

CIA EUR

95-40224

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Intelligence Report

DCI Interagency Balkan Task Force

19 October 1995



Croatia: Tomislav Mercep's Role in Atrocities



Croatian legislator and former paramilitary commander Tomislav Mercep is widely regarded--even within Croatian Government circles--as directly responsible for serious human rights abuses and other illegal acts during Croatia's 1991 war of secession. Since 1991, numerous allegations of atrocities committed by Mercep, or those under his direct supervision, have surfaced. Some of these charges have been corroborated by international organizations and surviving witnesses. Nevertheless, the Croatian government, apparently fearing Mercep's support among influential right-wing political leaders and his former troops, has avoided investigating the charges or moving to curb his influence.



Mercep: The Nationalist's Nationalist

An extreme nationalist member of President Franjo Tudjman's ruling Croatian Democratic Council (HDZ), Mercep is highly outspoken on questions of Croatian sovereignty and relations with other non-Croat ethnic groups. According to West European press, Mercep, a construction engineer by training, was born in Borovo Naselje and grew up in Vukovar, a region he currently represents in the Croatian legislature. A review of press and diplomatic reporting reveals the range of portfolios Mercep has held since 1991.

- National Defense Secretary in Charge of Vukovar -- 1991
- Assistant Minister, Internal Affairs Ministry -- 1992-93
- Chairman, Association of Refugees -- 1994
- Croatian Police Special Units Commander -- 1994
- President, Croatian Volunteers of the War for the Homeland -- 1994-present
- Deputy, House of Representatives, Representing Vukovar-Srijem Zupanija -- 1993-present.

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- Adviser to the Croatian Minister of Internal Affairs -- 1994-present.

Mercep appears to have begun gaining prominence in 1991 when, at the order of the HDZ, he organized the first unit of 2,000 volunteers to fight for Croatian independence. During that same year, while serving as National Defense Secretary in Charge of Vukovar, he is alleged to have committed or directed numerous atrocities, including the torture, killing, and disappearance of thousands of ethnic Serbs in Vukovar, Pakracka Poljana, Gospic, and Zagreb. Croatian press sources allege that Mercep was also involved in war profiteering and black-market arms sales.

Since his political rise in 1991, Mercep's activities have remained shadowy. According to press, he rarely participates in legislative debates and spends most of his time traveling around the country meeting with fellow members of the nationalist Croatian Volunteers of the War for the Homeland (UHDDR) organization. Nevertheless, Mercep, who reportedly began giving inflammatory speeches on Croatian independence in 1990, has given numerous press interviews that provide insight into his nationalist thinking and his interpretation of the allegations against him.

- Mercep, rather than denying that Serb deaths took place, insists the numbers are exaggerated or unimportant. For example, regarding 19 Serbs he allegedly killed in Pakrac, he told the German press in 1994 "what are 19 Serbs compared to what was done to the Croats?"
- Mercep also has defended his actions, asserting they were to "save Croatia." For example, Mercep states that his actions in Vukovar were not crimes, but "heroic acts in defense of the Croatian population."
- Stating that he is "not an advocate of yielding and endless negotiations," Mercep urged Zagreb's takeover of the Serb-held Krajina in 1994. He publicly threatened--and later carried out his threats--to organize demonstrations supporting an invasion.
- On the issue of Serb minority rights, Mercep stated in 1994 that "if the Serbs refuse to accept Croatia's constitution, I will personally issue an order to liberate Knin and so devastate it that no two stones will be left

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standing on top of one another."

- Although Mercep denies charges of war profiteering and black-market arms sales, he publicly admits being involved in the procurement of weapons for Vukovar that were paid for by the local population.

The Croatian Volunteers of the War for the Homeland

The Croatian Volunteers of the War for the Homeland (UHDDR)--an organization of veterans of the 1991 war--was founded on 19 February 1993 by Zvonimir Trusic, who, along with Mercep, is implicated in atrocities committed against civilians in Packracka Poljana. According to Croatian press quotes from UHDDR leaders, the organization was "conceived as an association outside and above political parties" and "as a non-governmental organization that would bring together those who went to war and took their status into their own hands without waiting for a call from the government."

