

# £YUGOSLAVIA

## @Torture and deliberate and arbitrary killings in war zones

### Introduction

Amnesty International deplores the enormous suffering and destruction brought about by armed conflict in Yugoslavia, primarily in Croatia and in border areas of Bosnia-Herzegovina. As a human rights organization with a limited mandate Amnesty International is specifically concerned about reports from war zones of extrajudicial executions and other deliberate and arbitrary killings of unarmed civilians or captured or wounded members of armed forces by police, military or paramilitary forces and of the torture or ill-treatment of people detained in connection with the fighting. The available information indicates that all sides in the conflict have committed atrocities. Amnesty International repeats its earlier appeals to all parties in the conflict in Yugoslavia to treat prisoners in their custody humanely and to protect them and non-combatants who come under their control. It has called on them to ensure that international humanitarian and human rights principles are observed throughout the country. Amnesty International has also called for the protection of non-combatants from all acts of reprisal and violence.

Amnesty International seeks to be impartial in its work for the promotion of human rights. It believes that all human rights violations are to be deplored and cannot be weighed up one against another. Abuses committed by one party cannot be considered to exonerate those responsible for abuses committed by another party.

### International law

International human rights standards (such as the International Covenant on Civil and Political Rights to which Yugoslavia is a party) provide that the right to life and the right to be free from torture are non-derogable rights which must always be protected. No exceptional circumstances whatsoever, whether a state of war or state of emergency, may be invoked by a government as a justification for violating these rights. These human rights standards apply to governments in wartime as well as in peace-time.

The four Geneva Conventions of 1949 (to which Yugoslavia is a party) establish minimum humane standards for internal armed conflict in Article 3, common to all of them and applicable to all governments and opposition groups. Common Article 3 of the four Geneva conventions defines the people to whom its protection is extended as:

"Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention, or any other cause..."

It prohibits "at any time and in any place whatsoever with respect to the above mentioned persons:

- a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
- b) taking of hostages;
- c) outrages upon personal dignity, in particular humiliating and degrading treatment;
- d) the passing of sentences and the carrying out of executions without previous judgement pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples."

(Amnesty International opposes the carrying out of executions under any circumstances, by governments or opposition groups, in line with its total opposition to the death penalty in any of its forms.)

The official Commentary of the International Committee of the Red Cross (ICRC) on Common Article 3 refers to criteria by which to distinguish "a genuine armed conflict", including the party in revolt's degree of organization and its control of population. But it concludes that these criteria need not be met for Common Article 3 to apply. Therefore, the minimum standards of humanitarian conduct reflected in Common Article 3 should be respected in all circumstances, by government forces and opposition forces, no matter what the level of the conflict or armed encounters.

Protocol II to the Geneva Conventions applies to armed conflicts within the territory of a High Contracting Party:

"...between its armed forces and dissident armed forces or other organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this protocol."

In its official Commentary on Common Article 3, the ICRC makes it clear that humanitarian law applies even if one or more Parties fails to respect its rules. The Commentary states that each party is required to apply Article 3 "by the mere fact of that Party's existence and of the existence of an armed conflict..."

The obligation is absolute for each of the Parties, and independent of the obligation on the other Party. The reciprocity clause has been omitted intentionally."

The degree to which international norms for the conduct of war have been flouted in the conflict in Yugoslavia has been widely recognized and condemned. On 5 September the ICRC appealed to Yugoslav leaders to ensure respect for international humanitarian law in time of war. In its appeal the ICRC reportedly called on all parties to the conflict to cease all attacks against civilian populations and property, to spare the life of those who surrender, to treat humanely captured enemy fighters and to respect the Red Cross symbol.

On 8 October the Federal Ministry of Justice of Yugoslavia released a statement that the war in Croatia was being "waged with a total disregard for the basic provisions of the international conventions which regulate conduct to the civilian population, the wounded,

the sick and prisoners". In a further statement on 7 November the Federal Minister of Justice warned that "mass murder, attacks on civilians and forced evacuation of the population in the Yugoslav Republic of Croatia testify to the violation of international humanitarian law in Yugoslavia". He assessed that the "tragic events in Croatia already contain...elements for trials for genocide and war crimes".

