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EXTERNAL

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## Croatia: Attacks in the Hrvatska Kostajnica area - the effects of impunity

Jovo and Ljuba Dabić are ethnic Serbs from Donje Velešnje village near Hrvatska Kostajnica, Croatia. They lived in the town their entire lives, staying there throughout the conflict in Croatia until 17 May 1998. Amnesty International is concerned that because of their nationality, Jovo and Ljuba Dabić were violently attacked and that the impunity for those attacks intimidated them into leaving Croatia.

Bosnian Croat refugees are now living in many of the Croatian Serb houses in Donje Velešnje village, made vacant when their Croatian Serb owners left as Croatian forces took control of the area in August 1995. The Dabić couple, however stayed behind, as they believed their consciences were clear with regard to their behaviour during the 1991 - 1995 armed conflict and because their family had lived in the town for generations. On 13 May 1997, Bosnian Croat refugees attacked Croatian Serbs and others in the wake of an anti-Serb riot in villages to the north of Donje Velešnja on the main road from Petrinja to Hrvatska Kostajnica (see Croatia: Attacks in the Hrvatska Kostajnica area, AI Index: EUR 64/005/97, August 1997). Attacks in other villages in the area continued over subsequent days.

One of these villages was Donje Velešnje. On 14 May 1997, Jovo and Ljuba Dabić had gone to sleep when a group, consisting primarily of Bosnian Croats, gathered outside the house. Jovo Dabić describes that it was "just like a cowboy film"; the crowd was yelling nationalist insults and calling them "četniks"<sup>1</sup>. Jovo Dabić (born 1931) went to the attic of his house to hide. As the mob moved on to another neighbour's house, Ljuba Dabić (born 1931) called for him to come downstairs, and the two hastily put on some clothes and ran out of the house. As they crossed the fields, they saw that the crowd had already begun to vandalize a neighbour's house -- haystacks were burning and they heard the sound of breaking glass. In fear, they fled to the house of a Croatian neighbour whom they knew from before the war, and whom they had helped when Croatian Serbs had controlled the area. According to Jovo Dabić, this man's wife gave them a spare room where they could sleep, but it was only a short time later when the mob came to the door.

"They banged on the front door, ransacking the house for valuables and stealing the video cassette recorder and a hunting rifle -- then they found me and my wife, in our nightclothes. One

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<sup>1</sup>Četniks were Serbian fascists in the Second World War. Although some Serb paramilitary troops used the term to refer to themselves in the recent conflict, most find the term derogatory.

of them put the barrel of his automatic rifle in my mouth and pushed me out into the courtyard, beating me all the way." Jovo Dabić was then forced out into the street, where he noticed police, but they did not intervene. "My poor wife begged them, saying 'don't let them beat my old man', but the police just told her "go to hell, we [Croats] were beaten like that in 1991 [by Croatian Serbs]." However, the police went into the neighbour's house to make a report of what had been stolen or damaged. The Dabić couple again asked the police officers to help them, and asked whether they would be safe to sleep, and the police assured them that they would protect them. However, the police left and went to another neighbour's house. From that direction all night they heard singing and yelling. Jovo Dabić estimates it was several hours later, 3 or 4am, when a Bosnian Croat refugee came to the house and yelled to the neighbours asking if Jovo Dabić was there. When he responded positively, he came to the door, again armed, and Jovo Dabić was taken out of the house to his own house, while being subjected to beating the entire way with a rifle. When he came outside his own house, he was kicked in the chin and fell on the asphalt. The attackers took his wallet and the money that was in it and demanded more from him. When he said he had none, he was beaten more. At the end, he was told "we won't kill you, but if we see you in the village tomorrow evening then you're going to be swimming in the Una river".

At that time, Jovo Dabić and his wife fled to relatives in Zagreb, where Jovo Dabić received medical treatment. Before returning to Donje Velešnje, they asked a police officer if they could return. The police officer said yes, but when Jovo Dabić explained that all he wanted was to live in peace, the police officer reportedly told him "there's no chance of that". Jovo Dabić recognized many of the people who attacked him violently by name, and originally intended to report everything to the police. However, he was warned "if you make a report, it will only be worse for you".

