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Croatia: A window of opportunity to end war crimes impunity

(Zagreb) Speaking today at the end of her visit to Croatia, Secretary General Irene Khan commended recent progress to address impunity for war crimes while highlighting Amnesty International's continuing concerns about the long road still to travel in ensuring victims receive justice.

“Despite progress in recent years, major gaps remain in how the authorities are tackling war crimes, particularly those allegedly committed by the Croatian Army and police during the 1991 – 1995 conflict,” said Irene Khan.

“We welcome the commitment, reiterated by all the officials we met, that they are guided in both investigations and prosecutions by the principle that war crimes have no nationality. However, unevenness in how this principle is observed across the country – and ambiguities in how this message is conveyed by some of those in positions of power – can make justice look partial, not impartial.”

The delegation led by Irene Khan had met with victims of war crimes from both sides of the conflict, and heard stories of personal loss and the quest for justice.

“The legacy of the conflict is a heavy and complex burden for Croatia and its people, as for others in this region,” said Irene Khan. “Victims here have the same insistent message that we have heard from others in similar situations around the world. They want the truth, and they want justice. It is the clear responsibility now of the Croatian authorities, supported by various initiatives of the international community, to deliver both – and to deliver them without further delay.”

The Amnesty International delegates had been in Croatia between 8 and 11 April, following up on the organization's long-term monitoring and campaigning on such issues arising from the conflict – both in Croatia and across the Balkans.

Meetings with the Croatian authorities were held in an open and constructive atmosphere, and with a commitment to further dialogue. Of particular interest to Amnesty International, and following its earlier recommendations, were details on how a mapping exercise was being completed by way of a database which would provide an overall picture of progress – or otherwise – in investigations and prosecutions of war crimes. This should form the basis of one of the organization's other key recommendations, that there be a comprehensive strategy – accompanied by a clear long-term action plan, benchmarks and timeframe – to tackle impunity for war crimes. Such a plan should be drawn up in transparent consultation with civil society and international organizations.

Among the benchmarks should be ones to measure the performance of local prosecutors in opening or reactivating investigations into war crimes. They should include clear indicators on the number and types of

complaints or reports of crimes received, crimes investigated, witnesses summoned and other activities conducted with a view to addressing impunity for war crimes.

Amnesty International also urged the authorities to ensure that when the investigation and prosecution for war crimes in the community where the crimes took place is hampered by pressure over witnesses, investigators, judges or prosecutors, the proceedings are transferred to another court, and where possible to one of the four 'special' courts set up to deal with war crimes.

In a meeting with members of the international community in Croatia – representatives of the European Union, the Organization for Security and Co-operation in Europe and the International Tribunal for the Former Yugoslavia – Irene Khan also stressed the key role they had in aiding Croatia achieve justice for all the victims of war crimes. International monitoring of war crimes trials, and of efforts by Croatia to address impunity, must continue until political commitment and comprehensive reform fully equip Croatia to deliver justice.

“In negotiating Croatia’s accession to the European Union, discussing how responsibility for prosecuting war crimes proceeds from the Hague to Zagreb, and monitoring such transitions, the benchmarks must be set high and in a way that gives confidence to all that Croatia is unequivocally on a path that closes the gaps in delivering justice,” said Irene Khan. “The victims waiting for such justice – some for more than 15 years – expect, and deserve, no less. This is the clear message I will be carrying to Brussels next week, when I meet with high placed officials there.”

From Zagreb Irene Khan is travelling to Brussels, where she will be meeting among others the European Union's High Representative for Common Foreign and Security Policy Javier Solana and its Enlargement Commissioner Olli Rehn.

Background

Croatia’s declaration of independence from the Socialist Federal Republic of Yugoslavia in June 1991 was followed by an armed conflict between the Croatian Army and Croatian Serb armed forces, aided by the Yugoslav People’s Army (JNA), which ended in 1995. During the 1991-1995 conflict, massive and serious human rights violations were perpetrated by both sides. These violations included arbitrary killings, torture including rape, enforced disappearances, arbitrary detention and forcible expulsions; hundreds of thousands of people became refugees abroad or internally displaced. Since the early stages of the conflict, Amnesty International has been campaigning against impunity for war crimes committed in Croatia and elsewhere during the wars that accompanied the disintegration of Yugoslavia.

During this latest visit to Croatia, Amnesty International’s delegates met again with victims of such crimes. The spoke with relatives in Sisak, where reliable sources record that more than 100 people in and around this town -- many of them Croatian Serbs -- were murdered allegedly by members of the Croatian Army and police. They also met with representatives of victims’ organization from Vukovar, where in 1991 at least 200 Croats and other non-Serbs were removed from the Vukovar hospital and murdered by members of the JNA and paramilitary groups.

The Amnesty International delegation had constructive and open meetings with the Croatian authorities, including President Stjepan MesiÄŕ, Deputy Prime Minister Jadranka Kosor, Minister of Justice Ana Lovrin and Chief State Attorney Mladen BajiÄŕ.