Estimates of the number of people who have died in the conflict vary widely - but the lowest figures admit to several thousand dead, and it is feared that the true figure may be many times higher. In addition many thousands have been wounded and several hundred thousands of others have been displaced after fleeing the violence or have been forcibly evacuated. There has been widespread destruction of major historical, architectural and religious monuments or sites, including much of the town of Vukovar in eastern Croatia, and in some cases entire villages have been razed. The attacks by federal army forces on the historic town of Dubrovnik have provoked international outcry.

## **Background**

In 1990 multi-party elections took place in all six republics of Yugoslavia and nationalist parties which came to power in the Republics of Croatia and Slovenia began to press for independence. These demands were blocked, primarily by Serbia, which has large minorities both in Croatia and in the republic of Bosnia-Herzegovina. Croatia's moves towards independence were strongly resisted by many Serbs in Croatia (who account for 11.5 per cent of the total population of 4.5 million in Croatia) who saw the end of a federal Yugoslavia as effectively changing their status as members of the largest national group within federal Yugoslavia to that of a minority within Croatia. Their fears were fuelled by constitutional changes which they regarded as confirming this reduction in their status and by various measures which revived memories of the persecution and massacre of Serbs, Jews and Gypsies by the fascist Ustaša authorities in the state of Croatia established under German and Italian protection in the Second World War. Nationalist sentiment and resentments have been exploited by media and politicians in both Serbia and Croatia. Leaders of Serbian enclaves in Croatia made it known that if Croatia chose independence, they would demand that the internal frontiers between republics be redrawn so that areas with a predominantly Serb population would secede from Croatia to join the Republic of Serbia. This demand has been supported by Serbia, which has argued that the right to self-determination cannot be confined to Croats and Slovenians (though Serbia denies this right to ethnic Albanians in Kosovo province in southern Serbia) and that Slovenia and Croatia, by unilaterally and unconstitutionally declaring independence are demanding a revision of the internationally recognized borders of the Yugoslav state, a much more radical step than the revision of internal borders which do not enjoy such recognition.

By the end of 1990 Serbian paramilitary forces had effectively established areas in Croatia under their own control and began to proclaim these areas as "Serbian autonomous districts". Clashes between local Serbian paramilitary forces and Croatian security forces had become a frequent occurrence by February 1991. The federal army, that is, the Yugoslav

National Army (JNA) was deployed to separate the parties in conflict. Its impartiality was soon contested by the Croatian authorities who accused it of protecting Serbs in their campaign to gain territory. Following Croatia's declaration of independence on 25 June 1991, clashes between Serbian paramilitary forces and Croatian security forces multiplied. By 7 September, when a European Community-sponsored Yugoslavia peace conference opened in the Hague, Serbian paramilitary forces, often with the support of JNA units, had gained control over about a third of Croatian territory. Since then at least a dozen ceasefires have been signed and broken amid mutual accusations. The outbreak of large-scale conflict threatens in the Republic of Bosnia-Herzegovina (where Serbs account for 31 per cent of the population, Muslims 44 per cent and Croats 17 per cent). On 5 November Serbia rejected a revised peace plan proposed by the European Community which provided for a loose association of sovereign states on the basis of the present republic borders. On 7 November the European Community announced its decision to impose economic sanctions on Yugoslavia.

Yugoslavia's federal institutions have largely ceased to operate: the federal Presidency, formally an eight-member body representing the six republics and Serbia's two autonomous provinces, has been abandoned by all members except Serbia's three representatives and Montenegro. The JNA itself no longer recruits from Slovenia (which also declared independence on 25 June and from which JNA units have been withdrawn), and with the exception of Serbia and Montenegro, all other republics are either refusing to send conscripts into the JNA or have stipulated that they are not sent to Croatia, but serve on home territory. Large numbers of men, including many Serbs from Serbia, have deserted JNA ranks or have avoided call-up. Members of the Serbian government, dissatisfied with the failure of the JNA to bring the conflict to a successful and rapid conclusion, have called for the creation of a Serbian army. In the meantime Croatian and Serbian paramilitary forces continue to operate with scant respect for governmental authority.

