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Croatia: War crimes prosecutions should not be obstructed

Amnesty International today expressed its concern at statements reportedly made by local government officials and politicians during massive demonstrations in Croatia last Sunday. The demonstrators gathered in Split and other cities to protest against the arrest warrant for war crimes of a retired Croatian Army General, and against a failed attempt to arrest him last week.

Addressing a crowd estimated at numbering over 100,000 in Split, the mayors of Split and Sinj, as well as the Split-Dalmatia County Prefect and several opposition politicians and members of the Croatian parliament are reported to have openly criticized the warrant brought against General Mirko Norac. They implied that this was an attack on the legality of the Croatian state and the armed conflict following Croatia's declaration of independence.

Amnesty International cannot comment on the guilt or innocence of General Norac, but a spokesperson for the human rights organization said: "The Croatian criminal justice system has an obligation to investigate and prosecute crimes under international law, regardless of the ethnic origin of the perpetrators or their victims."

The organization has called on states in the former Yugoslavia, including Croatia, Bosnia-Herzegovina and the Federal Republic of Yugoslavia to bring to justice those responsible for human rights violations and crimes under international law. Amnesty International also reminds them that such important and often sensitive criminal prosecutions should be conducted without any interference by the executive in criminal investigations and prosecutions.

War crimes trials in domestic justice systems complement prosecutions brought by the International Criminal Tribunal for the former Yugoslavia, and should be recognized as vital measures for ensuring that there is no impunity for perpetrators of crimes under international law committed in the armed conflicts in former Yugoslavia. In order that the rule of law and justice prevail, such prosecutions must be conducted consistently with internationally recognized standards of fairness and before trial courts, which are impartial and independent.

Background

It has been reported that on 7 February an arrest warrant was issued against General Mirko Norac who is under suspicion of having committed crimes against Serb civilians in the town of Gospić at the start of the armed conflict in Croatia in 1991. His former deputy was arrested on the same grounds that day; however, Mirko Norac has reportedly gone in hiding.

Five Croatian army and police officers had already been arrested in September 2000 on suspicion of involvement in mass executions of Serbs in Gospi/, and are currently being investigated by a local investigative magistrate. The arrests followed the murder of one of the key witnesses in the case in August, a crime which remains unsolved. So far the investigative process has involved the questioning of over 100 witnesses and the exhumation of a mass grave site near Udbina, which reportedly contained the bodies of 18 Serb victims.

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