

# **BOSNIA-HERCEGOVINA**

## **"ETHNIC CLEANSING" CONTINUES IN NORTHERN BOSNIA**

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## SUMMARY

In July of this year, the campaign to expel non-Serbs from Bosnian Serb-held areas of northern Bosnia accelerated, and it continues to this day. Most of those being displaced come from the Bosanska Krajina area in the northwestern part of the country<sup>1</sup> and from the Bijeljina region in the northeast. The "ethnic cleansing" now taking place in these regions is different from that which characterized "ethnic cleansing" at the start of the Bosnian war in April 1992, and the nature of the difference sends a warning signal to those who believe that current peace plans will bring an end to "ethnic cleansing" in Bosnia-Herzegovina.

In both the Bosanska Krajina and Bijeljina areas there is no war. The systematic persecution of Muslims, Croats, Romas (Gypsies) and others has taken place and continues in areas that have long been under absolute Bosnian Serb control; indeed, the sweeping institutional nature of the "cleansing" would not be possible without such control.

Conditions in the Bosanska Krajina and Bijeljina areas thus provide a powerful counterweight to the argument put forth by high-ranking U.N. officials and other international leaders who claim that human rights abuses will decrease after an overall peace accord is signed. Human Rights Watch/Helsinki considers this approach seriously misguided. As the events in northern Bosnia make clear, the most savage and institutionalized "ethnic cleansing" is taking place in areas where there is no fighting, where the Bosnian Serbs have political and military control and would most likely maintain it under any territorial settlement. There is absolutely no reason, then, to believe that the expulsion of minority populations will stop once a peace accord is signed. To achieve a peace that actually ends violence against civilians in northern Bosnia - and other areas not directly affected by fighting - it will not be enough to agree on boundaries. Any meaningful peace agreement must contain guarantees of the rights of those who have remained behind in areas being "cleansed" and of those who wish to return.

Following international condemnation of continuing "ethnic cleansing" in early 1994, expulsions of non-Serbs from Bosnian Serb-held territory subsided somewhat between February and June 1994. But in July 1994, in both the Bosanska Krajina and Bijeljina areas, "ethnic cleansing" began again in earnest. There are frequent murders and beatings of non-Serbs and lawlessness is rife in both areas. Women, including Serbian women married to non-Serbs, are raped by military personnel and private individuals who are not held accountable for their crimes. Non-Serbs are regularly expelled from their homes and are subject to extortion by the local Red Cross, civilian authorities and local military and paramilitary commanders before they are allowed to leave the area. The Bosnian Serb soldiers, military police and paramilitaries who commit these crimes do so with impunity.

On the whole, only women, children and the elderly in northern Bosnia have been granted exit papers. Non-Serbian men are being sent to labor in work gangs and are, in effect, being used as slave labor. In recent weeks, non-Serbian women also are being conscripted into work gangs.

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<sup>1</sup> Bosanska Krajina generally includes the municipalities of Bosanska Dubica, Bosanska Gradiška, Bosanski Novi, Prijedor, Bosanska Krupa, Sanski Most, Ključ, Bosanski Petrovac, Drvar, Bosansko Grahovo, Glamoč, Šipovo, Mrkonjić Grad, Jajce, Skender Vakuf, Kotor Varoš, Banja Luka, Čelinac, Laktaši, Prnjavor and Srbac.

Many Bosnian government and United Nations officials in central Bosnia believe that Bosnian Serb forces are expelling non-Serbs (mostly Muslims) from northwestern and northeastern Bosnia-Herzegovina and forcing them into central Bosnia as a way of undermining the success of the newly formed Muslim-Croat alliance.<sup>2</sup> While some of the forcibly displaced from Bosanska Krajina have sought refuge in Croatia, most of those forcibly displaced from northern Bosnia in the past two months have fled to Bosnian government-controlled areas in central Bosnia and the Tuzla region, which are part of the nascent and still fragile Muslim-Croat federation.

An important part of the Muslim-Croat rapprochement involves the eventual return of all those displaced from their homes during the 1993 war between the Bosnian government army and the Bosnian Croat militia, known as the Croatian Defense Council (Hrvatsko Vijeće Obrane - HVO). However, most of those recently displaced from the Bosanska Krajina and Bijeljina regions have fled to Bosnian government-controlled parts of the federation, to which hundreds of thousands of displaced persons had already fled since the beginning of the war in Bosnia in April 1992. Due to lack of housing, local Muslim authorities in central Bosnia have been forced to place those recently displaced Muslims from northern Bosnia in the homes of Bosnian Croats who were displaced during the Muslim-Croat war. The housing of Muslims in Croatian homes has prevented, in part, the return of displaced Croats to their homes in Muslim-controlled parts of the federation. The inability of some Croats to return is being used by some radical Bosnian Croats to justify their refusal to allow Muslims to return to some Bosnian-Croat-controlled areas from which they had been displaced. As a result, distrust between Bosnia's Muslims and Croats may increase, straining still tense relations between Muslims and Croats and threatening the success of the fragile federation.

## RECOMMENDATIONS

All those who have recently been expelled from northern Bosnia and most U.N. field personnel interviewed by Human Rights Watch/Helsinki stated that, given the political and military status quo, the only way the international community could help those non-Serbs who remain in Bosnian Serb-held areas in northern Bosnia is to facilitate their evacuation.

Irrespective of such despondency, the international community must take steps to prevent the expulsions and facilitate the safe and voluntary return of non-Serbs to Serbian-held areas in the Bosanska Krajina and Bijeljina regions. Failure to do so will only legitimate "ethnic cleansing" as a means through which to gain and consolidate control over any contested territory.

The international community has done little to prevent the expulsions of Muslims, Croats, Romas and other non-Serbs in northern Bosnia, aside from issuing démarches against the behavior of Bosnian Serb authorities. The activities of international relief agencies such as the International Committee of the Red Cross (ICRC) and the United Nations High Commissioner for Refugees (UNHCR) have been constricted by Bosnian Serb authorities. The United Nations Protection Force (UNPROFOR) does not maintain a significant presence in Bosnian Serb-held areas, again due to the lack of cooperation by Bosnian Serb authorities. However, the intransigence of Bosnian Serb authorities does not excuse the international community from doing nothing to prevent "ethnic cleansing" in the Bosanska Krajina and Bijeljina areas.

UNPROFOR must continue to insist on access to, and freedom of movement in, Bosnian Serb-held areas. To date, UNPROFOR has asked Bosnian Serb authorities for permission to enter areas under their control and has accepted their refusal of all past requests as a *fait accompli*. UNPROFOR must increase its

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<sup>2</sup> In late February 1994, a cease-fire was signed between the predominantly Muslim forces of the Bosnian government army and the Bosnian Croat militia, and a federation was established linking Bosnian government- and Bosnian Croat-controlled areas

insistence on access to all areas and must take steps to protect non-Serbs in northern Bosnia, possibly by patrolling areas where non-Serbs are threatened, particularly in the evenings.

Given the continuing expulsion of displaced persons from Bosnian Serb-held areas, the international community should accept some of the burden for their care because the increasing displaced population in central Bosnia is one of several factors straining the peace and improvement of human rights in the newly formed Muslim-Croat federation. On the one hand, the international community could accept those recently displaced from Bosnian Serb-controlled areas as refugees in their own countries. Admittedly, this might create an incentive for non-Serbs to leave the unsafe conditions in their hometown in Bosnian Serb-held territory for the safety of third countries.

On the other hand, as indicated above, the constant influx of mostly Muslim displaced persons into areas once inhabited by Croats will only breed distrust among both Muslims and Croats and make it impossible for those displaced during the Muslim-Croat war in 1993 to return to their homes. Indeed, lack of adequate housing for the displaced is one obstacle hampering the reconciliation between Bosnian Muslims and Croats and the reestablishment of civil society in areas of Bosnia where this may be possible. In addition to granting refugee status to the recently displaced, the international community could help build more refugee settlements within the federation or assist in the repair of damaged buildings which could be used to accommodate the displaced.

This report documents human rights abuse in late August and September 1994. Its findings are based on a mission to central and northeastern Bosnia-Herzegovina by Human Rights Watch/Helsinki representatives in September and October of 1994. Our sources are displaced persons from the Bosanska Krajina and Bijeljina regions who sought refuge from persecution,<sup>3</sup> and U.N. personnel. The report is part of an ongoing project of documenting war crimes by all sides in the former Yugoslavia.<sup>4</sup>

## BACKGROUND

### Bosanska Krajina

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<sup>3</sup> The vast majority of those interviewed by Human Rights Watch/Helsinki have asked that their names be kept confidential. Many people fear for the lives of friends and relatives who remain in areas under Bosnian Serb control. In deference to their concerns, Human Rights Watch/Helsinki has adopted a policy of using pseudonyms and/or coded initials for all witnesses and avoiding specifics as to where the witnesses were interviewed. The names of those interviewed and other supplemental information are kept in secure files and, under appropriate safeguards, will be made available, in a fashion consistent with our agreements with witnesses, to the prosecution for the international tribunal established by the United Nations to adjudicate war crimes and crimes against humanity in the former Yugoslavia.

<sup>4</sup> This effort includes a two-volume report and subsequent newsletters based on interviews with displaced persons, refugees, medical and relief personnel, journalists, lawyers, combatants and civilian and military representatives of the parties to the conflict

The northwestern area of Bosnia-Herzegovina, excluding the Bihać pocket, is commonly referred to as "Bosanska Krajina" and has long been under Bosnian Serb control. Banja Luka, the major city in the Bosanska Krajina area and the second largest city in Bosnia-Herzegovina after Sarajevo, is the center of power for Bosnian Serb authorities in northern Bosnia.<sup>5</sup> Banja Luka has long been the site of a major military complex that was originally maintained by the Yugoslav People's Army (Jugoslavenska Narodna Armija - JNA) prior to the dissolution of the former Socialist Federal Republic of Yugoslavia (SFRY). Serbian authorities in Banja Luka retained most of the arms and equipment left behind by the JNA after its nominal withdrawal from Bosnia-Herzegovina in May 1992. Also, most goods sent from Serbia proper to Serbian-controlled territories in northern Bosnia and in Croatia transit through Banja Luka.

For the past two years, non-Serbs in the Bosanska Krajina area have been "cleansed" through systematic persecution that includes torture, murder, rape, beatings, harassment, *de jure* discrimination, intimidation, expulsion from homes, confiscation of property, bombing of businesses, dismissal from work, outlawing of all scripts except the Cyrillic in public institutions<sup>6</sup>, and the destruction of cultural objects such as mosques and Catholic churches. Prior to the war, approximately 550,000 Muslims and Croats lived in the Bosanska Krajina region. U.N. officials estimate that, as of early June 1994, fewer than 50,000 Muslims and Croats remained in the region, while the Serbian population had risen from 625,000 to 875,000 since 1991.<sup>7</sup> Since July 1994, still more non-Serbs have been expelled from the region.