### **Deliberate and arbitrary killings by governmental and paramilitary forces**

Amnesty International is deeply concerned about reports from zones of armed conflict in Croatia and border areas of Bosnia-Herzegovina of extrajudicial executions and other deliberate and arbitrary killings, and mutilations carried out on civilians or captured members of armed forces and of the torture or ill-treatment of people detained in connection with the fighting. Amnesty International notes that information is often contradictory and allegations frequently difficult to verify. Journalists work in highly dangerous conditions (at least 16 have been killed since the outbreak of conflict this year) and are at times unable or not permitted to approach areas of conflict. The Croatian and Serbian media, with few exceptions, tend to present a one-sided version of events in which, for instance, it is often difficult to discern whether victims are unarmed civilians or are members of local armed formations who have died in combat. Accusations of atrocities are constantly traded, accompanied by photographic documentation of mutilated bodies. Most recently, on 20 November, a Serbian volunteer in the JNA told journalists that he saw

comrades shoot up to 80 Croatian National Guards when Vukovar was captured by JNA forces, including some who were unarmed and trying to surrender. He reportedly said: "Our guys shot them immediately, on the spot. They were extremists. They changed into civilian clothes and tried to mix in with the civilians. Local people pointed them out to us. There were about 80 of them. I saw it. I saw them try to use civilian hostages as human shields." The following day Croatian villagers from Skabrnje, near Zadar on the coast, claimed that JNA troops had hanged two people and shot others after taking the village on 18 November. They alleged that the victims were all civilians and included the village's oldest inhabitant, who was 90. There is evidence that in at least some instances such accusations are founded. Amnesty International believes that the following cases are sufficiently well documented to raise serious concern but that there are many more about which reliable information is so far lacking.

### *Zamlaca, Struga*

Croatian refugees have testified that Serbian paramilitary forces entered the village of Zamlaca, in the Banija region south of Zagreb on 26 July and rounded up about 40 people, mostly women and the elderly, who were forced to act as a human shield, as the paramilitary forces - firing over their heads from a truck mounted with light artillery at Croatian security forces - proceeded to the nearby village of Struga. A 19-year old girl, whom Serbian paramilitaries found hiding in her home in Struga, said she was beaten by them with rifle-butts when she refused to reveal her brother's whereabouts. She and others saw the paramilitaries (many of whom they recognized as local men) force three Croatian police officers - who had surrendered or been captured - to undress, whom they then beat with rifle-butts. The injured police officers were then ordered to stand up and run and were shot in the back by Serbian paramilitaries. As the Serbian paramilitaries passed through Struga, a villager threw a grenade at them; other grenades strapped to his waist exploded killing both him and a police officer with him. The hostages scattered and a gunfight broke out between the Serbian paramilitary forces and Croatian police. Units of the JNA subsequently intervened, although villagers complained of their tardy arrival. On 28 July Croatian television reportedly showed the bodies of nine Croatian police officers whom it said had been killed and mutilated during clashes in the Banija region.

A group of reporters (from the newspaper *Borba*, published in Belgrade, and from Sarajevo Television) saw the "human shield" as it entered the village of Struga. According to *Borba* reporters, one of the Serbian paramilitaries seized their photo-reporter and began to beat him up. He then ordered the reporters to run, shouting to his followers to "shoot the reporters, kill them". His instructions were ignored. However, Egon Scotland, a reporter for the German newspaper *Süddeutsche Zeitung*, who was driving in the area the same day in a clearly-marked press car, died after he was shot at and wounded, apparently by Serbian paramilitaries.