Mercep was elected president of the UHDDR in April 1994, causing severe internal squabbling between his supporters and other members who disapproved of the election of a "war criminal", and suspected that Mercep wanted to use the organization as a political tool to gain more leverage on the government. Indeed, Mercep has indicated in press comments that he would like the UHDDR to become an organization of influence.

Mercep claims that the UHDDR has 300 chapters and over 200,000 members, whom he refers to as his "Croatian knights." He also told the press he intends to establish UHDDR chapters in Bosnia, and in May 1995, Dario Kordic--a Bosnian Croat and president of the Bosnian HDZ--reportedly was serving as a vice president of the UHDDR. Kordic is expected to be indicted by the UN War Crimes Tribunal, according to diplomatic reporting.

Mercep appears to play an almost patriarchal role in the organization. He travels around the country meeting with UHDDR members, offering unspecified types of assistance to families of UHDDR members killed in the fighting that has plagued Croatia since 1991. Various Balkan and Western European press reports indicate that he has a wide and loyal following in the organization.

A variety of sources indicate that Mercep--often referred to in the press as "the defender of Vukovar"--continues to be closely associated Croatian right-wing extremists.

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- [redacted] by early 1995, Mercep had joined forces with the leader of the HDZ's right wing and the president of the Association of (Croatian) Refugees. The three reportedly become an effective lobby at that time, causing Tadjman to include them in the decisionmaking process, particularly regarding the disposition of the Krajina Serbs.
- Mercep received favorable play in the initial issues of *Panorama*, a weekly news magazine launched in October 1994 to extol the virtues of the old Croatian Ustasha Government, which helped the Nazis kill thousands of Serbs, Jews, and Gypsies during World War II.
[redacted]

Mercep's Alleged Atrocities

The bulk of the charges against Mercep concern events between 9 September 1991 and 29 March 1992, according to a variety of sources. In the past few years, reports have emerged from survivors, international human rights organizations, and the press, indicating that the systematic killing of Serbs during that period probably occurred. Mercep and his paramilitary forces, referred to alternately as the HOS (Croatian Defense Forces)¹ and, in at least one press report, as the "Tomislav Mercep Support Company of the 109th Tiger Battalion," are specifically charged with having committed atrocities in Pakracka Poljana, Gospic, Vukovar, and Zagreb. [redacted]

A Note on Sources of Evidence

Although Mercep is widely described as a "war criminal," solid evidence is limited. Many of the charges against him are based on the testimony of surviving witnesses. The allegations have gained credence by the wide range of sources independently providing the same information. Many of the charges have been backed up by the fact-finding missions of reputable international human rights organizations, such as the UN, and the discovery of bodies and mass graves in areas where the atrocities reportedly occurred. [redacted] Croatian Government's fears about Mercep's image and problems of how to deal with him would appear to imply Zagreb's acknowledgment of some wrongdoing by Mercep. Provided below is a compilation of allegations against him that are viewed as credible. [redacted]

¹ The HOS is identified by various sources as the paramilitary arm of the Croatian Party of the Right.

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Pakracka Poljana.

Pakrac and Pakracka Poljana, in the former UN Sector West, are the subjects of the most serious charges against Mercep. Using the term "mass liquidation," a 1992 Helsinki Watch letter to Tudjman--based on several fact-finding missions and eyewitness accounts--alleges summary execution of civilians and disarmed combatants, torture and mistreatment of detainees, arbitrary arrests and disappearances, and the destruction of civilian property. West European press reports estimate that in the fall of 1991, about 75,000 Serbs were expelled and over 180 Serb villages destroyed. As many as 3,000 Serbs are missing from the area. The US Embassy in Zagreb reported in late May 1995 that fewer than 4,000 Serbs remained in the Pakrac area, indicating the large-scale disappearance or emigration of ethnic Serbs.