The failure of the U.N. and its member states to act against "ethnic cleansing" in Bosanska Krajina left the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC) and other relief workers facing a politically and morally sensitive dilemma: either evacuate the terrorized non-Serbian population, thereby abetting the Serbian campaign of "ethnic cleansing," or stand by, powerless witnesses to persecution. Reluctantly, the relief agencies engaged in protective evacuation, beginning in the summer of 1992, when thousands of prisoners from the notorious Omarska, Manjača and Keraterm detention camps were released by Serbian authorities and evacuated, together with their families, by the UNHCR and the ICRC.<sup>8</sup> In recent months, the UNHCR and the ICRC bused approximately sixty people per week from the Bosanska Krajina region. According to the UNHCR officers, between May 28 and June 14, 1994, over 1,000 people were evacuated from Banja Luka. More striking still, for the first time in the two-year-old war, the damages and terror of "ethnic cleansing" are prompting entire villages to seek evacuation by the U.N.<sup>9</sup>

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<sup>5</sup> For background on events in the Banja Luka and Bosanska Krajina area, refer to Human Rights Watch/Helsinki, *War Crimes in Bosnia-Herzegovina: U.N. Cease-Fire Won't Help Banja Luka*, (New York: Human Rights Watch, June 1994).

<sup>6</sup> Prior to the war, both the Cyrillic and Latin alphabets were used in Bosnia-Herzegovina.

<sup>7</sup> Chuck Sudetic, "Serbs Pressing Ouster of Foes from Bosnia," *The New York Times*, June 16, 1994.

<sup>8</sup> For an account of abuses perpetrated within the Bosnian Serb-operated detention camps, see Human Rights Watch/Helsinki, *War Crimes in Bosnia-Herzegovina, Volume II* (New York: Human Rights Watch, April 1993), pp. 84-187.

<sup>9</sup> "Three villages near Prijedor — two Muslim and one Gypsy — with a collective population of nearly 1,000 have approached the U.N.H.C.R. office in Banja Luka to request evacuation. In addition, the chief Muslim relief agency there, Merhamet, has warned that the last 6,000 to 7,000 Muslims living around Prijedor are on the point of making the same request." David Ottoway, "Muslim, Gypsy Villages Seek to Quit Serb Areas," *The Washington Post*, March 19, 1994

In recent months, however, the vast majority of the evacuations are initiated by non-Serbs who fear for their lives in Bosanska Krajina. These evacuations are usually organized and facilitated by the Bosnian Serb authorities, and UNHCR officials wait at the Bosnian-Croat border or in Bosnian-government-controlled areas of Bosnia-Herzegovina to accept the incoming refugees or displaced persons.

### **The Bijeljina Region**

As in the Bosanska Krajina region, non-Serbs in the Bijeljina area offered little military resistance to the self-appointed Bosnian Serb authorities. Rather, they chose to remain in their homes and adjust to and meet the ever-growing demands of the new regime. Janja, a Muslim-populated town of 12,000 located several miles south of Bijeljina, was often referred to by Bosnian Serb leaders as proof that "loyal Muslims" can remain in the "Republika Srpska," the self-proclaimed Bosnian Serb state.

Radovan Karadžić, the "president" of the self-proclaimed "Republika Srpska," declared that all non-Serbs loyal to his "government" have the same rights as do Serbs. However, by mid-1992, all non-Serbs in the Bijeljina region were deprived of their basic civil and human rights: they lost their jobs, they were not allowed to leave their towns and villages, their telephones were disconnected, their property was confiscated and they lived in constant fear for their lives. L.L., a thirty-six-year-old farmer from Janja,<sup>10</sup> explained:

When we surrendered our weapons at the beginning of the war, displaced Serbs from Potpeć and Tinja - which are villages in the [Bosnian government-controlled] Tuzla municipality - started moving into [the villages of] Janjari and Akmačići near Janja. They would come to Janja to take our cars, trucks, shops ... Most of our private cars had already been taken away by the [Bosnian Serb] army. A man called "Raco" from Bijeljina was collecting the cars for the army, and they gave receipts for what they took away.

In the summer of 1992, displaced Serbs started moving into Janja. First, "Ljubo" from Bijeljina went from one Muslim house to the other determining whether we had an "excess of living space." Whoever complained got beaten, and the displaced Serbs moved in with you anyway. At the beginning they picked out better homes, but later they took anything.

It is widely believed that an activist of the ruling Serbian Democratic Party (Srpska Demokratska Stranka - SDS) in Bijeljina, Moco Stanković, was responsible for evictions and disappearances of non-Serbs from the Bijeljina municipality. Reportedly, he compiled lists of allegedly "non-loyal" Muslims who were subsequently expelled or killed. Witnesses told Human Rights Watch/Helsinki that he would take Muslims off his list for a fee. For Vojkan Djurković, the president of the so-called "Commission for Exchange of the Civilian Population," and his aide, Pero Krstić "Šarov," the expulsions also became a profitable business: these two men and their armed gangs would force Muslim families from their houses and hand the dwellings over to displaced Serbian families who would pay between 1,000 and 50,000 German marks, depending on the value of the house. After an international public outcry, the Bosnian Serb authorities seemingly put an end to this practice in late 1993.

However, "ethnic cleansing" in the Bijeljina region resumed on the evening of July 16, 1994. Vojkan Djurković rounded up the first group of 138 men, women and children - most of them from Bijeljina - robbed them of all their belongings, put them on trucks, and sent them across the front lines to the Bosnian-government-held city of Tuzla. Their friends and neighbors in Bijeljina and Janja didn't know where they had been taken. L.L. explained:

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<sup>10</sup> Interviewed by Human Rights Watch/Helsinki representatives in Tuzla, Bosnia-Herzegovina, September 1994

They started taking people away at night. Every morning we would discover that some of our neighbors were missing. We slept in groups; no one dared sleep alone in the house fearing that we would just disappear. I went to the center of the village and saw a banner that Vojkan [Djurković] put up saying that people should sign up for the exchange.<sup>11</sup>

According to a U.N. source,<sup>12</sup> 6,000 people (almost exclusively Muslims) were expelled from the Bijeljina region between July 17 and October 12, 1994. Most were placed on buses and transported to the Bosnian government-held city of Tuzla. Of these 6,000, some men of draft age were removed from buses, probably because they could not pay the high fees that non-Serbs are required to pay to Serbian authorities before they are allowed to leave the area.<sup>13</sup> The U.N. source stated that such men have either been conscripted into work gangs<sup>14</sup> or are being held in prisons. As of October 13, between 1,000 and 2,000 Muslims remained in Bijeljina.

Similarly, 4,600 non-Serbs - Muslims, Croats and Romas - were expelled by Bosnian Serb authorities from northwestern and north-central Bosnia between July 17 and October 12, 1994. Of these 4,600 non-Serbs, 2,750 were expelled into central Bosnia and 1,850 into Croatia.

According to these U.N. figures, Bosnian Serb authorities have expelled at least 10,600 non-Serbs from northern Bosnia in the past three months. During our trip to central Bosnia and Croatia in late August and September, U.N. field personnel were anticipating arrivals of displaced Muslims, Croats and other non-Serbs on a weekly basis but were powerless to prevent their expulsion.

## ABUSES

### Murders and Beatings

Since Bosnian Serb authorities assumed control over the Bosanska Krajina and Bijeljina regions in early 1992, non-Serbs have been murdered with impunity. Witnesses to the murders have stated that those committing the crime are often dressed in uniforms belonging to the Bosnian Serb army, military police or civilian police. In some cases, the murderers are dressed in civilian clothes. None of the witnesses interviewed in the past two years have indicated that those responsible for the murder, rape and beatings of non-Serbs have been held accountable for their crimes.

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<sup>11</sup> For a further explanation of the "transport" of non-Serbs from the Bijeljina area, see section concerning extortion below.

<sup>12</sup> The source asked not to be identified.

<sup>13</sup> See following section concerning extortion for an account of this procedure.

<sup>14</sup> See relevant section below for a description of forced labor duties

Thirty-four-year-old C.T.<sup>15</sup> from Ljubija described how her father and brother were summarily executed in front of her house by two Serb men dressed in military uniforms on July 26, 1992:

Our village was almost all Muslim except for a few Serb houses. We never had any sort of problems with them [the Serbs]; we always lived together peacefully. That night, at approximately 6:00 P.M., a car pulled up in front of our house in which I recognized Mile Jatić and Dušan Radić whose son-in-law is Zoran Tomičević. Two others dressed in military uniforms came up to my house looking for a neighbor who wasn't home. The soldiers then asked me who was inside and I told them that my father and brother were [inside the house]. They ordered us to wait out in the yard while they searched the premises. When they finished, the soldiers told me to go back inside, while they took my brother and my father five meters from the house and shot them, emptying out their magazines. I later found my father and brother with bullet holes in their chests.

The situation was so dangerous for Muslims, that I couldn't even give my brother and father a proper burial<sup>16</sup>. Instead, I had to put their bodies in plastic bags and bury them in my yard. Later, some Serbian officials came to our village and wanted me to dig up my father and brother so that they could positively identify them. I wouldn't allow it; it's completely inhuman.

Fifty-seven-year-old T.I.<sup>17</sup>, a retiree from Prnjavor, was beaten by police officers who claimed they were inquiring about the harassment to which T.I. was subjected as a non-Serb.<sup>18</sup> According to T.I.:

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<sup>15</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Herzegovina, September 21, 1994.

<sup>16</sup> When a Muslim dies, his/her body is bathed and honored with a congregational funeral prayer called *Salatul Džanazah* or *Dženaze-Namaz*. In Islam, *Dženaze-Namaz* is considered a collective obligation; if no one in the community takes part in the funeral prayer, everyone in the locality is considered to have sinned before Allah. Furthermore, the body of a deceased Muslim must be wrapped up in *ćefini* (white sheets) and buried so its right side faces the Ka'ba (the most sacred site to Muslims; situated in Mecca, it was the first house ever built for the worship of Allah). In this case, C.T. was not able to carry out any of these obligations.

<sup>17</sup> Interviewed by Human Rights Watch/Helsinki representatives at a refugee center in Bugojno, Bosnia-Herzegovina, September 21, 1994.

