

**EXTERNAL**

AI Index: EUR 64/08/96

April 1996

**CROATIA: CONTINUED VIOLENCE USED BY UNIFORMED  
PERSONNEL IN CONNECTION WITH EVICTIONS  
O.B., Karma and Joško Đidara, and Tanja Puhalo**

Amnesty International has recently received additional reports of violence or intimidation used by members of the Croatian armed forces against civilians to evict them from their apartments, or otherwise in connection with housing issues. Military personnel have shown a serious lack of restraint and have used force to intimidate those resistant to being evicted from their apartments. When violence has occurred, military or civilian police have failed to provide appropriate protection, and little or no effort has been made to discipline the perpetrators. Among the cases recently received by Amnesty International are three cases in the Dalmatian city of Split, on the Adriatic coast.

**O.B.**

According to the Dalmatian Committee of Solidarity, a Croatian human rights organization, and Split-based representatives of *Otvorene Oči* (Open Eyes), an international organization for human rights and conflict resolution, O.B.<sup>1</sup> was severely beaten by soldiers the night before the date set for an administrative eviction from the house where he lived with his wife K.B. and their children. The house was formerly owned by the Yugoslav National Army (JNA) in Split and had passed into ownership of the Croatian Ministry of Defence after the withdrawal of the JNA in 1991. Although the legal status of the apartment had not been determined by the courts, the Ministry of Defence issued a warrant to the Bs warning them that officials would evict them on 5 March 1996 if they had not left before that time. The Bs decided to try to avoid being evicted by not being in the apartment at the time of the scheduled eviction, and decided to spend the night at the home of a neighbour. At approximately 3am on the morning of 5 March, uniformed men came to that neighbour's home and severely beat O.B., striking him on the head and about his body. Allegedly the soldiers had sought him out because they had received information that the family would try to postpone the eviction through civil disobedience. Military and civilian police were called, but the military police failed to respond. By the time civilian police arrived at the scene, the soldiers had left. O.B. was taken to the hospital and treated for severe concussion as a result of the injuries he had sustained in the attack, and remained incapacitated for the remainder of the day. O.B. was hospitalized again shortly after the eviction due to continued problems with his health resulting from the beating.

Amnesty International is concerned that members of the Croatian armed forces attacked a civilian in the middle of the night. The organization also finds it disturbing that military police did not respond to the Bs' calls for assistance, especially since in the past, civilian police have often denied that they were competent to take action against military personnel, even if civilians were at risk. The organization notes that the attack and repeated reports of the lack of attention

---

<sup>1</sup>O.B. and his wife K.B. do not want their names made public. Their full names are known to Amnesty International

given to the matter by the military authorities has made the family lose confidence in the military policing authorities to take appropriate action against the offenders. The organization is further concerned that the lack of intervention on the part of the military police authorities may very well encourage other soldiers to abuse their authority or likewise ill-treat civilians. The organization calls on the military authorities to investigate this matter fully and take appropriate disciplinary action against those responsible.

### **Karma and Joško Đidara**

In another case in Split, Karma and Joško Đidara lived in a house formerly owned by the JNA. The military initiated court proceedings for their eviction but before the case was concluded, the family received a warrant from the Ministry of Defence notifying them that they would be evicted. The family decided to resist the eviction and invited human rights monitors, including the Croatian Helsinki Committee for Human Rights (HHO) and representatives of *Otvorene O\_i* to be present on the scheduled date, 26 February 1996. According to these witnesses, a uniformed representative of the Ministry of Defence who was clearly in charge of the eviction at one point shouted, "Bring me my automatic weapon, bring me my gun," so as to threaten the occupants. Later he pushed Joško Đidara aggressively and when the provocation was returned he punched the man. According to witnesses, the Ministry of Defence representative was considerably larger in stature than Joško Đidara. A scuffle broke out between them which was broken up by the Military Police.

After the incident, the Ministry of Defence representative took a notebook from the HHO representative, tore out the pages on which she had been taking notes about the eviction and pushed her into the other human rights observer. The two were then escorted off the premises without explanation, although four other persons who also identified themselves as "observers", but had arrived with the Military Police, were allowed free access. Karma Đidara later told the human rights observers that after they had been taken away, uniformed soldiers and persons who had previously identified themselves as "security" for the Ministry of Defence Housing Commission started to throw her personal belongings out of the house. When she tried to intervene, she was twice thrown to the ground by the men, her head striking the concrete in the process. The men grabbed her by the arms and tried to drag her away from the scene. Since civilian police by that time had left the scene and the military police were not sympathetic, she felt that there was no one to hear her complaint. She reports that headaches and bruises caused her pain for at least a week after the incident.

Amnesty International notes that the impunity with which ill-treatment is committed by members of the Croatian armed forces has not only meant that civilians do not feel their complaints will be addressed, but also that other soldiers show no restraint in resorting to violence to accomplish their goals. Amnesty International calls on the authorities to issue clear instructions and otherwise take effective action to ensure that civilians are under no circumstances subjected to violence or otherwise threatened by military personnel in violation of international standards governing the appropriate use of force. It further calls on the military policing authorities to respond to all complaints received by them pertaining to civilians attacked by military personnel, to fully investigate such complaints, to bring the perpetrators to justice, and award the victims appropriate compensation.