### *Dalj*

A large number of Croatian police and villagers died on 1 August in the village of Dalj in Slavonia, in an incident which reportedly began when Serbian paramilitary forces attempted to take over the local police station. Police trapped inside the station appealed to JNA units to intervene. When these arrived they called on the police to surrender. According to military sources, the latter refused, and fired at JNA units, whereupon the units returned fire and stormed the police station. In the course of fighting up to 80 Croatian police officers are alleged to have died, including both those in the police station and elsewhere in Dalj. Some 35 in the police station were disarmed and arrested by JNA units. Villagers have alleged that after Dalj was occupied by the JNA, Serbian paramilitaries went through it killing those left wounded. Access to Dalj was subsequently restricted by the JNA for several days. Local witnesses reportedly claim that in addition to 22 bodies which the JNA allowed to be brought to Osijek on 4 August (medical personnel were forced to make part of the journey locked up with the corpses in a refrigerated lorry), about 18 others were buried in a mass grave in the Catholic cemetery by local captured Croats on the orders of Serbian paramilitaries; others were apparently buried in open fields or thrown into the Danube. An autopsy carried out at Osijek General Hospital concluded that P.D. (whose full name is known to Amnesty International), a baker, had been killed by gun-shot at close-range and had probably been beaten before he was killed.

### *Sarvaš*

The following day (2 August) Croatian police and military (National Guards) attacked the nearby village of Sarvaš and reportedly killed some nine Serbian villagers there. Among these was Zora Petrovi\_, an elderly woman, and three members of the Bojani\_ family. A married couple, Veselin and Gospava Adamovi\_, were also among those who died. According to a statement by a relative, Bogdanka Radovi\_, Croatian security forces broke into the Adamovi\_ home and carried out a search. "When they did not find anything, they killed the couple in their yard. Veselin was shot in the head, in the forehead, and Gospava in the chest, directly in the heart." When Gospava's mother, who had gone to look for help to have them taken to a hospital or morgue, returned to their house, she saw their bodies being loaded into a vehicle and driven off in an unknown direction. Reported accounts by neighbours appear to vary: according to one description the Adamovi\_ couple were stabbed at the entry to their house; another appears to indicate that Veselin Adamovi\_ was armed and fighting at the time of his death.

### *Lovinae*

On 5 August Serbian paramilitary forces reportedly attacked the village of Lovinae near Gospi\_ and kidnapped five Croats, - Marko Pavi\_i\_, aged 75, Stjepan Katalini\_, aged 55, Jure Sekuli\_, aged 57, Ivan Ivezi\_, aged 38, and Martin Sari\_, aged 40. Their fate was not known until 10 days later when their bodies were found in bushes.

### *Fact-finding commission*

On 16 August a commission formed by the federal government to establish the facts about events in Dalj, Sarvaš and Lovinac started work but on 27 August announced that it had ceased after concluding that the escalation of the conflict in Croatia had made it impossible to continue its work. The previous day, Irfan Ajanović, Vice-President of the federal Assembly, had resigned from the commission after stating that the federal Presidency's decision on a cease-fire in Croatia was "impossible to implement given the present definition of the warring parties and the present role and position of the JNA in the flashpoints of war".

### *Pecki*

On 18 August the Medical Council of the Republic of Croatia brought to public notice the case of three farmers from the village of Pecki near Petrinja south of Zagreb. According to the Council's account, the three men - Mato Horvat, aged 32, Djuro Horvat, aged 28 and Ivica Bugarin, aged 23, who had recently fled their homes with other villagers before the advance of Serbian paramilitary forces, were killed on 16 August after they returned to their village to feed their animals. Autopsies were carried out on 17 August by a forensic expert from Sisak Medical Centre on the instructions of an investigating judge of Sisak district court. These concluded that all three men had died as a result of multiple wounds caused by gun-shots and mutilation. A fourth man with them, Stjepan Horvat, was said to have died from gunshot wounds. The district court of Sisak has undertaken an investigation into their deaths.

