to set up a state commission to investigate war crimes and genocide in Croatia. According to a report by the Yugoslav newsagency *Tanjug* of 19 February the task of the commission was to "collect authentic data and material evidence about the genocide against the population of Serbian and other non-Croatian nationalities in the secessionist Republic of Croatia". It appears from this that the commission will not investigate war crimes committed against Croats.

In November 1991 the Croatian Government appealed to the international community to support its initiative to establish an international tribunal to judge war crimes committed in Croatia. Later, on 17 February 1992, the Croatian authorities responded in a statement to the report of 13 February by *Helsinki Watch* concerning human rights abuses committed by the Croatian side in the conflict. The statement said that some of the crimes mentioned in the report had already been investigated, criminal charges had been processed and suspects detained awaiting trial. It added that the Croatian Government would shortly make public all its findings concerning human rights abuses in Croatia.