

REDRESS IN ACTION

**Consequences of forcible
mobilization of refugees
in 1995**

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FOREWORD

Rare are those who do not share a general sentiment that we, citizens of the former Yugoslavia, had undergone some terrible, unimaginable things in the last fifteen years. As for the understanding of their reasons, the picture is quite different: it is hard to find two individuals who would have identical views on the causes of the big Yugoslav tragedy. It is, of course, quite certain that these causes (as well as the causes of so many other well-known man-made tragedies) are not simple or unambiguous. This, along with astonishing mental differences among individuals, explains the huge differences of ideas about the reasons of our tragic past. However, we do not pretend here to unravel the causes of the Yugoslav tragedy, but only *inform*, or more likely, *remind* the reader of one particular episode of the grand Yugoslav tragedy, or rather, *try to provoke him into thinking about it and its meaning*.

The episode we will talk about is the compulsory conscription of refugees from Krajina in the summer of 1995 – action that took place in the erstwhile Federal Republic of Yugoslavia – and their transfer to “mobilization training camps”, especially the one in Erdut. Certainly, the events happening in Erdut do not belong to the most gruesome and bloodiest chapters of the Yugoslav tragedy, not because this experience was not terrible and unimaginable, but because of the very hard competition of other, even more terrible and unimaginable happenings in the Yugoslav wars. However, Erdut events remarkably reveal two elements: *first*, the cold brutality of Milošević's regime under which even the mobilization of ethnic Serbs had to be carried out savagely, and *second*, the predominant indifference of the majority of citizens of Serbia towards the unheard-of manhunt that occurred in the summer of 1995, which made us think that this equanimity perhaps concealed a tacit approval. The aforementioned goals of this monograph stemmed from the editors' basic conviction that the willing ignorance of the silent, passive majority, their turning of a blind eye to unsettling scenes and information and their hasty acquiescence to simplified, partial and banal interpretative *clichés* of understanding of the ongoing events was a more terrible, sinister and thorough destruction than the one caused by the canons of a noisy and active minority. In a way, the dark, fifteen-year-long destruction “stole the show” from the sinister experience from Erdut that did not attract any substantial media attraction nor disturbed the indifference of the majority of Serbian citizens. In virtue of all existing domestic and international legal conventions that bound Serbia by that time, those sent to Erdut *had* to be protected from war and not pushed into it, and

especially not after being humiliated and tortured. Accused of being cowards and traitors, they were sentenced beforehand and denied any possibility of defending themselves; they were hunted down like criminals in houses and streets, while the very ones who were supposed to fight crime handed them over to former or active criminals. In fact, they were those ordinary, simple men without political power or influence who, in a time of the breakdown of all civilized institutions and values, could not expect anything else but to become canon fodder and fall prey to the ambitions of cold and ruthless political predators. Therefore, this book aims to offer basic information on the events in Erdut in 1995 or serve as a reminder of them, and especially a reminder of the consequences these events left on at least 7 000 individuals and members of their families whose destinies are interwoven in the tapestry of the big Yugoslav tragedy. In this sense, the editors judged it worthy to include the following eight papers (dealing with different aspects of “Erdut events”) into a book.

The aspects we deal with can conditionally be divided into sociological (the first paper), psychological (papers 2-6) and legal ones (papers 7-8).

The paper “‘They’ wanted them, and ‘He’ didn’t: about the context, organization and form of the forcible conscription of refugees in Serbia in 1995”, written by Borislav Radović, contains a sociological analysis of the context of Erdut experience. The paper convincingly defends the thesis that these events were by no means an excessive and unusual instance of the violation of human rights in the period considered but rather a regular consequence of a political system characterized by “indifference towards the value of individual life and dignity, contempt of the law and legality and reliance on dubious ‘contractors’: amoral, brutal, criminal structures concealed and covered by a patriotic discourse”.

Goran Opačić, Vladimir Jović and Goran Knežević performed an analysis of the types of torture carried out in Erdut camp and presented their results in the paper entitled “Torture or training? - Types of torture in a group of refugees forcibly conscripted in Serbia in 1995”. The paper highlights the fact that, although the treatment of the forcibly conscripted in Erdut did not have the frequency and destructive quality comparable to the one experienced by ex-prisoners of camps in Croatia and Bosnia, it, nevertheless, largely surpassed any reasonable drill or rigorous military training and, therefore, undoubtedly represented torture, be the one that the authors labeled “Type A” (“police” or “lighter” torture) or, sometimes, the “Type B” (“sadistic” or “heavier” torture).

The work of Mina Mitić and Stanislava Vuković (“The psychological profile of the forcibly conscripted”) directly answers the question of psychic consequences of Erdut experience by comparing the intensity of psychopathological symptoms in a group of forcibly conscripted, a group of our clients who underwent torture in prisons or concentration camps in Croatia or Bosnia and a group of refugees with no experience of torture. It was established that the tortured had a considerably higher lifetime prevalence of posttraumatic

stress disorder (PTSD), but that there was not a significant difference in current PTSD, although the tortured, on average, had a worse clinical picture of PTSD. As for the intensity of psychopathological phenomenology, the group of forcibly conscripted was much closer to the group of tortured than to the group of non-tortured refugees, which highlighted the fact that the forcible conscription in 1995 perhaps had consequences similar to those produced by any other clearly defined form of torture.

Radomir Samardžić's paper "Forcible conscriptions of refugee veterans as a risk of additional psychic decompensation" also deals with the psychic consequences of "Erdut experiences". The author presents seven cases and the characteristic symptoms that made some of these clients ask for assistance. Aided by his previous clinical experience as well, the author established that Erdut camp was a theatre of psychic and physical abuse that can be qualified as torture. He concluded that additional research is necessary in order to see if the forcible conscription was the main factor of development of posttraumatic symptoms and disorders or just an additional factor that, along with previously accumulated experiences, produced the disorders studied.

"Group psychotherapy of patients with the experience of torture and forcible conscription", written by Jovanka Cvetković, Biljana Đorđević and Sandrina Špeh, analyzes clinical work with these particular clients. The paper describes the characteristics of group analytical work, i.e. the difficulty, uncertainty and complexity of that very gradual, often painful and toilsome process of the patient's confrontation with his own mental contents and recognition of their meaning, which is a process that leads to a better self-understanding, increased freedom of choice of the ways of acting and reacting and, consequently, enhanced control over one's life.

In his paper entitled "A psychoanalytic retrospect on the issue of compensation of forcibly conscripted refugees", Vladimir Jović exposed some elements of a psychoanalytic interpretation of the current Serbian political and social understandings of what we have called "Erdut experience". The author demonstrates a way in which the psychoanalytical method can shed light on deep, often unconscious sources of individual and group attitudes, convictions and actions concerning some precise social, or, in our case, legal issues, such as the one of compensation of forcibly conscripted refugees.

Mojca Šivert's paper "Compensation in cases of forcibly conscripted refugees" criticizes the current Serbian legal treatment of the right to compensation of forcibly conscripted individuals. She invokes the basic legal rule that equal cases must be treated equally and stresses that the legal position previously adopted by the Civil council of the Supreme court of Serbia (i.e. its prolongation of the period of limitation for compensatory claims of the members the Yugoslav National Army members who suffered immaterial damage in conflict with paramilitary formations), must also be applied in cases of forcibly conscripted refugees

(especially if we know that the Court's position has recently been supplemented by its new statement on the responsibility of the Republic of Serbia for the unlawful behavior of its police).

"Forcible conscription of refugees – unlawful motives and acts and their legal consequences", written by Bojan Đurić, contains an analysis of the domestic and international legal institutes and guaranties which were violated in the action of forcible conscription. A special attention was paid to the international treaties and other legal instruments that were most seriously infringed in that action: prohibition of torture and other cruel, inhuman or degrading treatment or punishment, the right to freedom and security of person, and the right to fair trial.

The editors

“THEY” WANTED THEM, AND “HE” DID NOT: ABOUT THE CONTEXT, ORGANIZATION AND FORM OF THE FORCIBLE CONSCRIPTION OF REFUGEES IN SERBIA IN 1995

Borislav Radović

The training camp of the Serbian Volunteer Guard is situated in Erdut. Big barracks with spacious grounds were renovated and transformed into a contemporary facility comparable with the best international centers of this kind...It is busy like in a bee-hive every morning since 6 o' clock, when a new working day begins. There are morning calisthenics, breakfast and inspection. The trumpeter plays the Serbian anthem and a new day starts. A strenuous training awaits them...Sunday is a day off. They attend the mess in the church, play sports on various playgrounds, go out...but everything as deserved, because disrespect of the rules of this stoic school of humanity can bring the old Serbian measure: 25 strokes on the buttocks, in front of the entire ranks.¹

This is not a promotional flyer for some slightly bizarre fitness-center, but a falsely idyllic description of the decor of one of the darkest episodes of the contemporary Serbian history. In this “stoic school of humanity” occurred acts and treatments so inhuman that even today they represent a genuine nightmare for those who experienced them.

¹ “Kako je nastala Srpska dobrovoljačka garda: Ponovo u stroju”, Srpsko jedinstvo, broj 10, jun, 1995, p. 13.

THE CONTEXT

The main reason of poverty in Serbia is too much money the citizens have.²

The events we will speak about took place in the summer of 1995. It was the fourth year of the war (or, more precisely, wars) in which Serbia, officially, “did not participate”. In the course of those years, the country had engaged in three war adventures (of which two still lasted in the summer of 1995), and fabulously impoverished because of the arrest of all normal economic activities,³ probably huge war expenses,⁴ war-related loss of the biggest part of the former Yugoslav market, and loss of the complete international market because of the exceptionally comprehensive and efficient trade, financial, transport, diplomatic, educational, cultural, technical and sport sanctions, introduced by the UN Security Council on May 30, 1992,⁵ and reinforced on April 17, 1993.⁶ Demographically, until

2 From the speech of Dr Borisav Jović (vice president of the Socialist Party of Serbia), delivered in Topola, on September 3, 1993, quoted in: “Svaštalice”, Republika, www.republika.co.yu

3 The GNP of Serbia and Montenegro fell from 49 811 billion dinars in 1989 to 22 017 billion in 1994, which represents a 55.79% decrease. In the same period, the national income fell from 38 644 billion to 17 944 billion, which represents a 53.56% decrease. The statistical yearbook of Yugoslavia 1999, Savezni zavod za statistiku, Beograd, 1999, p. 124.

4 A student who would like to find a precise estimate of those costs will inevitably face a considerable frustration. Thus, Mladen Dinkić writes that “according to the estimates of some military experts, arms imports of all the countries of the former-Yugoslavia, in the period 1992-94, amounted to ‘only’ 1.5 billion USD. If this amount is divided by the number of parties interested in this kind of import, it turns out that the FRY (Serbia and Montenegro) in this respect did not have too large expenses” (Ekonomija destrukcije, Stubovi kulture, Beograd, 2000, p. 141). Regrettably, the author did not produce any precise estimate of the FRY expenses. On the other hand, if we know that the former Yugoslav National Army in the beginning of 1991 bought 30 000 tons of weapons in Eastern Germany, Poland and Russia (“Illegalna trgovina oružjem: Podmazivanje rata, Vreme, 8. decembar 2005, p. 45-6), and if Ozren Žunec claims that “in 1993 Serbia spent 1,27 billion USD to help the Krajinas”, (“Rat u Hrvatskoj 1991-1995”, www.ffzg.hr), then we can ask ourselves about the real amount of Serbian war expenditures. If no official data in this respect have been produced so far (which is not surprising, given the fact that Bosnia has sued Serbia for aggression, before the International courts of justice in the Hague), it is surprising that no such analysis was performed by independent experts or NGOs. Thus, the citizens of Serbia (in difference with those of Croatia) still do not know how much their country spent for the wars in Croatia and Bosnia.

5 UN Security Council, Resolution 757 (1992), www.un.org

December 31, 1994, the country had seen the arrival of 219 182 registered refugees from the war-affected regions of the former Yugoslavia⁷ and departure of at least a half of the 200 000 most dynamic (generally younger and better-educated) individuals who left Serbia for good during the 1990s.⁸ Internally, however, the regime of Slobodan Milošević had successfully crushed three large rebellions of the urban population⁹ and established its control over all important instruments of power (finances, the influential media, large business corporations, the army, police, customs service and diplomacy), gerrymandering and regularly beating the financially-weak, vilified, semi-amateur, disunited and partially corruptible opposition that, furthermore, turned out to be tragically disunited in the questions of war and peace and manners of resolution of the Serbian national question.

In the summer of 1995, the regime seemed omnipotent and invulnerable, but Serbia was tired of wars.

First of all, it entered these conflicts halfheartedly. There was no national consensus about the justifiability of the *armed* resolution of the Serbian national question (the political status of the Serbs outside of Serbia), and it was especially true for the *way* this armed approach materialized in the field. The best proof of this are the rates of desertion and refusal of mobilization calls that never before, in numerous wars that Serbia had waged after its political emancipation from the Ottoman empire, had reached levels so high. Thus, Backović et al. rightly speak about the “conscription crisis” from the autumn 1991, when “the official data on the response to the partial conscription of reservists reached 50% in Serbia and 15% in Belgrade (the unofficial data, collected from local information sources, are

6 UN Security Council, Resolution 820 (1993), www.un.org. The strengthening consisted in freezing of the funds that Yugoslav governments and Yugoslav companies had in foreign countries, impounding of all vessels, freight vehicles, rolling stock and aircraft in which a majority of controlling interest was held by a person or undertaking in or operating from the Federal Republic of Yugoslavia (Serbia and Montenegro) and their forfeiting to the seizing State upon determination that they were in violation of the resolutions on sanction against the FRY.

7 “Izbeglice prema prethodnom prebivalištu i vremenu dolaska”, Popis izbeglica i drugih ratom ugroženih lica u Saveznoj republici Jugoslaviji, UNHCR, Komesarijat za izbeglice Republike Srbije i Komitet za raseljena lica Republike Crne Gore, Beograd, 1996, p. 34.

8 According to the 1991 census, the number of inhabitants of Central Serbia and Vojvodina living in foreign countries was 196 649 (“Stanovništvo u zemlji i u inostranstvu prema starosti i polu”, Popis 1991, CD, Savezni zavod za statistiku, Beograd, 1997), while according to the 2002 census (“Popis stanovništva, domaćinstava i stanova 2002 – Prvi rezultati popisa po opštinama i naseljima Republike Srbije”, p. 99, www.webrzs.statserb.sr.gov.yu), that number was 395 943, which represents a difference of exactly 200 000 souls.

9 March 9, 1991, the Vidovdan movement in the summer of 1992, and June 1, 1993 demonstrations.

even more depressing)”.¹⁰ Aside from the disunion of opinions about the necessity of war, during the years of “conquest of pride”¹¹ and “combustion of people”,¹² the life of an ordinary citizen – who had to face ever more frequent shortages with shrinking and irregularly paid salaries – had gradually turned into a physically exhausting struggle for the mere survival. The most fascinating episode of that race against the clock was the regime-generated hyperinflation which had reached its peak in the autumn and winter of 1993: “The rise of prices in January reached the fantastic 313,563,558%. On average, the prices grew 62% per day, 2% per hour, 0.029% per minute”.¹³ In December 1993, the average Serbian inhabitant – who, out of necessity, had become a petty smuggler, double or triple moonlighter, farmer or pirate – earned 13 775 000 000 dinars, or 25,90 DEM,¹⁴ which covered only 11% of the “consumer basket” (the group of 65 foodstuffs needed for a normal nutrition of a four-member family).¹⁵ One egg sold for 205 650 000 dinars, and one kilo of potatoes for 613 020 000,¹⁶ which means that the average salary, in that desperate moment, could have been spent for the “last supper” consisting of 66.98 eggs or 22.47 kilos of potatoes!

In general, bad life (chronic four-year-long stress; poorer health care;¹⁷ shortages of medication and medical equipments caused by war and poverty; poorer nutrition¹⁸) began to take its toll: general mortality (in the conditions of zero

10 Ofelija Backović, Miloš Vasić i Aleksandar Vasović, “Ko to rado ide u vojnike: Mobilizacijska kriza-pregled medijskog izveštavanja”, Republika, br. 198, www.republika.co.yu

11 Milan Mladenović, “Zajedno”, Neko nas posmatra (1993)

12 Rambo Amadeus, “Turbo folk”, Oprema dobro (2005)

13 Mlađan Dinkić, Ekonomija destrukcije, Stubovi kulture, Beograd, 2000, p. 42.

14 Mr Ljubomir Kedžić, Hiperinflacija i statistika, Savezni zavod za statistiku, Beograd, 1997, p.50.

15 Nikola Dragaš i Miodrag Nikolić, Potrošačka korpa 1987-2000, Savezni zavod za statistiku, Beograd, 2001, p. 23.

16 G17, Bela knjiga Miloševićeve vladavine, p. 51, www.g17plus.org.yu

17 Statistics demonstrate that during the first half of the 1990s health care expenditures amounted to the approximately same portion of the national income year after year (7,4% in 1990; 6,9% in 1991; 6,7% in 1992; 9,9% in 1994; 10,4 in 1995, in: “Učešće tekućih rashoda vanprivrednih delatnosti u narodnom dohotku”, Statistički godišnjak Jugoslavije 1998, Savez zavod za statistiku, Beograd, p. 157). However, we must not forget that the national income in the first half of the 1990s fell for more than a half, which means that health care expenditures decreased in the same proportion.

18 If we take a look at data on the average Yugoslav per capita consumption of various foodstuffs in 1990 and in 1993, we will see that the consumption of citrus fruits fell from 7,1 to 3,3 kg, consumption of fresh vegetables from 102,5 to 88,5 kg, consumption of various kinds of meat from 64.4 to 46.5kg, consumption of fresh milk from 99.1 l to 89.6 l, consumption of all kinds of cheese from 12 to 8,7 kg, consumption of eggs from 166 to 136 pieces

or negative population growth¹⁹), in only three years (1990-1993) grew for more than 10%.²⁰ It has to be said that no other period after the Second World War saw such a quick and intense rise of mortality.²¹ The most tragic aspect of that “unbearable heaviness of being” in Serbia and Montenegro in the early 1990s was the rise of the number of suicides which, when compared with the 1986-90 period, grew for more than 11%.²²

A survey carried out from March to June 1994 on 1 400 households from Belgrade and 12 cities in the province yielded the following results:²³

and consumption of sugar from 42,6 to 34,2 kg. (“Potrošnja prehrambenih proizvoda po stanovniku”, Statistički godišnjak Jugoslavije 1997, Savezni zavod za statistiku, Beograd, 1997, p. 140).

19 “From 1981 to 1991, population growth rate in Serbia was, with some oscillations, sharply falling, which continued a long trend of decrease of population growth. In 1991, population growth reached its lowest point since 1950, amounting to only 4.6 per 1000 inhabitants. So low a rate in Serbia was the result of a very low rate in Central Serbia (0.8), a negative rate in Vojvodina (-1.8) and a high rate in Kosovo (22.2)”, Marina Blagojević, “Demografska slika Srbije 90-tih: dihotomija i stagnacija”, in: Silvano Bolčić (ed.), Društvene promene i svakodnevni život: Srbija početkom devedestih, Institut za sociološka istraživanja Filozofskog fakulteta u Beogradu, Beograd, 2002, p. 33.

20 In 1990, the total number of deceased in Central Serbia was 60 287, and in 1993 the number was 67 131, which represents a 10.19% increase (Mr. Ljubica Gaćeša i Mr Jasna Milanković, Nivo i tendencije mortaliteta prema starosti i polu u SR Jugoslaviji 1950-1998, Savezni zavod za statistiku, Beograd, 2000, p. 112).

21 Aside from that, mortality remained high even after the end of the wars in Croatia and Bosnia (1995) and remained like that until the end of the 1990s (in all probability, as a lasting payment of debt to the war, impoverishment and disintegration of structures of normal living). We have to remark that in earlier times the number of deceased in Central Serbia needed forty years to grow for 11.48% (from 53 361 in 1950 to 60 287 in 1990, with occasional periods of decrease of mortality), but only 8 years in the 1990s to grow for the exceptional 14.03% (i.e. from the already mentioned number for 1990 to 70 125 in 1998 – with a slighter drop of mortality in 1994, which was the year of the end of hyperinflation and a period of a breathing spell). Finally, the tendency of increase of mortality in the 1990s appears even more dramatic if we know that the tendency of birth rate in the 1990s considerably differed from the one in the pre-war period (which neither was excellent).

22 The average yearly number of suicides in the 1986-90 period was 1 446, and 1 637 in the 1991-95 period (Statistički godišnjak Jugoslavije 1993, Savezni zavod za statistiku, Beograd, p. 64; Statistički godišnjak Jugoslavije 2001, Savezni zavod za statistiku, Beograd, p. 75). In fact, both the rise of general mortality and the rise of suicides affected big cities much more intensely than the rest of the country, but we cannot discuss this point here.