### *Kinjacka, Cakle and Trnjani*

Up to 21 Serbian villagers are said to have been killed on 22 August in the villages of Kinjacka, Cakle and Trnjani near Sisak when Croatian security forces undertook a house-to-house search for Serbian paramilitaries who had fired mortars at the town of Sisak. According to the international news agency *Reuters*, villagers said the raid turned into a slaughter. A local Serbian commander claimed that there was no resistance in the village at the time. He said that the Croatian security forces wore JNA uniforms: "People died very naively. They saw camouflaged uniforms and came out into the road thinking it was the army". According to *Reuters*, the next day police in Sisak denied that Croatian forces had attacked civilians and warned that journalists who wrote such reports would be "treated appropriately".

### *\_etekovac*

On 3 September 23 people, two of them Croatian police officers, died when Serbian paramilitary forces attacked the village of \_etekovac and the neighbouring villages of Cojug and Balinci in the Podravska Slatina region in eastern Croatia. According to a local official,

\_etekovac was surrounded by Serbian paramilitary forces throughout the day, during which the two local police officers were shot dead. Most inhabitants fled but when Serbian paramilitaries entered the village in the evening, they set fire to houses and killed 21 people. An old man, Ivan Rukavina, described to a visiting journalist how Serbian paramilitaries had forced him and others to stand in line and shot one villager who tried to flee. Autopsy reports compiled by the General Hospital of Osijek state that among those killed were five elderly women - M.R, M.M, I.B, T.T, and R.V, aged between 63 and 91, who died of gun-shot wounds. Other victims included J.B, a 65-year-old man, who died of stabbing wounds to his throat and neck inflicted by a knife or bayonet. (Amnesty International has been asked not to publish their full names, although these have been given to the organization.) These six persons were from the villages of \_etekovac and Balinci.

### *The Korana bridge, Karlovac*

On 21 September 13 JNA reservists and officers who had surrendered and laid down their arms were shot dead or otherwise killed by a member or members of a special unit of the (Croatian) police force of Karlovac.

The following account is based on press reports published in Belgrade and a statement by the Ministry of Internal Affairs of the Republic of Croatia which agree in general outline, though they differ on certain points. On the evening of 21 September a group of JNA reservists, conscripts and officers (the majority Serbs from Krnjak and Vojni\_) led by Lieutenant Mile Peura\_a were driving in two vehicles from Slunj towards a JNA garrison in Karlovac which was under attack. As they reached the bridge over the Korana river in Karlovac, they were met by a special unit of the police force of Karlovac which ordered them to surrender. The group appears to have been split into two; nine reservists were collected and driven to police headquarters in Karlovac and later brought to Zagreb where they were detained in custody. Fourteen (possibly 16) others remained at the bridge, under the guard of the police officer Mihajlo Hrasto and other police officers, waiting for vehicles from Karlovac police headquarters to come and collect them. While they were waiting, three tanks from the JNA garrison in Karlovac approached and, when they were within 500 metres of the bridge, began to fire. (Press reports indicate that at this point the reservists shouted or signalled to those in charge of the tanks to stop firing, which they did.) The group of reservists, having laid down their arms, were then ordered by Mihajlo Hrasto to walk over to the other side of the bridge and line up against the bridge parapet. They were then shot in the legs and subsequently killed. According to press reports those who were killed were: Jovan Siti\_ (aged 25), Bo\_o Kozlina (37), Nebojša Popovi\_ (24), Mili\_ Savi\_ (37), Milenko Luka\_ (32), Slobodan Milovanovi\_ (25), Svetoslav Gojkovi\_ (32), Miloš Srđi\_ (43), Zoran Komadina (27), Mile Babi\_ (42), Vaso Bi\_i\_ (36), Lieutenant Mile Peura\_a (27) and Ensign Nikola Babi\_ (43). However, a report in *Borba* of 2 October 1991 referred to Mile Peura\_a as one of those who had been arrested at the Koranski bridge on 21 September and who had just been released during an exchange of prisoners in the Banija and Kordun areas.