- According to testimony collected by a reputable international human rights organization, at least 24 civilians were killed around Pakrac. A Croatian press report quotes a Croatian Ministry of Internal Affairs document citing the execution of 20 civilians in Pakrac by troops commanded by Mercep.
- UN Civilian Police investigating human rights abuses in Sector West have reported that torture and murder at a prison and a soccer stadium in Pakracka Poljana, at Mercep's residence, and at a Croatian military base at Bjelovar.
- In 1993, UN investigators identified and photographed mass grave sites in three places near the railway station at Pakrac. Bodies from two of the graves were subsequently removed by Croatian officials before observers could exhume them, and trees were planted over the site, according to official UN reports. Investigators believe that the third site, to which Croatian authorities denied access, may hold as many as 1,700 bodies.
- Elsewhere in the area, investigators from NGOs contracted by the UN found nine unmarked burial areas containing a total of 19 bodies in November 1993, according to the US Embassy in Zagreb. UN officials also found a grave near Pakrac containing the bodies of eight Serb civilians, according to press.
- According to UN Civilian Police investigators, persons claim to have witnessed that Mercep is responsible for the massacre of Serb civilians at Marino Selo near Uljanik and that bodies from the massacre--as

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many as 800, according to Serbian press--may be buried between Pakracka Poljana and Marino Selo.

- The former Krajina Serb "government," along with Serbian and Croatian press reports, has alleged that as many as 20 mass graves containing 2,500 bodies--along with several smaller graves--exist in the areas around Pakrac.

Gospic

Mercep and troops under his command are alleged to have committed mass murders in Gospic in western Croatia in September and October 1991, but details of the case are *sketchy*. Numerous rumors, along with the testimony of witnesses have been carried in the local and West European press, but Croatian press reports suggest that Zagreb has attempted to suppress information about incidents at Gospic.

- Between 9-18 September, Croatian forces razed 11 Serb villages near Gospic, according to the Serbian press.
- Balkan and Western European press reports indicate that on 16 October 1991, Mercep's troops arrested 150 Serbs. The bodies of 24 of those arrested were returned to their families in January 1994; the others remain unaccounted for. A West European press report cites apparent witnesses who heard Mercep's units boast of having killed 150 "Serb snipers."
- In December 1991, according to German television, Serbian troops reported finding 24, mostly Serb, bodies in the Orthodox cemetery in Gospic, among which was the body of the town's Croatian prosecutor, who had opposed Tudjman's rule.
- The US Embassy in Zagreb reported in 1994 that a Croatian weekly detailed Mercep's alleged crimes in Gospic, based on classified Croatian Ministry of Internal Affairs documents.

Vukovar

Allegations of atrocities committed by Mercep while military commander in Vukovar are based largely on reports from Serbs expelled from the area in October 1991 and from family members of individuals killed by Croatian forces, as well as Serbian and Croatian press reports.

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- After Serb troops won control of Vukovar from Croatian forces in November 1991, Krajina Serb officials reported to the UN that they had found several mass graves of Serb civilians--including the bodies of five children under age seven, whose throats had been slit or who had been shot at close range.
- The Croatian press reported on the contents of an alleged confidential letter written to Tudjman in 1993 from the former Croatian Representative to Vukovar, alleging that Mercep played a key role in atrocities committed there. [redacted]

Other Charges

Charges that Mercep was involved in the murders of several Serb and Croatian citizens in other areas have been summarized in an expose in the weekly news magazine *Globus*, which reportedly was based on classified documents summarizing an investigation by Croatian intelligence. Although the charges are not confirmed by other sources, the article does provide names and dates of victims and alleged perpetrators.

- According to the press accounts, on 7 December, four members of an Internal Affairs Ministry unit directly under Mercep's command killed Mihajlo Zec, a Krajina Serb who lived in Zagreb and was a member of the HDZ. The killers then robbed Zec's house of 30,000 dinars and kidnapped his wife and daughter, who were later shot and their bodies dumped outside Zagreb. Police investigating the murder found a letter in Zec's house ordering him to leave Zagreb by 24 December or be killed. The letter was signed by the Croatian Defense Movement (HOP).²
- The same unit reportedly kidnapped Milos Ivosevic, the head of the Zagreb railyard customs house, along with two of his friends, on 31 October 1991. Press reports allege that the three were taken to a village near Pakrac and shot, along with nine residents of Pakracka Poljana. All of the bodies reportedly were returned to their families.