23 “Social disintegration and families under stress: Serbia 1991-1995”, Sociologija, vol XXXVII, No.4, Beograd, oktobar-decembar 1995, p. 464.

Table 1. *Direct influence of the nearby war on the family*

	Belgrade	The province
Settled or resettled due to the war	1.5%	2.7%
Received refugees	15.9%	7.2%
Helping family or refugees in the war areas	21.8%	14.5%
Was directly exposed to armed conflicts	24.5%	19.4%
Has someone who was wounded	5.0%	4.0%
Acquired arms	15.4%	22.1%

The body and soul of Serbia were tired of war, but in the summer of 1995, it was far from being over.

In fact, 1995 was the worst year for the Serbs since the beginning of the conflicts. At the beginning of the war in Croatia (autumn 1991) and the war in Bosnia (spring 1992), the Serbs had enjoyed enormous advantages, first of all because the bulk of the equipment of the former Yugoslav People's Army (JNA) had remained in Serbian hands,²⁴ and, furthermore, because the adversaries had not had already-established armies but had to form them as they went along. That is why the Serbs, at the very beginning of these conflicts, had realized enormous advances in the field: by the end of the first year of the war in Bosnia, the Army of Republika Srpska had established its control over 72% of the territory of that republic,²⁵ while in Croatia, the Serbs had mainly realized their strategic goal by taking control of the majority of the areas with the highest concentration of ethnic Serbs, which, for Croatia, by the beginning of January 1992, meant the loss of 17 000 km², or 30% of the territory.²⁶

But, time was not on the Serbian side. This is how the military balance in Bosnia and Croatia looked like in the period under study:

24 "Our army is one of the rare ones in history to have started a liberation war with a very solid material base especially as concerns combat hardware, ammunition, and food reserves", Ratko Mladić in a report from December, 1992, quoted in the transcript of Milošević's trial (www.milosevic-trial.org/trial/2003-04-11.htm, p. 19 053).

25 "We have military control over 72% and our people are cadastral owners of 56% of the territory" - Ratko Mladić, quoted in: "Pregolema je srpska tuga u očima", interview with general Momčilo Perišić, *Profil*, br. 32, www.profil.co.yu

26 Ozren Žunec, "Rat u Hrvatskoj 1991-1995", www.ffzg.hr

Table 2: *Military balance in Bosnia and Croatia (1992-1995)*²⁷

Year	War area	Warring parties	Men under arms	Tanks	Armored carriers	Artillery	Mortars	Multiple rocket launchers	Heli-copters	Aircraft
1992	BH	1. Moslems	30 000 - 50 000							
		2. Croats	50 000							
		3. Serbs	67 000	around 300	around 180	around 480				
		<i>1 + 2</i>	<i>80 000 - 100 000</i>							
	CRO	Croats	105 000 ²⁸	around 200	around 200	around 150 ²⁹				
		Serbs	NO DATA							
1993	BH	1. Moslems	60 000	around 20	around 30	“some” ³⁰				
		2. Croats	around 50 000 ³¹	around 50		around 500				
		3. Serbs	up to 80 000	around 330	400	800			37	38
		<i>1 + 2</i>	<i>around 110 000</i>	<i>around 70</i>	<i>around 30</i>	<i>over 500</i>				
	CRO	Croats	103 300 ³²	200	? ³³	? ³⁴	? ³⁵	? ³⁶	20 ³⁷	
		Serbs	40-50 000	around 200	around 100	around 500				
1994	BH	1. Moslems	around 110 000	around 40	around 30	“some” ³⁸	300	over 40		
		2. Croats	around 50 000	around 75		around 200			6	

²⁷ Table constructed on the basis of the yearly publication *The Military Balance*, Institute for Strategic Studies, London (editions for 1992/3, 1993/4, 1994/5 and 1995/6)

²⁸ Aside from that, 100 000 reservists, 40 000 policemen and 10 000 members of the HOS.

²⁹ Aside from that, aerial defense guns and surface-to-air infantry missiles.

³⁰ Including “some” 120 and 203mm and 20 and 30mm aerial defense guns.

³¹ (HVO, HV and HOS)

³² Aside from that, 180 000 reservists, 10 000 home guard and 40 000 policemen.

³³ Unspecified number

³⁴ Unspecified number (including arms of 85, 100, 105, 122, 130, 152 and 203mm)

³⁵ Unspecified number (including arms of 82 and 120mm)

³⁶ Unspecified number (including arms of 122 and 128mm)

³⁷ Aircraft and helicopters taken together.

³⁸ Including “some 130 and 203mm”, aerial defense guns of 20 and 30mm, and 100 anti-tank guided weapons.

REDRESS IN ACTION

Year	War area	Warring parties	Men under arms	Tanks	Armored carriers	Artillery	Mortars	Multiple rocket launchers	Helicopters	Aircraft
		3. Serbs	up to 80 000	around 330	400	800	120m m	76	30	40 ³⁹
		1 + 2	around 160 000	around 115	around 30	over 200	300	over 40	6	
	CRO	Croats	105 000 ⁴⁰	178	91 ⁴¹	around 900	660	over 7	18	20
		Serbs	40-50 000	around 240	over 100	around 500	? ⁴²	14	6	12
1995	BH	1. Moslems	92 000	around 31	around 35	around 100	200	2	5	3
		2. Croats	around 50 000	around 100	around 80	around 200	around 300	around 30		
		3. Serbs	up to 75 000	around 370	295	700	around 900	76	12	20
		1 + 2	around 142 000	around 131	around 115	around 300	around 500	around 32	5	3
	CRO	Croats	105 000 ⁴³	181	over 273	949	761	over 22	25	28
		Serbs	40-50 000	around 250	over 100	around 200		14	16	17

The table clearly demonstrates two basic facts:

1. *The relative shortage of soldiers as a chronic weakness of the Serbian party.* In Croatia, throughout the war, the Serbs were twice numerically weaker than the regular corps of the Croatian army that, in any moment, could grow up to 200 000 men (4 Croatian to 1 Serbian soldiers), through inclusion of reserves and mobilization of 40 000 permanently armed policemen and 10 000 members of the home guard. In Bosnia, the relative favorable balance for the Serbs in 1992 (1 Serbian soldier to 1.19-1.49 Moslem and Croatian soldiers) had already by 1994 changed to 1 Serbian to 2 Moslem and Croatian soldiers.
2. *The material strengthening of the Moslem, and especially, Croatian party over time.* This strengthening was, first of all, made possible by enormous military spending of the warring parties (especially the Croatian one),⁴⁴

³⁹ All kinds.

⁴⁰ The same as in footnote 32.

⁴¹ Unspecified number of the BTR-40/50 model.

⁴² Unspecified number.

⁴³ The same as in footnote 32.

⁴⁴ Ozren Žunec says that Croatian direct war expenditures amounted to 7 billion US \$ ("Rat u Hrvatskoj 1991-1995"), www.ffzg.hr

generous financial donations of emigrant communities (especially Croatian ones) or friendly countries,⁴⁵ as well as by the fact that, after the dissolution of the Warsaw pact, Eastern Europe was flooded with surplus quantities of the relatively cheap weapons that could have been found even in the immediate vicinity of the former Yugoslavia.⁴⁶

It has to be said that the armament of Croatia and Bosnia was accomplished with a more or less discrete assistance of Western countries – especially the USA – that found ways of bypassing the arms embargo they themselves had initiated.⁴⁷ Most frequently, the assistance consisted of professional military training (either by retired army officers⁴⁸ or special forces members⁴⁹), logistic support (opening and securing of arms delivery channels, such as, for instance, the opening of Dubrave airport near Tuzla,⁵⁰ or the mending of Visoko airport⁵¹), delivery of information about the strength, deployment and moral state of the Serbian forces,⁵² and sometimes even in a subtler way, by turning the blind eye to embargo violations committed by some parties in conflict.⁵³

We have to stress that the Moslem and Croatian party, in the period considered, had not only grown stronger militarily but had also established a political alliance, by signing the so-called Washington treaty, on March 18, 1994, which created the Bosniak-Croatian federation. Militarily, this accord had been materialized on May 16, 1994, through creation of the Joint General Staff of the

45 In the Bosnian case, a CIA report from 1993 established that money and arms deliveries to the Bosnian government from Saudi Arabia, Malaysia, Brunei and Pakistan were being shipped via Turkey. As for Iran, the biggest donor, “CIA estimates that between May 1994 and December 1996 some 14 000 tons of arms, worth between 100 and 200 million US \$ were put in”, in: “Oružje iransko – šutnja američka”, Dani, 8. oktobar, 1999, www.bhdani.com

46 Miloš Vasić, “Ilegalna trgovina oružjem: Evropsko bure baruta”, Vreme, 15 decembar 2005, p. 39-46.

47 “Such an embargo was voted for the countries of the former Yugoslavia from 1991 to 1996, at first the EU and USA embargo (September 1991), and then the UN embargo (June 1992)”. “Ilegalna trgovina oružjem: podmazivanje rata”, Vreme, 8. decembar 2005, p. 40.

48 “September 1994. With the consent of the State Department, the American firm MPRI and Croatia signed in the Croatian Embassy in Washington a contract on training of the Croatian army”, “Oružje iransko – šutnja američka”, Dani, 8. oktobar, 1999, www.bhdani.com

49 Vladimir Jovanović, “Vojne novine u Bosni: Američki obruč”, AIM, 29 april, 1995, www.aimpress.ch

50 Miloš Vasić, “Ilegalna trgovina oružjem: Zakon spojenih sudova”, Vreme, 29. decembar 2005, p. 51.

51 Tjeri Šarlije “Bosanski bluz i američki sevdah”, Duga, 13-19 maj 1995, p. 34.

52 Veljko B. Kadrijević i mr Branislav Đorđević, “Kako odbraniti Krajinu”, Duga, 27. maj-9. jun 1995, p. 32; “Rat u Bosni i Hercegovini», Hrvati Bosne i Hercegovine, [www. http://www.hercegbosna.org](http://www.hercegbosna.org)

53 “Oružje iransko – šutnja američka”, Dani, 8. oktobar, 1999, www.bhdani.com

Army of the Federation of Bosnia and Herzegovina (i.e. the Army of the Bosnia & Herzegovina *and* the Croatian Defense Council).⁵⁴

In the field, the changes revealed themselves relatively modestly, in the summer of 1994, through Moslem conquest of Nikšić plains (near Sarajevo) and seizure of some positions on the mount Ozren and south of the town of Brčko,⁵⁵ as well as through offensives on the Majevisa and Vlašić mountains. Although relatively small, the battles for these two mountains were very important, because Majevisa hill Stolice hosted a tower that controlled the vital information flow between Belgrade, Pale and Knin, while Vlašić controlled the valley of Lašva, the city of Travnik and the communication line Zenica-Travnik-Jajce⁵⁶. Although the Serbs regained the lost positions already by September 1994, these actions revealed a reinforced adversary, who had become capable of taking the initiative and choosing the time and place of attack.

The same summer of 1994 saw much bigger events happening in Western Bosnia, or more precisely, at the Bihać front. Namely, on August 21, the Fifth Corps of the Army of BH defeated the forces loyal to Fikret Abdić and crushed his Serb-supported Autonomous province of Western Bosnia. On the occasion, the capital city of Velika Kladuša was taken as well, which provoked exodus of the entire civilian population – 20 to 60 000, according to different sources – that found shelter in the Serb-controlled part of Croatia.⁵⁷ Encouraged by this success, the Fifth Corps continued the offensive (October 23-28) and took the biggest part of the Grabež plain (in the vicinity of Bihać). It thus arrived to the foot of Krupa in the north, and halfway between Petrovac and Bihać in the south.⁵⁸ This has provoked a joint response of the Serbian Army of Krajina and the Army of the Republika Srpska, the biggest coordinated action of these armies at all, but the two-month Serbian initiative did not lead to the recapture of the lost areas.⁵⁹ Even worse, the Croatian army and the Croatian Defense Council began their offensive in the Livno field and made important advances northwards (i.e. towards Grahovo), purporting to join the Fifth corps in Bihać and thus relieve the Serbian pressure

54 “Chronology 1985-1995”, Bosnian Institute, www.bosnia.org.uk

55 Dragan Janjić, “Vojna situacija u Bosni: Srbi ponovo imaju inicijativu”, AIM, 8. septembar, 1994, www.aimpress.ch

56 Milos Vasic, “Bosnian Thunder: War in the Midst of Truce”, Vreme News Digest Agency, March 27. 1995, www.scc.rutgers.edu

57 “Yugoslav crisis and the world – 1994”, Balkan repository project, www.balkan-archive.org.yu; “Chronology 1985-1995”, Bosnian Institute, www.bosnia.org.uk

58 Dragan Janjić, “Ofanziva u zapadnoj Bosni: Poljuljana vojna moć bosanskih Srba”, AIM, 4. novembar, 1994, Beograd, www.aimpress.ch

59 Stipe Sikavica, “The Battle Of Bihac”, Vreme News Digest Agency, January 16, 1995, www.scc.rutgers.edu

around the city.⁶⁰ Then happened the first serious forerunner of the future Serbian military problems and the first turning point in the Bosnian war: the conquest of the city of Kupres by the Croatian and Bosnian armies, on November 3, 1994. It was the biggest Serbian defeat until then and the conquest of the first larger city theretofore. The conquest of the city has simultaneously opened a possibility of further Croatian and Bosnian advances towards the cities of Jajce, Glamoč and Bosansko Grahovo.

Problems continued well into 1995. Thus, on March 23, the BH Army began a large offensive around Tuzla⁶¹ and on March 28, successfully terminated a weeklong battle for the famous, strategically important Vlačić.⁶² At the Croatian front, the Croatian army had accomplished the conquest of the Dinara mountain in June, which put it into a strategically superior position towards the city of Knin.⁶³

But, a month before these events there had occurred the most serious omen of the forthcoming breakdown of the Serbian army in Croatia: the operation “Flash”, offensive action of the Croatian army that had in only four days (May 1-4) brought about the loss of Western Slavonia (region with cities Jasenovac, Okučani, Lipik and Pakrac), and expulsion of some 15 000 persons.⁶⁴

Although this did not represent a fatal loss of territory (the surface of Western Slavonia was 662 km²), the psychological effect of the Croatian victory was huge, primarily because of the savage (and militarily unnecessary) attacks on and killing of the retreating civilians,⁶⁵ and then because the Serbs did not believe that the Croatian army was capable of any substantial offensive but, rather, of continuation of the so-called strategy of “mouse bytes”, whereby the Croatian forces “nibbled off” relatively small portions of the territory under Serbian control (such as the Peruča dam and the region around Maslenica bridge,⁶⁶ the Miljevo plateau,⁶⁷ or the Medak pocket⁶⁸). That is why Belgrade immediately after the “Flash” appointed a new commander-in-chief of the freshly shaken Serbian army of Krajina: Mile Mrkšić, general of the Army of Yugoslavia left Belgrade and went

60 Dragan Janjić, “Obnavljanje borbi u Bosni”, AIM, 21, mart, 1995, www.aimpress.ch

61 “Key events in Bosnia in 1994 and 1995, with annotations of CSCE/OSCE mission & Federation ombudsmen activity”, www.curriculumunits.com

62 Chronology 1985-1995”, Bosnian Institute, www.bosnia.org.uk

63 Veljko B. Kadijević i mr Branislav Đorđević, “Kako odbraniti Krajinu”, Duga, 27. maj-9. jun 1995, p. 32

64 *ibid.*

65 “Mirna reintegracija područja, svedočenja preživelih: Đurdevdanska kolona smrti”, Duga, 13-19 maj, p. 12-15.

66 January 22 1993.

67 June 21 1992.

68 September 9 1993.

to Krajina to carry out the necessary reforms of the SAK, in order to raise its combat capability, halt the Croatian advance and recapture the lost territory.⁶⁹

THE CONSCRIPTION

*As a proud Serb, I would have preferred that they had all heroically died and remained remembered as heroes who had successfully defended the territories*⁷⁰

In Serbia, the forced conscription of refugees from Krajina began in the night of Sunday, June 11, 1995 - more than a month after the "Flash" offensive. Two days later, the Belgrade daily *Naša Borba* reports that "since Sunday night, the military police of the Republic of Serbian Krajina carries out the conscription in Belgrade as well. As several persons originating from Serbian Republic of Krajina confirmed to our newspaper, boys with the emblems of the 'MP Krajina' knocked on their doors in the Sunday night ...it is also stated that this 'collecting' of soldiers is carried out in a somewhat bizarre way and without clear criteria. Thus, the Krajina policemen have, two nights ago, also sought men from Krajina with Yugoslav citizenship, then students, and even those with refugee status (the majority of our interlocutors are students without refugee status). The well-informed sources in Belgrade claim that the Belgrade conscription of men from Krajina was ordered by general Mile Mrkšić, commander-in-chief of the Serbian army of Krajina, as part of the new reorganization of the army he commands since last month".⁷¹

Soon it became known that the Serbian police (uniformed or in plain clothes) mobilize as well.⁷² The persons mobilized are "men from Krajina with refugee status, those with registered domicile, and even Yugoslav citizens

69 "Završavanje rata", NIN, 20 januar 2000, www.nin.co.yu

70 Željko Ražnatović Arkan, commander-in-chief of the Serbian Voluntary Guard and the president of the Party of Serbian Unity, about the Serbs exiled from Western Slavonia, *Srpsko jedinstvo*, jun 1995, quoted in: "Svaštalice", *Republika*, www.republika.co.yu

71 D. Petrović, *Naša Borba*, 13. jun, 1995, p. 4. On June 23, the same daily confirmed that it was a mobilization ordered by Mile Mrkšić, and that it was being carried out "according to a list that came to the Ministry of internal affairs of Serbia two weeks ago. As our sources claim, the list contains the names of men from Krajina settled in Serbia who 'have to be urgently transferred to the Republic of Serbian Krajina and assigned to units'. However, say the informers of 'Naša Borba', the list was extended with 6 000 men, so that the total number is around 18 000 souls. This list, it is claimed, was made by personnel managers from military departments in the Republic of Serbian Krajina, so that it also included men who have nothing to with Krajina, except that they worked there some time or took part in the war as volunteers." ("Iz RSK stigao spisak sa 12.000 imena za mobilizaciju: U modu ušlo i potkazivanje", *Naša Borba*, 23. jun, 1995, p. 2).

72 "Mobilizacija Krajišnika a u Srbiji: Strah od noćnih posetilaca", *Naša Borba*, 15. jun, 1995, p. 2.

originating from Krajina”,⁷³ “people born in Belgrade or Šumadija, who once worked in Bosnia or Croatia”⁷⁴ and “refugees who have recently become of age and received regular calls to the Yugoslav army, as well as men whose military papers indicate exemption for medical reasons”.⁷⁵ Sometimes, it was not at all important if a person had anything to do with Croatia. Thus, in the city of Pirot, the mobilization engulfed also some persons who had been born in the city, worked there and had real estate in it⁷⁶. The police even arrested members of some national minorities, Slovakian, for instance.⁷⁷ As the Belgrade weekly *Vreme* stated, “these ‘accidental’ arrests of people born in Serbia and their transfer over the Drina create additional hatred between ‘newcomers’ and ‘natives’. A refugee’s testimony given to the Helsinki Committee for Human Rights in Serbia made it clear that citizens of Sremska Mitrovica, revolted by the fact that policemen from Krajina had taken and transferred over the Drina 24 of their neighbors, denounced men born in Krajina”.⁷⁸

In fact, the public became so upset that the police – whose head persistently denied that any mobilization was going on – issued a statement saying that it “does not carry out the mobilization of draft-eligible persons for the needs of the Republic Serbian Krajina”, but only performs “an organized control of persons who are not citizens of our country and do not have residence permit, acknowledged abode or refugee status. Relatedly, it has been established that a certain number of persons from the Republic of Serbian Krajina and Republika Srpska remain illegally in the Republic of Serbia and are engaged in crimes, misdemeanors, harassment of citizens, fights and other delicts. Therefore, they were exposed to lawful measures and denied the possibility of enjoying illegally the hospitality of the Republic of Serbia”.⁷⁹

Indeed, labeled as criminals, the people were hunted down like criminals: taken from “trams, buses, cafés and discotheques, in the street, at toll gates, during

73 *ibid.*

74 “Mobilizacija Krajišnika u Srbiji: Odvođe i rođene Beograđane i Šumadince”, *Naša Borba*, 22. jun, 1995, p. 1; “U Šumadiji otvorena ‘sezona lova’: Mobilišu i rođene Šumadince”, *Naša Borba*, 22. jun, 1995, p. 14; “U Novoj Varoši prinudno mobilisano petnaest lica: Odveden i Zoran Bogdanović, rođeni Beograđanin”, *Naša Borba*, 22. jun, 1995, p. 14; “Čitaoci ‘Naše Borbe’ javljaju: Kupe i Srbijance”, *Naša Borba*, 24-25. jun, p. 3.

75 “Mobilizacija - strogo selektivna: Ko je zaštićen?”, *Naša Borba*, 24-25. jun, 1995, p. 3.