<sup>18</sup> See the following section concerning terrorization and harassment for the witness's account of persecution in his hometown

On March 20, 1994, a military policeman came to my house. He told me to get dressed so that he could take me to the police station; he said I could give them an official statement about the troubles I've been having. The minute I bent down to put on my shoes, he grabbed me by the hair, and seven other military policemen appeared and beat me. I was then thrown in the trunk of their car and taken to the police station. There they beat me again and told me that I should give any Serb that comes to my house whatever he wants and whatever he needs. The policemen left me lying there until about 3:30 A.M.. After I was let go, I tried to walk home, but I couldn't see since my eyes were swollen shut. Someone found me on the road and brought me home. For the next four days I lay in bed and vomited blood. They broke my ribs and my teeth and the roof of my mouth. Up until this day, my ear constantly bleeds because they cracked my jaw and a jagged piece of bone chronically presses up into some part of the canal. My skull was still fractured in two places and the skin there was completely loose from my head; they stomped on it as I lay on the floor; I have tremendous headaches at night which prevent me from sleeping. My cheekbones were completely crushed and my nose is broken - my face aches everywhere. Up to this day, I eat like a baby does - the only thing I can take is ground food.<sup>19</sup>

T.I. sought medical attention from a local doctor, who advised him against further medical treatment, claiming he would be killed if he went to the hospital. According to T.I.:

I went to the doctor who was a Serb; he told me that an operation which I badly needed was out of the question. He was afraid that since the hospital was staffed by Serbs only, I would not make it out alive. The safest thing for me to do, he said, was to receive a number of pain-killer injections and take his prescription to the pharmacy so that I could buy medicine for temporary pain relief. I received five injections for fourteen German marks [US \$9]<sup>20</sup> a piece. Since non-Serbian men can't walk in the streets, I had to take a taxi to the hospital which cost 120 German marks [\$80] [round trip]. The whole Serbian system is not only brutal, but it's designed to suck every non-Serbian dry of everything they've got before being expelled. As far as the pharmacy is concerned, I was denied the medicine. A Serb in front of me bought the exact same thing that I needed, and when I asked for it, I was told that they didn't have any.

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<sup>19</sup> At the time of the interview, the victim had not yet been medically treated. As a result, the Human Rights Watch/Helsinki representative was able to see the injuries described above.

<sup>20</sup> Although Bosnian Serb authorities and the Bosnian government both use their own currency (the Bosnian Croats use the currency of Croatia proper), the German mark is the most widely used currency throughout Bosnia-Herzegovina. For the purposes of this report, we have converted the German marks to US dollars at the general rate of exchange in August and September (i.e., US \$1 = 1.5 German marks). It should be noted that non-Serbs in Serbian-held parts of Bosnia-Herzegovina generally do not have any source of income

Forty-eight-year-old F.L.<sup>21</sup> was interned in the Bosnian Serb-operated Keraterm detention camp from May 31 to early August 1992.<sup>22</sup> After his release, F.L. returned to his home in Prijedor, where he remained until September 1994, when he fled the city. F.L. described the conditions of life in Prijedor in the past two years to a Human Rights Watch/Helsinki representative:

At first [in mid-1992], they [Bosnian Serb forces] went from house to house shooting until 11:00 P.M.. Two or three months later, they started shooting later, at about 1:00 A.M.. In 1993, the killings started in the evenings. I watched when Mina Mujadić - who was born around 1926 or 1927 - was shot.

I spent all night by the window and rarely slept in peace out of fear. I heard someone crying for help. She was in a room in her house, which is about twelve meters from my house. Six Četniks<sup>23</sup> were surrounding the house. They were in uniform and wore boots; one had a *šubara*.<sup>24</sup> I knew one of them; his name was Velo, and he lived nearby. They were shooting around the house. We heard shots [inside the house] and someone crying for help. We called the police, but by the time they arrived the six Četniks had fled, and Mina had already been killed. This type of thing usually happened in the evenings, between 10:00 P.M. and 1:00 A.M..

At least eleven people died violent deaths in the town of Janja, near Bijeljina, since the beginning of the war in Bosnia-Herzegovina. Because Bosnian Serb authorities have refused to allow Human Rights Watch/Helsinki representatives to work in territory under Bosnian Serb control,<sup>25</sup> we have been unable to determine the exact circumstances of the killings described below and whether or not the perpetrators of the murders and other crimes were brought to justice. In the following cases, the victims appear to have been murdered or abused by members of the Bosnian Serb military or police.

Izo and Suada Milkić, a wealthy Romany couple in their late thirties, were found murdered in their house. Neighbors reported that they saw soldiers enter the Milkić's house around midnight. In the morning,

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<sup>21</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Herzegovina, September 21, 1994.

<sup>22</sup> Keraterm was one of four detention camps in which non-Serbs from the Bosanska Krajina area were detained and where many were tortured or executed in 1992. For an account of conditions and abuses perpetrated in the Keraterm camp, see Helsinki Watch, *War Crimes in Bosnia-Herzegovina, Volume II*, (New York: Human Rights Watch, April 1993.)

<sup>23</sup> Serbian Četnik forces fought against both Croatian fascists known as Ustaše and Tito's communist Partisans during World War II. The Četniks fought in the name of the dethroned Serbian king and were known for their brutality against their Serbian and non-Serbian opponents in Bosnia-Herzegovina and parts of Croatia and Serbia. Croats and Muslims commonly refer to rebel Serbian forces currently fighting in Croatia and Bosnia-Herzegovina as Četniks.

<sup>24</sup> A *šubara* is a fur hat associated with Serbian nationalists.

<sup>25</sup> A Human Rights Watch/Helsinki representative was recently detained, interrogated and expelled from Pale in September 1994

Izo's brother went to see why the couple had not woken up only to find them both dead. Izo was found sitting on a chair with a accordion in his lap and his throat slit, while his wife, who apparently resisted the assailants, was lying on the floor in a pool of blood. According to witnesses, the Milkićs lived near the military command center and were known for their wealth. Izo was a blacksmith, and his shop was well equipped, resembling "a small factory" according to neighbors. The neighbors interviewed by Human Rights Watch/Helsinki representatives reported that men in uniforms raided the entire neighborhood the night of the Milkićs' murder, looting homes and beating people. The following day, the women in Janja gathered in the streets to protest the murder of the couple. The police dispersed the demonstration by firing into the air. One stray bullet hit Duza Durgutović in the head while she observed the demonstration from her window. She died instantly. According to witnesses, the police proceeded to beat the demonstrators.

Fifty-eight-year-old Jusuf Terzić apparently died at the hands of the Bosnian Serb police. His wife, Rabija, described his death to a Human Rights Watch/Helsinki representative.<sup>26</sup>

On Monday morning, August 24, 1993, Jusuf went into the village. He returned distressed and instructed us that if anyone came looking for him, we should say that he is not at home. I do not know what happened in the village that day, he never had a chance to tell me. At about 3:00 P.M., the police came to take him away. One of the policeman was Boro Zelenović from the village of Kojčinovac, and there were two other uniformed policemen with him.

Rabija's seventeen-year-old daughter, H.M.,<sup>27</sup> saw the police take away her stepfather. According to H.M.:

I saw a police car in front of our house. Even before they stopped completely, Mićo, a man displaced from Zenica, and another policeman jumped out with their rifles pointed at the house. Boro [the policeman] didn't let me come near, so I went to the neighbor's house to look through the window to see what was happening. I saw them pulling him [i.e., my stepfather] into the car by the hair. That was the last time I saw him.

At about 7:00 P.M. that night, Rabija went to the police station to look for her husband and was told by the officer on duty that her husband had been released at five minutes past three, exactly five minutes after he was brought in, according to the log that she was allowed to see. A few hours later, Rabija was informed that her husband was found dead in the street, in front of a bar between Janja and Bijeljina. Rabija recounted:

They told me that he was drunk, but I know that he had not had anything to drink since Friday. In the morning, my neighbor T.H. and I bicycled to Bijeljina, to the hospital. A doctor told me that my husband died at 3:00 A.M. in the hospital and that his body is now in the

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<sup>26</sup> Interviewed by Human Rights Watch/Helsinki representatives in Tuzla, Bosnia-Hercegovina, September 1994.

<sup>27</sup> Interviewed by Human Rights Watch/Helsinki representatives in Tuzla, Bosnia-Hercegovina, September 1994

morgue. T.H. and I went to the morgue. I barely recognized my husband: his face was disfigured and black, teeth broken, his head was cracked open. His upper body was covered with narrow straight bruises, as if he had been beaten with clubs.

The police arrived, and they refused to let me into the morgue, not knowing that I had already seen him. I insisted that I take him home, but they wouldn't allow that. Instead, they interrogated me. A man and a woman from the Bijeljina police station came to my house that afternoon and interrogated me. They wanted to know whether he [my husband] had any money hidden in the house. They didn't want to tell me anything about the circumstances under which he died. They told me that I could pick up the body the next day and that I would get his identification card at the Janja police station.

When Rabija Terzić picked up her husband's body the next day, she was given a document signed by surgeons Dr. M. Spasojević and Dr. S. Opalić stating that her husband's body had multiple fractures of the skull and that he had been in a cerebral coma when he was admitted to the hospital. He died at 3:00 A.M. on August 25, 1993.

On September 28, 1993, Rabija received a note from the court saying that the public prosecutor, Nadežda Milošević, decided that "there was no reason to begin criminal proceedings regarding the death of your husband, Jusuf Terzić, on the night of August 24-25." Rabija Terzić never again contacted the police regarding her husband's death.

N.L., a fifty-seven-year-old housewife from Mrkonjić Grad,<sup>28</sup> testified that her thirty-four-year-old son was bestially beaten four times in one month. According to N.L.:

My younger son, who was born in 1960, was beaten four times in one month. It was some time in May or June of 1993. The first time he was beaten was around his birthday. The police beat him. They came to our house, took him away and later our neighbors heard him crying for help in a ditch and brought him home.

He was beaten again three months ago, also by the police. It was a Saturday, at about 9:20 A.M., and my son was still asleep when two police officers came to our door while one remained in a car waiting outside. The police told us to get my son; his father woke him up and they took him away.

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<sup>28</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Herzegovina, September 21, 1994

At 2:30 P.M. he still had not come home so I went to the police station, and I saw seven Četniks there. I told them my son had been arrested, and I wanted to know why. They told me I'd see why when I went home. I insisted that they let me know why he was arrested, and they told me to go home and find out again. They called me a Turk<sup>29</sup>, and I told them that I was not Turkish but Muslim and that I wanted to see my son, but they kept telling me to go home. I finally headed home and when I got in front of the hotel, I saw my son holding his jaw and he waved to me. When I got home, all my neighbors were inside my house and I saw my son, who was as black as your lighter.<sup>30</sup> My son told me that this man Lakenda beat him the most. I took him to the hospital and got a doctor's note stating he was unfit for work duty but he was only allowed to stay home for a week and had to go back to work thereafter.<sup>31</sup>

The other times he was also taken away by the police at night. They beat him and threw him into the street or a ditch, where the neighbors found him and brought him home.