The versions of these events as given in the statement of the Ministry of Internal Affairs of the Republic of Croatia and in press reports available to Amnesty International differ mainly in that the report of the Ministry of Internal Affairs indicates that Mihajlo Hrasto opened fire in panic on the reservists in response to firing from JNA tanks and that he alone shot the reservists (from the press reports it is not clear whether this is the case or whether other police officers took part in the shooting). It refers to one wounded reservist who survived the massacre, whereas press reports, in addition to the 13 who died, mention at least three survivors: Branko Madjarac, Svetozar Šarac and Dušan Mrki\_.

According to the Ministry of Internal Affairs the bodies of the dead were brought to the Institute for Forensic Medicine in Zagreb for autopsies to be carried out. According to a press report, when their bodies were returned to their families some days later, a medical commission from Vojni\_ established that a number of bodies had been severely mutilated.

The Ministry of Internal Affairs of the Republic of Croatia states that Mihajlo Hrasto fled after the events of 21 September and that a warrant for his arrest, on charges of "murder" and "attempted murder" under Article 35, paragraph 2, part 1 of the Criminal Code of Croatia and under the same article in connection with Article 19 of the Criminal Code of Yugoslavia, has been issued. No explanation is given for the decision to prosecute Mihajlo Hrasto on these charges rather than under Article 146 of the Criminal Code of Yugoslavia which deals with "unlawful killing or wounding of the enemy". Article 146 states: "(1) Whoever in violation of the rules of international law in time of war or armed conflict, kills or wounds an enemy who has laid down arms or unconditionally surrendered, or has no means to resist, shall be punished by at least one year's imprisonment. (2) If the killing referred to in paragraph 1 of this article has been committed in a cruel or treacherous way, out of greed or from other base motives, or if several persons have been killed, the perpetrator shall be punished by at least 10 years' imprisonment or by the death penalty."

### *Zadar*

On 28 September the Belgrade newspaper *Politika Ekspres* published an article based on the account of a Serb who had fled the coastal town of Zadar, who said that armed Croatians dressed in black were spreading terror amongst the town's Serbian population and arresting or forcibly evicting Serbian families. The article claimed that their leader was a former police officer from the nearby town of Benkovac who was beyond the control of Zadar's police chief. It reported that refugees from Zadar claimed that there were more than 500 local Serbs whose fate was unknown and gave the names of 18 of them. It further reported that detention centres for Serbs had been set up in a brickyard nearby in Nin and at an abandoned cattle farm at Bor. On 11 November a Serbian adviser to the Croatian President reportedly confirmed at a news conference in Zagreb that a detention centre had been set up for Serbs in Zadar and that some Serbs had been killed on the spot. He also stated that several hundred Serbs had been forcibly taken from their homes in Gospi\_ and that nothing was known of their fate. He reportedly did not give any further details, but denied that the Croatian authorities were behind these atrocities and added, "We have given

information about this to the [Croatian] government so that it can investigate the incidents through its Ministries".

## **Death in detention**

### *Dre\_nik*

According to a report in *Borba* of 6 September, **\_edomir Biga**, a Serb from the village of Rakovica near Slunj, died on 2 September in detention as a result of ill-treatment by Croatian police in the town of Dre\_nik. In a report sent to the Regional Hospital of Biha\_, the Dre\_nik police reportedly claimed that he had died as the result of a heart attack. However, an autopsy report by the Regional Hospital of Biha\_ reportedly stated that the entire left side of his back and part of the right were severely bruised and that an examination showed that ribs were broken. The report concluded that \_edomir Biga had died a violent death as a result of injuries caused by blows.

### *Bile\_a*

**Niko Braji\_**, aged 50, a Croat from Ravno village in Bosnia-Herzegovina, worked at a local health centre. He was also secretary of the local Trebinje branch of the Croatian Democratic Union party. According to reports received by Amnesty International he was arrested in October by JNA military police and taken to prison in the small town of Bile\_a. On 14 October his wife was informed that he had died of a heart attack in prison two days before. It is alleged that following his arrest he was severely beaten by police.

