

## **NGOs Criticise War Crimes Trials in Croatia**

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They say their monitoring of two dozen war crimes trials last year reveals many weaknesses. War crimes trials in Croatia remain hampered by political pressure and must be improved urgently before the Hague tribunal closes its doors, activists and politicians said at a conference held in Zagreb last week.

In a report presented at the event, three Croatian NGOs – Documenta, the Osijek Center for Peace, Nonviolence and Human Rights, and the Citizens' Human Rights Committee – outlined many weaknesses in the way in which local war crimes trials are conducted.

They cited an adverse political climate, insufficient staff and technical support, weak protection of witnesses and in absentia cases.

In 2008, these NGOs monitored two dozen war crimes trials held in Croatia and the report presented in the Croatian capital on March 24 was a compilation of their findings.

“The judicial, executive and legislative bodies of Croatia have not made the expected and necessary step forward,” director of Documenta Vesna Terselic told the conference.

“Neither the administration of justice, nor the executive government has made any progress in trials [or] in creating a favourable atmosphere for witnesses. There are still problems when victims testify.”

Speaking of the politically charged atmosphere surrounding war crimes, Terselic noted that the Croatian parliament's decision to release from custody member of parliament Branimir Glavas – accused of war crimes against nine Serb civilians in Osijek in 1991 – was blatant interference into the theoretically independent judiciary and a “clear demonstration of the power of politics”.

In September last year, delays in the prosecution of Glavas, caused by the summer recess and wrangling over a co-defendant's legal representation, led to a breach in prosecution time-limits. This meant by law a retrial would have to be held and Glavas was released from custody pending further proceedings.

During his address at the conference, deputy state prosecutor Antun Kvakan said that some progress had been made in holding war crimes trials.

Croatian president Stjepan Mesic, who also spoke at the event, pointed out that with the Hague tribunal's mandate fast approaching its end, very soon the complete responsibility for trials of war crimes committed in Croatia would lie exclusively with domestic courts.

“We have laws and we enforce them, let's not manipulate them,” said Mesic.

“By strict enforcement of laws we should ensure concrete trials for war crimes, revise the processes where

there's a founded suspicion that they have not been conducted properly, continue investigations, and open processes against all identified war criminals.

“During all this – and I cannot stress this enough – we have to cooperate as much as possible both with prosecution bodies and judiciary systems of the [other] countries in the region.”

In 2008, Serbs made up the majority of defendants in war crimes trials in Croatia.

Over the first nine months of the last year, out of 72 suspects tried in war crimes trials across eight county courts, 45 were Serbs.

Nine of the trials involving 17 defendants reached final verdicts, with eight Serbs and six Croats convicted, and two Serbs and one Albanian acquitted.

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