² Various press sources refer to the HOP as the Croatian Defense Movement or the Croatian Liberation Movement. Founded by Nikola Rozankovic and based in Canada, it is reportedly the oldest Croatian émigré party in existence. In May 1994, the HOP was one of seven right-wing parties that was attempting to create a single, national-level, right-wing party that could effectively displace the HDZ. The HOP also has established itself in Slovenia, where its goal is to lobby for the minority rights of ethnic Croats in that country. There has been virtually no reporting on this group's activities over the last year and no reporting linking it directly to Mercep. [redacted]

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[redacted]

- Mercep's unit is also accused of abducting and killing Stevan Brajenovic, head of the Dobovo customs house. He reportedly was taken to Pakracka Poljana on 12 December and shot.
- Finally, according to press, the Croatian Intelligence report implicates Mercep's unit in the abduction of Ina Zoricic-Nuic, a Croatian woman who headed the HDS in Kraljevica. She was allegedly abducted on Mercep's orders for plotting his assassination. Her current whereabouts are unknown. [redacted]

Zagreb's Response

By 1992 [redacted] it was widely accepted within senior Croatian Government circles that Mercep committed atrocities at Pakracka Poljana and Gospic, but several influential Croatian officials wanted to protect him because they valued his leadership and military skills.

- After local officials in Eastern Croatia began to communicate their concerns about Mercep's activities as National Defense Secretary for Vukovar, and the allegations began to receive wide press play, Mercep was "promoted" to Assistant Minister of Internal Affairs, according to various press reports.

- [redacted]

Even in cases where investigations and arrests were attempted, they were unsuccessful, suggesting that Mercep, his superiors, or his allies intervened to derail them.

- In the Zec family murder case, the suspects were arrested and confessed to the crimes, according to press. There were no judges present at the hearings, however, making the confessions illegal under Croatian law. The suspects were released. Press reports allege that the notes from the first interrogation of the suspects--which contained their confessions--were subsequently removed from police files.
- In January 1992, Gospic Police Chief Ivan Vekic publicly promised to investigate the disappearance of Serbs in Gospic, but left his post in April 1992. Although there is no corroborating reporting, some

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Croatian press alleged that his departure was a result of pressure from Zagreb.

- Finally, in December 1993, West European press reports indicate that Zagreb launched an inquiry into the leaking of the classified documents on Mercep that had been cited in *Globus* and other Croatian press. In public statements, then-Minister of Internal Affairs Ivan Jarnjak threatened to fire those responsible for the leaks, but he never denied the existence of the documents or the veracity of their contents.
[redacted]

In the last six months, the Croatian Government has made only token moves to rein-in Mercep and his forces.

- Diplomatic and press reporting indicates that Tudjman expelled Mercep from the inner circles of the HDZ leadership on 15 October, stating that the HDZ had no room for individuals of Mercep's reputation, despite his "valuable wartime services."
- During Croatia's May takeover of the former Sector West, Tudjman and the Croatian General Staff did not allow Mercep and his troops to participate in military action [redacted] because of his history of abusing Serb civilians. [redacted]

Nevertheless, Zagreb is likely to continue to avoid taking any serious action against Mercep and will downplay his ties to the government, in the hopes that keeping his profile low will limit attention to his case. Zagreb is only likely to alter its stance in the face of concrete evidence of Mercep's role in atrocities, along with strong international pressure to redress these crimes.

- To assuage Western criticism, the Croatian Government might decide to use Mercep as a scapegoat, but would pursue this alternative only after carefully weighing the political and military support Mercep enjoys and determining that the government could withstand any internal opposition to a calculated effort to marginalize Mercep.
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Sites of Mercep's Alleged Atrocities in Croatia, 9 September 1991 to 29 March 1992