Ejup Gani\_, the head of a commission created by the Presidency of Bosnia-Herzegovina to investigate the events in Ravno village, stated on 31 October that he had been informed by military authorities that as the JNA was passing through the village, the tail of the JNA column came under fire, resulting in the death of four Montenegrin reservists, whereupon the JNA opened fire. Ejup Gani\_ said that the JNA had allowed him to visit only the northern part of the village, but not its southern part, alleging security reasons. He claimed that in the part of the village he had visited he had not seen a single house which had not been burned down or hit by shells. He called for permission to be given for an impartial investigation into the events in Ravno and complained that the JNA had not allowed journalists to enter the village with the commission. On 21 November the press published a JNA statement issued by the Command of the U\_ice Corps which described Ravno village as an "Ustaša base" whose inhabitants had attacked and killed four JNA soldiers and wounded three others and thus "forced the JNA to take action against installations in the village". The JNA statement claimed that the village had been preparing "for years" for revenge on members of the JNA and the local Serbian population and that Niko Braji\_ had taken a prominent part in these alleged preparations.

### *Bu\_je*

According to information received by Amnesty International, **Igor Zalar**, aged 50, a Slovene married and living in Slavonska Po\_ega (Croatia) who served "part-time" in the Croatian National Guard, was arrested on 21 September near Kamensko by Serbian paramilitary forces. He was reportedly taken to the village of Bu\_je, some 20 km east of Pakrac, where he was held with other captured fighters and civilians in a school building. According to fellow captives, he was made to sleep on a concrete floor with only a piece of cardboard for bedding. His hands were tied behind his back and his ankles were bound. He was repeatedly beaten by four of his captors, and appears to have been singled out for particularly brutal treatment because of his insistence on answering in Slovenian the questions put to him by his captors. Igor Zalar had for some time suffered from high blood pressure and required regular medication.

On 16 October his wife received a note dated 14 October informing her that her husband had committed suicide by hanging himself. The note apparently carried a rubber stamp reading "\_etni\_ki štab, Bu\_je", (local Serbian paramilitary headquarters) but was not signed. It did not tell her where her husband was buried.

## **Torture and other ill-treatment in detention**

### *Zadar*

In an incident on 20 July, **Stevo Veselinovi\_**, a JNA non-commissioned officer and **Miloš \_epnja**, a civilian employed by the JNA, were reportedly kicked and beaten with rifle-butts for almost three hours by a large group of officers of the Croatian police in Zadar after they had been brought to a police station by a police patrol which accused them of "returning from the barricades". According to a statement issued by the headquarters of the military and naval district of Split, they were left almost unconscious and had to be brought to the Split military hospital for treatment. On 25 July the chief of police of Zadar expressed deep regret at this incident and said that disciplinary action was being taken against the police officers involved and criminal proceedings would be begun to determine individual responsibility.

### *Knin*

According to a report in the Zagreb newspaper *Vjesnik* of 19 August, **\_eljko Lipak**, a 22-year-old reserve member of the Croatian police force, was captured by Serb paramilitary forces on 26 June in the town of Glina after he and others in the local police station had surrendered. Several days later he was brought to Knin where he was held until his release in a prisoner exchange on 13 August. He alleged that he and others held in Knin had been beaten daily by often drunken Serbian police officers of the insurgent Krajina region, although they had received orders not to beat prisoners. He said that after he had

complained to visiting Dutch journalists of the ill-treatment he and his fellow prisoners had received, seven Serbian guards held his head over the rim of a bath-tub while they beat him and kicked him; as a result he had suffered a broken rib.

