Amnesty International is concerned that national and local Croatian authorities failed to protect Croatian Serbs and others during violent attacks which occurred in the wake of an anti-Serb riot by Bosnian Croats on 13 May 1997 in villages near Hrvatska Kostajnica. Instead, authorities blamed the Croatian Serbs for “causing” the riot, in which houses in at least four villages were systematically vandalised and more than 30 people, including children and many elderly, were reportedly brutally beaten. One man, Mirko Knežević (aged 60), later died, possibly as a result of beatings.

Although the Croatian authorities have reportedly charged 10 individuals for “participating in a gathering which committed a criminal act”, Amnesty International believes that where individuals can be identified who committed specific acts, they should be brought to justice for those acts. Amnesty International is concerned also that at least four people who had been victims of the riot were arrested and taken to the local police station, where at least three of them were allegedly ill-treated.

Given the impunity with which such acts were committed, Amnesty International fears further violence against Croatian Serbs in the area. The organization calls on the authorities to investigate the allegations of police ill-treatment and the attacks by Bosnian Croats on Croatian Serbs and others, specifically the circumstances surrounding the death of Mirko Knežević, and to bring fully to justice any individuals found responsible for his death as well as any individuals found responsible for other violent attacks.

Attacks in the Hrvatska Kostajnica area

On 13 May a group of 10 internally displaced people returned to the town of Gornji Bjelovac 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.

Among the other reported Croatian Serb victims were Jovanka and Milan Relić from Knezovljani village. Jovanka Relić, who is aged 61, disabled and confined to a wheelchair, was reportedly beaten by a group of people on 14 May, as was her husband, who tried to protect her. That same night, Milan Veljačić (aged 69) and Milka Maljković (aged 65), an elderly couple also from Knezovljani, were beaten with sticks and plastic rods. One assailant beat Milan Veljačić on the head with a hammer. His wounds were still bleeding when he was interviewed the next day by human rights monitors. Some of the victims were also humiliated as well as brutalized. One woman, aged about 50, had a rope tied around her neck and was then dragged around her house and beaten all over her body. Children were allegedly encouraged to throw eggs at her.

On 15 May representatives from the Croatian Helsinki Committee for Human Rights (HHO) and a United States diplomat interviewed Ljuba (aged 60) and Jovan (aged 71) Borojević, a couple from Umeti village, whose house had been vandalized by the mob, but who themselves had escaped ill-treatment. When the monitors returned later that day, the couple told them that 15 minutes after they had left, the couple had been attacked by a group of people who threw them to the ground, stamped on them, and threatened them because they had spoken to the monitors. Both had visible injuries and were taken to hospital for medical treatment.

The HHO and UN High Commissioner for Refugees (UNHCR) reported that after the riots of 13 May, some residents went into hiding and at least 50 people left the Hrvatska Kostajnica area.

The HHO and representatives of the UNHCR reported also that at least four people who had been victims of the riot on 13 May were arrested late the same night and taken to the local police station, where at least three of them were ill-treated. Two Croatian Serb men from Gornji Bjelovac, N.I. and M.I., were reportedly taken to the police station in Hrvatska Kostajnica and beaten during questioning about their alleged possession of arms. N.I. was reportedly forced to recite a Roman Catholic prayer (Serbs follow the Orthodox Christian faith). The same day, police also arrested and beat D.B., an ethnic Croat who had returned with his wife and two children from Eastern Slavonia on 13 May. During the riots that day D.B. had been beaten, forced to eat dirt, and a Bosnian Croat had threatened him while forcing a pistol into his mouth. A Croatian Serb man, Lj. I., was arrested and detained for 11 hours reportedly for failing to produce identity documents which had been destroyed by Bosnian Croats.

The HHO reported that local police failed to provide adequate protection for the victims and in many cases stood by as the attacks took place. The police are reported to have said that they did not have sufficient resources to control the crowds. However, police presence increased in the villages after the riots and, according to the HHO, there had been a significant military presence in the village when they visited the area on 15 May. Nevertheless, further attacks on Croatian Serbs continued for many days.

The police in Hrvatska Kostajnica reportedly detained three Bosnian Croats in connection with the attacks on Croatian Serbs, but they were later released after being charged with a minor offence. On

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1Names of all those identified by initials are known to Amnesty International.
15 May the Prefect of the Sisak-Moslavina County failed to condemn the attacks, instead objecting that the spontaneous return of Croatian Serb refugees “is something that no country can allow to happen”. On 16 May he was quoted by a Croatian news agency as saying the violence had been “caused by the Serb refugees”.

On 31 May, 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.

In May and June members of Amnesty International wrote to the Croatian authorities calling for an investigation into the allegations of police ill-treatment and for anyone found responsible, as well as 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 beat 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 did not respond to Amnesty International’s concerns about those reportedly ill-treated in detention.

**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), is due to be transferred back to Croatian control by January 1998.

On 24 April 1997, under pressure from UNTAES and the UNHCR, the Croatian Government approved an Agreement on the Operational Procedures of Return which established mechanisms for all displaced persons originating from Croatia to return to their homes. By establishing joint working groups, the agreement allows potential returnees to register their desire to return, and for the status of their houses to be ascertained. The individuals who had returned to the Hrvatska Kostajnica area on 13 May had not followed the agreed procedure and the authorities have complained that incidents like those in Hrvatska Kostajnica were a result of their spontaneous return. However, no specific guarantees for security were given by the authorities in the agreement and Amnesty International has

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2 Croatian Radio, 15 May 1997

3 HINA news agency, 16 May 1997

4 Agence France Presse, 1 June 1997
received no assurance from the authorities that specific plans exist to provide for the physical security of returnees from Eastern Slavonia to other areas of Croatia. Furthermore, Article 13 of the Universal Declaration of Human Rights provides that "everyone has the right to freedom of movement and residence within the borders of each state".

Besides the events in the villages near Hrvatska Kostajnica, there have been numerous isolated incidents of physical attacks in other areas Croatian Serb return. For example, in April 1997 a booby-trap exploded killing a 58-year-old man when he disturbed a hay-stack on his farm near Udbina. The man, who had been the youngest left living in the village, had only returned in September 1996 from the Federal Republic of Yugoslavia. In the same area that same month a 67-year-old man was injured when he disturbed a booby-trapped bottle in a field near his house, and a woman was seriously injured when explosives were placed under a plank in her garden.

Not only are returnees and potential returnees concerned for their physical security, but they complain about a series of other obstacles which are placed in their way directly or indirectly by the authorities. Many of the homes owned by displaced persons who wish to return are occupied, some under the provision of the law on Temporary Takeover and Administration of Specified Property which came into force in September 1995. This law makes it possible for the authorities to place "abandoned" private property under temporary public administration and to give that property to others. Human rights organizations and others have objected that the unclarity of this law may be used to postpone or avoid the decision on return of property to the legitimate owner and, in effect, facilitate the continued displacement of Croatian Serbs. Furthermore, many other homes were destroyed and the laws regarding eligibility for compensation and credit for rebuilding their homes are highly discriminatory.