### **Tanja Puhalo**

In another incident, which occurred on 27 February 1996, 23-year old Tanja Puhalo was visiting the offices of the Ministry of Defence Housing Sub-Commission in Split, seeking information about a delay in the resolution of her parents' request to buy their apartment from the state. During the meeting, the head of the Sub-Commission, a military officer, without warning or any other request for her to leave, used violence to remove her from his office in the presence of approximately five other uniformed men. According to a statement she gave to a local human rights organization, the Dalmatian Committee for Human Rights, he "grabbed me by the hair and jacket and with full force slammed me against the door. Everyone in the office was silent. I saw that they were frightened. After he opened the door he again grabbed hold of me and with his force jammed me over a large wooden stand (which was placed in the middle of the door to the outer side). I hit the stand with my stomach, and the pain was so strong that I nearly lost consciousness. After that, [he] again took my by the jacket and with similar force pushed me out so that I hit the door of the legal service. The women in the other office heard that something was happening, and opened the door and saw me." Tanja Puhalo reported that after the incident she felt a terrible pain in the upper part of her torso and vomited. A medical report established that she had suffered a strong blow to the upper-middle abdomen. Tanya Puhalo has reported the incident to the military prosecutor's office in Split. The head of the Sub-Commission has publicly denied the accusations.

Amnesty International is disturbed by the report that an officer of the military, and the head of the sub-commission for housing owned by the Ministry of Defence, physically attacked a civilian, and notes in particular the poor example set by the head of the sub-commission in engaging in such behaviour. The report that such an official would attack a civilian is an indicator of the breadth to which the use of violence against civilians is considered acceptable by the military authorities. The organization calls on the military authorities to investigate this matter fully and if Tanja Puhalo's claims are well-founded, to take appropriate measures against the head of the Sub-Commission. The organization urges the military authorities to consider this behaviour in connection with the pattern of violence used in evictions from flats owned by the Ministry of Defence, and to take concrete steps towards protecting civilians by ensuring that no act of ill-treatment is tolerated.

## **BACKGROUND**

The three cases featured are similar in nature to numerous reports received by Amnesty International in recent months in which military personnel have used violence or intimidation to evict civilians from their apartments, seemingly with the intent to appropriate these apartments for their own or other soldiers' use.<sup>2</sup> When such evictions have occurred, military or civilian police have failed to provide appropriate protection, and little or no effort has been made to discipline the perpetrators.

Although Amnesty International takes no position on the legality of these evictions, it is concerned that little or no restraint appears to be placed upon military personnel who have reportedly carried out many such evictions. Indeed, in many cases, members of the military seemingly abuse their authority to force the tenants to leave. Many such evictions have taken

---

<sup>2</sup>See AI Index: EUR 64/03/96, "Croatia: Ill-treatment including rape in the Zuzija apartment"; and AI Index: EUR 64/12/95, "Croatia: Violent Evictions by Uniformed Personnel, D.P. and S.P., Vjekoslav and Nikolina Vukman, and Zdenka Bibernik."

place without warning and sometimes at unusual times of the day or night, further intimidating victims. Amnesty International also notes that military personnel seem to rely on the non-interference of the military and civilian police and may therefore be encouraged to use threats or violence to carry out the evictions. In addition, military personnel appear to have had the cooperation of the authorities in obtaining details of the apartments and their occupants.

Evictions have been the focus of human rights concern in Croatia for Amnesty International in the past. Typically, the apartments involved were inhabited by Croatian citizens who before the break-up of the former Socialist Federal Republic of Yugoslavia had some connection with the JNA, either as former employees or their families; most frequently they were of Serbian or other non-Croatian ethnic background. Although in most cases the inhabitants were legally entitled to retain their tenancy, members of the Croatian Army violently expelled them, seemingly with the accord of the Ministry of Defence, which had taken ownership of them. Civilian police claim that since the perpetrators are members of the armed forces, they are not competent to intervene; military police frequently failed to respond to the tenants' requests for assistance or even assisted the perpetrators in the eviction. Violent evictions in this form were essentially halted by the authorities in May 1994, when an order issued to the Military Police instructed them to intervene and arrest the intruders if necessary. Even in cases where the Croatian courts ruled that evictions were illegal, almost no tenants have been able to recover their tenancy. In addition, many people report that their belongings, which remained in the apartments, were stolen or damaged and no compensation was offered.

Evictions remained an issue of public concern in Croatia throughout 1994 and 1995, however, as the Ministry of Defence sought to resolve a housing crisis affecting military personnel by reclaiming thousands of apartments, this time through administrative measures.

The armed forces have become heroes to much of the Croatian mainstream population, particularly after the military offensive in August 1995, in which the Croatian armed forces took the Krajina, a large territory of Croatia which had formerly been held by Croatian Serbs opposed to rule from Zagreb. Since in the past few Croatian Army soldiers who used violence to evict civilians from their apartments were punished and since the vast majority of soldiers retained tenancy in the apartments, members of the Croatian Army seem to be using their increase in status to resolve their housing needs by resorting to violence. Many seem to have the approval of the Ministry of Defence for their actions, and are able to produce documents assigning them the apartment in question before any legal procedure has begun to take away tenancy of the existing inhabitants. In other cases the Ministry of Defence has issued documents allowing the perpetrators to remain in the apartments after they have violently evicted the previous tenants.

Those who are made homeless by being violently evicted are offered no substitute housing by the Ministry of Defence or other social institutions. Many are retired persons or single mothers whose cannot afford to rent private accommodation on their small incomes. Where possible, they seek accommodation with friends or family. However, not all individuals have such possibilities. For example, one man evicted from his apartment in Karlovac was forced into the streets in 1992 after being evicted, sleeping on park benches, and was still homeless in 1995. In many cases victims of evictions or attempted evictions have had to leave Croatia and seek accommodation in Serbia, Bosnia-Herzegovina, or with relatives in Western Europe.