K.T., a twenty-six-year-old man from Banja Luka,<sup>32</sup> was evicted from his home and later arrested and beaten by one of the men who evicted him from his home.<sup>33</sup> According to K.T.:

I went to the store to buy some food for my child. I only went 100 to 150 meters from our apartment when I was picked up by "Zoka" and Marinković, the men who had earlier evicted me from my apartment. This happened on August 11, 1994, at about 6:30 P.M. They took me to the "*mali logor*," [small camp] which is the headquarters of the military police. I was held there for two hours, and every soldier that came in [to the room in which I was being held] beat me. I was placed in an "operative room" and was beaten for about four hours. They put a blanket over my head and beat me. They questioned me and asked me which Muslims were evading work duty. I was there for forty-eight hours. I was alone in the room, and all I got to eat was one or two slices of bread and some tea. Later, I was taken to another room after I was beaten. They couldn't come up with an indictment so they let me go. "Zoka" told me to get out of Banja Luka between the sixteenth and eighteenth of September [1994] and I got my papers and got on a bus.

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<sup>29</sup> Some Serbs refer to Slavic Muslims in the former Yugoslavia as "Turks," associating them with the Ottomans who reigned over most of Serbia and Bosnia-Herzegovina from the fourteenth and fifteenth centuries to the nineteenth century.

<sup>30</sup> A black cigarette lighter was lying on the table in the room where the interview was being conducted.

<sup>31</sup> For an account of the type of work performed by N.L.'s sons, see relevant section below.

<sup>32</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Herzegovina, September 21, 1994.

<sup>33</sup> See relevant section below for an account of the forced eviction of K.T. and his family.

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On August 27, 1994, R.O., a forty-seven-year-old farmer from Janja,<sup>34</sup> was beaten by eight displaced Serbs unknown to him. One of these men carried a revolver while the others had clubs. According to R.O.: My brother N., neighbor N. and I were sitting at the table in front of my house eating watermelon. The eight of them went into my field without a word and started to pick watermelons. My brother went up to them. One hit him with a club which dislocated his shoulder and knocked out several of his teeth. I headed towards them with a pitchfork in my hands. My brother managed to knock one down, and I grabbed a knife out of [the Serbian man's] hand. The other tried to hit me over the head with a chair, but I managed to knock it out of his hands with the pitchfork.

R.O. later tried to report the scuffle to the local police in Janja but was beaten instead. According to R.O.:

I went to the local police station to report the incident. I had to go through the center [of the village], passing two military police cars. One of the men recognized me. I biked as fast as I could toward the police station. They shot at me, but I managed to get into the station in time. I just started to explain to the officer on duty what happened, when seven of them got out of the two military police cars and started to beat me in the hall of the police station.

I fled, but they caught up with me. They beat me with their fists and kicked me. They put me in the car and said that I had to show them where the original incident took place. Five of the eight who beat me earlier were there, plus the seven that beat me at the police station. The last thing I remembered is when they dragged me out of the car.

R.O. fell unconscious as a result of the beating. According to R.O.:

I came about after a couple of hours, about a kilometer away from my house. I do not know how I got there, if I had walked, or if they left me there. I was too weak to walk, and I spent the night in the field.

As the soldiers were beating R.O., his seventy-eight-year-old father, I.O., rushed to help. According to I.O.:<sup>35</sup>

[When they saw me approaching] they ran toward me. They demanded the key to the other house. I said that I didn't know where it is. One of them said: "I will kill you and not waste a bullet on you!" Another hit me with a rifle butt in the back. Dragan "Beton" took away my documents, a knife and my bicycle. They told me to run home, and they kicked me in the back repeatedly. I couldn't walk after they beat me, and I got home at dawn.

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<sup>34</sup> Interviewed by Human Rights Watch/Helsinki representatives in Tuzla, Bosnia-Herzegovina, September 1994.

<sup>35</sup> Interviewed by Human Rights Watch/Helsinki representatives in Tuzla, Bosnia-Herzegovina, September 1994

## Torture

The participation of medical professionals - whether state or private - in torture is of concern to Human Rights Watch/Helsinki because it violates basic tenets of medical ethics. The Principles of Medical Ethics adopted by the U.N. General Assembly state:

It is a gross contravention of medical ethics as well as an offence under applicable international instruments, for health personnel, particularly physicians, to engage, actively or passively, in acts which constitute participation in, complicity in, incitement to or attempts to commit torture or other cruel, inhuman or degrading treatment or punishment.<sup>36</sup>

Medical practitioners must do no harm without the expectation of compensating benefit to the patient. "Thus, medical intervention is ethical only when expected benefits outweigh the harm, pain, and risks attendant upon the procedure." Medical intervention also should have the informed consent of the patient. "The patient, except when he or she is reasonably presumed to be mentally incapacitated, determines the applicability of harm and risk and decides whether the expected benefits are worthwhile."<sup>37</sup>

In the following case, medical personnel in the Bijeljina hospital mistreated a Muslim woman after she gave birth to her first child. On June 6, 1994, twenty-year-old N.A.<sup>38</sup> went to the Bijeljina hospital to deliver her baby. According to N.A.:

The nurse, Zorka, told me: "All of you say that this is a Četnik hospital, and when it hurts, you run to us. Do not worry - this is a Četnik hospital. Don't make a sound!" I was quiet during the delivery, but when the doctor was stitching me up I was screaming so that the entire hospital must have heard me.

N.A. suffered terrible pain throughout the following three months, until she finally arrived in Tuzla and asked for help at the local hospital. The doctors at the Tuzla hospital discovered that, after her delivery, N.A.'s vagina had been stitched with wire and that the surgical needle and wire remained in N.A.'s vagina for

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<sup>36</sup> Principle 2, Principles of Medical Ethics Relevant to the Role of Health Personnel, Particularly Physicians, in the Protection of Prisoners and Detainees against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment; adopted by the U.N. General Assembly, 18 December 1982. Principle 4 further provides:

It is a contravention of medical ethics for health personnel, particularly physicians:

(b) ... to participate in any way the infliction of any such treatment or punishments which is not in accordance with the relevant international instruments.

<sup>37</sup> Albert R. Jonsen and Leonard A. Sagan, "Torture and the Ethics of Medicine," in Stover and Nightingale, eds. *The Breaking of Bodies and Minds: Torture, Psychiatric Abuse, and the Health Professions*, (New York: W.H. Freeman and Company, 1985), p.36.

<sup>38</sup> Interviewed by Human Rights Watch/Helsinki representatives in Tuzla, Bosnia-Herzegovina, September 1994

three months. N.A. claims that Mirko Medan, a doctor in the Bijeljina hospital, had stitched her vagina after her delivery.

N.A. underwent three surgeries at the Tuzla hospital before the doctors finally removed about two centimeters of coil that resembled a spring used in ball-point pens and a surgical needle. Human Rights Watch/Helsinki researchers interviewed N.A. at the Tuzla hospital the day after her third operation and spoke with her doctors, who showed the Human Rights Watch/Helsinki representatives N.A.'s x-rays and the coil and needle removed from her vagina. The doctors agreed that use of such materials in gynecological surgery was unheard of and harmful to the patient's health.

## **Rape**

Women continue to be raped and sexually mistreated in Bosnian Serb-controlled territory, but those responsible are rarely, if ever, held accountable for their crimes.

L.D., a sixty-seven-year-old Muslim man from Prnjavor,<sup>39</sup> and his Serbian wife were evicted from their home in February 1994. They then lived in the house of L.D.'s sister-in-law, who currently lives in Germany. However, the couple was forced to move into the basement of the sister-in-law's house because it had already been occupied by a Serbian military police officer.<sup>40</sup> According to L.D.:

The military police officer, N.E., was rarely home but his wife A. was there. The entrance to the house was upstairs where they lived, and we rarely left the basement or said anything in front of them. About three months ago, at about 10:00 P.M., three men came into our basement; one was an adult who was nineteen years old and the other two were minors. The military police officer must have let them into the house because only he controls the entrance. They knocked on the basement door, called for me, came in and said, "We're Serbo-Četniks and we've come to rape your wife." They were not armed. I couldn't say anything because they must have been working in conjunction with the military police officer who lived upstairs.

They didn't let me leave and made me sit on one couch while my wife remained on the other couch. They tried to rape her and beat her. One of them raped her, one of them forced her to perform fellatio and the other one stood by. She tried to defend herself, but they beat her. This went on for about thirty minutes. Then the military police officer came to the door after they had raped my wife and told them to cut it out. The three youths then went upstairs and spent about an hour drinking with the military police officer.

The next morning, L.D. went to the local municipal Red Cross and told a staff member about the rape of his wife. According to L.D.:

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<sup>39</sup> Interviewed by Human Rights Watch/Helsinki representatives in Han Bila, Bosnia-Herzegovina, September 24, 1994.

<sup>40</sup> See relevant section below for an account of the couple's forced eviction from their home

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D. [the staff member] at the Red Cross asked me if I had reported the rape to the police, and I told him that I had not. I told him that I couldn't; I was afraid. He told me that he would deal with it, and then I went home. At about 3:00 that afternoon, a police inspector, C.T., came to question my wife and me. He stayed for about an hour and took our statements. He also spoke to the military police officer upstairs, but he had to come back to the house twice, because he [the military police officer] was never home. He finally got a chance to question the military police officer two or three days later, at about 10:00 P.M., but I couldn't hear what they were saying.

The second day after my wife was raped, the police inspector met my wife at the gynecologist's office, where my wife had a physical examination. The doctor gave the police inspector a copy of the medical report he wrote after he examined my wife, but my wife never received a copy.

Ten or fifteen days later, my brother-in-law went to see the police inspector, and he was told that the three rapists had been caught and that the case had been sent to the municipal court. However, three months later, we received a notice in the mail; I had to sign for it with the mailman. The notice was from the public prosecutor's office, and it stated that charges against the three men had been dropped because there was no basis for the indictment. I wasn't surprised by this. They can do what they like; the law does not apply to them.

I decided to leave Prnjavor, but my wife [a Serb] didn't want to come. The Serbian media keeps saying that Serbs are being persecuted by the Muslims but this is not true. My wife was just afraid to come here [to Bosnian government- controlled territory.]

## **Disappearances**

Fahira Hadžić, a fifty-six-year-old widow from Janja, was taken off the bus by Vojkan Djurković, the president of the local "Commission for the Exchange of the Civilian Population" and his aide, Risto, in Bijeljina on September 18, 1994. Her seventy-five-year-old neighbor, explained what apparently led to her later arrest:<sup>41</sup>

An ICRC team of four came to Janja a few days ago. They parked next to Vojkan's office, approached me and asked about the situation. I didn't want to talk, but Fahira told them everything that was happening in Janja and even took them to her house.

