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Families „Against Forgetting”

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**PRESS RELEASE ON NON-PROSECUTED CRIMES COMMITTED DURING
AND IMMEDIATELY AFTER THE MILITARY OPERATION „STORM“**

On the occasion of rendering a first-instance judgment by the International Criminal Tribunal for the former Yugoslavia (ICTY) in the Gotovina, Čermak and Markač case, we would like to warn about the difficult legacy of non-prosecuted crimes committed during and immediately after the military operation „Storm“.

The „Storm“ operation definitely crushed the rebellion of a part of Serb population in Croatia and, thereby, shattered the self-proclaimed Republic of Srpska Krajina („the RSK“). Through that operation, the constitutional order of the Republic of Croatia was restored in that area. Likewise, continental traffic routes between the South and the North of Croatia were restored. Thus, security preconditions were established for life in the areas bordering with „the RSK“, as well as for the exercise of the right of displaced persons, expelled from that area, to return to their homes.

At the same time, one also has to bear in mind those consequences of this action personified by arsons and lootings and numerous non-punished, even systematically covert killings of civilians. Researches conducted by the Croatian Helsinki Committee indicated that in August and September of 1995, during and after the completion of military activities, more than 600 civilians were killed and more than 22,000 houses were burned down on the territory that was re-integrated through this action. Out of fear for their personal safety, as well as at the urging of Krajina authorities, more than 150,000 former Croatian inhabitants, mostly Serbs, abandoned Croatia at that time. Their return was rendered difficult due to lack of security measures and law-based state on that part of Croatian territory, belated prosecution of war crimes, inefficient return programmes and slow economic measures by the state related to reconstruction incentives. The synergy of the above-mentioned elements resulted in permanent displacement of the Serb population from one fifth of the Croatian territory, to the extent, the effects of which border on ethnic cleansing.

We would like to remind on some of non-prosecuted crimes well-known to the public:

- **At least 10 civilians were killed on 6 August 1995 during the military and police action „Storm“ in the village of Golubić near Knin. The crimes were not prosecuted.**
- **The killings of at least five civilians in Mokro Polje (Knin) began on 6 August during the „Storm“ action and continued after the completion of military activities. The crimes were not prosecuted.**

- Between 7 and 8 August 1995, in the attacks on a refugee column between Glina and Dvor, several dozens of civilians from the municipalities of Glina, Topusko, Gvozd and Vojnić were killed. The crimes were not prosecuted.
- Nine civilians were killed on 12 August 1995 in the village of Komić (Korenica). The crimes were not prosecuted.
- On 25 August 1995, six civilians were killed in the village of Grubori (Knin). After the systematic covert of crimes, of which several persons testified before the ICTY, on 15 December 2010 the Zagreb County State Attorney's Office (the ŽDO) issued the indictment against three Croatian citizens, F. D. (1963), B. K. (1957) and I. B. (1973), charging them with commission of a war crime against civilians under Article 120, paragraph 1 of the Basic Criminal Law of the Republic Of Croatia.
- On 27 August 1995, around 16,00 hours, seven civilians were killed in the village of Gošić (Kistanje). The Zadar ŽDO issued the indictment No. KT-83/96 of 13 February 1996 but, due to lack of hard evidence, the proceedings were reversed to the investigation stage against unknown perpetrators.
- According to the HHO Report, during the military and police action „Storm“ up until the end of 1995, a total of 14 civilians were registered as killed in the village of Kijani (Gračac), among them there were nine women. The crimes were not prosecuted
- On 28 September 1995, around 17,00 – 17,30 hours, nine civilians were killed in the village of Varivode (Kistanje). Six members of Croatian police forces were accused of committing this crime, but after the proceedings conducted before the Zadar County Court and the repeated trial at the Šibenik County Court, the defendants were acquitted of charges, whereby the investigation was reversed at the beginning, against unknown perpetrators. Even eight years after the proceedings before the Šibenik Court were completed, there is no new information available, nor have the perpetrators of this crime been prosecuted.

By providing these examples, we would like to remind the public and relevant governmental institutions of the fact that those crimes were committed and that no-one was held responsible for them. We also want to draw attention to the non-fulfilled obligation to identify and prosecute perpetrators of war crime against civilians. Prosecution of war crimes must be carried out in a consistent manner, regardless of who the perpetrator and who the victim is, because a crime, irrespective of its motivation, has neither a nation nor a religion, but only the characteristics of evil and, therefore, cannot be justified, just as its non-prosecution cannot be justified, either.

Likewise, bearing in mind the fact that families of killed persons, who filed a lawsuit against the RC seeking compensation of damages, live under threat of distraint due to possible payment of litigation expenses (in 29 proceedings that we are familiar with, they are threatened with the obligation to pay expenses amounting to HRK 5,000 up to 90,900), we would also like to remind competent institutions on their obligation to provide just redress to all sufferers and all victims' families.