### *Dre\_nik*

Similar allegations appeared in *Borba* of 6 September, but this time made by a Serb, **Grujica Šajinovi**, from the village of Grabovac near Slunj, a member of the police force of the insurgent Krajina region, who had recently been released after being held for several days by Croatian police. According to the journalist who interviewed him, he still bore severe bruises on his face, his back and chest and his upper arms were swollen and bruised. Doctors at the Titova Korenica health clinic had reportedly established that five of his ribs were broken or cracked. According to his account, Croatian police arrested him in Dre\_nik at about 8am on 28 August while he was travelling home by bus to visit his family. They took him to the police station in Dre\_nik where he claims he was alternately questioned and beaten until 4pm that day. He alleged that he was repeatedly taken from the room where he was being interrogated into the passage outside where about 10 police officers beat him until he lost consciousness and then poured water over him before taking him back for further questioning. He also alleged that one police officer hit him with his knee in the chest so violently that he vomited blood. He was then ordered to lick up his blood and when he refused was beaten over the head with a rifle-butt until he fell head-forwards onto a table. He was afterwards taken to a police station in Slunj, where he said he was correctly treated by police inspectors, although the guards outside his cell had threatened to kill him. Two days later he was released as a result of a prisoner exchange.

### *Dalj*

A member of the Croatian National Guard interviewed in the Zagreb weekly newspaper *Danas* of 27 August described how he was captured in Dalj on 3 August by local Serbs, former police officers who had occupied the police station in Dalj, questioned and released. The following day he was again detained and held together with some 20 other Croatians. He alleged that he was among those forced to load into a refrigerated lorry the bodies of 22 dead Croatian National Guardsmen and police and was shut into the lorry together with the corpses while the lorry drove from the cemetery to the prison. He alleged that he and his fellow prisoners were forced to carry out various physical tasks by their captors who punched and beat them with rifle-butts, stubbed out cigarettes on their bodies and humiliated them. He alleged that as a result of this ill-treatment one of his fellow-prisoners had recently died. He also claimed that one young man had been made to hit his own father and then was forced to swallow a lighted cigarette. Another prisoner, a Croatian police officer, had been made to beat his fellow prisoners.

Titova Korenica

On 14 October 1991 **Father Mile Peci\_**, a Roman Catholic parish priest and deacon of Slunj asked the commander of the JNA garrison in Slunj to provide a military escort to accompany him and other Croats to the village of Vaganac in order to identify and give a religious burial to about 10 elderly people there who were believed to have died when the village was burned down on 8 October in what is said to have been a JNA attack. This request was accepted and the next day Father Peci\_, together with **Father Josip Bogovi\_** the parish priest of Vaganac and Dre\_nik, two nuns **Sisters Amalija** and **Mihaela** from Dre\_nik and Vaganac, **Mile Luka\_** and **Jure Magdi\_** hearse drivers from Slunj, and four local men **Marko Kne\_evi\_**, **Mile Kne\_evi\_**, **Nikola Nikoli\_** and **Dra\_en Renduli\_**, left for Vaganac in three vehicles under military escort. They had previously accepted the condition set by the commander that they should not bring with them weapons, cameras or video-cameras. The officer in charge of the escort guaranteed them safe passage.

On arrival in Vaganac they found the village so destroyed that they were unable to identify or bury the dead. On their way back the following day, at about 5.30pm in the town of Prijeboj, their military escort handed them over to a group of Serbian paramilitaries who took them to the town of Titova Korenica. There they were brought to the basement of the local police station where they were beaten and otherwise ill-treated until late at night.

The next morning (16 October) Father Peci\_ and the two nuns were allowed to return home, although their car was taken from them. Father Peci\_ was obliged to seek treatment at a hospital in Rijeka, where he stayed from 22 to 24 October. A medical certificate, dated 24 October, issued by the hospital, states that as a result of the ill-treatment which he received in Titova Korenica, Father Peci\_ bore "traces of blows all over his body and limbs, particularly on the left side of his chest where there is subcutaneous bruising". Three others detained were subsequently released, but the fate of the the remaining four was still unknown to local church authorities by 22 November.