In mid-September, Fahira Hodžić left Janja with one of many convoys organized to facilitate the expulsion of Muslims from the Bijeljina region. According to other witnesses interviewed by Human Rights

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<sup>41</sup> Interviewed by Human Rights Watch/Helsinki representatives in Tuzla, Bosnia-Herzegovina, September 1994.

Watch/Helsinki in September 1994,<sup>42</sup> buses transporting Muslims being expelled from Janja arrived at a school between the villages of Priboj and Banj-Brdo about 4:00 P.M. on Sunday, September 18, 1994. Fahira and her sister-in-law were the last from their bus to be searched. The soldiers asked for money and gold that neither of them had. Fahira was not allowed to leave, while her sister-in-law was told to get on the bus with the others. About half an hour later, Fahira emerged from the school with a soldier who ordered her to get into a red van that was parked nearby. About midnight, one witness saw Fahira in the same school building, very badly beaten. She has not been seen since.

A person who was on a bus that arrived at the school shortly after midnight told Human Rights Watch/Helsinki representatives<sup>43</sup> that she heard one of Vojkan's men say that they beat up the woman that "spied for the ICRC" and that they would take her back to Janja. To date, attempts by international humanitarian organizations to locate Fahira Hadžić have been in vain.

Non-Serbian men forced to work in work gangs have also disappeared. Twenty-six-year-old K.T.,<sup>44</sup> his mother, daughter and brother lived together in one apartment in Banja Luka. In early June 1994, K.T.'s brother left home to report for work duty and has not been heard from since. Human Rights Watch/Helsinki has not been able to confirm whether K.T.'s brother fled the area of his own free will or whether he was abducted and disappeared by Bosnian Serb authorities. At the time of our interview in late September 1994, K.T. did not know of his brother's whereabouts.

## Evictions

Non-Muslims have continually been kicked out of their homes by military soldiers, police officers and civilians. Such evictions are often sanctioned and encouraged by the municipal civilian authorities. In some cases, Serbian soldiers forcibly remove non-Serbs from their homes or threaten to kill them if they do not abandon their homes within a specified time period. In other instances, Serbian civilians or displaced persons appear at the doorsteps of non-Serbs with a letter from the local civilian authorities allowing them to occupy the home, thereby forcing the latter's eviction.

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<sup>42</sup> Interviewed by Human Rights Watch/Helsinki representatives in Tuzla, Bosnia-Herzegovina, September 1994.

<sup>43</sup> Interviewed by Human Rights Watch/Helsinki representatives in September 1994 in Tuzla, Bosnia-Herzegovina.

<sup>44</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Herzegovina, September 21, 1994.

K.T.<sup>45</sup>, his mother, daughter and brother lived in a two-room apartment in Banja Luka but were expelled from their home in January 1993. According to K.T.:

The four of us lived in a two-room apartment of eighty-nine square meters and were forced to move into a one-room apartment of twenty-eight square meters after we were kicked out in January 1993. Four Bosnian Serb army soldiers came to our apartment at about 10:00 in the morning. I knew two of them: "Zoka" Majkić and the other one's surname was Marinković. They didn't have a warrant. They just told us to get out within twenty-four hours, and the soldiers took us to this other apartment. "Zoka" Majkić moved into my apartment later.

G.R., a fifty-four-year-old woman from Banja Luka,<sup>46</sup> was evicted from her home by Bosnian Serbs who had been displaced from the Bosnian Croat-controlled town of Livno. According to G.R.:

Three Serbs from Livno moved into my house. They wouldn't let me sell anything that would enable me to get some money. The three Serbs - a husband, his wife and child - arrived on a Saturday evening. They said, "We've seen that your husband has declared his desire to leave the area so we want your house." My husband refused to join the Serbian work gangs and declared that he was leaving Banja Luka as a way to evade their labor duty. My son and I slept in our house for two more nights and then we left and the three Serbs moved in.

L.D., a sixty-seven-year-old Muslim man from Prnjavor,<sup>47</sup> and his Serbian wife were evicted from their home in February 1994. According to L.D.:

A Serb came to our apartment in February with a document from the municipal government stating that my apartment belonged to him. He came to see me so that he and I could discuss when he could move in. His name was L., and he was a soldier - he was wearing an army uniform. L. told me that the municipal authorities told him to just throw me out of the apartment but he didn't do that; he came by to see how we could coordinate my moving out and his moving in. My brother-in-law went to the municipal government and got permission to use my sister-in-law's house. My sister-in-law lives in Germany, but a military police officer had moved into her empty house one year ago. We were permitted to move into the basement of my sister-in-law's house, but the military police officer had use of the rest of the house. We received a statement saying we could live in the basement for ten months. We moved out of our apartment before the Serb came to move into it. We were allowed to take our belongings from our apartment.

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<sup>45</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Hercegovina, September 21, 1994.

<sup>46</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Hercegovina, September 21, 1994.

<sup>47</sup> Interviewed by Human Rights Watch/Helsinki representatives in Han Bila, Bosnia-Hercegovina, September 24, 1994.

While evictions of non-Serbs in the Bosanska Krajina area have been commonplace since the beginning of the war, Bosnian Serb authorities did not immediately begin expelling Serbs from Janja and Bijeljina. Rather, these towns were portrayed as symbols of Bosnian Serb "tolerance" of "loyal Muslims." In most cases, displaced Serbs who settled in the Bijeljina area did not force the original Muslim owners out of their homes. Rather, the displaced Serbs moved in with the Muslim families. Despite the semblance of coexistence, the incoming Serbs became the *de facto* owners of the Muslims' houses and property, confining the original owners to live in one room in the house. This was common practice in the Bijeljina region until the summer of 1994, when the eviction of Muslims from their homes became more blatant. According to N.A., a twenty-year-old Muslim woman,<sup>48</sup> a family of five displaced Serbs lived in her house. According to N.A.:

Vojkan [i.e., the "president" of the local "Commission for the Exchange of the Local Population"] asked for 4,000 German marks [\$2,666] for us and 200 [\$133] for the baby [for our transport to Tuzla]. We didn't have that much money, and we sold a cow and a calf for 800 German marks [\$533]. When the displaced Serb [living in our house] found out about this, he fired two shots at the door to our room, cursing and screaming: "This is ours, not yours! Give me the money back!" We left him the land, the house, a cow and a horse, all our crops and all our property. We even left flour, potatoes and all the food that we had stored in preparation for the winter. Before we left, [the new Serbian occupant] made my father-in-law show him where we planted our crops this season.

### **Forced Labor**

Non-Serbian men and, more recently, women have been forced to labor in work gangs in the Bosanska Krajina and Bijeljina regions. They have been forced to dig trenches along the front lines, till the fields, chop wood, sweep city streets and perform other labor for Bosnian Serb authorities and civilians. They are not paid or otherwise compensated for their work. In the Bijeljina area, some Muslim families were exempted from forced labor duty only after they forfeited most of their crop yields to the Bosnian Serb military and civilian authorities. In some cases, those who delivered their crops were nevertheless conscripted into work gangs. In sum, non-Serbs are being used as slave labor by the Bosnian Serb authorities in northern Bosnia, and the status of Muslims in the Bijeljina area resembles that of serfs.

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<sup>48</sup> Interviewed by Human Rights Watch/Helsinki representatives in Tuzla, Bosnia-Herzegovina, September 1994

A.T.,<sup>49</sup> a fifty-three-year-old warehouse attendant from Banja Luka, spent two years either in hiding or reporting for mandatory forced labor duty before finally receiving approval from the Bosnian Serb authorities to leave. According to A.T.:

[When the war in Bosnia-Herzegovina began], I sent my wife and kids to Holland right away. I stayed and worked until last year hoping things would somehow get better. But then I had to leave my job in July [1993] because my Serb co-workers told me if I didn't [leave], I would have my throat slit. By then, non-Serbian men had absolutely no freedom of movement in Banja Luka. Men were not allowed to leave their houses or apartments under any circumstances.

Immediately after I left my job, I was notified that I had to report for forced labor duty. Eleven men and I had to collect and stack a ten-meter pile of wood every day. We worked from eight to ten hours a day for twenty-five days until I couldn't take any more - I'm an older man and I have medical problems; I had to hide. The Serbian authorities then wrote up a warrant for my arrest. I managed to live in hiding until this year when I was caught on the street by a Serbian civilian who demanded to see my documents. His name is Nenad Malešević; he's approximately thirty-seven years old. His brother was killed on the front line somewhere, so the local Serb government officials gave him the authority to round up non-Serbs for forced labor duty. He told me to report to his cafe the following morning; it wasn't really his cafe, it belongs to a Muslim, and he took it over last year.

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<sup>49</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Herzegovina, September 21, 1994

The next morning, thirty of us showed up in front of the cafe, and for the next seven months we worked seven to eight hours a day cleaning Serb villages and widening their roads. However, we were always frightened that on any given morning the military police might be waiting for us as we reported for forced labor duty. We lived in constant terror, hoping that we would be able to survive the next day. Then sometime around the end of the seventh month, four policemen and the chief of military division, "Šela" Šerić, showed up.<sup>50</sup> He promised that all men who presented medical disability documents proving that they were in some way unfit for hard labor would be transferred to perform lighter work duties. I was very suspicious of this announcement since I had a brother who had been in Dachau; he told me stories of similar tricks which the Nazis had carried out at the concentration camps. I told three of my friends not to trust them. It turned out I was right, because everyone who brought medical disability records with them were loaded onto a truck and taken to Doboj to dig trenches on the front line. They figured whoever had health problems was expendable. Men over sixty years were sent to dig.

F.L. from Prijedor<sup>51</sup> was first taken for forced labor duty in May 1994. According to F.L.:

The divisional military command center sent me a notice saying I had to report for work duty. The mailman left it in front of my house. I had to report to the railroad station at 7:00 in the morning on the following day. Ten of us arrived at the train station to report for work duty. We were all Muslims, I think. We couldn't speak to one another, and I didn't know who was who. The army called out our names from a list, and then we were told to get onto a train and we were taken to Modrić. Then we got on a truck with the driver and two military police officers and drove to Žrebani, near Gradačac.

They took us to a house on the front line; their command center was in the house. We arrived in the afternoon, at about 5:00 or 6:00 P.M.. We slept in the house that night but we didn't receive any food. In the morning we got some beans, rice and water. Their army ate the same thing we did. We also got about a quarter of a loaf of bread. We were fed daily but sometimes we went without any breakfast.

The Četniks from Prijedor had their command center in Borovo Polje, which is near Gradačac. There was a barn next to the command center, and we would walk from the command center to work on the front lines. We would walk from Borovo Polje to Žrebani and back for work duty - it was about a twelve-kilometer walk. We passed the barn, and I saw the remains of human bodies in about 20 nylon bags - the kind in which fertilizer is stored; you could see the bones and the bodies must have been there for a long time. One of the Bosnian Serb soldiers, a Četnik from Prijedor named Zoran, told me the following: "Here

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<sup>50</sup> The witness did not specify to which military division Šerić belonged to.