With regard to the forthcoming judgment of the ICTY in Gotovina, Čermak and Markač case, we would like to remind that the indictment IT 06/90, depicting the defendants as participants in a joint criminal enterprise who are individually criminally

responsible (omission by a superior officer), charges them with persecutions, deportations and forcible removals, plundering of public or private property, wanton destruction, inhumane and cruel actions, as well as failure to react to the crimes committed at lower levels: that includes killing of civilians in the municipalities of Knin (the villages of Kovačić, Đurići, Žagrović, Grubori), Orlić (the villages of Orlić, Šarena Jezera/Vrbnik, Uzdolje), Kistanje (the village of Kakanj), Ervenik (the village of Oton) and Donji Lapac (the village of Oraovac). The Republic of Croatia gave strong support to the Court's establishment and incorporated the Court's Statute in its domestic legislation, so that the Court's decisions constitute an integral part of Croatia's legislation and therefore must be respected. Regardless of the contents of the first-instance judgment, we would like to call upon peaceful and dignified acceptance of the ICTY trial chamber's decision.

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Additional data on non-prosecuted crimes

- At least 10 civilians were killed on 6 August 1995, during the „Storm“ action, in the village of **Golubić** near Knin. Vaso Vasić (born in 1920) and Nikola Panić (born in 1935) were killed by firearms – the army brought them in front of the house and executed them by a firing squad. On that day Branko Radinović (born in 1920), Maša Radujko (born in 1927) and her husband Nikola Radujko (born in 1918), Tode Marić (born in 1929), Milka Grubić (approximately 60 years old), Zorka Kablar (approximately 80 years old), Milica Šljivar (born in 1936) and Jeka Opačić (approximately 80 years old) were also executed. The crimes were not prosecuted.
- The killings of at least five civilians in **Mokro Polje** (Knin) began during the „Storm“ action and continued after the completion of military activities. Ružica Babić, born in 1926, was killed on 6 August 1995 on the doorstep of her house. Stana Popović, born in 1926 and Mirko Popović, born in 1952 (mother and son) were killed on 7 August 1995 in their house by shots from firearms. On that occasion, Obrad Popović (husband and father) was wounded. Stevan

Sučević, born in 1934, was killed on 9 August 1995. Jeka Kanazir, born in 1928, was thrown into the so-called “Pavlović’s tank”. She was buried in Knin after 40 days. Sava Babić, born in 1913, was killed by shots from firearms on 24 August 1995 in front of her house. The crimes were not prosecuted.

- Between 7 and 8 August 1995, **in the attacks on a refugee column between Glina and Dvor**, several dozens of civilians from the municipalities of Glina, Topusko, Gvozd and Vojnić were killed, among them Zorojević Aleksa (born in 1928) from Donji Klasnić – went missing during the attack on a refugee column in the area of Dvor; Miloš Vladić (1931) from Buzeta – killed on a tractor trailer in a refugee column between Glina and Dvor; Danica Bulat (born in 1931) from Buzeta – killed on a tractor trailer in a refugee column between Glina and Dvor, Marija Baždar (born in 1928) from Buzeta – killed on a tractor trailer in a refugee column between Glina and Dvor; Kukulj Milenko (born around 1935) from Blatuša - killed in a refugee column in the area of Dvor; Milić Ljubica (born in 1952) from Blatuša – killed on the Glina - Dvor road when fire was opened on a refugee column from the forest; Milić Đurđica (born around 1967) from Blatuša – killed on the Glina - Dvor road when fire was opened on a refugee column from the forest; Mraović Ana (born in 1905) from Bović – went missing in a refugee column near the village of Rujevac; Mraović Mile (born in 1931) from Bović – killed by a grenade during the shelling of a refugee column near Glina; Stanojević Stanko (born in 1918) from Bović – wounded during the shelling of a refugee column near Glina after which he disappeared without a trace; Komadina Stevan (born in 1930) from Bović – died from a grenade during the shelling of a refugee column near Glina; Rkman Milica (born in 1915) from Brnjavac - went missing near the village of Rujevac when HV forces attacked a refugee column; Pavlović Maca (born in 1923) from Trepča – went missing in a refugee column near the village of Žirovac; Radanović Danica (born in 1924) from Šljivovac – went missing in a refugee column between Glina and Dvor; Radanović Ranka (born in 1932) from Čremušnica – died during the shelling of a refugee column in the village of Ravno Rašće; Radanović Miljka (born in 1922) from Čremušnica - died during the shelling of a refugee column in the village of Ravno Rašće. The crimes were not prosecuted.
- Nine civilians were killed on 12 August 1995 in the village of **Komić** (Korenica). Marija Brkljačić-Ugarković, born in 1921, burned alive in her house. Staka Čurčić was killed on the same day. Sava Lavrnić, born in 1903 and Petar Lavrnić, approximately 65 years old, mother and son, were also killed on 12 August 1995, while their house was set on fire. Spouses Mara and Rade Mirković were also killed on that same day. Mika Pavlica, born in 1904, burned in her house. Mika Sunajko, born in 1915, was killed near the village of Klapavice. Her husband Rade Sunajko, born in 1909, was killed near the house of G. Mirković in Poljice. The crimes were not prosecuted.
- On 25 August 1995, when UN members and witnesses approached the village of **Grubori** (Knin), they saw the majority of houses on fire and found 5 killed civilians. A witness said that cattle burned alive in their barns. She was calling for her husband and ran to a meadow nearby where she saw their two cows lying on the grass, shot through by firearms. Not far away from those cows there was a body of Jovo Grubor (born in 1930), his throat was cut and half of his face was missing. The witness cried for help and ran to the house of the 80-year old Miloš Grubor who was sick and lying in a bed. She found him lying on the floor in his pyjamas, lying in a pool of blood. Next to him there were several fired cases. When the night fell, the UN drove them to Knin. The next day they continued their search for four other inhabitants together with UN members. On the remnants of her house, the witness saw a leg under a charred rafter. After she uncovered the ashes, under the rafter she found her 90-year old mother-in-law Marija, lying on her back, her face covered with hands, completely burned. On the meadow where she found her husband, they found two other corpses: 51-year old Milica Grubor, stabbed by a knife and bullet-riddled. Not far away from her was the corpse of Đuro Karanović (born in 1950) who had knife-inflicted wounds on his neck and whose chest was bullet-riddled. Jovan Grubor, 73-year old man, was set on fire together with his house. After the systematic covert of crimes, of which several persons testified before the ICTY, on 15 December 2010 the Zagreb ŽDO issued the indictment against three Croatian citizens, F. D. (1963), B. K. (1957) and I. B. (1973) charging them with commission of a war crime against