76 “Noći dugih pendreka u Pirotu: Milicija odvođa mladiće sa liscama na rukama», *Naša Borba*, 22. jun, 1995, p. 14.

77 The memoirs of the former Slovak ambassador Miroslav Mojžita, *Beograd-Beleške 1995-2001*, *Danas*, www.danas.co.yu

78 “Prinudna mobilizacija - pozadina: Danajski poklon”, *Vreme*, 3. jul, 1995, p. 17.

79 “Saopštenje MUP-a Srbije: Kontrola, a ne nasilna mobilizacija», *Naša Borba*, 26. jun, 1995, p. 2.

road checks”,⁸⁰ from work places and even from graduation balls.⁸¹ Identity checks in public places were greatly facilitated by the fact that identity cards of “all persons who lived some time in Croatia were ‘labeled’ by the Serbian authorities with the letter ‘T’”,⁸² or with letters “G” and “SR”.⁸³ As for captures in student dormitories, refugee camps and similar places, the police were sometimes greatly aided by impeccably law-abiding local officials.⁸⁴ As for the capture of people in their own homes “it usually occurred well after midnight, around 3 or 4 o’ clock. The caught napping were given about 15 minutes to take money and the most necessary clothing articles”,⁸⁵ which often was not sufficient for the confused, freshly awoken or otherwise temporarily disabled persons to take the elementary effects⁸⁶ or, if they happened to be alone, inform their families or friends about what was happening to them and where they were going to. People were often taken after the use of force, at gunpoint or handcuffed. In fact, the whole operation looked more like a criminal mass kidnapping than any normal mobilization. Firearms were used as well, and one of the most serious examples was that of Mirko Drljača, man who had come to Serbia from Pakrac (Krajina) in 1993, but was not a refugee anymore as he had obtained a Yugoslav identity card in the meantime. “Literally, in the middle of the day and in front of the Sremska Mitrovica Fire station, Drljača was shot in both upper legs by a policeman of the

80 “Mobilizacija u Srbiji između politike i bezakonja: Lov na topovsko meso”, Naša Borba, 24-25. jun, 1995, p. V; “Racija u beogradskom noćnom klubu ‘Havana’: Upad u ‘raj za ‘Bosance’”, Naša Borba, 27. jun, 1995, p. 2; “Lov na ljude na novosadski način: E, sad neću ni kako ‘oću’”, Naša Borba, 29. jun, 1995, p. 13.

81 “Mobilizacija u Kikindi: Milicija odvodila mladiće sa matuske večeri”, Naša Borba, 15. jun, 1995, p. 2; “Regionalni odbor DSS za Banat o mobilizaciji izbeglica: Sigurnosti sve manje”, Naša Borba, 30. jun, 1995, p. 12.

82 *ibid.* This “T” meant “transit” (“Život izbeglica: Čiji krst oni nose?” NIN, 28. februar, 1997, www.nin.co.yu)

83 Pod lupom: kršenje ljudskih prava na teritorije bivše Jugoslavije 1991-1995, Fond za humanitarno pravo, Beograd, 1997, p. 242. The author of this article could not find out what these marks stood for.

84 Thus, for instance, it turned out that in the Novi Beograd student dormitory the policemen disposed of the lists of residents from Krajina that only the residence management could give them. Besides, the identity checks and taking away of the students was carried out in the presence of the dormitory keepers. (“Mobilizacija Krajišnika a u Srbiji se nastavlja: Milicija ‘češlja’ Studentski grad”, Naša Borba, 19. jun 1995, p. 34)

85 Filip Švarn, “Hajka na Krajišnike”, AIM, 18. jun, 1995, www.aimpress.ch; “As we came to know through informal sources, about eighty men were also made volunteers and transferred by bus to Pale last week; some of them were in shorts, pyjamas and slippers and some were handcuffed”, in: “Nastavak lova na nepoželjne Srbe: Danak u krvi”, Vreme, 26. jun, 1995, p. 14.

86 “Kako je mobilisan novinar Milovan Maksić: Odvezli su ga u papučama”, Naša Borba, 23. jun, 1995, p. 2; “Racija u beogradskom noćnom klubu ‘Havana’: Upad u ‘raj za Bosance’”, Naša Borba, 27. jun, p. 2.

Republic of Serbian Krajina, a man from Krajina obviously expert in this kind of business. Drljača was shot while trying to escape transfer to the Krajina front”.⁸⁷

Eleven days after the beginning of mobilization in Serbia, on June 22, Republika Srpska as well began showing interest for its exiled citizens, especially those with medical education. Namely, its Ministry of health, work and welfare stated that it had “pressed charges against the doctors and medical personnel, draft-eligible persons, who have fled to the FR Yugoslavia at the beginning of the war and later on ...No person who, in the meantime, has acquired FRY citizenship and identity card of one of its constituent republics will be exempted from lawful sanctions. The charges against doctors and medical personnel who contact the Ministry departments in the municipalities they fled or RS offices in Belgrade, Novi Sad, Užice or Podgorica until July 3, will be dropped”.⁸⁸ The lists with the persons wanted, as *Vreme* wrote, “Dr Karadžić has already sent to the Serbian authorities and now expects their deportation and criminal prosecution”.⁸⁹ The request of the Ministry of health, work and welfare was simultaneously accompanied by the request of the National Assembly of the Republika Srpska which “decided to give the last chance to all exiled militarily capable citizens to return to Republika Srpska until July 5 and make themselves available to the military authorities for the defense of homeland”, or, otherwise, face legal sanctions.⁹⁰

In this way, the hunt on refugees in Serbia became formally generalized: the persons sought were not only the Serbs from Croatia but also the ones from Bosnia (or individuals who had something to do with Bosnia in some previous period of their lives); not only medical but all available personnel was wanted. And, according to the electronic version of *Vreme*, the same held true for men from Krajina who were employees of the Serbian police, as well as for their compatriots who were former or actual officers of the the Yugoslav National Army (JNA) or the Army of Yugoslavia (VJ).⁹¹

Although the action of mobilization in Serbia had grown so big and visible that *everyone who wanted could know about it*, the attitude of the official Serbia

87 “Pucnjava pred vatrogasnim domom u Sremskoj Mitrovici: Kako je nastradao Drljača?” Naša Borba, 23. jun, 1995, p. 2.

88 “Ministarstva zdravlja i odbrane RS: Upozorenje dezerterima”, Večernje novosti, 23. jun, 1995, p. 4.

89 “Nastavak lova na nepoželjne Srbe: Danak u krvi”, Vreme, 26. jun, 1995, p. 13

90 “Saopštenje Skupštine Republike Srpske: Apel na savest”, Večernje novosti, 22. jun, 1995, p. 4.

91 Former or active officers of these armies were ordered to report to the HQ of the Serbian Army of Krajina in Banja Luka by September 1, or, otherwise, lose their status and become eligible for mobilization as all other civilian refugees. The policemen originating from Krajina were given choice to spend two months in Krajina (June and July), with regular pay or, else, lose their job. (Filip Švarn, “The Mobilizing Goes On: Les Officers Sans Frontiers”, September 4, 1995, Vreme News Digest Agency, www.scc.rutgers.edu)

was complete denial. The most remarkable trailblazers were the official media: “For the official media in Serbia, and especially for the mainstay of the regime, *The radio and television of Serbia*, the mobilization was not a news, regardless of the information from Knin that several thousands of combatants had come by bus to Krajina to defend their hearths”.⁹²

Those days, quite characteristically, the popular (and populist) *Politika Ekspres* wrote: “If something does not exist, it can be made up, and this is precisely the method used by the activists of the Belgrade-based “SOS phone” and the Helsinki committee in Serbia when launching the story about the mobilization of men from Krajina in the FR Yugoslavia and their alleged deportation to the homeland. Whether accidentally or set up precisely for June 15, almost simultaneously with the summit of G7 leaders in Halifax (Canada) who are expected to decide on the final peace in the former Yugoslavia, yet another of the already-seen media mines was activated in Belgrade”⁹³

Especially bitter was the denial of mobilization by the Serbian Commissariat for refugees – institution charged with (and paid for) refugee care. The Head of the Commissariat, Bratislava “Buba” Morina, took every opportunity to deny the existence of the action that everybody could see.⁹⁴ However, the most disappointing was the behavior of the Red Cross of Serbia and Yugoslavia, institution that, “according to some witness reports, generously passed their addresses to the Serbian police”.⁹⁵

92 “Lov na topovsko meso: Mobilizacija u Srbiji između politike i bezakonja”, *Naša Borba*, 24-25 jun, p. V

93 The same ideas also developed in: “U ovom trenutku: Vreme janičara”, *Politika ekspres*, 20. jun, 1995, p. 2.

94 “In the Commissariat for Refugees of the Republic of Serbia they affirm having no idea about that matter. The commissioner, Bratislava Buba Morina, admits she has heard that a ‘boy, ice-cream street vendor, was taken’ and continues: ‘Nobody asked us for data on refugees nor could anybody give them without my permission. It is obvious that there are people in this city who know the whereabouts of other people’, in: Filip Švarn, “Hajka na Krajišnike”, *AIM*, 18. jun 1995, www.aimpress.ch; “There was no mobilization of refugees with regulated status – affirms Mrs. Morina – and, as for other people who remained in the FR Yugoslavia illegally and without documents, I am not competent either to worry or to speak about them”, in: “Bratislava Morina o mukama izbeglica i mukama sa izbeglicama: U potrazi za izgubljenim domom”, *Duga*, 5-18. avgust 1995, p. 85; “Among the mobilized there are no refugees whom the Commissariat has recognized status, and if there is a mobilization at all, it probably affects persons who roam in Belgrade without papers and status”, in: “Prema informacijama SOS telefona: Mobilizaciju sprovodi MUP Srbije”, *Naša Borba*, 17-18, jun, p. 3.

95 Milka Ljubičić, “Sudbina ‘polaznika’ Arkanovog kampa u Erdutu: Operacija kažnjavanja ‘izdajnika’”, *AIM*, 4. jul, 1996, www.aimpress.ch. Aside from that, the Red Cross, organization traditionally dealing with war prisoners’ rights, had to know that “the mobilized who had already been imprisoned by Croat or Moslem soldiers and then released by or exchanged through the Red Cross are no longer covered by this international organization

On the other hand, an example of the opposite behavior was given by Montenegro which refused to take any part in the mobilization.

Numerous domestic political parties and civil associations, in their way, shared the Montenegrin attitude. Public protest was expressed by the Center for anti-war action,⁹⁶ the Helsinki committee for human rights in Serbia,⁹⁷ the Fund for development of democracy,⁹⁸ the Humanitarian law fund,⁹⁹ the Serbian renewal movement,¹⁰⁰ the League of socio-democrats of Vojvodina,¹⁰¹ the youth section of the Democratic party¹⁰² and the Democratic party of Serbia.¹⁰³ Among international bodies, protest was expressed by French Embassy (as representative of the country that then presided over the European Union,¹⁰⁴ International Helsinki federation for human rights,¹⁰⁵ Amnesty International¹⁰⁶ and UNHCR,¹⁰⁷ while the American Department of State assured the American media that it was “bringing its concerns directly to the attention of the Serb leadership”.¹⁰⁸

in case of repeated imprisonment”, in: “Mobilizacija - strogo selektivna: Ko je zaštićen?», Naša Borba, 24-25. jun, 1995, p. 3.

96 “Centar za antiratnu akciju (SOS telefon) uputio pismo predsednicima Liliću i Miloševiću i premijeru Kontiću i Marjanoviću: Ne može se izbeći odgovornost Srbije i Jugoslavije”, Naša Borba, 15. jun, 1995, p. 2.

97 “Helsinški odbor za ljudska prava u Srbiji: Nezakonit akt”, Naša Borba 15. jun, 1995, p. 2; “Saopštenje Helsinškog odbora za ljudska prava u Srbiji: Ministar policije zloupotrebio ovlašćenja”, Naša Borba, 28. jun, 1995, p. 2.

98 “Milenko Radić, predsednik Fonda za razvoj demokratije: Sve je potpuno nezakonito”, Naša Borba, 15. jun, 1995, p. 2.

99 “Fond za humanitarno pravo poziva mobilisane ili njihovu najbližu rodbinu: Pokretanje krivičnog postupka zbog otmiče i proterivanja”, Naša Borba, 28. jun, 1995, p. 2.

100 “Srpski pokret obnove: 'Divljački lov na ljude”», Naša Borba, 23. jun, 1995, p. 2; «Srpski pokret obnove: Lov na ljude se nastavlja», Naša Borba, 28. jun, 1995, p. 2.

101 “Liga socijaldemokrata Vojvodine: Masovno kidnapovanje”, Naša Borba, 26. juna, p. 16.

102 “Pismo Demokratske omladine Mirku Marjanoviću: ‘Prijavite se dobrovoljno u Vojsku RSK”», Naša Borba, 27. jun, 1995, p. 2.

103 “Konferencija za štampu Demokratske stranke Srbije: Građani su igračka u rukama režima”, Naša Borba, 29. jun, 1995, p. 4.

104 “Protest EU zbog mobilizacije izbeglica”, Naša Borba, 24-25 jun, 1995, p. 3.

105 “Međunarodna helsinška federacija: Mobilizacija dovodi u pitanje kredibilitet režima u Srbiji”, Naša Borba, 24-25 jun, 1995, p. 3.

106 “Amnesti Internešenel uputio apel Liliću: Hitno obezbediti povratak prisilno mobilisanih u SRJ”, Naša Borba, 27 jun, p. 2.

107 “Ron Redmond, portparol UNHCR, za ‘Našu Borbu’ o mobilizaciji izbeglica u SRJ: Otvoreno kršenje Konvencije čiji je i SRJ potpisnik”, Naša Borba, 21. jun, 1995, p. 3.

108 U.S. Department of State, Office of the Spokesman, Daily press briefing, 95/06/29, www.hri.org

It was the voice of the other Serbia, as well as the voice of an insufficiently exigent “international community”. In the meantime, the majority of Serbian citizens (exhausted? scared? resigned? delighted?) watched silently their fellow-citizens, neighbors and newly-arrived unfortunate wretches being taken away. True, at the end of July, two cousins of some forcibly conscripted men went on hunger strike under the window of Milošević’s office and “were given refreshment drinks and vitamins by the activists of the ‘Belgrade circle’, ‘Committee for the support to the forcibly conscripted’, ‘Women in black’, other anti-war organizations and individuals, but, nevertheless, the majority of passersby were mainly indifferent”.¹⁰⁹ The official Serbia counted on this lack of solidarity, but the mobilization was so scandalously carried out that some protests had become hard to ignore. Namely, the political coalition in power began splitting as some of the political allies of the Socialist Party of Serbia who, in fact, supported the mobilization, began protesting against the way of its execution.¹¹⁰ Silence was finally broken on June 24 by a truly historical magazine article of Mirjana Marković, where she not only clearly stated that there was a mobilization going on but also that it was quite justified. The justification of that action (which expressed the true, never before expressed, “politically incorrect” and, therefore, inexpressible attitude of the Serbian regime towards refugees), the emotional tone of the author and the literary quality of the text deserve to be reproduced here entirely:

June 17 – Some partisans of the Serbian cause in Bosnia and Serbian Krajina live in Belgrade, have not spent a single day in the war and do not intend to do so. They have mainly arrived from the war zone, and timely, before or at the immediate beginning of the war.

They came to Belgrade and other cities in Serbia with their children, their money and their ambition: to take over the economic, political, and in general, social positions that would make them extraordinary, first-class citizens.

As for the Serbian people in Bosnia and Serbian Krajina, only the poor have remained to fight there. Their

109 “Pod predsednikovim prozorom: Štrajk gladu”, Vreme, 31. jul 1995, p.19.

110 “The Serbian Radical Party has to express its indignation about the illegal manner of execution of the otherwise legal decisions, as well as about the inhuman attitude of the Serbian authorities towards those sent to the Republika Srpska and Republic of Serbian Krajina”, in: “Radikali podržavaju mobilizaciju: Ogorčenje zbog nelegalnog načina”, Naša Borba, 28. jun, 1995, p. 2; “Draft-eligible men should have been returned to Bosnia and Krajina to defend what is theirs, but in a more appropriate manner ...the way people are now being hunted in Serbia is below any standard”, in:

“Goran Latinović, SK-Pokret za Jugoslaviju: Zakasneli potez vlasti”, Naša Borba, 28. jun, 1995, p. 2.

results irritate these patriots from Bosnia and Serbian Krajina domiciled in Belgrade – they are not satisfied at all and vent their dissatisfaction aggressively. They are angry at the poor devils in the hills of Bosnia and Krajina, but also at adult males (perhaps adult females as well) in Serbia for not being mobilized to fight the war in Bosnia and Krajina. It is out of question for them to take part in the war they advocate so passionately. And if they are so embittered about Serbian hearths, why did not they stay to defend them? Why did they come here at all? Perhaps they expected somebody else to defend them, for instance, their poor and honest neighbors who could not or did not want to go. Or, perhaps, the youth from cities and villages in Serbia, who should give proof of their patriotism by getting killed for the hearths of those who had left them and went to Belgrade to open restaurants and firms.¹¹¹

After this article, state officials began openly talking about the mobilization;¹¹² the Serbian police issued its famous statement (in the night of June 24, therefore, on the same day after the text in *Duga* had appeared), while the official media suddenly discovered refugee themes, but their interest boiled down to unimaginative repetition of the statements expressed in the text of Dr. Marković. Thus, for instance, *Večernje Novosti* found itself fine with a mere reproduction of that text.¹¹³ Until the end of the summer, it was the only feature article this daily made about refugees, and the same held true for *Politika* and *Politika Ekspres*, other two official, and also most influential dailies in the country. And let us keep the dessert for the end: the text of Mirjana Marković made its way to newsstands only a couple of hours after mobilization had stopped, as it was “discontinued in the night of June 23”.¹¹⁴ What a coincidence! In other words, the official Serbia acknowledged the June mobilization only when it had ended. It was just a special

111 “Ko ustvari ratuje na području nekadašnje Jugoslavije: Patrioti iz Bosne i Srpske Krajine sa stanom u Beogradu”, *Duga*, 24 jun 1995, p. 5.

112 Thus, for example, the shift boss in the Valjevo police department, Boško Jovančić, declared: “We are doing the military authorities of the Republika Srpska and Republic of Serbian Krajina a favor. We round up men on the basis of their request”, in: “Rodbina traga za odvedenim 'dobrovoljcima' iz Valjeva: 'Srpska policija nikad nije radila prljaviji posao’”, *Naša Borba*, 28. jun, p. 2.

113 “Iz dnevnika dr Mire Marković u ‘Dugi’: Prekopavanje prošlosti”, *Večernje novosti*, 23. jun, 1995, p. 2.

114 “Mobilizacija izbeglica”, *Pod lupom: kršenje ljudskih prava na teritoriji bivše Jugoslavije 1991-95*, Fond za humanitarno pravo, Beograd, 1997, p. 246.

case of the general poetics of the former regime that, as so many times until then, revealed itself in denial of the existent and postulation of the inexistent.

In July, therefore, a close season was proclaimed in the mobilization forest, so that the remaining game could cautiously peep out from their hideouts, smell the air and relax a bit, but not for long, for, war was thundering in Bosnia, one city after another kept falling, and there was a new storm forthcoming on the horizon: “Storm”, offensive of the Croatian army, which in only four days (August 4-7, 1995) terminated the entire western (also the biggest) part of the Republic of Serbian Krajina,¹¹⁵ crushed the Serbian Army of Krajina and produced exodus of the entire civilian population that - in an endless column of all possible vehicles loaded with what could have been picked up in hurry, and under the curses and stones of Croatian civilians¹¹⁶ and occasional shelling and rocketing of the Croatian Army¹¹⁷ - retreated mostly to Serbia and partly to the parts of Bosnia under Serbian control and Eastern Slavonia (the only remaining part of the Serbian Republic of Krajina).