After returning to Donje Velešnje, the problems did not end. The police never came to him to investigate the incident. The neighbours continued to harass Jovo Dabić verbally. Sleeping in friendly neighbours' houses, he said he was always just waiting for them to come again. In July 1997 Jovo Dabić arranged to trade houses with a Bosnian Croat from Republika Srpska (Bosnia-Herzegovina), who lives in Western Europe, and who has friends who are now refugees living in Donje Velešnje. "I never imagined that I would leave my hearth, where my grandfather and great grandfather were born, where I spent my entire life," Jovo Dabić told Amnesty International.

At the beginning of May 1998, the Bosnian Croat refugees in the village started putting pressure on Jovo Dabić to leave. One of them, who has repeatedly harassed Jovo Dabić, came to him and threatened him that he better leave his belongings behind when he moved, and beat him again. He was told not to report the incident to the police, or else he would be killed and his house set on fire. Jovo Dabić, worried that this man might try to prevent him from moving his belongings, told Amnesty International delegates that instead of investigating the threats, the police advised him to call representatives of international organizations working in Croatia. "They will take care of you," the police officer reportedly told him, "they're your defenders." The couple moved from their home to Republika Srpska on 17 May 1998. When the moving truck was delayed, Jovo Dabić became frightened about the reaction of his Bosnian Croat refugee neighbours if they found that he had not actually left the village: "It's only a reason for them to beat me more," he said.

## Background

Hrvatska Kostajnica and surrounding villages are located in territory which from 1991 until 1995 was held by rebel Croatian Serbs. The area was retaken by Croatian government forces in August 1995; most Croatian Serbs left, many going to Eastern Slavonia, the last area in Croatia held by the rebel Croatian Serbs. This area, under the authority of the UN Transitional Administration for Eastern Slavonia (UNTAES), was fully transferred back to Croatian control in January 1998.

On 13 May 1997 a group of 10 internally displaced people returned to the town of Gornji Bjelovac near Hrvatska Kostajnica, from Eastern Slavonia. A few hours after the returnees had arrived, a crowd of about 150 Bosnian Croat refugees, who had been settled in the area, gathered and started attacking members of the Croatian Serb population, as well as some Croats who had remained in the area during its occupation by Serb forces and people in mixed marriages. The attackers were armed with sticks and poles; some carried guns. The houses of the Croatian Serbs were systematically identified, ransacked and their occupants were assaulted. Similar incidents occurred on the following days. Dozens of people were beaten, some of them severely. Mirko Knežević, a Croat who had remained during the period of Serb control, died in hospital, apparently as a result of having been beaten by four men on 20 May. Three individuals were reportedly arrested, taken to the local police station, and ill-treated.

On 31 May 1997, the US Secretary of State, Madeleine Albright, travelled to the area of Hrvatska Kostajnica. In a strong message to the Croatian Government she described the attacks as "disgusting" and "shocking" and demanded that the authorities do more to uphold the rights of displaced persons and refugees. "The people have a right to come back to the area they came from, we need to be sure there is freedom of movement" she said, and demanded compensation and the arrest of those responsible, accusing the local police of not doing enough.<sup>2</sup>

Since 1997 members of Amnesty International have written to the Croatian authorities calling for an investigation into the allegations of police ill-treatment and for anyone found responsible, including the Bosnian Croats found responsible for the attacks on Croatian Serbs, to be brought to justice. In June and July the Croatian authorities informed Amnesty International members that legal proceedings had been initiated against 10 people in connection with the incidents around Hrvatska Kostajnica. Press reports indicated that they had been charged with "participating in a gathering which committed a criminal act". However, reports of the incidents indicate that witnesses would be able to identify those responsible for specific assaults. For example, at least one of those who attacked Mirko Knežević was reported to have been identified by the police. In such cases, individuals should be held responsible for the specific acts which they committed. The authorities have not responded to these additional concerns.

### **Amnesty International's concern**

Amnesty International is concerned that uninvestigated and unprosecuted violent attacks on Croatian Serbs in Croatia are a contributing factor in the departure of Croatian Serbs, such as Jovo and Ljuba Dabić, from the country. The organization is particularly concerned that the authorities failed to respond appropriately - in particular by charging individuals for criminal acts they committed when they were able to be identified to the extremely serious and well-publicized attacks near Hrvatska Kostajnica in 1997, which may have resulted in the death of one

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<sup>2</sup> Agence France Presse, 1 June 1997

person. Impunity for these and similar attacks, combined with other obstacles faced by Croatian Serb citizens of Croatia who wish to return to Croatia, are contributing factors which lead Amnesty International to consider that the Croatian authorities have deliberately made refugee Croatian Serbs exiles on account of their nationality.