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Croatia urged to end impunity for war crimes and to defend journalists

The Human Rights Committee has urged Croatia to address impunity for war crimes, including by full cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY). It also called on the authorities to prevent and investigate attacks and intimidation of journalist in the country.

On 29 October 2009, the Human Rights Committee (Committee) adopted its Concluding Observations on the implementation of the International Covenant of Civil and Political Rights (ICCPR) by the Republic of Croatia.

In its Concluding Observations the Committee has highlighted a number of human rights concerns in Croatia and urged the authorities of the country to take measures to address them.

Among other issues the Committee expressed its concerns related to impunity for war crimes, including the fact that many potential cases of war crimes remain unresolved and that the selection of cases has been disproportionately directed against Croatian Serbs.

The Committee also noted that the Croatian authorities have failed to fully cooperate with the International Criminal Tribunal for the former Yugoslavia (ICTY) by not providing all necessary records related to the 1995 Operation Storm.

The Committee has also expressed its concerns at the reports of intimidation and attacks on journalists and urged the authorities to prevent intimidation of journalist as well as to promptly investigate all cases of intimidation against them.

The authorities of Croatia were given a deadline of one year to implement the recommendations made by the Committee.

In January 2009 Amnesty International submitted a briefing to the Human Rights Committee highlighting its concerns related to impunity for war crimes committed by members of Croatian Army and police forces against Croatian Serbs and members of other minorities. The organization has also documented a number of cases of killings, attacks and intimidation of journalists most of which remained unresolved.

Amnesty International urges the authorities in Croatia to promptly implement the Concluding Observations of the Committee. The organization will be closely monitoring their implementation by the Croatian authorities.

Background

The Human Rights Committee is one of the treaty based bodies of the United Nations (UN). It is responsible for monitoring of the implementation of the International Covenant of Civil and Political Rights (ICCPR) by its State parties. Croatia is a State party to the ICCPR since 1992. In its Concluding Observations on Croatia the Committee made a number of specific recommendations and asked the government of Croatia to implement them within a year. Those recommendations include;

- identification of the total number and range of war crimes committed, irrespective of the ethnicity of the persons involved, with a view to prosecuting the remaining cases expeditiously;
- taking effective measures in order to ensure that all cases of war crimes are prosecuted in a non-discriminatory manner, independently of the perpetrator's ethnicity, and collect statistical data on victims and defendants of past and current war crimes trials;
- increasing its efforts to ensure that the possibility to refer cases to the special war crimes chambers is utilized to the fullest extent
- ensuring that the Amnesty Law is not applied in cases of serious human rights violations or violations that amount to crimes against humanity or war crimes
- expediting the recovery and delivery of the records of Croatian military operations required by the ICTY in the completion of its investigative work;
- ensuring the suspension of the operation of the statute of limitation for period of the conflict to allow the prosecution of serious cases of torture and killings.

The Committee has also expressed its concerns at the reports of intimidation and attacks on journalists. It urged the authorities to prevent intimidation of journalist and to promptly investigate, bring to trial and punish perpetrators of attacks on them. It also called on the authorities to publicly condemn such instances of intimidation and attacks and generally take vigorous action to ensure freedom of the press.

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