But already on

August 11 the commander-in-chief of the Army of Republika Srpska issued an order to the General Staff of the Serbian Army of Krajina demanding that the retreated units from Krajina be transformed into a maximal number of new units that would be placed under command of the General Staff of the Army of Republika Srpska and partially under command of the Serbian Army of Krajina, in order to defend the actual territory of the Republika Srpska (RS) and Republic of Serbian Krajina (RSK) and liberate the occupied territories of the RSK and RS...The order also stated that “all draft-eligible men aged 18- 60 from RSK, who have retreated chaotically, must be mobilized and organized in units of the Serbian army”... It was stressed that the mobilized conscripts had to be collected in Petrovac, Prijedor, Banjaluka and Derventa... and specified that the formation of the units and their combat preparation had to be accomplished by August 14. This order, however, was written too late and could not have been accomplished, because the majority of men had already dispersed and arrived to Serbia, i.e. the FRY. However, the General Staff of

115 See the excellent serial “10 godina od ‘Oluje’ nad Krajinom”, B92 radio station, www.b92.net

116 The episode at Sisak, see: Ozren Žunec, “Rat u Hrvatskoj 1991-1995”, www.ffzg.hr

117 For example, the aircraft rocketing of the refugee column at Petrovac road, on August 7, see: “Banja Luka je prva dočekala prognanike iz Krajine: NN ulazi u novi život”, Duga, 19. avgust-1.septembar, 1995, p. 6.

the Army of Yugoslavia endorsed the order, as it is confirmed by its information from August 14, sent to Ratko Mladić and Mile Mrkšić, stating that “the collection of conscripts from the RS and RSK who are in the FRY is being carried out by the Ministry of interior affairs”. A gathering center was formed in Loznica, with a liaison officer who coordinated tasks with the Ministry of interior affairs. General Mladić and Mrkšić were asked to let know how much of the conscripts they could take...On August 15, Ratko Mladić issued an order regulating reception of the mobilized conscripts from the territory of the FRY. It was ordered that reception points be organized in Bijeljina (the military barracks “Stepa Stepanović”) and Bileća (the barracks “Bilečki borci”). The order specified that “the conscripts born in the RSK and RS west of the river Bosna have to be immediately transferred under police escort to the educational-commando center ‘Manjača’ [where “organization and unit formation, clothing, arming and a short training are being organized, after which the men are ascribed to tasks according to the decisions of the General Staff of the Army of Republika Srpska and Serbian Army of Krajina”], while the conscripts from the Republika Srpska born east of the river Bosna are to be assigned to the Romania, Herzegovina and Eastern Bosnia corpuses”.¹¹⁸

This inevitably long and highly informative excerpt demonstrates two things which were not clearly visible in June and July and which were a subject of much speculation in the public and non-governmental media: 1. the coordination between the political and military authorities of the three Serbian states, and 2. the triage scheme of mobilized persons.

In August, therefore, the forcible conscription in Serbia entered a new phase and acquired some new operational instruments such as the training camp of the Serbian Voluntary Guard in Erdut (of which there will be more talk later on). An especially painfully aspect of the August phase of the campaign was the fact that it also meant capture of men who had just survived the ordeal of military defeat and the Golgotha of forcible abandonment of the homeland. Some of these people had spent four years in war only to be forcibly brought back to it. Especially touching was the case of those August refugees who had roamed for days in Serbia looking for any kind of accommodation and whose first contact with the authorities

¹¹⁸ “Knin je pao u Beogradu”, Osma strana, www.krajinaforce.tripod.com

was used to bring them back forcibly.¹¹⁹ They, simply, did not know that by avoiding the Croatian “Storm” they entered the Serbian one.¹²⁰

The Serbian police just did its job. The captured individuals were, immediately after arrest, escorted to temporary gathering centers – nearest precincts or fire stations or any other premises suitable for large human gatherings, such as the Sremska Mitrovica prison,¹²¹ or the yard of the Public transport company of the city of Novi Sad.¹²²

The gathering centers served also for triage: the mobilized men intended for the Bosnian front were transferred under armed escort of the Serbian police to Loznica, Bijeljina or Zvornik,¹²³ where they were taken over by the military authorities of the Republika Srpska (in accordance with the above-quoted Mladić’s order), while individuals intended for the Eastern Slavonian front were transferred to the “former JNA basis in the village Željava” (Krajina)¹²⁴ or, *most frequently*, to the training camp of the Serbian Voluntary Guard in Erdut.¹²⁵

Erdut at dawn. There are men with helmets and guns standing in the moonlight. The railway bridge and the Danube shimmer in the dark. The silence is broken with cries: “Get out! Out! You Serbian traitors, motherfuckers! We will kill you; we will cut your throats! Run! Run! Into the line!”

Clubs fall onto heads from all directions. Eardrums and heads crack under blows. Thousands are still arriving by bus to Erdut.

Under the open sky, there are four chairs and four barbers standing by. Head shaving takes about 30 seconds. At 7 o’clock, there is salute to the flag. Arkan speaks: “May God help you, Serbian volunteers! You are Serbian volunteers now. I’ll fuck you for having betrayed Krajina!”

119 “M. S, a refugee temporarily settled in Kruševac, was taken to Erdut on August 22 last year, only a day after he had reported to the local Red Cross office”, Milka Ljubičić, “Sudbina ‘polaznika’ Arkanovog kampa u Erdutu: Operacija kažnjavanja ‘izdajnika’”, AIM, 4. jul, 1996, www.aimpress.ch.

120 As NIN discovered at the beginning of July 1995, the “Storm” was the official code-name of the operation of mobilization of refugees (“Gde god krenem- rat” , NIN, 25 oktobar, 2001, www.nin.co.yu). It is indeed amazing how the bureaucratic imagination of the Serbian and Croatian authorities produced the same result.

121 Milošević’s trial, witness B-129, the transcript, p. 19 506-7, www.un.org/icty/

122 “Krivična prijava zbog mobilizacije: Penzioner tužio policiju”, Naša Borba, 26. jun, 1995, p. 2

123 “Knin je pao u Beogradu”, Osmo strana, www.krajinaforce.tripod.com

123 ibid.

124 Filip Švarn, “Hajka na Krajišnike”, AIM, 18. jun 1995, www.aimpress.ch

125 Transfers to Erdut were taking place only in the August period of mobilization.

*There are thousands in the line. You can't quit it for a moment. Punishments are terrible. As salute to the flag goes on, a man is picked out, tied to the flag post and given 25 blows. All have to watch the man twisting like a worm under the clubs. Punishments are various. For instance, a man is tied to the poplar trees by the Danube. The nights on the Danube are cold and full of mosquitoes. The man is showered with cold water.*¹²⁶

This kind of “welcome” overshadowed all other humiliations or psychopathically disproportional “punishments” for every trifle “infraction”, in which the Erdut camp abounded in the period of the “operation of punishment of traitors”: confiscation of all documents upon arrival,¹²⁷ confiscation of all gold and other valuables (that, of course, were never given back to the owners),¹²⁸ prohibition of contact with anybody outside of the camp (lasting up to 45 days),¹²⁹ tying to kennels,¹³⁰ “forcing people to pluck each other’s beards”,¹³¹ orders to “punish each other mutually (beating a tied man)”,¹³² “tying to the flag post (up to 48 hours)”,¹³³ forcible “standing in the sun, all day long, without food and water”,¹³⁴ “24 hours spent in a barrel full of cold water”,¹³⁵ permanent humiliation and compulsion to

126 “Miodrag Milojević: Rame uz rame sa Legijom po srpskim frontovima”, www.profil.co.yu. This fascinating interview is especially important since it comes from a man who had spent four months with Milorad Ulemek/Luković “Legija” at the Bihać front.

127 “Zastarevanje psihičke torture”, Radio slobodna Evropa, www.danas.org

128 Marina Grihović, “Pravda za mobilisane izbeglice”, IWPR, www.iwpr.net

129 *ibid.*

130 “One of the punishments was to be closed in a kennel, to be made a dog. The work unit had made seven kennels, smeared them with used machine oil and painted them black, so that a man who wore a chain around the neck, who had to be a dog, bark like a dog, would inevitably become all daubed. When Arkan’s soldiers passed by, the man in the kennel had to salute them with barking. If not, they trampled him under boot, bat him with clubs. The dog, man-dog, had to walk around on all fours, like a real dog, and bark. He would enter his kennel on all fours and put a chain around the neck. Every kennel had a chain five-six meters long”. (“Miodrag Milojević: Rame uz rame sa Legijom po srpskim frontovima”, www.profil.co.yu)

131 “Appeal Against Compensation Awarded to Forcibly Conscripted Refugees”, Humanitarian Law Center, www.hlc.org.yu

132 “Gde god krenem- rat”, NIN, 25. oktobar, 2001, www.nin.co.yu

133 *ibid.*

134 Milka Ljubičić, “Sudbina ‘polaznika’ Arkanovog kampa u Erdutu: Operacija kažnjavanja ‘izdajnika’”, AIM, 4. jul, 1996, www.aimpress.ch.

135 *ibid.*

self-humiliation,¹³⁶ and, as a definite invention of the Erdut camp, exhaustion through carrying of a black-painted “24.1 kilos”¹³⁷ heavy stone, marked with the words “Mr. Discipline”.¹³⁸

After such a “disciplining”, that sometimes lasted a month (but most often a week or a fortnight), the “mobilized”, often poorly armed and clad,¹³⁹ were transferred either to trench-digging units or directly to the first front line, under a watchful eye of Arkan’s guardsmen, who remained in the third line. Some of these unwilling soldiers never returned from Erdut, while the others still try, one way or another, to live with the experiences they undergone there. We do not know how many of them did not succeed in their attempts.

The manner, extent and frequency of infliction of pain in the Erdut camp become much clearer if we keep in mind that the Serbian Volunteer Guard was largely composed of individuals who had either been criminals before the war or who became such in the war.¹⁴⁰ Besides, because of the type of military actions this unit used to carry out (described in more detail in the indictments of the Hague tribunal), these individuals had become even more brutal, which means that cruelty and disrespect of human life became their usual way of thinking and acting. Moreover, we should not forget that the camp also served for confinement, questioning, torture and killing of the local inhabitants and war prisoners.¹⁴¹ Finally, one should bear in mind that the camp, ever since its foundation, was also the operational center of a wide network of illicit businesses that covered the entire Eastern Slavonia. Over and from Erdut flew smuggled merchandise (first of all, petroleum derivatives and cigarettes), the property stolen either in the war plunder of Eastern Slavonia or elsewhere in Europe (automobiles, gold and valuables, art

136 *ibid.* “They called us traitors, cowards, grandmas, ass-kissers, exclusive culprits of the fall of Krajina, Serbian shits, monkeys...what’s worst, we ourselves had to repeat these insults: ‘I am the worst Serb; I am a traitor of Serbhood; I am...’”

137 “Miodrag Milojević: Rame uz rame sa Legijom po srpskim frontovima”, www.profil.co.yu

138 *ibid.* “One has to carry the stone 24 hours a day, incessantly, as a punishment. Next to a man who runs and carries the stone run also guardsmen with clubs. If the man falls, let the stone fall, he will be trampled under boot, maimed by clubs. The stone carrier also has to sing “I like this stone!”. While running around the man, Arkan’s soldiers tap the clubs in the hands and provoke: ‘Let the stone fall! I’ll kill you, I’ll cut your throat...let it fall!’”

139 “Gde god krenem – rat”, NIN, 25 oktobar, 2001, www.nin.co.yu

140 “We see Arkan visiting prisons at the beginning of 1991, taking out his old buddies from the prisons of Sremska Mitrovica and Zabela and proposing them a deal: a month at the front for three or six months of the reduction of sentence”, in: Miloš Vasić, “Atentat na Zorana: Kad država nije država”, intervju radiju B92, www.b92.net

141 Chapter “SAO SBZS”, in: “Tužilac Međunarodnog suda protiv Jovice Stanišića i Franka Simatovića”, Međunarodni krivični sud za bivšu Jugoslaviju, predmet br. it-09-63, www.un.org/icty/

works, wine, electronic devices, domestic appliances...),¹⁴² arms, heroin,¹⁴³ and lastly, mercilessly exploited local natural resources (at first the Slavonian oil fields, and then oak forests).¹⁴⁴ Arkan himself controlled the main lines of these “businesses” (taking for himself a lion’s share of the profits), with the knowledge, approval and logistical support of the Serbian authorities, mainly the State security service¹⁴⁵ and customs office.¹⁴⁶ This was seen as a reward for Arkan’s military and all other services. Arkan, a man with an impressive pre-war criminal record in several European countries,¹⁴⁷ had a gas-station and a free-shop in Erdut, as well as several legal businesses in Serbia (a chain of bakeries and money exchange offices, the Belgrade “Penguin” radio station, the “TV Palma plus” in Jagodina, the “Grand Casino” in the hotel “Jugoslavija” in Belgrade, the football club “Obilić”¹⁴⁸ – to mention some of the most visible ones), but, nevertheless, remained fond of classical criminal businesses, such as rackets, for instance.¹⁴⁹

These were the men who, in the summer of 1995, were entrusted with the task of disciplining and developing of “humanity”, patriotism and military virtues.

As for the number of individuals mobilized in the summer of 1995 (and especially the number of those who passed the “training” in Erdut), it is impossible to give a *precise* answer now. The range of the numbers we found in the consulted sources was best summarized by Backović et al. who, quoting various estimates, stated that Serbia had handed over to the Republic of Serbian Krajina and

142 “Dosije Arkan”, Vreme, 22. januar 2000, p. 11-21.

143 Miloš Vasić, “Atentat na Zorana: Kad država nije država”, an interview given to the B92 radio station, www.b92.net

144 For a handful of juicy details on the last phase of the plunder of Eastern Slavonia, see: “Tragovi Škorpiona”, Vreme, 9. jun, 2005, p. 12-15.

145 Chapter “Psi rata”, in: Florans Artman, Milošević – dijagonala lauffera, Den Graf, Beograd, 2001, p. 137-157; Miloš Vasić i Filip Švarn, “Srpske paravojne formacije: 1990-200 – Zadah zločina”, U trouglu državne sile, Helsinški odbor za ljudska prava u Srbiji, Beograd, 2001, p. 57-73; “Sve tajne DB-a i Agencije”, Vreme, 8. maj 2003, p. 11-17.

146 According to Arkan’s ex-secretary, now witness B-129 in Milošević’s trial, “whenever he was informed that a truckload of whisky or cigarettes had problems entering from Bulgaria or Macedonia, Ražnatović would call the then director of the Federal Customs Office Mihalj Kertes, and the same day the truck would be allowed to enter Serbia and go to Erdut. The load was not taxed. A part of it would remain in the free-shop in Erdut, while the bulk would be sold in Serbia”, in: “Svedok: Di Stefano i braća Karić najveći sponzori SDG”, Politika, 16. april, 2003, www.rtvpolitika.co.yu

147 “Dosije Arkan”, Vreme, 22 januar 2000, p. 11-21.

148 *ibid.*

149 Uroš Komlenović, “Arkan, jedna karijera: Poslastičar u državnoj službi”, AIM, 13. jun, 1997, , www.aimpress.ch

Republika Srpska between 6 000 and 25 000 men.¹⁵⁰ We see that the numbers vary up to 16 000, which means that it is, actually, impossible to give a precise answer without consulting and comparing the archives/databases of the Army of Yugoslavia, Serbian Ministry of interior affairs and (now defunct) armies of the Republika Srpska and Republic of Serbian Krajina. However, we do not think that the archives of the Serbian police (which, we believe, contain the secret of the number of Erdut martyrs) will be open to the public in the foreseeable future. Therefore, this issue remains a challenge for some future student, on condition, of course, that official documents - if these were carefully maintained, in the first place, and not already destroyed by now - ever be rendered accessible to the public.

DISCUSSION

*Who knows where would we be now without Milošević's visionary politics.*¹⁵¹

By forcibly mobilizing refugees in the summer of 1995, the erstwhile Serbian authorities committed a twofold violation of human rights: a) the very act of forcible return of refugees to a territory where their life or freedom could be threatened represents a serious breach of human rights; b) *the way* officials of the Republic of Serbia (or persons under their control) treated the forcibly conscripted (and especially those sent to Erdut), represents a mass and heavy violation of human rights.

The military effects of the mobilization were negligible and, from the military point of view, it was an absurd and futile action.¹⁵² From the humanistic point of view, the mobilization produced *unnecessary* loss of life and health, and *unnecessary* psychic suffering whose psychiatric (and therefore social) consequences will continue to be felt for long. Economically, it was a pure loss, either because of the costs of the operation itself or because of the costs of alleviation of its consequences (welfare and health care of the disabled; regular payments to the families of deceased; compensations to the injured parties or their families).

150 Ofelija Backović, Miloš Vasić i Aleksandar Vasović, "Ko to rado ide u vojnike: Mobilizacijska kriza-pregled medijskog izveštavanja", Republika, br. 198, www.republika.co.yu

151 Ivica Dačić, portparol SPS, Politika, 6. novembar 1999, citirano u: "Svaštalice", Republika, www.republika.co.yu

152 A typical example is the unsuccessful defense of Grahovo, in June 1995: "The Serbian defense of Grahovo was weak and put up by inexperienced soldiers, Serbs originating from Croatia and Bosnia who had previously found refuge in Serbia where they were mobilized and brought back to the front" ("Rat u Hrvatskoj 1991-1995", www.ffzg.hr)

Ten years after, the whole action seems so tragically absurd and painful that we have to ask ourselves: why did it occur at all? Why the forceful mobilization of refugees in Serbia in the summer of 1995? In the historiographic part of this work we have tried to demonstrate the chronic lack of men in the Serbian armies in Croatia and Bosnia, at the moment when they were undergoing a series of defeats in the field. This approach suggests that the mobilization represented a simple answer to the requests and needs of these armies. Or, in other words, the mobilization was solving a numerical problem.

This explanation, however, cannot be *completely* satisfactory. Namely, the numerical problem did not exist, because there were three Serbian armies¹⁵³ in the summer of 1993: the Serbian Army of Krajina, the Army of Republika Srpska and the Army of Yugoslavia, and, besides them, as Kadijević and Đorđević¹⁵⁴ pointed out correctly, numerous possible volunteers from Serbia.

Of course, the Serbian Army of Krajina was in rout at that moment, a possible engagement of the Army of Yugoslavia in the territories of other, internationally recognized states collided with Milošević's intense efforts to get rid of the sanctions, and there could not have been a thought of a general mobilization after the disastrous experiences from 1991. But why not engaging the Army of Republika Srpska and volunteers from Serbia? Of course, the Army of Republika Srpska had its own problems in the field. But why did it not engage even in the occasions when it could suffer no losses at all?¹⁵⁵ And why not volunteers from Serbia (in some mixture of authentic volunteers and elements of regular police and army forces)? This question, I believe, has only one logical answer: because the commanders of the remaining Serbian effectives *decided* not “to play all aces”, not to carry out the complete mobilization of all available forces and not to initiate a final defense of the - never formally proclaimed - goals from the beginning of the wars in Bosnia and Croatia.¹⁵⁶ In other words, I think that there occurred a *grand relinquishment*. Let us see what Ozren Žunec has to say about that:

The fact that Serbia never intervened when Croatia attacked the Republic of Serbian Krajina, and never even threatened to intervene, as well as the fact that the breakdown

153 “Serbian” in the sense that the majority of officers and soldiers of these armies were ethnic Serbs.

154 Veljko B. Kadijević i mr Branislav Đorđević, “Kako odbraniti Krajinu”, Duga, 27. maj-9. jun 1995, p. 36.

155 Thus, by the time of the “Flash”, “on the right bank of the Sava no movement was observed that would demonstrate at least a symbolic willingness of the Army of Republika Srpska to help; its artillery, as well, remained inactive although it had within its range the main Croatian forces as they advanced on the road towards Okučani” (Ozren Žunec, “Rat u Hrvatskoj 1991-1995”, www.ffzg.hr)

156 “Defense of Serbia takes place in Knin”, “All Serbs in one state”, “The western border of Serbianhood: Virovitica- Karlovac-Karlobag”. “The Drina is not a border but the spine of Serbianhood”, etc.

of the Republic of Serbian Krajina in the operation “Storm” was accepted without too much emotion (in spite of a dramatic exodus of the people), reveal that the Republic of Serbian Krajina was left down the drain once it had played out the role of a foreground for the partition of Bosnia and Herzegovina, which had always been the main goal of Milošević’s politics. A Serbian “state” in Bosnia and Herzegovina, as it was, became a heavy load, which became evident when Serbia closed its border to the Republika Srpska in the summer of 1994 and introduced sanctions. It seems that Milošević was quicker than Karadžić to realize that the Bosnian Serbs would not be allowed to hold permanently 70% of the territory of Bosnia and Herzegovina that they had taken in 1992 and did not want to give up, which became the main obstacle to a political solution that would include the partition of Bosnia and Herzegovina. When Karadžić too had realized that point, he probably had to decide what part of the territory to give up, and the southern part of Bosnian Krajina (Kupres-Bosansko Grahovo-Drvar-Bosanski Petrovac-Jajce-Donji Vakuf) seemed the most logical choice since it is economically uninteresting and sparsely populated, and its concession could save the far more important and valuable region of Northern Krajina with Banja Luka.¹⁵⁷

But, if Milošević gave up the salvaging of the state of the Croatian Serbs, “let down the drain” the entire Republic of Serbian Krajina and a good part of the Republika Srpska, why then refugees were forcibly sent back to these territories? A forcible return to a territory you want to abandon does not make sense at all. Did Milošević think that a military reinforcement would help recapture the lost territories or, at least, safeguard the remainder? Was the operation meant for internal political reasons, to assure the Serbian public (shocked by the loss of the territories) that he “did not let anything go down the drain” and that he was still fighting (especially because he had, perhaps, already began preparing the “peaceful reintegration” of Eastern Slavonia, i.e. abandonment of the entire Republika Srpska Krajina)? Or was he, simply, afraid of the fact that there were in Serbia thousands of armed, angry and desperate men from Krajina who felt betrayed and who had already lost everything? Was it none of this, some of this or all of this?