<sup>51</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Herzegovina, September 21, 1994.

in these bags are many that have been killed, but no one has inquired about their bodies and they are not sought in prisoner exchanges." I presume the bodies in the bags were those of Croats because Borovo Polje had been a Croat-populated village before the Četniks took it over.

We dug trenches along the front lines in Žrebani. The Četniks would not wear uniforms along the front line so that they would not get shot from our guys [Bosnian government forces] on the other side of the line. Indeed, the whole time we spent on the front lines, our guys never once shot at us. The local Serbs in Žrebani were good to us. They hated the Četniks who came from Prijedor. I told them I was in Keraterm [detention camp], and they told me that I should sit down if I was not capable of working. We were there for thirty-five days, and not once did the local Serbs in Žrebani call me a "Balija"<sup>52</sup> or insult me. A Ljuban Panić -a Cetnik from Ljubija [near Prijedor] - came to our work gang and pulled out G.D. and started to beat him; Panić wanted to kill him but a local Serb named K. who worked in the local command center in Žrebani saved him and watched over us.

F.L. worked in Žrebani until early June 1994. He was then brought back to Prijedor and allowed to go home, where he stayed until his flight from the region in mid-September. F.L. had to obtain permission to leave Prijedor from the Bosnian Serb military. His permit was signed by Budimir Ranko from the so-called "Defense Ministry, Region of Banja Luka, Division of Prijedor."<sup>53</sup>

N.L., a fifty-seven-year-old housewife from Mrkonjić Grad,<sup>54</sup> described the type of work her sons were forced to perform during the past two years:

My two sons and their families lived with me and my husband. Both my sons had been conscripted into work gangs. My older son had been conscripted in September 1992, when he was told to bring a shovel, an axe and a can for food. He has been travelling around Bosnia chopping wood for the Četniks in Manjača, digging trenches on Goleš, and doing similar work elsewhere. He was on work duty non-stop, and we rarely saw him. My younger son was conscripted in June 1992, and he was in Mrkonjić Grad the entire time. He dug canals for the water system in Trjebovo and unloaded wood for seven months during the winter.

N.N. from Janja<sup>55</sup> was picked up by the Bosnian Serb army in mid-July 1994 and taken to the front lines for forced labor. According to N.N.:

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<sup>52</sup> A derogatory term for a Muslim.

<sup>53</sup> The witness showed a Human Rights Watch/Helsinki representative the document described here.

<sup>54</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Herzegovina, September 21, 1994.

<sup>55</sup> Interviewed by Human Rights Watch/Helsinki representatives in Tuzla, Bosnia-Herzegovina, September 1994.

They [the Bosnian Serb Army] took us to Brka, a village near Brčko, to the position of the Second Posavska Brigade. They lost territory, the front line was moved and we dug trenches. We didn't stop even to close our eyes the first two days. Trucks brought wooden boards and other construction material, and we carried it about four kilometers to the front lines where we fortified the trenches. While it was daylight, the Bosnian army [on the other side of the front line] didn't shoot at us, because they knew who we were, but at night they did, not knowing whether it was us or them [Bosnian Serb soldiers].

We received no food for the first two days. Only when we finished with the trenches did they give us dinner. From then on, we got one meal every day and later they started giving us two. We slept on the concrete floor in a house that had no windows or doors. Anyone who raised his head would get hit with a fist or a shovel.

The worst of them all was a tall, dark man, about thirty-two-years-old, called "Slovenac" - he had been a border officer in Maribor [Slovenia] before the war - and "Minus," of slight build and about twenty-five years of age.

We were released after thirteen days when the next shift [work gang] arrived. We all survived, but were completely exhausted by the time we returned home.

J.H.<sup>56</sup> was picked up by the police in his house in Janja on the morning of July 15, 1994. He was told that he was being summoned for a brief "informative talk" with the police. Only after J.H. was ordered to get on a truck to find another thirty-eight men inside did he realize that they had other plans for him. According to J.H.:

They took us to Hase, [a village] between Bijeljina and Tuzla, and put us in an old school building. We were told to stand one by one against the wall. Then they took us, one at a time, into an office where one soldier in camouflage uniform took our names. They took everything that we had except cigarettes and lighters. Those soldiers were living in Janja and claimed to be displaced persons from Potpeć. One soldier was called Ljuban; I didn't know the others.

After that, they took us into another school room and then again we had to stand against the wall. They brought three men from Bijeljina who were about fifty-five to sixty-years-old. They began to beat them with fists, clubs and rifle butts. There were five or six of them, and they were taking turns beating the three. We had to stand and watch. This lasted for two or three hours. I thought that one of them was going to die because he was hit with a rifle butt in the ribs. They could hardly walk. After all that beating, someone came in and asked if they

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<sup>56</sup> Interviewed by Human Rights Watch/Helsinki representatives in Tuzla, Bosnia-Herzegovina, September 1994.

had been beaten, and they had to say "No" because they were so terrified. He kept on hitting them and asking them.

It began to get dark. We heard the sound of someone being beaten in another room. Later we found out that they had brought two men from Bijeljina, Ahmet Grošić and his nephew, Namik Grošić. One of the commanders came into our room and asked if we knew of any crimes that the Grošićs had committed against the Serbs. We were terrified, and we remained quiet. He said, "You are all the same, and you will each get a blow for this!"

A truck then arrived. Four of them stood on the steps with rifles and they were hitting each of us and ushering us into the truck. One by one they were hitting us with rifle butts. Some got harder blows than the others. We all got into a truck. They closed the back and tied down the cover. It was really hot. There were forty-five of us altogether, including the men from Bijeljina. After about two hours of just standing there in the heat, we left in the direction of Tuzla. There was a little hole in the cover, and I could see where we were going.

The men eventually arrived at the soccer stadium in the village of Lopare. They were placed in a small room, barely big enough for them to stand in. The next morning they got some food and were divided in two groups: one was sent to a military unit near Jablanica to work, while J.H. and another twenty-one men were sent to work on a farm in Mačkovac. According to J.H.:

We were doing field work on a farm. We got two meals a day. We slept in a room. There was a group of eleven people who had already arrived earlier. They apparently had a regular work obligation. They worked seven-day shifts and then returned home. The [Bosnian Serb] army was not there - only civilians - and there were no problems.

After seven days, a military truck arrived and took all but two of us to [the area near] Jablanica. We were sent to the front lines to dig trenches, bunkers, carry food, carry the wounded and the dead away. We did everything we were told. We slept in an old house. We had enough food, [we ate] the same as the [Bosnian Serb] army: two meals a day - one at 7:00 A.M. and the second at 8:00 or 9:00 P.M.. We worked six or seven, or sometimes ten or twelve, hours [per day], depending on the situation. The [Bosnian Serb] army was guarding us while we worked. They were in shelters, and we were exposed. They treated us relatively well, but the work was dangerous. One man from Bijeljina was killed by a shell when they were returning from work. They beat us only when their comrades got killed.

After thirty-seven days near Jablanica, J.H. was transferred to another camp, Donja Krčina. The conditions were a little better than in the Jablanica area, but the men were forced to perform the same kind of work. After six days in this unit, J.H. was released on September 2, 1994, due to his poor health. He returned home but was subsequently expelled from Janja.

S.N., a forty-four-year-old woman from Janja,<sup>57</sup> recounted how her son was forced to join a work gang:

[A Serbian man named] Pero came three times last year to get my son, J.N., but I hid him every time. On January 1, 1994, Pero came at dinner time and finally caught my son. Pero gave him a notice saying that he was to report to forced labor the next morning, or his family would pay. He spent two weeks on Majevisa digging trenches. My son later told us that the workers had been harassed, but not beaten. Until May 8, 1994, my son worked several two-week shifts on Majevisa, with one week off in between. Then he stepped on a nail, and could not walk or work, so he went into hiding.

On May 12, 1994, Pero came to call S.N.'s younger son for work duty once again but, not finding him, ordered S.N.'s husband to report for work duty. According to S.N.:

On May 12, Pero came for my son again, and we told him that J. had fled to Serbia. My husband, K.N., age 45, and younger son were at home with me. My younger son worked in Brčko for a year, and Pero reluctantly let him go. Instead, he took my husband's identification card and all his documents and told him to report to him the next day. He insulted and cursed us.

My husband said that he had sick kidneys and that he couldn't work. "In that case," said Pero, "you can swim across the Drina [river which divides Bosnia and Serbia]!" My husband replied that he would go nowhere since this is his home. Pero got angry at that and punched my husband in the face with his fist and kicked him in the stomach.

My husband had to report to the front the next day. He was killed less than twenty-four hours later in the fighting. They didn't bring his body back, and instead told me that he had been captured [by the Bosnian army]. Only here in Tuzla did I receive confirmation of his death.

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<sup>57</sup> Interviewed by Human Rights Watch/Helsinki representatives in Tuzla, Bosnia-Herzegovina, September 21, 1994

According to witnesses, some non-Serbian women in the Bosanska Krajina area also have been receiving notices ordering them to report for work duty. C.T.<sup>58</sup>, the thirty-four-year-old woman from Ljubija recalls:

I waited as long as I could, thinking things would get better, but it only got worse. Muslims were not only stripped of their social security but were banned from receiving any sort of medical treatment. Three days before we left I received a document - an order to report for forced labor duty. Up until then only Muslim and Croat men were forced to work; now since the whole area is almost cleansed of Muslim and Croat men, the Serbs are rounding up women to work for them. Young women and any mothers who have kids older than seven years old are obligated to work fifteen-day shifts. I was supposed to be sent to Brčko.

C.T. left Ljubija in order to avoid reporting for work duty.

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<sup>58</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Herzegovina, September 21, 1994

Fifty-seven year-old T.I.<sup>59</sup>, a retiree from Prnjavor, also stated that women were now beginning to be forced to join work gangs. According to T.I.:

Just before we left - on September 17th [1994] - the Serb authorities passed a law stating that non-Serb women were required to report for forced labor duty.

According to displaced persons from the Bijeljina area, local Bosnian Serb authorities required Muslims to grow crops for the Bosnian Serb military and civilians. R.O., a farmer from Janja,<sup>60</sup> explained how he became what is known as a "donor" in the local war-jargon:

I was working in the fields as if there was no war. Since 1992, we were limited to selling the crops in Bijeljina and Janja since we couldn't cross into Serbia as we had done earlier. The easiest way to sell was to set up a stand in front of your house. The [Bosnian Serb] army often came by and took as much as they wanted without paying.

In the spring of 1993, the [Bosnian Serb] army announced that those who wanted to protect their property and be pardoned from military service would have to donate a part of their crops to the military. They would announce that they needed - say 1,000 kilograms of potatoes - and we, the donors, would divide that among ourselves and each give as much as one could. In 1994, they requested that each household work three fields for the army, so each one had to turn over a large quantity of potatoes to them.

