

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

AI Index: EUR63/005/2014

5 December 2014

## **Bosnia and Herzegovina/Serbia/Montenegro: Arrests in Štrpci abduction case: progress at last, after 21 years**

Amnesty International welcomes the joint operation of the authorities in Bosnia and Herzegovina and Serbia that led to today's arrest of 15 people suspected of the abduction and killing of train passengers in 1993.

Twenty people were abducted near Štrpci railway station from a train traveling from Belgrade to Bar on 27 February 1993, while it was travelling through Bosnia-Herzegovina. The twenty victims, mainly Bosniaks from the Sandžak area of Montenegro, were kidnapped by Bosnian Serb military forces on the basis of their identity cards: 18 Bosniaks, one Croat and one person of unconfirmed nationality. They were taken to a village near Višegrad, where they were allegedly robbed, tortured and killed. Their bodies were then thrown into the river Drina; only three of their bodies were recovered from Lake Perućac in 2012.

Today's arrests are a welcome and much needed example of cooperation between the former parties to the conflict. Of the 15 people, ten were arrested on the territory of Bosnia and Herzegovina, and five in Serbia, during a coordinated police operation. The arrests come following a joint investigation, based on a cooperation agreement last year between the two countries.

Those arrested today reportedly included Gojko Lukić, the brother of Milan Lukić, the leader of the "Avengers" paramilitary group and two commanders of the Bosnian Serb Army's Višegrad Brigade, Luka Dragičević and Boban Inđić. To date, only one person has been prosecuted: Nebojša Ranisavljević, a member of the "Avengers" paramilitary group was sentenced to 15 years' imprisonment in 2002 at the court in Bijelo Polje in Montenegro.

Evidence presented at the trial of Nebojša Ranisavljević, including documents submitted by the Serbian Railway Company, showed that the operation was planned, and that senior officials at the Ministry of Interior in Belgrade and in the Yugoslav People's Army were given advance information about the abduction.

Amnesty International is calling on the prosecutorial authorities in Serbia and Bosnia and Herzegovina, to ensure that their investigation goes to the highest level, and ensures that any senior Serbian officials reasonably suspected to be complicit with the abduction, and who failed to prevent the crime from taking place, are investigated for their command responsibility, under Article 371 on the Serbian Criminal Code for their, "Failure to Prevent Crimes against Humanity and other Values Protected under International Law".

Amnesty International reminds the authorities that under the International Convention for the Protection of All Persons from Enforced Disappearance, to which Serbia, Montenegro and Bosnia and Herzegovina are state parties, they are obliged to investigate and bring to trial all those suspected of criminal responsibility for enforced disappearance (the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person). The same obligation applies when the acts are committed by persons or

groups of persons acting without the authorization, support or acquiescence of the State.

The organization also calls on the relevant authorities to ensure that the relatives of the people abducted at Štrpci are provided with reparation, including compensation.

On 22 October 1992, another group of Bosniaks from the village of Sjeverin, in present-day Montenegro, was abducted - allegedly by the same paramilitary group - from a bus at Mioce, again in Bosnia-Herzegovina. Several other abductions are believed to have taken place in the Sandžak region during the same period, which also saw a systematic practice of ill-treatment by police, and attacks on life and property by paramilitary groups in an attempt to intimidate the local Bosniak population.

The organization notes that war crimes prosecutors in Serbia and Bosnia and Herzegovina have repeatedly faced obstacles in carrying out joint investigations in cases spanning across the borders, where witnesses and evidence were not directly accessible. Cooperation between police needs to be further strengthened.

Amnesty International notes that both countries still need to step up efforts to deal with the persisting backlog of unresolved cases of crimes under international law arising from the armed conflict of the 1990s. The organization also calls on the authorities to guarantee victims of these crime access to truth, justice and reparation.