The question of motivation of Milošević’s decision on forcible mobilization, in fact, cannot be answered in the absence of any Milošević’s sincere

157 Ozren Žunec, “Rat u Hrvatskoj 1991-1995”, www.ffzg.hr

statement in this respect, or in the absence of a credible statement from a trustworthy witness. Still, the most frequent answer we found in the consulted material was that by sending the forcibly conscripted back and by their hoped-for military successes the ruler of Serbia wanted to reinforce his positions in some future negotiations with big powers.¹⁵⁸ Aside from the imprecision of this explanation, it does not satisfy us **also** because it does not take into account some facts that have nothing to do with Milošević’s political calculations in the summer of 1995. Namely, as *Vreme* lucidly observed:

*There is a series of elements suggesting that this forcible mobilization has been long and carefully planned and that it is much bigger than it looked at its beginning. Firstly, it was preceded by some extensive administrative actions, such as the revision of refugee status that began in February 1994. The revision was supervised by the Commissariat for Refugees of the Republic of Serbia, and the commissioner Bratislava Buba Morina explained the operation in the following way: ‘First of all, to ascertain the number of refugees...and then to carry out coordination with the authorities of the Republika Srpska and the Republic of Serbian Krajina who had presented us a large list of the territories that refugees can return to’ (*Vreme*, May 1994). In fact, the revision achieved that 90 000 individuals have lost their refugee status. They joined the group of 70 000 individuals who, in Commissariat’s estimates, remain illegally in Serbia, or, as Madame Morina said, “roam in the streets”. This business has lasted long and was finished about a month before the beginning of the mobilization. Not long thereafter, the government of Serbia proudly announced a proposal of a new law on the citizenship of the Republic of Serbia. According to the proposal, persons originating from the Republika Srpska and the Republic of Serbian Krajina and who have legally or illegally settled in Serbia after 1990 will not be able to get the citizenship of the host country.¹⁵⁹*

Therefore, the revision of refugee status began already in February 1994, i.e. fifteen months before the “Flash” and was finished in June 1995! This means that, before any essential loss of the Serb-controlled territories over the Drina and far before the big turn of the tide in the field, there had been a wish of the official Serbia to get rid of (at least a part) of refugees in Serbia. We can demonstrate that

158 “Prinudna mobilizacija - pozadina: Danajski poklon”, *Vreme*, 3. jul, 1995, p. 18.

159 “Nastavak lova na nepoželjne Srbe: Danak u krvi”, *Vreme*, 26. jun, 1995, p. 13.

Milošević saw refugees as a big economic burden,¹⁶⁰ or that he disliked them for purely political reasons,¹⁶¹ but we can also start looking out for a completely different – perhaps incredibly personal – reason of Milošević’s wish: the reasons of a wish, although enlightening it, does not change its fact. Milošević’s wish had existed far before Serbian war troubles began.

Practically, this means that the Bosnian and Croatian Serb request for mobilization fell onto a more than favorable ground in the official Serbia that, we can suppose, was only searching a good pretext. In other words, the request offered Milošević a dreamed opportunity to get rid of the unwanted people. Thus, the forcible conscription in 1995 is understood as a concurrence, temporal coincidence of two wishes: Milošević’s chronic wish to “get rid” of refugees and the contingent wish of the Bosnian and Croatian Serb authorities to “get hold” of them. “They” wanted them, and “he” did not.

What this does not explain, however, is the *way* these people were treated. I think that it, quite simply, reflects “the specific difference” of Milošević’s system – indifference towards the value of human life and personal dignity, disdain for the law and legality and reliance on “doubtful executives”: amoral, brutal, criminal structures covered under a patriotic discourse. The mobilization in the Serbia *of that sort* could not look otherwise.

160 See Milošević’s statements about refugees, quoted in the article of Vladimir Jović included in this monograph.

161 There are several Milošević’s statements - made to some American officials - that the majority of refugees represent “a dangerous pro-Karadžić element”, in: Filip Švarn, “Izbeglice na tapetu: Prognanici kao ‘fašisti’”, AIM, 20. februar, 1997, www.aimpress.ch

BIBLIOGRAPHY

Artman, Florans: *Milošević – dijagonala lauffera*, Den Graf, Beograd, 2001.

Blagojević, Marina: “Demografska slika Serbsje 90-tih: dihotomija i stagnacija”, u: Silvano Bolčić (ed.), *Društvene promene i svakodnevni život: Serbsja početkom devedestih*, Institut za sociološka istraživanja Filozofskog fakulteta u Beogradu, Beograd, 2002.

Gaćeša, Ljubica i Milanković, Jasna: *Nivo i tendencije mortaliteta prema starosti i polu u SR Jugoslaviji 1950-1998*, Savezni zavod za statistiku, Beograd, 2000.

Dinkić, Mladan: *Ekonomija destrukcije*, Stubovi kulture, Beograd, 2000.

Dragaš, Nikola i Nikolić, Miodrag: *Potrošačka korpa 1987-2000*, Savezni zavod za statistiku, Beograd, 2001.

Kedžić, Ljubomir: *Hiperinflacija i statistika*, Savezni zavod za statistiku, Beograd, 1997.

Milić, Anđelka: “Social disintegration and families under stress: Serbia 1991-1995”, *Sociologija*, vol XXXXVII, No.4, Beograd, oktobar-decembar 1995.

Pod lupom: kršenje ljudskih prava na teritoriji bivše Jugoslavije 1991-95, Fond za humanitarno pravo, Beograd, 1997, str. 246.

Popis izbeglica i drugih ratom ugroženih lica u Saveznoj republici Jugoslaviji, UNHCR, Komesarijat za izbeglice Republike Serbsje i Komitet za raseljena lica Republike Crne Gore, Beograd, 1996.

Popis 1991, CD, Savezni zavod za statistiku, Beograd, 1997.

Statistički godišnjak Jugoslavije, Savezni zavod za statistiku, Beograd, (izdanja za 1993, 1997, 1998 i 2001. godinu)

The Military Balance, Institute for Strategic Studies, London (izdanja za 1992/3, 1993/4, 1994/5 i 1995/6)

Vasić, Miloš i Švarn, Filip: “Srpske paravojne formacije: 1990-200 – Zadah zločina”, *U trouglu državne sile*, Helsinški odbor za ljudska prava u Serbsji, Beograd, 2001.

FORCIBLE CONSCRIPTION OF REFUGEES – UNLAWFUL MOTIVES AND ACTS AND THEIR LEGAL CONSEQUENCES

Bojan Đurić

SUMMARY

This text was inspired by my need to offer a review of legal mechanisms of legal overcoming of one of the many difficult segments of our recent past: the forcible conscription of refugees in Serbia in 1995. I have presented a summary of the domestic legal institutions and guaranties that had been violated in that action. However, I have paid much more attention to the international legal environment. Thus, I have deliberated the guaranties of protection of fundamental human rights in those international treaties and other legal instruments that bound Serbia/FR Yugoslavia in the moment of the forcible and unlawful conscription. A special attention was paid to the rights that had been most seriously violated by that act: prohibition of torture and other cruel, inhuman or degrading treatment or punishment, the right to freedom and security of person and the right to fair trial. “The legal position of the forcibly conscripted refugees” is situated within the frameworks, definitions and limitations of these rights and mechanisms of their realization. I have especially deliberated the question of efficacy and equity of compensatory proceedings in domestic courts, as well as the state responsibility before the European court for human rights in Strasbourg (which is the most efficient international mechanism for human rights protection).

LEGAL AND POLITICAL CONTEXT

All complexity of the conflicts in the former Socialist Federal Republic of Yugoslavia is reflected in the tragic roles and fates of refugees. Big wars, and especially the ones in the Balkans in the 1990s, leave indelible imprints and produce tectonic changes in souls, lives and human and interstate relations. One of the most natural goals of the legal system is establishment of justice and correction of injustice and unlawful behavior. Unfortunately, life is most often more complicated than the legal norm and its basic relation *disposition – sanction*. The problem we deal with here represents a most complicated mixture of law and lawlessness, justice and injustice, criminals and victims, oblivion and everlasting trauma.

The law is not omnipotent, and everyone will agree with that on the basis of his personal experience or the experience of the people he knows. Every honest lawyer will admit it too. Nevertheless, the hope that the law can help the injured and the vulnerable and punish the malefactors is the very heart of the moral inspiration of every good constitution, law, international treaty or custom. A legal overcoming of the forcible conscription of refugees and satisfaction of justice will not be possible without a simultaneous and well-intentioned deliberation and interpretation of the constitution, law and international legal norms that were in vigor in this country in 1995 (when the forcible conscription was carried out), and the same will have to be done with the body of current laws as well.

INTERNATIONAL LEGAL FRAMEWORK AND RATIFIED INTERNATIONAL INSTRUMENTS

The former Yugoslavia was a state party to numerous international legal instruments that regulate specific categories or particular human rights. Although the expression “human rights” was often proscribed and interpreted as a product of the decadent western political order and its value system, it has to be said that, at least formally, the erstwhile Yugoslav state joined those treaties. One of such widely accepted international treaties was the Convention relating to the status of refugees.

The Federal People’s Republic of Yugoslavia had ratified this convention in 1960 and thus became legally bound by it from that moment on. The territory and the name of the state have changed several times, but it is beyond doubt that Serbia (or the Federal Republic of Yugoslavia for that matter) has remained a member of the Convention relating to the status of refugees, even after the breakup of the former SFRY. Therefore, its agencies had to abide by the stipulations of the Convention. This also holds true for one of the key guaranties these treaties offer to refugees: prohibition of return to the territories which they fled and where they

could face grave danger, for particular reasons. Besides, domestic agencies had to feel bound by the International covenant on civil and political rights¹⁶² (CCR) and the Convention against torture and other cruel, inhuman or degrading treatment or punishment.¹⁶³ These are international pacts of a specific legal nature - they are treaties on human rights. The specificity of these legal instruments is, among other things, reflected in the fact that they are signed and accepted by states, but the obligations are convened for the benefit of beneficiaries – people who happen to be under jurisdiction of a particular state signatory in a particular moment. Relatedly, the majority of international instruments for protection of human rights have also established special organs – supervisory bodies authorized to follow and control the respect of these treaties by states signatories. In the summer of 1995, the Federal Republic of Yugoslavia (with Serbia as its constituent part), was under jurisdiction of at least two of those bodies.

Namely, articles 17-24 of the Convention against torture and other cruel, inhuman or degrading treatment or punishment stipulate the existence of the Committee against torture and make possible submission of interstate and individual petitions. The Committee consists of ten experts renowned in their scientific fields. They work in personal capacity and do not represent the states the citizens of which they are.

From the point of view of protection of the victims of forcible conscription of refugees and the compensation they deserve, the following articles of the Convention against torture and other cruel, inhuman or degrading treatment or punishment are especially important:

Each State Party shall ensure that its competent authorities proceed to a prompt and impartial investigation, wherever there is reasonable ground to believe that an act of torture has been committed in any territory under its jurisdiction

(article 12 of the Convention)

Each State Party shall ensure that any individual who alleges he has been subjected to torture in any territory under its jurisdiction has the right to complain to and to have his case promptly and impartially examined by its competent authorities. Steps shall be taken to ensure that the complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of his complaint or any evidence given

(article 13 of the Convention)

162 Sl. list SFRJ, br. 7/71.

163 Sl. list SFRJ (međunarodni ugovori), br. 9/91.

It is clear that in the case of the forcible conscription of refugees any serious and impartial investigation was absent. Firstly, investigation has to be carried out in the shortest possible time. In our unfortunate case, no serious and comprehensive investigation has been carried out, even ten years after the unlawful action of governmental agencies and their officials took place. Secondly, investigation has to be impartial. In Serbia, numerous charges have been pressed, stating that – among other things – there had been systematic breaches of the interdiction of torture of forcibly conscripted individuals. However, the charges rarely led to impartial investigation. Most often, it ended (or was “ground to a halt” indefinitely) in the moment when the prosecutor requested the police (the local force or the HQ of the Ministry of interior affairs) to collect necessary information. Moreover, this silence did not provoke a reaction or a genuine wish of the competent authorities to conduct a serious, impartial investigation.

As for the disrespect of article 13, it is clear that the forcibly conscripted formally had legal possibilities to make some kind of complaint of the treatment they had been exposed to, but the actual use of these possibilities was made more difficult and in many cases even rendered impossible. The victims, of course, could not count on protection from the vengeance and mistreatment of those whose behavior they were complaining about. At that moment, and until the end of 2000, the individuals who had been directly involved in conception, planning and execution of the forcible conscription of refugees were still holding top positions within the police and Serbian political system. Besides, the members of (semi)regular military formations who ordered torture in Erdut and other camps were incredibly powerful in the period before Milošević's fall (and even after that). A substantial portion of the public opinion in Serbia considered (and still considers) these men as big national heroes and protectors of Serbian national interests. In those circumstances, and aside from all the other troubles refugees had been (and still are) exposed to, it is not realistic to expect that there will be an efficient use of the possibility to file any entreat that has the character of complaint of unlawful arrest and the ensuing torture.

RELEVANT DOMESTIC LAW (1995-2005)

The organized praxis of deprivation of freedom of refugees from Croatia and Bosnia & Herzegovina and their (also organized) transfer into the Republika Srpska Krajina happened in the summer of 1995. At that moment, Serbia was state member of the Federal Republic of Yugoslavia (FRY). Therefore, all agencies of the state of Serbia were obliged by the FRY Constitution, which was adopted on April 27, 1992. Furthermore, the Republic of Serbia had its own Constitution,

adopted in 1991. The Law on refugees¹⁶⁴ could also have been a relevant source of law for the question of treatment of refugees. The questions of conditions and lawfulness of deprivation of freedom were mainly regulated by the FRY Code on criminal procedure and the Law on internal affairs of the Republic of Serbia.

The principle of *non-refoulement*

The principle of *non-refoulement* is presently considered as one of the pillars of the international *refugee law*. State representatives, NGOs and experts in refugee issues all agree on that particular point. What is the essence of this principle? The main idea is to prohibit return of refugees or asylum seekers to a territory where they could be exposed to life threat, torture or other similar treatment. The need to introduce respect of this principle in laws and international treaties, and especially in governmental praxis, appeared by the middle of the 20th century. The terrible experiences of the Second World War and enormous suffering of millions of refugees affected by the war largely provoked that. In fact, the preparation and final adoption of the Convention relating to the status of refugees in the early 1950s is a result of these experiences. This principle is explicitly formulated by the adoption of the Convention:

No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion
(article 33, paragraph 1).

Interdiction of expulsion or return of refugees to a territory where they could face danger on the accounts enumerated in article 33 of the Convention is absolute and applicable to all refugees. The praxis of the UNHCR and the praxis of states go in favor of this attitude. Although the Convention relating to the status of refugees represents the main international document in the domain of refugee rights, there are also other international instruments for protection of human rights that treat some specific rights guaranteed to this vulnerable group. Thus, the International covenant on civil and political rights (art. 13) guarantees that nobody (the Covenant here says no "*alien*") could be expelled, except "in pursuance of a decision reached in accordance with law" or for "compelling reasons of national security". Even in these situations, the person in question must be allowed to submit the reasons against his expulsion and has the right to have his case reviewed by the competent authority. The European court for human rights has several times reaffirmed this rule. In the case *HLA versus France*, the Court took position that a

164 Službeni glasnik RS, br. 18/92

state that carries out expulsion or extradition is to be held responsible for the expected treatment in a second state (regardless of whether the risk comes from the state or private individuals and organizations), if the authorities in the host country are neither ready nor capable to ensure adequate protection.

Importance of the problem of treatment and protection of refugees is reflected in the content of the Convention against torture and other cruel, inhuman or degrading treatment or punishment. This document (art. 3, al. 1) directly forbids a signatory state to expel, expulse or extradite a person to a second state if there are serious reasons to believe that the person will be subjected to torture. The state then has to take into account all relevant circumstances and especially the praxis of respect of human rights in the second state. We could put forward many arguments to advocate the thesis that the state of Serbia/FRY had breached article 3 of the Convention against torture during the campaign of forcible conscription. Firstly, the very existence of armed conflict in the territory of the Republic of Croatia (and in the so/called Republic of Srpska Krajina) had to point out to a very high level of danger that the conscripted would be exposed to torture. Secondly, these people were refugees who had escaped to the territory of Serbia in order to save their lives and physical and psychic integrity.¹⁶⁵ Lastly, the governmental agencies that had made and carried out the decision on forcible conscription had to know to what kind of situation they were directing the conscripted. Besides, the 1992 Serbian Law on refugees defined refugees as “Serbs and citizens of other nationalities who, under pressure of Croatian authorities or authorities of other republics, threat of genocide, persecution and discrimination on account of their national or religious belonging or political conviction, have been forced to leave their homes in those republics and flee to the territory of the Republic of Serbia” (art. 1). To return people who had on these accounts fled the territory where this danger threatened them is obviously contrary to the principle of *non-refoulement*. In that sense, the refugees who had been forced to return to war faced double danger: firstly, in the camps of regular and paramilitary formations where they underwent torture and other similar treatments, and secondly, when they were made to participate in military actions, because they run high risks of the loss of life or exposure to torture or other inhuman treatment.

165 Such an attitude and assessment of the situation in the area of conflict had been expressed by all important representatives of Serbian governmental agencies. This was also the official policy of the state; decisions of governmental agencies, declarations of the President of the Republic, government and competent ministries as well as the policy of the official media are convincing proofs for this thesis.

THE RIGHT TO FREEDOM AND SECURITY OF PERSON

The right to freedom and security of person are guaranteed comprehensively by the International covenant on civil and political rights (CCR) and European Convention for the protection of human rights and fundamental freedoms. It is important here to pay special attention to the stipulations of the CCR because this document obliged our state in the moment of the forcible conscription of refugees.

Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law

(Article 9, paragraph 1)

Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful

(Article 9, paragraph 4)

Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation

(Article 9, paragraph 5)

Every individual has the right to freedom and security of person. This right refers to every human being, regardless of whether he is a citizen, stranger or stateless person in some country. Therefore, although the vast majority of the conscripted were not citizens of Serbia/FRY, the guarantee contained in this article of the CCR referred to them as well. Nobody can be arbitrarily arrested or deprived of freedom. Also, it is not relevant if an unlawful procedure took place and continuously lasted in only one country. The only relevant condition is that this happened in a territory effectively controlled by a state.¹⁶⁶ Intentional bodies that supervise the respect of signed international treaties have in their praxis interpreted the meaning of the term «arbitrarily». Relying on that praxis, we can in principle say that, at the moment of

¹⁶⁶ That is how the European court for human rights thought in its praxis. In the case *Loizidou versus Turkey* the Court stated that military action or intervention within another territory establishes state jurisdiction, so that the state then can be accountable. For our discussion, even more relevant are cases where the Court deliberated whether the presence of representatives of governmental agencies of one state in the territory of another (or, more generally, the presence of governmental agencies at the moment of arrest) establishes jurisdiction. For a positive decision in a similar case, see: *Reinette versus France* (63 DR 189(1989) (decision on acceptability).

deprivation of freedom, there must be legal grounds for such an act. In the case of the forcible conscription of refugees, there were no such grounds.

The constitutional documents that are in vigor in the territory of Serbia and Montenegro guarantee the right to personal freedom (art. 15 of the Constitution of Serbia). According to the Convention on human rights, «everyone has the right to liberty and security of person» (art. 9). This stipulation contains a more precise definition than the previous FRY Constitution, which mentioned only the right to personal freedom but not the right to security. That Constitution, actually replaced by the Constitutional convention of Serbia and Montenegro, among other things, also stipulated the following:

Inviolability of person's physical and psychic integrity, his privacy and his personal rights are guaranteed.

Personal dignity and security are guaranteed
(art. 22 of the FRY Constitution).

Any violence against a person who is arrested, or whose freedom is restricted, as well as any extortion of confession or statement is forbidden and punishable.

Nobody shall be subjected to torture or humiliating punishment and treatment.
(art. 25 of the FRY Constitution).

Although this stipulation of the former federal Constitution was of a narrower scope than the stipulations of the CCR, it nevertheless represented a sufficient protection from unlawful arrest (which, in its legal nature, the forcible conscription of refugees was). Domestic constitutions use terms «deprivation of freedom» and «confinement», where the latter refers exclusively to criminal cases while the former denotes all cases of deprivation of freedom (and not only criminal cases). Anyway, from the standpoint of state responsibility before international bodies, a different naming of particular forms (manifestations) of deprivation or restriction of liberty is irrelevant. As the European court for human rights stressed in some of its verdicts, what matters is not the formal designation of an act in domestic jurisprudence but the intention and goal achieved by some measure.¹⁶⁷ In that sense, the forcible conscription of refugees had the character of deprivation of freedom and that is why all standards relating to the right to personal freedom and security must be applied in situations like these.

