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War Crime Trials Monitoring – A Guarantee of the Process of Dealing with the Past and Sustainability of Judicial Reforms in Croatia

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Biweekly Report on War Crime Trials

Vekić on executions of “civilians with hostile attitude“

At the trial against Vladimir Milanković and Drago Bošnjak, accused of numerous executions, illegal arrests and abuse of citizens of Sisak of Serb ethnicity, Ivan Vekić appeared as a witness. Vekić was a Minister of Interior of the Republic of Croatia in the period from August 1991 until April 1992.

Vekić stated, inter alia, that there had been a lot of internal enemies, “members of the fifth column“, and that it had been difficult to identify the civilians with hostile attitude. If an opportunity had opened up, such people would have been executed. “A war could not be won unless enemy was killed, and it was another story on what was allowed in war and what was forbidden. If the people like Milanković and Bošnjak had not existed, Croatia would not have been created in the first place. The Croatian Democratic Union (HDZ party) had been organising the resistance and appointing people to certain positions. The line of making decisions was the following: the President of the Republic of Croatia, the Prime Minister, the Minister of Interior, the President of Crisis Headquarters, the Chief of Police Administration...”, Ivan Vekić also stated.

Vekić is the first highly-ranked state official who clearly stated, at the war crime trial, that the very persons within the system itself were the key instance in making decisions on who was to be executed and that such a behaviour was approved of and supported (by higher instances).

By giving testimonies at war crime trials, some persons, who had acted as highly-ranked officials in the government bodies during the war, stated that the top state authorities had known about the committed crimes. For instance, in the proceedings against Tomislav Merčep, the following persons were giving statements on their knowledge of illegal actions, illegal arrests, cases of abuse or executions, as well as their knowledge of the fact that the top state officials had also known about the committed crimes: Josip Perković, Assistant to Minister of Defence in the Security Sector, and at the same time Chief of the Security Intelligence Service Administration in the period from September 1991 until January 1992; Smiljan Reljić, Ivan Jarnjak and Željko Tomljanović, war time assistants/deputies to the Minister of Interior; Slavko Degoricija, President of the Executive Board of the HDZ party (Croatian Democratic Union); Josip Manolić, Prime Minister until the mid-1991, and afterwards the Chief of the Office for Protection of Constitutional Order; Živko Juzbašić, member of the Croatian Government entrusted with international relations issues.

Vekić openly stated that the executions of civilians who had been considered as enemies had actually taken place and explained that he himself was justifying such executions. The above mentioned witness statements given during the trials for the war crimes committed in Sisak and Pakračka Poljana have, more than ever before, obliged the State Attorney’s Office of the Republic of Croatia to investigate the responsibility of (highly-ranked) persons who had been ordering the crimes as well as those persons who had not done anything to prevent the crimes and have the perpetrators prosecuted.

Osijek entrepreneur Drago Tadić found guilty of attempted bribe of the Republic of Croatia Supreme Court judges in the Glavaš case

On 27 February 2013, the Osijek entrepreneur Drago Tadić was given a 2-year prison sentence following the first-instance court proceedings conducted at the Zagreb County Court subsequent to the charges that Tadić had gathered a group of individuals in 2010 in order to attempt to influence the mitigation of sentence to Branimir Glavaš (in case of the war crime against civilians of Serb ethnicity in Osijek) by bribing the Supreme Court judges.

The *Bureau for Prevention of Corruption and Organised Crime* launched the investigation into this case in October 2010 and in July 2011 issued the indictment against Drago Tadić; Srećko Jurišić, an entrepreneur from Split; Božica Tadić Čavar, Drago Tadić's spouse; Sanja Marketić, former Deputy to the Editor-in-Chief of the "Glas Slavonije" ("Voice of Slavonia") journal and a friend of Branimir Glavaš; and Ivan Drmić, the HDSSB party member (Croatian Democratic Alliance of Slavonia and Baranja) and the Croatian Parliament representative.

The four accused persons admitted their guilt and came to a settlement with the *Bureau for Prevention of Corruption and Organised Crime*. Ivan Drmić, Sanja Marketić and Srećko Jurišić were given a prison sentence suspended for two years, while Božica Tadić Čavar was given a prison sentence suspended for 15 months.

The indictment against a member of Serb paramilitary unit for killing a young male person singled out from the column of civilians after the fall of Vukovar

According to the Osijek County State Attorney's Office statement, the indictment was issued against a member (undisclosed identity, born in 1960) of Serb paramilitary formations for commission of war crime against civilians. The charges on the indictment include the following: that the member of Serb paramilitary formations, after the occupation of Vukovar, on 19 November 1991, together with another member of Serb paramilitary formations, had singled out a 21-year-old male person from the column of captured civilians and killed the young man by shooting at him a burst of fire from an automatic rifle.

The accused person has currently been serving a prison sentence for having committed another criminal offence, and his prison sentence will be done in mid-March 2013. For all the stated reasons, a motion was filed to the investigative judge (pre-trial judge) of the Osijek County Court requesting a measure of placing the accused person in the investigation prison due to a strong possibility of escape and extremely grave circumstances surrounding the commission of crime.