civilians under Article 120, paragraph 1 of the Basic Criminal Law of the Republic Of Croatia.

- On 27 August 1995, around 16,00 hours, a white car came to the village of **Gošić** (Kistanje). Several shots were fired from an automatic rifle. After ten minutes or so, that same car drove out of the village. In the hamlet of Borci the following persons were killed on that occasion: Dušan Borak (56 years old) and Milka Borak (80 years old); in the house of Savo Borak the following persons were killed: Savo Borak (70 years old), Grozon Borak (70 years old) and Vasilj Borak (70 years old); Kosovka Borak (77 years old) was killed in the neighbouring house, Marija Borak (81 years old) was killed in the next house. The Zadar ŽDO issued the indictment No. KT-83/96 of 13 February 1996, but due to lack of hard evidence the proceedings were reversed to the investigation stage against unknown perpetrators.
- According to the HHO Report, during the military and police action „Storm“ up until the end of 1995, a total of 14 civilians were registered as killed in the village of **Kijani** (Gračac), among them there were nine women: Dane Bolta, 90 years old; Sava Bolta, approximately 70 years old; Branko Jelača, approximately 67 years old; Marija Jelača, born in 1913; Milica Jelača, born around 1927; Ana Jelača, approximately 50 years old; Smilja Jelača, approximately 90 years old; Dušan Kesić, born in 1939; Mileva Kolundžić, approximately 70 years old; Danica Sovilj, approximately 70 years old; Mara Sovilj, approximately 75 years old; Mira Sovilj, approximately 50 years old; Rade Sovilj, born around 1947 and Vlado Sovilj, born in 1931, who returned home from a refugee column. The crimes were not prosecuted
- On 28 September 1995, nine civilians were killed in the village of **Varivode** (Kistanje), around 17,00 – 17,30 hours, almost two months after the cessation of war activities. Nine persons were executed brutally and without reason, the youngest of whom was 60 years old and the oldest 85 years old. 60-year old Jovan Berić, 60-year old Špiro Berić, 69-year old Rajko Berić, 70-year old Mara Berić, 85-year old Mirko Pokrajac, 75-year old Ljubo Duje Dukić, 70-year old Mara Dukić, 71-year old Milka Berić and 75-year old Jovan Berić were bullet-riddled, mostly on the doorsteps of their houses. Six members of Croatian police forces were accused of committing this crime, but after the proceedings conducted before the Zadar County Court and the repeated trial at the Šibenik County Court, the defendants were acquitted of charges, whereby the investigation was reversed at the beginning, against unknown perpetrators. Even eight years after the proceedings before the Šibenik Court were completed, there is no new information available, nor have the perpetrators of this crime been prosecuted.