We grew vegetables and melons. In the past two years, Serbian civilians would come to our fields and pull out anything they needed. Often, two or three Serbian women would come with one armed man. One would not dare to protest.

R.O. and the other "donors" were abused. Many were beaten, their houses were looted, and displaced persons moved into their homes. They were drafted for forced labor duty and finally expelled from the self-proclaimed "Republika Srpska."

## **Terrorization and Harassment**

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<sup>59</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Hercegovina, September 21, 1994.

<sup>60</sup> Interviewed by Human Rights Watch/Helsinki representatives in Tuzla, Bosnia-Hercegovina, September 1994

In addition to the physical attacks and forced labor duties described above, Bosnian Serb authorities have succeeded in instilling a general climate of terror among non-Serbs in the Bosanska Krajina and Bijeljina regions. Almost every witness interviewed by Human Rights Watch/Helsinki representatives stated that he or she rarely, if ever, left home due to fear of being murdered, beaten or disappeared while in the streets. According to F.L. from Prijedor<sup>61</sup>:

I did not dare walk out of my house. I stayed in the attic, and people frequently threw rocks at my windows or shot at the house. A friend of mine would bring me food, but I did not leave my house because they would have killed me. I hid for two years. People were being killed on the road, and I wouldn't have been caught dead walking outside. I stayed in my house from the day I was released from the Keraterm concentration camp on August 13, 1992, until I came here [to Bosnian-government-controlled territory] on Saturday [September 17, 1994].

Thirty-four-year-old C.T.<sup>62</sup> from Ljubija explained how the general situation for non-Serbs drastically deteriorated in Ljubija in the past two years:

My children - a thirteen-year-old son and an eight-year-old daughter - and I would often run out of our house at night and hide because the Serb military police raided and terrorized Muslim homes; but none of the Serbs I saw were local, they were all outsiders. I was lucky because after my father and brother were killed,<sup>63</sup> I was left alone; my neighbors and friends, however, were always getting [harassed]. The military police would steal everything from electronic equipment to food, and then you were left with nothing. What made things worse is that Muslims were not allowed to buy anything. You couldn't go to a store for fear of being beaten up or taken away to jail; other times they just wouldn't sell you anything if they knew you were a Muslim.

Fifty-seven-year-old T.I.<sup>64</sup>, a retiree from Prnjavor reported that Muslims were already subject to abuses at the end of 1991 while the war in Croatia was taking place and when Serbian extremists started appearing in the Prnjavor area. He further described the constant terrorization that he experienced before having to pay Bosnian Serb authorities in order to get permission to leave:

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<sup>61</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Hercegovina, September 21, 1994.

<sup>62</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Hercegovina, September 21, 1994.

<sup>63</sup> See preceding section concerning murders and beatings for an account of the murder of the witnesses' father and brother.

<sup>64</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Hercegovina, September 21, 1994.

Of the roughly nine-and-a-half thousand people living in Prnjavor, approximately six thousand were Muslims. Nevertheless, Muslims were already being kicked out of their houses and apartments and being fired from their jobs in 1991 after the elections in which the nationalist parties dominated.<sup>65</sup> In April of 1992, three Četniks came to my house - one's name was Vlado; he was approximately forty years old. I knew him because he was from Prnjavor. The other two said they were Serbs from Zenica. Vlado wanted my wife and me to get out of the house so his parents could move in. I told him I wouldn't leave under any circumstances. Then three or four days later, around 5:00 in the afternoon, another three Četniks showed up at my house with dynamite and one of them was yelling, "I've killed enough Muslims! Get out!" Again, after a brief quarrel, they left.

During the last two years, non-Serbs had to supply Serbs with food and anything else they needed. We had to give all our livestock to their soldiers. They would come into our houses to see what we had and every month their trucks would drive through the neighborhoods collecting whatever they wanted. Most of the humanitarian aid that was delivered to us went directly to them; once in a while my wife would manage to get a little something from Merhamet.<sup>66</sup> All my wheat and my cow were taken away by the Serbs. In addition, old Serbian women would go around to non-Serb houses, including mine, and light up the hay which we had just reaped and there was nothing we could do about it. At the end of 1993, each non-Serb household had to pay the Serbian people's defense headquarters [stamb narodne odbrane] an annual fee of 100 German marks [\$66]. Whoever had any sort of family living abroad had to pay 200 German marks [\$133].

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<sup>65</sup> Human Rights Watch/Helsinki has not been able to confirm the witness's allegations concerning harassment of non-Serbs in the Prnjavor in 1991. However, such harassment and heightened Serbian paramilitary and military activity did take place in the Trebinje, Mostar and Banja Luka areas in 1991, during the war in Croatia. For further information regarding such events, see Helsinki Watch, *War Crimes in Bosnia-Herzegovina, Volume I*, (New York: Human Rights Watch, August 1992), pp 23-26.

<sup>66</sup> An Islamic humanitarian organization  
Human Rights Watch/Helsinki

I didn't leave my house for six months except at night when I would often have to run into the cornfields and sleep. The Serbs were constantly raiding our homes and terrorizing us. Our mosque was mined right before Ramazan<sup>67</sup>. We managed to fix it up, but on the second day of Bajram<sup>68</sup> they blew it up completely. Our mezare [Muslim graveyards] were leveled so that the Serbs could make more room for new artisan shops. We were forced to bury our dead in our yards.<sup>69</sup> I had a grenade thrown at my house in March, too. Then, in August of this year, Drago Djurić, president of the SDS [Srpska Demokratska Stranka - Serbian Democratic Party] and Radivoj Radivojević, mayor of Tešanj, announced over the PA system that a new law was in effect in Donji Smirčići which stated that Muslims had no rights and guarantees of safety.<sup>70</sup> We then knew that we had to get out.

N.L., a housewife from Mrkonjić Grad,<sup>71</sup> and her family were subject to constant terror for more than two years. According to N.L.:

Četniks broke into our house in 1993 and we had to give them our money. We covered our windows with wood because if there was light in our windows, they would shoot into the house. We barricaded our door so that soldiers couldn't break it down. Members of my family were all fired from their jobs in 1992. I worked in the wood factory and one day my director came to me and said, "Muslims don't have room here. Here is your work log (radna knjižica). There is no room for you here." Both my sons had to report to work duty. Croats also had to report for work duty; they were as mistreated as we [Muslims]. I had to sell my television, sheets and other household things to get money to buy food for my family. I would go to the marketplace to sell my belongings, and people would spit at me and kick me. We were a minority, and they could do what they wanted with us. There were 5,000 to 6,000 of us [Muslims] before the war and only 136 were left, but we all left this week and now there are no Muslims in Mirkonjić Grad - only Serbs.

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<sup>67</sup> For all Muslims, Ramazan is the month of fasting, praying, carrying out all religious responsibilities, and in general, living a heightened Islamic life.

<sup>68</sup> Bajram or more accurately Ramazanski Bajram, is a three-day holiday celebrated by all Muslims after ending a month-long fast.

<sup>69</sup> See footnote number sixteen for relevant information concerning Islamic burial services.

<sup>70</sup> At this point the interviewee notes that he was aware of a number of families in Prnjavor who converted from Islam to Christian Orthodoxy in the hope that raids on their homes, terrorization and abuses against family members would decrease or cease to take place. He also stated - as did other refugees interviewed by Human Rights Watch/Helsinki representatives - that the Christian Orthodox religion had become a required subject in the local schools. Human Rights Watch/Helsinki has not been able to verify these assertions.

<sup>71</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Herzegovina, September 21, 1994.

As in Bosanska Krajina, non-Serbs in Bijeljina and Janja lost their jobs. Muslim men were required to report for work duty and were not paid. Some worked on the front lines, while others remained in their respective towns. Many Muslim families depended on humanitarian aid, but most Muslims interviewed by Human Rights Watch/Helsinki representatives claimed that they never received such aid. According to P.L.:<sup>72</sup>

The humanitarian aid that arrived in Janja and was to be distributed to the Muslims was sold in the shops. Meanwhile, every displaced Serbian family received fifty kilograms of flour every week. They received other food, clothes and shoes too. The UNHCR delivered three kilograms of flour and a liter of oil to us once every two months, and not consistently.

Serbian civilians and soldiers robbed Muslim homes with impunity in Janja. P.L. described a typical scenario to a Human Rights Watch/Helsinki representative:

Our house was robbed twice. The first time, three men in army uniforms - two of whom had stockings over their heads - burst into the house at 1:00 A.M. screaming, "If you utter a word, we will skin you!" They took the television set and the video-cassette recorder. The second time they didn't find anything they liked, but they frightened us all the same.

## **Extortion**

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<sup>72</sup> Interviewed by Human Rights Watch/Helsinki representatives in Tuzla, Bosnia-Herzegovina, September 1994

After living in fear for more than two years, many non-Serbs are trying to leave the Bosanska Krajina and Bijeljina areas. However, Bosnian Serb officials have required that they obtain permits from the local Red Cross, utility services, banks, the military and other agencies before being allowed to leave the area. Non-Serbs - most of whom have no source of income - are required to pay for the issuance of documents necessary for exit papers.<sup>73</sup> After such documents are obtained, non-Serbs wishing to leave approach a private agency operated by local Serbs, or a local governmental or "humanitarian" relief agency, which transports non-Serbs to the borders of Bosnian-government-controlled territories. The cost for transport of each individual is anywhere between one hundred to several thousand German marks. According to N.L. from Mrkonjić Grad:<sup>74</sup>

We sold all our furniture to raise the 1,200 German marks [\$800] we needed to leave. There is a private agency that facilitates your departure. Before we left, we needed to get notices from the electric company, the plumbing company, the telephone company, the post office, the bank and the tax office stating that we had paid all our bills. We had to pay 240 German marks [\$160] to the office of the mayor in order to get an exit permit, and we had to give them the keys to our two houses.

According to C.T.<sup>75</sup>, a thirty-four year-old woman from Ljubija:

I finally took all the money I had left and paid approximately 400 German marks [\$266] to receive all the proper documents they required you to "buy." I paid the Serb authorities for electricity, heat, telephone, garbage collection, and for a few other things so that I could receive permission to leave. The Serbs came to my house in order to add it to some list; then some Serbs came to look at our house before we even left. We were driven out of Prijedor with a convoy of seven or eight buses full of people.

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<sup>73</sup> For a detailed account of this procedure in the Banja Luka area, refer to Human Rights Watch/Helsinki, *War Crimes in Bosnia-Herzegovina: U.N. Cease-Fire Won't Help Banja Luka*, (New York: Human Rights Watch, June 1994).

<sup>74</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Herzegovina, September 21, 1994.