¹⁶⁷ See De Wilde, Ooms and Versyp versus Belgium

The right to complain to a court on the account of deprivation of freedom - The right to appeal to a court on the account of deprivation of freedom relates to the cases where deprivation of freedom resulted through a decision of an agency other than a court (see the decision of the European court for human rights in the case *De Wilde, Ooms and Versyp versus Belgium*, A 12, 1971, al. 76). The use of this right was not made possible for the victims of forcible conscription. This right had to be necessarily provided in such a case because the deprivation of freedom was carried out without a court order or any other role of court in this procedure.

PROHIBITION OF TORTURE AND INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

Although a tendency of abolition of death penalty is obvious today, a rule still holds that human physical integrity is absolutely protected (even more than life itself). Therefore, there is absolutely no circumstance or sufficiently good excusing circumstance for torture or other similar treatments and punishments. As with the majority of other human rights, development of human conscience leads in a certain moment to a general condemnation and loathing of heavy breaches of basic rights, and that is how a rule becomes part of the international common law. Thus, prohibition of torture is considered as part of the international common law. According to the CCR, prohibition of torture must not be abolished even in wartime or general emergency situations. Therefore, the argument that war or imminent danger of war are situations that allow for limitation of the right to physical and psychic integrity is absolutely wrong.¹⁶⁸ On the contrary, special guarantees of protection of human rights are created precisely to better protect and shelter vulnerable groups and individuals from malefactors and torturers, when some extraordinary situations set in. Reviews of the development of human rights and mechanisms of their protection, as well as the development of humanitarian and international criminal law perhaps confirm it best.

“Torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions”. This definition of torture is contained in art. 1 of the Convention against torture and other cruel, inhuman or

¹⁶⁸ Some circles frequently put forward this argument when discussing various aspects of responsibility for heavy legal infractions during the conflicts in the former SFRY.

degrading treatment or punishment and is considered as a standard in the definition of the notion of torture and similar treatments.

Torture is also a crime in the international contractual and common law. This creates a universally binding obligation of competence and repression of the perpetrators of torture. Therefore, every state has the right to investigate, pursue, punish and extradite individuals suspected of acts of torture. The Committee against torture deemed that this obligation exists even if a state did not ratify the UN Convention, evoking the principles of the Nuremberg verdict and the Universal declaration of human rights. This point of view was also took by the American Supreme Court in the case *Filartig versus Pen-Iral*. In that case, the Court declared itself competent, although torture did not take place within the USA, and the perpetrator and the victim were foreign nationals.

THE RIGHT TO FAIR TRIAL

Respect of the right to fair trial is here analyzed in the context of the right to compensation to the forcibly conscripted refugees. It is important to emphasize that violation of this rights in the current cases at Serbian courts can be made a matter of the European court for human rights (in Strasbourg). Namely, Serbia and Montenegro have ratified the European Convention for the protection of human rights and fundamental freedoms on December 26, 2003.¹⁶⁹ The instruments on ratification were deposited on March 4, 2003. Therefore, from 2004 on, the Convention has been made part of the domestic legislation. Simultaneously, the European court for human rights became competent to deliberate petitions referring to the alleged breaches of human rights (guaranteed by the European Convention) that had been committed by governmental agencies of Serbia and Montenegro. The events that the criminal charges and compensatory claims refer to took place in the period of the forcible conscription of refugees (June-September 1995), when Serbia and Montenegro were not signatories of the European Convention. This, however, does not mean that the proceedings in these cases, sluggishness and inefficiency in their conduct or unjust decisions of courts cannot be placed under scrutiny of the judges from Strasbourg. Namely, many of these proceedings lasted, still last or have been decided upon after our country joined the European convention. Decisions (or the lack of those; passivity of courts and other governmental agencies) that followed subsequently can be made a matter of petitions to this court.

As for the right to fair trial and realization of this right in domestic courts, there are two important articles of the European Convention:

¹⁶⁹ The Convention was signed on April 3, 2003, when Serbia and Montenegro were admitted to the Council of Europe.

In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interests of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice

(Article 6, paragraph 1).

Everyone whose rights and freedoms as set forth in this Convention are violated shall have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity

(Article 13)

The guarantee from article 6 refers to all proceedings where individual rights and obligations are being decided upon by courts of a particular country and. In the case of the forcible conscription of refugees, the proceedings (or attempts of proceedings) unfold on two legal levels: the civil one (compensatory proceedings) and the criminal one (criminal proceedings against the perpetrators of unlawful arrest). The right from this article refers to every person regardless of his status or public law relation (citizenship) in the country at the courts of which the proceedings are initiated. However, the most important dilemmas of the respect of this right in proceedings at domestic courts are: 1) the question of fair hearing within a reasonable time, 2) the question of existence of an independent and impartial tribunal.

Article 13 of the European Convention, on the other hand, deals especially with the problem of efficiency of remedies (mechanisms and possibilities to initiate, conduct and end a case). This norm has to make possible that everybody has at his disposal an efficient, realistic and reasonable possibility to protect some of his rights or legitimate interest in competent domestic agencies. The whole concept of the right to efficient remedy is based on the idea that in the internal legal order and praxis (general praxis, as well as proceedings in a particular case) there must be a possibility to use some legal means to remedy infraction of some right. When a state claims, which is the most frequent case, that its legal order disposes of efficient legal means, it is not enough to invoke the formal (legal) possibility of the right to press charges, file a complaint, or submit an objection or some similar entreaty. As for the duration of proceedings, especially, the state has to furnish information and proofs that its legal system functions efficiently, so that longer

proceedings are caused by some particular circumstances of the case in question, its complexity and behavior of the client himself.¹⁷⁰ In the context of the right to fair trial, importance of the right to efficient remedy lies in the request to provide a legal means that could make possible for trials to be completed in a reasonable time and in an independent and impartial court.¹⁷¹

At the European court for human rights, the submitters of entreaties have most frequently complained about the breaches of the rule of trial in «a reasonable time». There are many such cases also for the applications coming from the former socialist countries, where the slowness of proceedings was especially pronounced. The duration of proceedings and the question of their efficiency are, in accordance with the general rules of the European convention and its entry into vigor, estimated for each country separately. The criterion for this assessment is the moment of entry in vigor of the Convention for each particular state.¹⁷² In the assessment of the duration of proceedings and the ratio of that time by the standard of «reasonable time», the Court takes into account all circumstances of a case, and especially the behavior of a state and its agencies in the procedure, the complexity of the case, and the behavior of the case parties who complain of breach of rights. The procedure is estimated in its totality. The request of fairness implies numerous guarantees, among which are especially important the right of access to a court, and trial and deciding in a reasonable time. Fair, public and expedite characteristics of court proceedings are of no value if there is no a court case itself.

During the several decades of the functioning of the European court for human rights, some standards for the assessment of these questions have been established. For the assessment of the justification of the duration of cases in domestic courts, the praxis of the Court in relation to the entreaties against Croatia for violations of the right to fair trial could be very significant. In many of these cases, the plaintiffs complained of violations of this right in the processes ensuing from the events related to the armed conflicts in the territory of Croatia. These cases are not identical with the cases of the forcibly conscripted in our country. Nevertheless, the similarity of social contexts, the specificity of the conflict and the role of the states in these events could be taken into account. An additional similarity stems from the fact that the legal systems, organization of courts and procedural aspects between the states created in the territory of the former Yugoslavia are very similar in many aspects.¹⁷³ The European court has several

170 See cases *Humen versus Poland* (1999) and *Comingersoll S.A. versus Portugal* [GC], no. 35382/97, 2000-IV)

171 See *Kudla versus Poland* [GC], no. 30210/96, § 156, 2000-XI

172 See *Foti and Others versus Italy* (1982) and *Horvat versus Croatia* (Application no. 51585/99)

173 This similarity was especially obvious in the 1990s, with the new laws of the new states being, in fact, taken over from the former SFRY system.

times condemned Croatia for unreasonably long proceedings in charges pressed by citizens.¹⁷⁴

Could, then, the prescribing of short time limits by the statute of limitations and actual impossibility (or seriously reduced possibility) of their use in internal courts and agencies be understood as violation of article 6 of the European Convention of human rights («efficient tribunal», «trial in a reasonable time»)?

When judging whether the condition of a reasonable time has been violated or satisfied, the European court takes into account all delays that could be ascribed to a state. This means that all delays ensuing from the behavior (acting and non-acting) of governmental and legal agencies are ascribed to the state. That is why domestic courts bear a special and substantial responsibility to influence all case parties to refrain from acts that can threaten the realization of the principle of «trial in a reasonable time».

Courts are just a part of state authority, but the politicians (the executive and legislative branch) bear responsibility for the creation of conditions of efficient and lawful functioning of courts. In the system of checks and balances, every branch of the public authority has relatively defined sphere of competence, affairs and responsibilities. The task of parliament and government (the legislative and executive branch), among other things, is to create a legal, political and factual environment for unhindered and lawful functioning of courts. However, the responsibility for the course of proceedings, cooperation between various agencies and courts, honest and fair trials, respect of various parties in the process, protection of the weaker party and many other parts of dispensing of justice lies with the court itself and the judges who conduct proceedings. This is confirmed by a series of verdicts of the European court for human rights. Thus, for example, in the case *Zimmerman versus Switzerland (1983)*, the Court found that states have the responsibility to «organize their legal systems in a way to make possible for courts to respect the requests from article 6, paragraph 1, including the one about trial in a reasonable time».¹⁷⁵

The convention on human and minority rights and the Constitution of Serbia guarantee to everyone the right to appeal or use other legal means against a decision that decrees on his rights, obligations or lawful interests. However, it is not sufficient to only proclaim the right to access to a court. Thus, the state is obliged to provide assistance of an attorney, if that is necessary to really make

¹⁷⁴ In one case, the European court ruled that proceedings that had lasted for more than seven years represented violation of the right to fair trial.

¹⁷⁵ In: *Pravo na pravično suđenje – vodič za primenu člana 6 Evropske konvencije o ljudskim pravima*, Nuala Mole, Catharina Harby (editors in Serbian language Tatjana Papić and Vladan Joksimović), Savet Evrope, Beograd, 2003, p. 53

possible access to a court. Yet another problem is the immunity of some individuals, which sometimes violates the right to access to a court.¹⁷⁶

Keeping in mind the material situation of refugees, the amount of legal costs could be an aggravating factor for their access to a court. Although in our legal system these costs are not too high, they could still represent a serious problem for this vulnerable group.¹⁷⁷

Decisions of the European court in the matter of breaches of particular rights (and especially article 6 of the ECHR) can impose an obligation for states signatories to conduct criminal investigations. The absence of investigation (or its sloppiness) can represent a breach of article 13.¹⁷⁸ If there is a serious doubt that there occurred a violation of rights (murder, torture, unlawful arrest...), and if the state responsibility has been established, the request of an efficient legal remedy implies (besides the payment of indemnities) also a detailed and efficient investigation focused on identification, pursuit and punishment of the perpetrators.¹⁷⁹ The absence of an efficient pursuit of the perpetrators (passivity of the prosecutors; silence of the police towards the request for necessary information) who have been notified for legal infraction in the matter of the forcible conscription of refugees in 1995 could be an additional argument for the thesis that the right to efficient remedy in domestic praxis has not been fulfilled in many cases.

One of the biggest problems of the domestic legal order is inexistence of a central court mechanism for protection of human rights. The adoption of the Constitutional convention of Serbia and Montenegro abolished the Federal constitutional court – an institution that, among other means, protected human rights through the institute of constitutional appeal. The actual Court of Serbia and Montenegro has much less competence and leeway than the former Federal constitutional court had. As for protection of human rights, the Court of Serbia and Montenegro is, on virtue of the Constitutional convention and the Law on the Court of Serbia and Montenegro, competent to decide on citizens' complaints when institutions of Serbia and Montenegro (or one of the member states) violate rights

176 See more in: *Ljudska prava u Srbiji i Crnoj Gori 2004*, Beogradski centar za ljudska prava, Beograd, 2005, p. 119

177 We have an interesting situation in Montenegro, where the stipulations of the Law on administrative costs that condition the submission of entreaties by prior payment of the costs have been declared as unconstitutional by the Constitutional court, in 2004. The Court stated that "legal regulation of relations resulting from the obligation of payment of taxes and dues, cannot be opposed to the realization of basic human rights guaranteed by the European Convention on human rights and freedoms" (quoted according to *Ljudska prava u Srbiji i Crnoj Gori 2004*, Beogradski centar za ljudska prava, Beograd, 2005, p. 119)

178 As happened in the cases *Aksoy versus Turkey*, *Aydin versus Turkey* and *Kaya versus Turkey*

179 See *Kilic versus Turkey*

or liberties guaranteed by the Constitutional convention, if no other procedure of legal protection is provided. This resembles the erstwhile institute of constitutional appeal, especially because the same restrictive formulation is used (“if no other procedure of legal protection is provided” – art. 46 of the Constitutional convention; art. 62 of the Law on the Court of Serbia and Montenegro). It would mean that this mechanism of protection could only be used when there is not any legal (therefore, not only court) protection, regardless of its efficiency. The existence of this formal condition and unwillingness to delve into the judgment of efficiency of some particular remedy will in praxis lead to inefficient control, and the use of citizens’ appeal as a remedy will in praxis be probably very rare. This substantially reduces the possibility of use of efficient remedy for correction of violation of some human right. Because of similar institutional defects, international bodies for the control of respect of human rights have condemned other states.¹⁸⁰

AWAITING JUSTICE

“The situation in the former Yugoslavia was terrible, and the citizens of Serbia were exposed to many problems and rights violations of which the grand majority has never been punished legally or in courts...” This is one of the most frequent objections, even among judges, about various attempts to find a mechanism in our domestic legal system that would make possible compensation of the forcibly conscripted refugees.

It is beyond doubt that the last decade of the 20th century (as well as the current decade) represented a great challenge to all those who lived in the former Yugoslavia. In that sense, the statement that could be heard on this occasion is quite correct. However, that could be no excuse for avoiding or even openly refusing to offer a legal possibility, a reasonable and efficient means of compensation of damage, rehabilitation or some other kind of just compensation (financial or moral) of the victims of the forcible conscription of refugees. First of all, the refugees have not willingly left Croatia and Bosnia & Herzegovina – they were forced to do so by war and the most atrocious crimes committed therein. Secondly, the state of Serbia has, through its highest instances, state-run media and creators of the public opinion, strongly promoted the policy of support of “the Serbs outside of Serbia” and thus deceived the public in Serbia and the Serbs in Croatia and Bosnia that it would assist them. Of course, instead of a substantial assistance of the genuinely endangered people in those territories, the real policy came down to conquest of territories and monopoly on commerce and smuggling

¹⁸⁰ Thus, a similar situation in Croatia and the impossibility of the Constitutional court of Croatia to offer protection in the last instance in the matter of alleged violations have been judged in the terms of article 13 of the ECHR.

of luxurious and other profitable merchandise. It is a terrible hypocrisy to look away from those people today and say “the times were tough then”. Namely, regardless of changes of governments or regimes in a country, *the state remains the same*. The elementary principle of legal security (if we forget for a moment the moral norms that every state and its agencies should be inspired by), ordains that citizens’ rights and duties cannot depend on the change of a regime. That is why basic human rights and liberties must be guaranteed and protected. They have to be especially protected and the transgressors punished when an undemocratic regime is deposed. This is a legal, moral and political lesson that is always important. Those horrifying body counts and references to “my case” are regularly an excuse for deprivation of rights and justice and avoidance of one’s own responsibility. Avoidance of responsibility, however, cannot last forever.

A solution of the problem of compensation of the victims and prosecution of those who had conceived, organized and carried out the forcible conscription and torture of the conscripted will be found out. It is up to this state, all its agencies *and all its citizens* to choose a way and a formal ground of a solution. Will it be in the form of lawsuits in domestic courts and a humanistic attitude towards those unfortunate individuals? Perhaps will courts, prosecutors, Parliament and the government come to feel one day that they owe something to these people. Will it be done within a serious strategy of confrontation with the past? Perhaps the implementation of the Law on the responsibility for violations of human rights (Law on lustration) will start one day. Finally, and this is the worst solution, it will be done after a judgment of an international court that this country is not able to guarantee and protect human rights.

BIBLIOGRAPHY

Dimitrijević, Vojin; Paunović, Milan i Đerić, Vladinir: *Ljudska prava*, Beogradski centar za ljudska prava, Beograd, 1997.

Ljudska prava u Jugoslaviji 2001, Beogradski centar za ljudska prava, Beograd, 2002.

Ljudska prava u Jugoslaviji 2002, Beogradski centar za ljudska prava, Beograd, 2003.

Ljudska prava u Srbiji i Crnoj Gori 2003, Beogradski centar za ljudska prava, Beograd, 2004.

Ljudska prava u Srbiji i Crnoj Gori 2004, Beogradski centar za ljudska prava, Beograd, 2005.

McBride, Jeremy i Macovei, Monica: *Pravo na slobodu i bezbednost ličnosti – vodič za primenu člana 5 Evropske konvencije o ljudskim pravima*, Savet Evrope, Beograd, 2004.

Papić, Tatjana (ed.): *Zbirka odluka o ljudskim pravima II – odluke Evropskog suda za ljudska prava*, Beogradski centar za ljudska prava, Beograd, 2004

Petrović, Vesna: *Međunarodni postupci za zaštitu ljudskih prava*, Beogradski centar za ljudska prava, Beograd, 2001.

TORTURE OR TRAINING? - TYPES OF TORTURE IN A GROUP OF REFUGEES FORCIBLY CONSCRIPTED IN SERBIA IN 1995

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SUMMARY

A group of refugees forcibly conscripted in Serbia in 1995 represents a specific group of the CRTV¹⁸¹ beneficiaries because the violence they underwent was carried out by their compatriots, in the form of military training. The purpose of this paper was to establish whether the beneficiaries reported types of abuse that might indicate torture and whether the abuse they had undergone was more similar to torture or to the classical military drill. The second purpose was to compare the types of torture reported with the types of torture reported by the CRTV beneficiaries who had been prisoners of camps in Bosnia and Croatia. The first group included 140 forcibly conscripted male refugees who contacted IAN for assistance from June 2004 to the end of June 2005, while the second group consisted of 115 former prisoners of camps in Croatia and Bosnia. Types of torture were assessed by the “Types of torture” questionnaire, designed in the Center and already applied on several other occasions. Our analysis has yielded several

181 “The Centre for Rehabilitation of Torture Victims”, of the International Aid Network, Belgrade.

important results: 1) the forcibly conscripted were exposed to the forms of abuse indicating a straightforward torture that departed from any normal military training; 2) the former camp inmates reported experiences from the first two types of torture much more frequently than the forcibly conscripted refugees did, and the patterns of torture differed in a way that offered a basis for a tentative reconstruction of the motives behind them; 3) sexual abuse was relatively rare, but existed in a small number of cases, in both groups. Finally, we discussed the possibility that the results might offer a basis of possible conclusions about the motives of the perpetrators, both those commanding this action and those executing it.

INTRODUCTION

In complex wars, such as the ones in the former Yugoslavia, one encounters many individuals who were exposed to various categories of traumatic experiences. In our case, this was partially due to some characteristics of the Yugoslav conflicts such as 1. military operations involving siege and bombardment of cities (which implied considerable civilian exposure), 2. deliberate targeting of civilians within the so-called “ethnic cleansing” strategy and 3. ethnic warfare in ethnically mixed territories. (Radoviæ, 2005). A satisfying explanation of sizeable differences in traumatic experiences of our clients should also include the following facts: 1) these conflicts abounded in camps and detention places characterized by systematic torture of soldiers and civilians of other ethnic belonging (Radovic, 2004); 2) these ethnic conflicts in ethnically-mixed territories implied various, combined types of warfare, ranging from street fighting, siege and bombardment to front combat along the lines that remained stable for years; 3) the training, discipline and structure of the involved military units varied, but we can state that, most frequently, they were unsatisfactory. The armed forces consisted of very various elements: armed local civilians, classically trained former JNA officers, policemen, volunteers from other ex-Yugoslav countries (in the Bosnian case, Serbia and Croatia) and volunteers from foreign countries.

All these factors meant that, from the very beginning of the conflicts, the persons who asked for psychiatric or psychological assistance spoke about various traumatic experiences, ranging from pre-war emigration (with no direct combat exposure) to severe torture in camps. The need to systematically measure and bridge widely different categories of traumatic experiences by some comprehensive self-assessment instrument was satisfied by the War Stressors Assessment Questionnaire (WSAQ). The instrument, which turned out to have quite decent psychometric characteristics, had previously revealed eight distinct categories of stressors (Jovic et al. 2002), with the experience of detention and torture being covered by ten items (Cronbach’s alpha 0,89). Nevertheless, given the fact that the number of former camp inmates and torture victims kept growing, the CRTV personnel began sensing a need for a more specific instrument of measurement of torture-related stressors.

