

CROATIA Muslim refugees in Kuplensko

Amnesty International is concerned by continuing reports of the *refoulement* of members of a group of more than 20,000 Muslim refugees from Bosnia-Herzegovina who are in a collection centre around Kuplensko, south of Vojni_ in Croatia. Some have been ill-treated by the Croatian police.

In recent weeks small numbers of men have been taken from the camp by paramilitary Croatian Special Police units guarding it. Some were beaten by the police before being handed over to the Bosnian authorities who then mobilized them. Around 6 November 1995, 32 men were forcibly returned to Bosnia-Herzegovina in this manner after a disturbance in the camp.

The Croatian authorities have refused to formally grant them refugee status and have made it clear that they want them to return as soon as possible. Amnesty International fears that the authorities will continue to forcibly return refugees and seek to increase pressure on them to return.

The Croatian and Bosnian authorities have made several agreements on the return of these people in conjunction with Fikret Abdi_, the rebel Muslim leader who previously controlled Velika Kladuša. One of the agreements foresees the establishment of a special zone around Velika Kladuša which will be policed jointly by officers of the Bosnian Federation, Croatia and Turkey.

The latest agreement, which was made in Dayton, Ohio, USA on 15 November provides for their return to begin immediately upon the arrival of the Croatian and Turkish police in Velika Kladuša and for it to be carried out in the "shortest period of time". Amnesty International is particularly concerned that the agreement makes no provision for consideration of requests for protection by individuals who may fear human rights abuses upon their return. The agreement fails to guarantee the involvement of international agencies such as the United Nations High Commissioner for Refugees (UNHCR) in monitoring their return. It also fails to provide that returns should be carried out in accordance with international standards and, specifically, the requirement that repatriation must be voluntary in each individual case, is not mentioned. Forcible return of refugees is in breach of international law, in particular the 1951 Convention Relating to the Status of Refugees.

BACKGROUND INFORMATION

The refugees arrived in the Kuplensko/Vojni_ area in early August 1995 after fleeing from the area of Velika Kladuša in neighbouring Bosnia-Herzegovina. Velika Kladuša was previously under the control of armed forces led by the rebel Muslim leader, Fikret Abdi_, who had broken with the Government in Sarajevo in 1993 and made a separate peace deal with rebel Serb forces in Bosnia. After being pushed out of the area into what was then Serbian-controlled Croatia in autumn 1994 by the Bosnian Army, his forces and the civilian refugees returned in early 1995 before being pushed out again in August 1995. This time the neighbouring area of Croatia had been retaken by the Croatian Army and the area was under Croatian Government control.

The Croatian authorities initially restricted access to the refugees by international organizations. A collection centre was established in the area where the refugees had arrived. Conditions in the camp are extremely primitive,

but the Croatian authorities have reportedly used bureaucratic obstacles to hinder international organizations seeking to improve conditions and make it possible for refugees to survive the winter weather. These measures have apparently been used to discourage the refugees from remaining. Former Abdi_ soldiers are among the group, some who remain loyal to him have reportedly intimidated other refugees and still have weapons hidden in the camp.

A program of voluntary return of the refugees under the supervision of the UNHCR has recently commenced and more than 1,500 people have so far returned voluntarily.

There are more than 230,000 refugees in Croatia as well as some 230,000 displaced persons. In recent months Croatia has frequently breached its obligations under the 1951 Convention Relating to the Status of refugees by forcibly returning refugees to Bosnia-Herzegovina.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English, German, French or your own language:

- stating that you aware that the Croatian authorities are forcibly returning Muslim refugees from the Velika Kladuša area currently in the Kuplensko area to Bosnia-Herzegovina and that refugees have been beaten by Croatian Special Police officers;
- reminding them that Croatia is a party to the 1951 Convention relating to the Status of Refugees and is obliged not to forcibly return any person to a country where he or she risks serious human rights violations;
- demanding assurances that no individuals will be forcibly returned to Bosnia-Herzegovina without an individual procedure to determine the risk of human rights abuses which each person may face, if returned;
- urging that the Croatian authorities cooperate fully with international agencies seeking to improve conditions for refugees around Kuplensko so as to help to ensure that all returns are voluntary;
- calling for action to be taken to ensure that refugees are not ill-treated by Special Police or other officers.

APPEALS TO:

(Minister of Internal Affairs)

Mr Ivan Jarnjak, Ministar
Ministarstvo za unutrašnje poslove Republike Hrvatske
Savska cesta 39
11000 Zagreb, CROATIA

Telegrams: Ministar za unutrašnje poslove, Zagreb, Croatia

Faxes: +385 1 443 715

Salutation: Dear Minister

(Deputy-Premier - Responsible for humanitarian affairs)

Dr Ivica Kostovi_
Zamjenik Predsjednika vlade Republike Hrvatske
Trg Stjepana Radi_a 7
10000 Zagreb, CROATIA

Faxes: +385 1 4550 284

Telegrams: Dr Kostovi_, Zamjenik Predsjednika Vlade, Zagreb, Croatia

Salutation: Dear Minister

(Head of the President's Cabinet)

Hrvoje Šarini_

Šef kabineta Predsjednika RH

Pantov_ak 241

10000 Zagreb, CROATIA

Faxes: +385 1 456 5208

Telegrams: Sarinic, Zagreb, Croatia

Salutation: Dear Mr Šarini_

COPIES TO: diplomatic representatives of CROATIA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 25 December 1995.