<sup>75</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Herzegovina, September 21, 1994.

Fifty-seven-year-old T.I.<sup>76</sup>, the retiree from Prnjavor, detailed the documents he and his wife needed to obtain before they could leave Serbian-controlled areas:

My wife and I wanted to leave once before - in March of 1993; we decided to go to Hungary since they were accepting refugees at the time. I had to pay the Serbian Red Cross 3,200 German marks [\$2,133] for our bus tickets. But when our bus got to the border, they let the bus in front of us pass and they turned ours back. We never got our money back; the Serbian Red Cross just kept it.

Since non-Serb men couldn't show their faces outside, my wife had to chase around town looking for numerous bureaucratic documents without which we couldn't get approval to leave. I had to sign over all my material possessions to the municipal authorities - my house and my land and any other property I owned. I then had to pay the court fifty German marks [\$33] for a document confirming that I have no criminal record and fifty German marks for a document from the police that stated that I was not being criminally investigated. I also had to pay fifty German marks for a document that confirmed that I did not own a license to bear arms, and eighty German marks [\$53] for a document stating that I was canceling my telephone number. I then paid five German marks [\$3] for a document stating that I was disconnecting my electricity, another five German marks for a document confirming I didn't owe any rent to the housing commission, and forty-five German marks [\$30] for three documents canceling my accounts at the economic bank of Banja Luka, Jugobanka, and the SDK [Služba Društvenog Knjigovodstvo - Office of Regional Accounting]. In addition, I also had to pay 116 German marks [\$77] for confirmation of resettlement and 125 German marks [\$83] to the Red Cross for transportation expenses to Turbe [a town near the Bosnian-government- controlled city of Travnik], plus fifteen German marks [\$10] per bag that my wife and I planned to take with us.

According to L.D., a sixty-seven-year-old Muslim man from Prnjavor,<sup>77</sup> even Serbs who lived abroad but retained property in the Prnjavor area were required to pay the local authorities in order to keep their property and be granted permission to leave the area after a visit. According to L.D.:

My sister-in-law came to visit us from Germany in August or September of 1993. She is a Serb and is married to a Muslim. She and her husband live in Germany but they also have a house in Prnjavor. When she arrived in Prnjavor, people provoked her because she is married to a Muslim. My sister-in-law was threatened that she would not be able to leave Prnjavor if she didn't pay 1,200 German marks [\$800] to the municipal authorities. The mayor of Prnjavor is Nemanja Vasić. [My sister-in-law] had to pay the money even though she couldn't live in her own house in Prnjavor when she came to visit - a military police officer was living in her house, and she had to stay with a neighbor.

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<sup>76</sup> Interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Hercegovina, September 21, 1994.

<sup>77</sup> Interviewed by Human Rights Watch/Helsinki representatives in Han Bila, Bosnia-Hercegovina, September 24, 1994.

Vojkan Djurković, "president" of the local "Commission for the Exchange of the Civilian Population" in Bijeljina and his cronies created an atmosphere of terror among the local Muslims who then started signing up for their "transport" from the Bijeljina area, paying a "registration fee" of at least 200 German marks [\$133] per person. Adult men who paid anywhere between 1,800 and 2,500 German marks [\$1,200 to \$1,666] were promised safe transport across the front lines. However, many of these men were taken off the trucks by Djurković and remain in captivity to this day.

P.S., a thirty-eight-year-old woman,<sup>78</sup> described how she and her two children travelled to Tuzla:

The displaced [Serb] that moved into my house about twenty days before we left said that he was told to make sure I didn't sell anything from the house. Others were selling things for ridiculously low prices: a cow was worth a mere 200 German marks [\$133]. When the displaced [Serb] saw that we had absolutely no money, he let me sell a few pieces of furniture.

On September 18, 1994, we were told to gather in Palutine [a part of Janja] at 5:00 A.M.. The trucks arrived about 11:00 a.m.. We waited there until 1:00 P.M.. There were eleven large trucks, about 150 people on each one. They drove us to the school in Priboj. There, one tall, slim, dark man, with a short beard, about forty years old, jumped on the truck with a plastic bag in his hand and said: "Put all your money in this bag. If I find one German mark on you later, I'll kill you!" I put my last one-hundred German marks [\$66] in the bag.

Then we were told to get off the trucks with our bags. When we were searched -they took money, jewelry, coffee and cigarettes - the men were told to step aside. We were told to get back on the trucks and were subsequently dropped off between the Bosnian and Serb lines. We walked for about two hours before reaching our [Bosnian army] soldiers.

R.J.<sup>79</sup> recounted a similar experience:

About 3,000 of us gathered on September 17, [1994] at 11:00 a.m., in Palutine, as Vojkan ordered us to do. Twelve large trucks came and we got on. The trucks were crowded, there was no place to sit. They managed to search eight trucks, [but four] were left for the morning. We spent the night in the trucks, in a field somewhere on Majejica [mountain].

Some drunken Serb soldiers drove past us and shot in the air above the trucks, cursing us. About 4:00 A.M. we moved on towards the school in Priboj where we were searched. They took all men who were born between 1935 and 1976 away. We waited until dawn in the

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<sup>78</sup> Interviewed by a Human Rights Watch/Helsinki representative in Tuzla, Bosnia-Hercegovina, September 1994.

<sup>79</sup> Interviewed by a Human Rights Watch/Helsinki representative in Tuzla, Bosnia-Hercegovina, September 1994

trucks. When people started passing out, they opened the trucks to give us some air. In the morning, we walked to our [Bosnian government-held] positions.

S.N., a forty-four-year-old woman from Janja,<sup>80</sup> left her home after her husband was killed while on work duty.<sup>81</sup> Although she and her sons paid the necessary fees for safe transport, her three sons were taken off the bus that was to have taken them to Bosnian-controlled areas. According to S.N.:

A week before we left Janja, one old Serbian women started coming to our house threatening us to leave. She said: "Leave, Balije,<sup>82</sup> there is no room for you here!" I was very ill and was receiving infusions at the Bijeljina hospital, where I spent several weeks. My son brought me home in a wheelchair and put me on a truck for Tuzla. My sons paid 200 German marks [\$133] as a registration fee to Vojkan for each family member, and he took an additional 1,500 German marks [\$1,000] from us on Majevisa. Nevertheless, he took my three sons - ages nineteen, twenty-one and twenty-three - off at Majevisa on September 18, 1994. After we were told to get off the buses and walk to the Bosnian army checkpoint, I fainted and fell out of the wheelchair. The UNHCR took me straight to the Tuzla hospital.

Vojkan Djurković and his colleagues collected hundreds of thousands of German marks from terrorized Muslims in the Bijeljina area who paid fees in exchange for transportation and promised freedom. According to U.I.<sup>83</sup>

Vojkan took 2,400 German marks [\$1,600] for me and 2,400 German marks for my son. The women had to pay 200 German marks each. Between the fifty-four of us in my [extended] family, we paid [Vojkan] a total of 34,000 German marks [\$22,666].

### **Arrest of Muslim Political Leaders**

Most Muslim and Croatian community and political leaders were killed or detained in detention camps and later fled the area in 1992, so that much of the Muslim and Croatian intelligentsia in Bosanska Krajina were eliminated during the early stages of the war. The few political activists who remained in the Banja Luka area were recently arrested and remain in detention as of mid-September in violation of their rights to free expression and speech.

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<sup>80</sup> Interviewed by Human Rights Watch/Helsinki representatives in Tuzla, Bosnia-Hercegovina, September 21, 1994.

<sup>81</sup> See section regarding forced labor for an account of S.N.'s husband's conscription into a work gang.

<sup>82</sup> A derogatory term for Muslims.

<sup>83</sup> Interviewed by Human Rights Watch/Helsinki representatives in Tuzla, Bosnia-Hercegovina, September 1994

According to witnesses interviewed by Human Rights Watch/Helsinki representatives,<sup>84</sup> two plainclothes police officers and four dressed in camouflage came to the home of Zihudin Smajlegić at 6:30 A.M. on August 31, 1994. They arrested Smajlegić and four other men (Safet Filipović, Smail Džuzel, Asim Kričić and a man whose first name is Osman),<sup>85</sup> members of the predominantly Muslim Party for Democratic Action (Stranka Demokratske Akcije - SDA) who had written appeals describing the abuses against Muslims in the Banja Luka area during the past two years. These appeals were faxed to various international institutions and a fax machine, typewriter and other office materials were stored in Smajlegić's home.

The group's office equipment was confiscated at the time of Smajlegić's arrest. According to witnesses, hours after his arrest seven uniformed men and three civilians returned Smajlegić and his office equipment to his home, where a television crew apparently taped Smajlegić and the confiscated office equipment. Smajlegić was then taken back to detention. According to witnesses, the five men remain detained in the "mali logor" [small camp] prison in Banja Luka. The civilian police handed over the men to a military court before which they are awaiting trial. According to witnesses, the military judge in charge of their case is Slavko Stupar.

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This report is based on a mission conducted by Ivan Lupis, associate to Human Rights Watch/Helsinki, Vlatka Mihelić, associate to Human Rights Watch/Helsinki and Ivana Nizich, research associate to Human Rights Watch/Helsinki, during September and October of 1994. This report was written by Ivan Lupis, Vlatka Mihelić and Ivana Nizich, and edited by Jeri Laber, executive director of Human Rights Watch/Helsinki.

***Human Rights Watch/Helsinki (formerly Helsinki Watch)***

Human Rights Watch is a nongovernmental organization established in 1978 to monitor and promote the observance of internationally recognized human rights in Africa, the Americas, Asia, the Middle East and among the signatories of the Helsinki accords. It is supported by contributions from private individuals and foundations worldwide. It accepts no government funds, directly or indirectly. Kenneth Roth is the executive director; Cynthia Brown is the program director; Holly J. Burkhalter is the advocacy director; Gara LaMarche is the associate director; Juan E. Méndez is general counsel; Susan Osnos is the communications director; and Derrick Wong is the finance and administration director. Robert L. Bernstein is the chair of the board and Adrian W. DeWind is vice chair. Its Helsinki division was established in 1978 to monitor and promote domestic and international compliance with the human rights provisions of the 1975 Helsinki Accords. It is affiliated with the International Helsinki Federation for Human Rights, which is based in Vienna, Austria. Jeri Laber is the executive director; Holly Cartner, counsel; Erika Dailey, Rachel Denber, Ivana Nizich and Christopher Panico are research associates; Anne Kuper, Ivan Lupis, and Alexander Petrov

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<sup>84</sup> Those providing testimony asked that their names not be disclosed. They were interviewed by Human Rights Watch/Helsinki representatives in Bugojno, Bosnia-Herzegovina, September 21, 1994.

<sup>85</sup> The witnesses did not know the man's last name.

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