The first important report to rely on systematic measurement of various types of torture was published in 1990 (Rasmussen, 1990). It presented the results of a 1975-82 Danish medical study carried out on a group of 200 persons. In the period concerned, the investigators abandoned the “open-ended questions” method in favor of a more systematic, standardized, questionnaire-based method. Their report demonstrates that examination and measurement were carried out on the basis of the medical model, so that the review of the types of consequences was carried out in view of organic systems. The *Harvard Trauma Questionnaire*

(HTQ), originally constructed to examine torture of Indo-Chinese refugees, was also frequently used in the countries of the former Yugoslavia, and there is a standardized Croatian and Bosnian version, but we do not know their psychometric characteristics. Thus, our quest for a more comprehensive method of measurement of types of torture resulted in the construction of a new questionnaire. Its metric characteristics, as well as the results our clients obtained on it, were presented elsewhere (Jovic and Opacic, 2004).

We have to say that our work with forcibly conscripted refugees revealed to us a different context of the organization of torture. The political, military and social context of the mass action of arrest and forcible conscription of refugees is analyzed in the first article of this monograph. However, the “training” itself (i.e. the short-term stay in camps such as the one in Erdut), spiced with torture and usually ending in transfer to some of the military units on the front line), was completely left to the control of irregular units. We have to ask ourselves about the reasons of torture of these individuals (presumably of the same ethnic background) who, reportedly, had to be transformed into docile fighters to be sent to combat. To answer this question, we have to raise the issue of possible pathogenicity of military training itself. Psychologists have frequently written of some particular practical aspects of their involvement in various phases of military training, from personnel selection and test construction to counseling (Halff et al. 1986; Johnson, 2002). However, there are really a few articles, such as the one from Bourne (Bourne, 1971), which established a link between the specificities of military training and conditioning for war crimes. Military training has to transform the identity (the adolescent one – in the case of American soldiers engaged in Vietnam) through the “process of militarization”. According to Bourne, the training has to make the conscript reject the civilian identity (which stresses the individual initiative) and adopt the docile institutional identity of the military organization, but it also has to accomplish “socialization for war”, and for killing, in particular.

In our case, understanding of this kind of “training” has to be put into the context of the former-Yugoslav military structures. Although we, as former Yugoslav National Army conscripts, cannot qualify that structure as being always purposeful, highly organized or rational, it still did not contain any clear form of torture, and there are several known cases of officers who were punished for having slapped, whipped or flogged soldiers. Psychic humiliation – if we omit military manipulation of the identity and private space, pressure to accept the utterly absurd rules, and exhausting physical exercise (which, as far as we know, is part and parcel of every military training) - was kept within rigidly defined limits and personal humiliation was seriously reprimanded. On the other hand, what the reports of the tortured in Erdut revealed does not resemble at all to this. Whence, then, came this “alien” element? This paper should also answer to what extent this treatment was militarily rational, or, alternatively, to what extent it was just unbridled violence against helpless individuals, carried out by a group of persons

who were capable of psychopathic acting out on others and whose sadistic fantasies were made realizable by the war context.

THE RESEARCH GOALS

The research goals were the following:

1. To establish whether the sample of forcibly conscripted refugees reported types of abuse that indicated torture, i.e. whether the abuse they underwent corresponds to torture or to the classical military drill.
2. To establish possible differences in experienced types of torture between the persons who underwent torture in camps in Croatia and Bosnia (1991-95) and the refugees who were forcibly conscripted in Serbia in 1995, i.e. to establish the latent structure that most accurately distinguishes these two groups.

THE METHOD

The sample

The sample consisted of 255 respondents, divided into two sub-groups: a) 140 forcibly conscripted male refugees who sought assistance from IAN in the period June 2004-end of June 2005; and b) 115 former inmates of camps in Croatia and Bosnia.¹⁸² All respondents were male. The average age at the time of study was 48.13 years for former camp inmates (SD=10.9; the youngest one was 23 and the oldest one was 73) and 44.43 years for forcibly conscripted refugees (SD=8.39; the youngest one was 29 and the oldest one was 66).

The instruments

Analysis of types of torture was performed with the “Types of torture” questionnaire mentioned above (Jovic and Opacic, 2004). The construction of the questionnaire had to satisfy the following demands:

1. All items had to be equally descriptive. For instance, the first part of the Croatian version of the HTQ (which measures traumatic experiences - “Part I: Traumatic events”) contains the following items: “Torture (i.e.

¹⁸² This sub-group was derived from a larger group of respondents from a previously published survey (Jovic and Opacic, 2004). The sub-group originally consisted of 322 respondents, but we have omitted women and non-refugees in order to match this sub-group with the first sub-group. Non-refugees, torture victims in the original sub-group were soldiers from Serbia - therefore, the domicile population - who were caught, imprisoned and tortured in Croatia and Bosnia.

while in captivity you received deliberate and systematic infliction of physical or mental suffering)” (No. 23), and “Beating to the body” (No. 20) or “Rape” (No. 21), which makes it clear that the first item is more general and can subsume the next two items.

2. All items had to be defined on the level of the “basic categories of stressors”, i.e. in a way that would reflect their behavioral specificity so as to minimize response subjectivity. This problem was discussed in more detail elsewhere (Jovic et al. 2002).
3. The items were chosen on the basis of the torture reports made by a certain number of former camp inmates. We have retained the original terms whenever possible.
4. Every item contains a definition of a particular violent action against the respondent, with no clue to the perpetrator. Some of the items denote more than one violent action (for instance, Item 2: “Beating with a rifle but, whip, belt or stick”), but, in that case, there is always a common denominator such as the type of wound, for example.

All responses were given in the binary form (“did experience” – YES; “did not experience” – NO); the total number of items is 82 (covering 81 types of torture), and the last question is open-ended, which gives the respondent a possibility to state a type of torture not mentioned in the questionnaire.

The questionnaire revealed decent psychometric characteristics and clinical applicability. Factor analysis of items yielded a three-factor solution, which indicated three distinct types of torture. This finding could have an additional meaning that would displace torture indicators from the medical level (somatic consequences) to the psychological level (the meaning of torture). The first factor was defined by 39 items describing psychological abuse, witnessing of the abuse of others, deprivation of the elementary biological needs (food, water, sleep, medication or medical care), or physical abuse that, as a rule, did not result in heavy injury. In our initial discussion, we have stated that these types of torture had been frequent in the former Yugoslav police procedure. The second factor (28 items) consisted of more drastic, destructive and sadistic types of torture, such as hanging by limbs, burning by cigarette/open flame/boiling water, forcible tooth extraction, throwing from above, and limb amputation. These actions were deliberate, carefully prepared and meticulously carried out - for instance, electroshocks - and they resulted in severe injury. Distinction between these two types has a forensic value as well, because the second-type injuries leave material consequences - bone fractures, scars, etc. - that can be confirmed through forensic examination

The third type of torture contained 14 items referring to sexual abuse, and was more reported by female respondents. However, our data and our clinical

experience of work with torture victims indicate that sexual abuse of men in camps was far from uncommon.

In order to avoid terminological confusion, these three types of torture were labeled Type A (“police” or “milder/lighter” torture), Type B (“sadistic” or “heavier” torture) and Type C (sexual abuse).

The procedure

A psychologist and a psychiatrist, who had previously been additionally trained for this survey, examined all clients according to the unified procedure, in the sequence of their admission to the CRTV. Prior to the examination, all clients had been given a detailed account of the overall procedure and had all expressed their full consent.

THE RESULTS

All respondents, forcibly conscripted refugees and former camp inmates alike, reported at least one type of torture from the questionnaire. However, differences appeared at the very beginning, given the fact that with the forcibly conscripted refugees 16 items had zero variance and were, consequently, omitted. These items are given in Table 1.

Table 1: *Omitted items*

Item
10. burning with boiling water
12. burning with chemicals
13. burning with open flame
17. forcible sexual intercourse, save for the genuine rape
18. rape by a member of the opposite sex
19. rape by a member of the same sex
20. use of animals or physical objects for sexual purposes
21. application of electrical shocks to the genitals
30. hanging by thumbs, arms or legs
31. "Palestinian hanging"
41. forcible drug use
50. pregnancy as a rape consequence
51. genital infection as a rape consequence
73. compulsion to witness sexual abuse of the respondent's family
74. compulsion to witness sexual abuse of others
81. forcible confinement in psychiatric hospital

Table 2 demonstrates the mean values of types of torture, for both groups, and their comparison. The values were obtained when the sum of all positive answers on a sub-scale was divided by the total number of items from that particular sub-scale.

Table 2. *Significance of differences by types of torture*

	M-T	Sd – T	M-FM	Sd – FM	F (df 1,253)	Sig.
Tip A	0,51	0,25	0,23	0,25	85,08	0,00
Tip B	0,10	0,11	0,04	0,07	24,49	0,00
Tip C	0,08	0,11	0,02	0,05	31,54	0,00

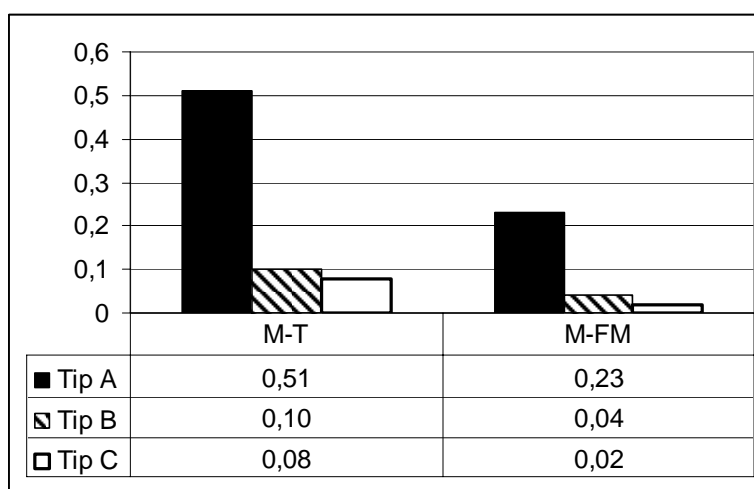
M-T – mean value of the tortured inmates of camps in Croatia and Bosnia;

M-FM – mean value of the forcibly conscripted refugees;

Sd-T – standard deviation of the tortured inmates of camps in Croatia and Bosnia;

Sd-FM – standard deviation of the forcibly conscripted refugees;

Graph 1. *Differences by types of torture*



A review of the omitted items revealed that these are Types B and C items, which was expected, given the fact that sexual abuse (Type C) was more frequent with women and, as it turned out, relatively rare in the group of forcibly conscripted male refugees (Table 2). The group differences demonstrated that all types of torture were less frequent with the forcibly conscripted refugees (Table 2). Given the fact that torture of the forcibly conscripted refugees was organized within a context of forcible combat participation, it is quite clear that a treatment that might result in serious injury (Type B) was not welcome. The table below demonstrates findings about the frequency of particular types of torture in camps in Croatia and Bosnia and torture in “training camps” for forcibly conscripted refugees. As

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immediately visible, with the exception of 13 indicators, the percentages of those who had survived various forms of torture were higher among the former camp inmates (T) than among the forcibly conscripted refugees (FM), who had been subjected to the same forms of torture. The table shows that some 50% of the forcibly conscripted refugees reported slapping, kicking and beating, as well as persistent humiliating comments about themselves and their families; 45% had been deprived of sleep, while 39% had been deprived of food or personal hygiene (being prohibited to use the toilet, for example). Between 35 and 38% had been threatened with death or crippling, deprived of privacy and necessary medical care/medication, compelled to witness the torture or killing of others, intimidated by gunshots or explosions and forced to heavy labor, while 23 % had had to carry heavy load. Between 4 and 10% had undergone drastic forms of torture such as roping and fastening of the ropes for several hours, exposure to intense light, immersion in water, beating on the feet, mutilation or bone fracturing, burning by cigarette, stretching of the limbs and body, etc.

Table 3. *Significance of differences according to the type of torture*

Type		T (N 115)	FM (N 140)	F (1,253)	Sig.	w	r	f	RT	RF M	Rd
A	77. compulsion to "squeal" on others	67%	21%	67,55	0,00	0,21	0,43	0,60	7	20	-13
A	59. blackmail or lighter threat to the respondent or his family	75%	24%	85,88	0,00	0,17	0,48	0,65	5	17	-12
A	26. strangulation	23%	3%	25,96	0,00	-0,17	0,27	0,40	40	52	-12
B	27. asphyxiation	22%	3%	24,29	0,00	0,29	0,26	0,38	42	53	-11
A	78. shared confinement with tortured persons	61%	19%	56,16	0,00	0,17	0,39	0,55	13	23	-10
A	49. blindfolding	24%	5%	21,48	0,00	0,20	0,24	0,36	36	46	-10
A	61. signing of a confession	51%	13%	53,16	0,00	0,06	0,38	0,54	19	28	-9
A	60. fake accusation, denial or compulsory self-recrimination	77%	31%	69,72	0,00	0,32	0,44	0,60	4	12	-8
A	44. deprivation of water	58%	19%	51,21	0,00	0,21	0,37	0,53	16	24	-8
B	4. beating on the feet	26%	6%	22,31	0,00	-0,10	0,25	0,37	35	43	-8
A	79. release and immediate recapture	23%	5%	19,97	0,00	0,19	0,23	0,35	39	47	-8

REDRESS IN ACTION

Type	T (N 115)	FM (N 140)	F (1,253)	Sig.	w	r	f	RT	RF M	Rd	
A	48. confinement in the absolute darkness for more than two days	38%	8%	39,9	0,00	-0,15	0,33	0,48	31	38	-7
B	6. mutilation or bone fracturing	23%	6%	17,87	0,00	0,10	0,22	0,33	37	44	-7
C	64. verbal sexual abuse or threat	19%	3%	19,51	0,00	0,20	0,23	0,35	47	54	-7
C	68. abuse by excrements	13%	1%	14,35	0,00	0,13	0,20	0,30	53	60	-7
A	76. the torturer fakes a friend to confuse the respondent	47%	11%	47,09	0,00	0,13	0,36	0,51	23	29	-6
A	43. deprivation of food	60%	23%	42,15	0,00	-0,03	0,34	0,49	14	19	-5
A	52. exposure to permanent noise (e.g.. music, screaming...)	41%	9%	40,25	0,00	0,39	0,33	0,48	29	34	-5
A	80. compulsion to decide who is to be tortured or killed next	15%	2%	14,65	0,00	0,07	0,20	0,30	50	55	-5
A	3. flogging with a cord, whip or stick	43%	11%	36,72	0,00	0,30	0,32	0,46	26	30	-4
A	47. solitary confinement for more than 3 days	43%	11%	36,72	0,00	0,30	0,32	0,46	27	31	-4
B	42. dripping of water on the head	9%	1%	7,60	0,01	0,12	0,14	0,22	57	61	-4
A	57. threat of death or mutilation directed to the respondent or his family	83%	38%	64,68	0,00	0,48	0,42	0,59	2	5	-3
A	15. cold water showering	52%	21%	28,89	0,00	0,15	0,28	0,42	18	21	-3
A	63. mock execution	35%	9%	29,61	0,00	0,07	0,28	0,42	34	37	-3
B	29. immersion in filthy liquid	4%	1%	3,65	0,06	0,03	0,10	0,16	60	63	-3

TORTURE OR TRAINING?

Type		T (N 115)	FM (N 140)	F (1,253)	Sig.	w	r	f	RT	RF M	Rd
A	58. threat of death or crippling directed to the respondent's colleagues or friends	63%	34%	24,68	0,00	-0,47	0,26	0,39	9	11	-2
A	66. partial stripping	44%	14%	31,71	0,00	0,25	0,29	0,43	24	26	-2
A	5. attack with knife or other sharp object	37%	9%	30,81	0,00	0,06	0,29	0,43	33	35	-2
A	62. blindfolding or hooding	21%	6%	13,83	0,00	-0,13	0,19	0,30	43	45	-2
B	22. electrical shocks to body parts other than the genitals	12%	2%	10,55	0,00	0,06	0,17	0,26	54	56	-2
B	39. forcible tooth extraction	12%	2%	10,55	0,00	0,06	0,17	0,26	55	57	-2
B	32. other types of hanging	3%	1%	2,51	0,11	-0,02	0,08	0,13	62	64	-2
A	2. beating with a rifle but, whip , belt, stick, etc..	61%	31%	25,40	0,00	-0,10	0,26	0,39	12	13	-1
A	40. interdiction of urination or defecation	50%	21%	25,69	0,00	0,14	0,26	0,39	21	22	-1
B	53. exposure to strong light or compulsion to look at a strong light source	23%	7%	14,23	0,00	0,02	0,20	0,30	38	39	-1
B	38. sticking of needles under nails	3%	1%	2,51	0,11	0,00	0,08	0,13	64	65	-1
A	1. slapping, kicking or beating	87%	51%	41,99	0,00	0,41	0,34	0,49	1	1	0
A	46. deprivation of sleep	78%	45%	32,60	0,00	0,04	0,30	0,44	3	3	0
A	36. extraction of hair	59%	28%	27,93	0,00	-0,26	0,28	0,41	15	15	0
A	65. stripping	38%	10%	32,08	0,00	0,06	0,30	0,44	32	32	0
B	11. burning with cigarette	18%	5%	11,79	0,00	-0,07	0,18	0,27	48	48	0
C	67. being photographed while totally or partially denuded	06%	2%	2,61	0,11	-0,17	0,08	0,13	59	58	1
C	37. nail extraction	03%	1%	1,15	0,28	-0,12	0,06	0,09	63	62	1

REDRESS IN ACTION

Type	T (N 115)	FM (N 140)	F (1,253)	Sig.	w	r	f	RT	RF M	Rd	
A	55. deprivation of privacy (being squeezed in an overcrowded space)	65%	38%	20,26	0,00	-0,09	0,23	0,35	8	6	2
C	16. touching of the genitals	14%	4%	7,59	0,01	-0,15	0,14	0,22	51	49	2
A	34. forcible posturing for several hours	57%	30%	20,84	0,00	-0,03	0,24	0,36	17	14	3
C	72. compulsion to participate in the torture or killing of others	20%	06%	10,97	0,00	-0,05	0,17	0,27	44	41	3
A	56. persisting humiliating comments on the respondent or his family	73%	50%	14,71	0,00	-0,49	0,20	0,30	6	2	4
A	45. deprivation of medical care or medication	62%	37%	16,15	0,00	-0,15	0,21	0,32	11	7	4
A	8. beating on the ears, with the mouth closed	38%	17%	15,14	0,00	-0,17	0,20	0,31	30	25	5
A	70. humiliation through deprivation of personal hygiene	63%	39%	15,36	0,00	-0,10	0,20	0,31	10	4	6
B	7. severing of body parts	0%	2%	2,50	0,12	-0,15	0,08	0,13	65	59	6
B	35. stretching of the limbs and body	6%	4%	0,89	0,35	0,03	0,05	0,08	58	51	7
A	69. compulsion to humiliating behavior (e.g., barking, dancing...etc.)	44%	26%	9,22	0,00	-0,12	0,16	0,24	25	16	9
C	75. family or friends witnessing respondent's torture	14%	6%	4,03	0,05	-0,17	0,10	0,16	52	42	10
B	24. hanging of weights on the testicles	3%	4%	0,11	0,74	0,03	0,02	0,03	61	50	11

TORTURE OR TRAINING?

Type	T (N 115)	FM (N 140)	F (1,253)	Sig.	w	r	f	RT	RF M	Rd
A 71. compulsion to witness torture and killing	51%	36%	5,78	0,02	-0,16	0,13	0,19	20	8	12
A 54. nearby detonation	50%	36%	5,12	0,02	0,02	0,12	0,18	22	9	13
B 33. roping – fastening of the ropes for several hours	19%	10%	4,38	0,04	-0,20	0,11	0,17	46	33	13
B 9. forcible jumping or throwing from above	16%	9%	2,40	0,12	-0,07	0,08	0,13	49	36	13
B 28. immersion in water	9%	7%	0,21	0,65	-0,08	0,02	0,04	56	40	16
A 25. compulsion to heavy labor	41%	35%	0,92	0,34	0,05	0,05	0,08	28	10	18
B 14. exposure to extreme temperatures	19%	14%	1,07	0,30	-0,30	0,05	0,08	45	27	18
B 23. carrying of heavy load	22%	24%	0,23	0,63	-0,26	0,02	0,04	41	18	23

T – the tortured inmates of camps in Croatia and Bosnia; FM – the forcibly conscripted refugees; F – Fischers’s F test for analysis of variance with corresponding degrees of freedom; Sig – probability to achieve F that big by chance; w –canonical discrimination function coefficient; r – pooled coefficients of the structure of the canonical discrimination function; f – coefficients of the structure of the canonical discrimination function; Rt – rank of a particular type of torture in the sample of the tortured inmates of camps in Croatia and Bosnia; Re – rank of a particular type of torture in the sample of the forcibly conscripted refugees; Rd – rank difference (a higher number means a higher rank/lower relative frequency in the sample of the tortured inmates of camps in Croatia and Bosnia)

The canonical discriminatory function (w) was mainly defined by the following items: 57. threat of death or crippling directed to the respondent or his family; 1. slapping, kicking or beating; 52. exposure to permanent noise (e.g. music, screaming...); 60. fake accusation, denial or forcible self-recrimination; 3. flogging with a cord, whip or stick; 47. solitary confinement for more than three days; 27. asphyxiation; 65. stripping; 77. compulsion to “squeal” on others, and 44. deprivation of water. We can only speculate if these findings mean that former camp inmates were more frequently exposed to these types of torture because one of the torturers’ goals was extraction of information, given the fact that many of the tortured were military servicemen or were seen as possible enemies, because of their ethnic belonging.

To confirm these assumptions, we ranked the types of torture by frequency within each of the sub-samples, so that the most frequent item occupied the lowest rank, and then we calculated rank differences. In this way, we tried to compensate for the fact that the tortured inmates were, overall, more exposed to torture. They were relatively more often forced to “squeal” on others, exposed to blackmail and threat towards their families, compelled to withstand false accusation, forced to sign a confession, subjected to strangulation, asphyxiation, beating on the feet, deprivation of water, and witnessing of the torture of other inmates. The forcibly conscripted refugees were relatively more often forced to carry heavy load, compelled to hard labor, exposed to extreme temperatures, immersed in water, thrown from above, forced to humiliating behavior (e.g. barking), tortured in the presence of their relatives and friends, and forced to witness the torture and killing of others.

Grouped in this way, the items indicate two patterns of torture that can be distinguished by their purpose: in the first case, it was extraction of information and self-recriminatory statements, and in the second case, it was, presumably, “toughening” (if we assume that extreme physical effort enhances combat capability), but, in reality, breaking of the will and personal integrity in order to achieve complete subordination and insertion into the war machine. We will discuss this point later on.

DISCUSSION

The results presented here can be condensed to several basic points: 1) in the camps that should have served for military training, the forcibly conscripted refugees were, with a specific frequency, exposed to Type A, and, even worse, Type B torture, which clearly indicates a torture that departs from any normal military training; 2) the former camp inmates reported experiences from the first two types of torture significantly more frequently than the forcibly conscripted refugees did, and the patterns of torture varied in a way that could permit a possible reconstruction of the motives behind them; 3) sexual abuse was relatively rare, but existed in a few cases, in both groups. Let us try now to discuss these findings, taking the group differences as our departure point.

First of all, the differences in torture exposure cannot be explained by pure coincidence. What we have here again is the well-known fact that the torture of the ethnically Other in the ex-Yugoslav wars was particularly savage. Frequent murder in the camps was more often prevented through interventions of the Red Cross officials than by efforts of the camp authorities. However, we should seriously consider the possibility that this savagery contained a hint of a rational motive. In their historical overview, Hovens and Drozdek (Hovens and Drozdek, 2002) singled out three variants of torture: “as punishment for a crime, to extract the ‘truth’ or a ‘confession’, and to prevent unrest or put down uprisings”. However,

torture in camps in Croatia and Bosnia was most frequently carried out without any “rational” motive. Its only purpose was to demonstrate the absolute domination over the prisoner’s body and personality, and it was designed so as to inflict the biggest possible psychic harm. Silove (Silove et al. 2002) drew attention to several elements of torture - also recognizable in the experiences of our respondents - that stress the significance of these acts for the development of post-traumatic symptoms: «... *the abuse is deliberate, and the perpetrators use methods that maximise fear, dread, and the debility in the victim; the trauma is inescapable, uncontrollable, often repetitive, and conditions between torture sessions (such as solitary confinement) undermine the recovery capacity of the victim; feelings of guilt, shame, anger, betrayal and humiliation—deliberately induced by tortures—tend to erode the victim’s sense of security, integrity and self worth; and head injury or other bodily damage may add to risk of psychosocial disability*». This torture belongs to Type B – it includes serious injury that undermines personal integrity and physically disables a person, temporarily or permanently.

However, it is frequently forgotten that the Croatian and Bosnian authorities saw the Yugoslav conflict as a *rebellion* of the Serbian population that had to be crushed. This attitude is eclipsed by a constant insistence that the war represented a “Serbian aggression”. This understanding, in fact, represents a displacement of the conflict onto the international and inter-state level, whereby the Republic of Serbia is seen as having committed a military aggression against Croatia, and against Bosnia, later on. We cannot here delve into these essentially political questions, but can confirm that the Serbian armies in Croatia and Bosnia were predominantly composed of the local Serbs, people who had been living in those territories for centuries. The previously described pattern of torture that was more present with former camp inmates - with compulsion to “squeal” on others, blackmail and threat to the victim’s family, false accusation and compulsion to sign a confession - more likely indicates a systematic quest of “the truth” about rebellion, as well as an attempt to halt it through intimidation. On the other hand, we have to point out that, much like the Croatian and Bosnian authorities portrayed the Serbian minority as “rebels”, the political opinion in Serbia saw the breakaway republics of the former Yugoslavia as “secessionists”. All of this illustrates a quest for the “legitimacy” of war actions, as well as an attempt to create an image of “a just war”.

What is the message of the fact that in “training camps” a certain number of persons were subjected to serious forms of torture, while a significant portion were systematically humiliated, psychically abused and subjected to Type B suffering (which included a series of acts inflicting extreme psychic and physical pain)? Did someone really expect that a man who was forced to impersonate a dog would, after such a treatment, fight vigorously for the ideas offered by his torturers? Other “treatments” of the inmates as well, as we said earlier, departed from the framework of “training” of any organized army (e.g., slapping, whipping,

humiliating carrying of a stone, etc.). There are few possible answers to that: perhaps an urgent need to transfer soldiers into the combat zone necessitated brutal handling, so as to achieve the absolute subordination in the shortest possible time; on the other hand, according to the official attitude, these men were “traitors” – i.e. individuals who had left their positions, which perhaps gave the torturers the feeling of legitimacy of their brutal attitude. The next possibility is that “everything’s got out of hand”, i.e. that the commanding structure did not want these men to be tortured so, but that the “chain of command”, nevertheless, broke at its lower end. This explanation, in all probability, hardly corresponds to reality and is worth mentioning only as an example of justification of the higher military circles that is frequently invoked in public. The last possibility we want to consider is a much more complex, harder to prove, but not impossible one: it is the regime’s need to protect itself from a large number of armed and embittered men who had been left in the lurch after years of war propaganda – men who, for good reason, could turn against the very ones who had been manipulating them for years. This is not impossible if we take into account the attitudes towards refugees that the state officials expressed in public (a good example is Milošević’s last interview, prior to his arrest and transfer to the Hague tribunal). It is quite ironic, and almost tragic, that even in those days the same men who sought the culprits everywhere except at their right address still supported the regime.

When analyzing the types of torture that our clients underwent, we have to be extremely careful in interpreting the motives of their torturers. Still, when the torture in training camps is in question, one fact merits attention: behavior of the torturers indeed *imitated* military training in a bizarre fashion that resembled bad Hollywood movies. This remark is not too farfetched and can contain a meaning. Namely, as Bougarel (Bougarel, 1999) stated, “during the Yugoslav wars, a majority of militias and “special units” cultivated an appearance imitating the look of heroes from North American movies (ray-ban sunglasses, sleeveless t-shirts and bullet-strings around the neck), whereas the “Muslim brigades” of the Bosnian army found a sartorial inspiration in the Iranian pasdaran (green bands with yellow Koranic verses tied around the head)”. When comparing the profiles of persons engaged in irregular units one gets the impression that, in the cultural sense, they were somehow *lost* between their village (rural origin, poor education, rural/nationalist ideology of the “blood and soil”) and the “Global village” (dominated by the symbols and iconography of a global culture). Bougarel illustrates this point by quoting the names of irregular units: the Serbian “Kninjas” and the Bosniak “Green berets” – the first name being a blend of the designation of the mediaeval Japanese killer (which is an icon of bad action movies) and the local toponym (Knin), and the second name containing a slang term (again from bad movies) for a Vietnam veteran (with a stress on green color, which in Bosnia should be distinctive for the local Moslems) and the beret, the headdress accepted after interdiction of the Turkish fez in 1950. This jump from the local to global

level could also be seen in the seemingly benign news that all the three former warring parties in Mostar have – finally! - convened on the monument of a common hero, who turned out to be Bruce Lee, a symbol of the fight for justice, in which all believe.¹⁸³

Thus, we embark on the idea that the torture our clients spoke about could be explained by psychological and probably sociological mechanisms that created and supported paramilitary units in the ex-Yugoslav wars, but this is a point that we cannot develop on the basis of the evidence presented here and that has to be left for some other occasion.

183 CNN: New Bosnia icon: Bruce Lee (Monday, September 12, 2005; Posted: 9:44 a.m. EDT (13:44 GMT)
retrieved from: <http://www.cnn.com/2005/WORLD/europe/09/12/bosnia.brucelee.reut/>

BIBLIOGRAPHY

- Bougarel, X. (1999) Yugoslav Wars: The "Revenge of the Countryside" between Sociological Reality and Nationalist Myth. *East European Quarterly* **33**, 157
- Bourne, P.G. (1971) From boot camp to My Lai. In: Falk, R.A., Kolko, G. and Lifton, R.J., (Eds.) *Crimes of war*, pp. 462-468. New York: Random House]
- Half, H.M., Hollan, J.D. and Hutchins, E.L. (1986) Cognitive Science and Military Training. *American Psychologist* **41**, 1131-1139.
- Hovens, J.E.H. and Drozdek, B. (2002) The Terror of Torture: A Continuum of Evil. In: Stout, C.E., (Ed.) *The Psychology of Terrorism: Clinical Aspects and Responses Vol. 2.*, pp. 76-103. Westport, CT: Praeger]
- Johnson, W.B. (2002) Consulting in the Military Context: Implications of the Revised Training Principles. *Consulting Psychology Journal: Practice and Research* **54**, 233-241.
- Jovic, V. and Opacic, G. (2004) Types of Torture. In: Spiric, Z., Knezevic, G., Jovic, V. and Opacic, G., (Eds.) *Torture in war: Consequences and rehabilitation of victims - Yugoslav experience*, pp. 153-169. Belgrade: International Aid Network]
- Jovic, V., Opacic, G., Knezevic, G., Tenjovic, L. and Lecic-Tosevski, D. (2002) War Stressor Assessment Questionnaire - Psychometric Evaluation. *Psihijatrija Danas* **34**, 51-75.
- Radovic, B. (2004) Yugoslav Wars 1991-1999 and Some of Their Social Consequences. In: Spiric, Z., Knezevic, G., Jovic, V. and Opacic, G., (Eds.) *Torture in war: Consequences and rehabilitation of victims - Yugoslav experience*, pp. 25-70. Belgrade: International Aid Network]
- Radović, B. (2005) A Brief Retrospective on the Problem of Refugees in the Yugoslav Wars 1991-99. In: Opačić, G., Vidaković, I. and Vujadinović, B., (Eds.) *Living in post-war communities*, pp. 11-26. Beograd: International Aid Network]
- Rasmussen, O.V. (1990) Medical Aspects of Torture. *Danish Medical Bulletin* **37**, 1-88.
- Silove, D., Steel, Z., McGorry, P., Miles, V. and Drobny, J. (2002) The impact of torture on post-traumatic stress symptoms in war-affected Tamil refugees and immigrants. *Comprehensive Psychiatry* **43**, 49-55.

PSYCHOLOGICAL PROFILE OF FORCIBLY MOBILIZED PERSONS

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SUMMARY

In the period between May 2003 and May 2005, the "Center for Rehabilitation of Torture Victims" – International Aid Network – IAN Belgrade (CRTV), has provided psychological assistance to more than 500 clients, 438 out of which have undergone a detailed admission and diagnostical procedure, as a part of the overall psychological-psychiatric treatment. Out of the total number of clients, 140 were forcibly mobilized refugees, 116 were torture victims in camps in Croatia and Bosnia-Herzegovina, and 180 were refugees without the traumatic experience of imprisonment and torture, or forcible mobilization.

The aim of this article is to compare the above subgroups of clients, having in mind their general socio-demographic and clinical profile. It specifically aimed to determine possible differences in the consequences of ill treatment experienced by the forcibly mobilized persons and torture victims in camps, considering the nature of ill treatment (torture), as well as the difference in the presence and intensity of psychiatric and, in particular, posttraumatic symptomatology. The information was gathered by means of sociodemographic questionnaire, Structured Clinical Psychiatric Interview (SCID), Clinician Administered PTSD Scale (CAPS), Impact of Event Scale-Revised (IES-R), Symptom Check List-90-Revised (SCL-90-R) and Manchester Short Assessment Quality of Life Scale (MANSA).

Analysis of the obtained data has demonstrated a significant difference between the general refugee population and specific subgroups of the same population, including forcibly mobilized and tortured persons, in view of the presence of psychological consequences. In the specific groups psychic

disturbances are significantly more manifest, and the quality of life significantly lower. By the intensity of psychopathological phenomenology, the group of forcibly mobilized persons is much closer to the torture group, which indicates the fact that forcible mobilization may bear the same consequences as any other clearly defined act of torture.

The second part of the article presents a comparison between the groups of forcibly mobilized and tortured persons, considering the posttraumatic symptomatology, and considering the presence of comorbid psychiatric diagnoses. It was established that torture victims have a significantly higher lifetime prevalence of PTSD, but also that there was no significant difference in the presence of current PTSD, although torture victims typically manifest a more severe clinical picture of PTSD. The explanation offered was that the specific type of psychological torture, combined with the implementation of the sense of guilt and betrayal, had almost as devastating an effect on the development of severe PTSD as physical torture in enemy camps.

Based on the results presented in this article, it was concluded that forcibly mobilized refugees are no different than torture victims in view of the intensity of psychic disturbances and presence of current PTSD, and also, that there is a significant difference in lifetime prevalence of PTSD and specific profile of psychiatric syndromes, i.e. comorbid psychiatric diagnoses. The article suggests that the difference arises from specific differences related to the status of the victim, nationality of the torturer and the victim, purpose and intent of the torture/ill treatment (extorting confession and revenge over torture victims in camps, as compared to "disciplining" and manipulation over the forcibly mobilized), the ways of coping with trauma and valorization of the suffered trauma by the victims themselves, but also by their surroundings.

INTRODUCTION

Trauma is most certainly one of the most frequently mentioned psychiatric terms in the last decade. Definition of traumatic experience regained its importance due to the increasing presence of psychological trauma in numerous social conflicts in the modern world. Social crises happen every day, and the researchers are faced with the task to explore the nature of stressogenous reactions, in order to enable efficient treatment of the consequences of trauma, as well as creation of prevention programs.

Wars and frequent interpersonal conflicts are typical examples of interpersonal traumas, where, unlike in natural or technological disasters, the human factor is the main source of traumatic experience. When the infliction of pain and suffering to others is intentional, for the purpose of realization of different goals and interests, it is when trauma takes the form of torture¹⁸⁴. There is a great number of registered prisons and camps in the territory of former Yugoslavia where torture was applied as political means and a common way of treating the detainees.

Consequently, the vast majority of clients of the International Aid Network (IAN) Center for Rehabilitation of Torture Victims (CRTV) consist of former detainees and members of the "Association of Ex-Detainees from War in 1991", who fall under the category of torture victims. The remaining clients are refugees and displaced persons who required assistance due to severe psychic disturbances, as a result of war-related conditions, or family members of the victims of torture.

After many years of providing assistance to clients exposed to war, the Center staff noticed a new group of clients who stood out by their specific characteristics. They were males with the status of refugees in FR Yugoslavia, who were forcibly mobilized in an action conducted by the Republic of Serbia Ministry of Internal Affairs in the summer of 1995, and then returned to the Republic of Serb Krajina or the Republic of Srpska, where they were handed over to paramilitary or military formations in the territory and forced to enter into conflict for their side.

The phenomenon of forcible mobilization during the wars in the territory of ex-Yugoslavia in 1990-ies is not unprecedented in the world. Information on cases of forcible mobilization in refugee areas in Afghanistan, Liberia and Ghana

184 Torture is defined in the UN Convention against Torture, Article 1 (1984), as "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions."

are available over the Internet, with the authors focusing particularly on the problem of forcible mobilization of underage persons. However, except detecting the problem and attracting media attention, there are no detailed accounts on the circumstances, and especially not on the consequences of the incidents of forcible mobilization of refugee population (Muir J, 2001; Frelick B, 2004; Côte d'Ivoire, 2004).

Working with this particular group of CRTV clients, it was established that their situation is characterized by specific legal, social and psychological features, arising from the fact that the abuse (torture) over them was conducted by members of their own nation and by their own country, which is what distinguishes this group from the other categories of clients.

In an attempt to explore these features, we need to analyze the existing differences in psychopathological symptomatology in the persons who survived different types of traumatic events, such as war-related trauma, forcible mobilization or psychological and physical torture in military camps and prisons.

Findings of numerous studies point to the presence of different factors influencing the reaction to traumatic events, so that the responses should be understood in the context of these factors.

Aldwin, Levenson and Spiro (1994), state that the connection between exposure to military actions and PTSD symptoms is partly mediated by the estimates of desirable and undesirable effects of military service. Being aware of the undesirable effects, such as losses in the field of career and relationships, and living through different negative emotional states, is positively correlated with the level of PTSD symptoms, symptoms of depression and the way of coping with the stressful situation. On the contrary, understanding the positive effects of stress, such as development of coping ability, is negatively correlated with the level of PTSD symptoms.

Momartin et al (2003) did not detect any difference in the risk of developing PTSD between the group with the highest exposure to human rights violation (imprisonment in concentration camps, torture) and the group exposed to general war-related traumas. On the other hand, Silove et al (2002) have discovered that torture presents a major risk for development of PTSD as compared with other studied traumatic factors.

Clinical study of specific types of torture victims is highly significant for the treatment. The existing information can be used to identify the persons who need clinical assistance to overcome the traumatic events. It can also be used for the development of an efficient therapeutic approach and adequate treatment, for the purpose of enhancing the clients' ability to face the consequences of stress and regain their pre-torture level of functionality.

One of the fundamental questions that this paper aims to answer is: ***can the trauma that the forcibly mobilized persons were exposed to can be marked as torture?*** The conclusions in this article will be drawn based on the type and

intensity of psychological consequences that the violent act has left on the victims' mental health. A clearer picture will be obtained by comparing these consequences with the ones caused by other war-related traumas in the refugee population, on the one hand, as well as with the consequences arising from the torture experience in military camps and prisons, on the other.

The experience of torture is usually extremely dramatical – when encountering this kind of violence, the very foundations of human existence can be shattered: faith, sense of security and closeness to others. Destroying the basic foundations of a person's life and defying the principle of respect of basic human needs, can have serious, often permanent consequences on the mental health of the tortured individual. This can cause various psychological disorders and problems in overall psychosocial functioning of the person. Typical disorder developed as a result of torture is the posttraumatic stress disorder (PTSD). However, we should emphasize that psychopathological consequences of traumatic experiences include a wide spectrum of different types and combinations of symptomatology.

In line with the above facts, it can be expected that forcible mobilization, as an experience with strong traumatic potential, can cause the development of PTSD. The article aims to test this assumption, by answering the question: ***whether and to what extent PTSD symptomatology is present in the forcibly mobilized persons?***

The presence of PTSD can be an indicator of the objective severity of trauma, but it primarily indicates the subjective experience of the severity of trauma, which depends directly on the specific affected personality. In this, circumstantial way, by assessing the consequences, certain conclusions can be made on the quality and type of the cause.

In the history of exploring the structure of posttraumatic symptomatology, the main starting point was the study of a number of specific risk factors for chronic response to stress. In general, the *intensity of trauma* was considered as crucial for the development of PTSD. However, results indicate that the effects of the intensity of trauma are not uniform in character. Having in mind different characteristics of the traumatic event, the overpowering experience of trauma can be caused by various factors. The question can be raised on the exact meaning of the intensity of trauma. Can it be measured only by the intensity of the torture experienced? Or the subjective interpretation of the events is necessary as well? What elements influence the subjective interpretation of the traumatic event? We support the strategy of focusing on the influence of *specific features of traumatic event* as well, on the exposure and the development of symptoms. For, only a detailed study of such differences would enable us to fully understand the variety of mutual effects of the factors of traumatic events, exposure to traumatic stress and severity of traumatic experience.

The findings presented in this article could make a valuable contribution, especially to the therapy of forcibly mobilized persons, as a specific group of

torture victims. Due to their specific circumstances, it can be assumed that the forcibly mobilized persons will have a distinctive psychological profile as compared to the victims of torture in enemy camps, as well as to refugees. One of the important dilemmas, whether forcible mobilization can be defined as a type of torture or not, will be clarified through the analysis of intensity and types of consequences on the victims' mental health, as well as through a comparison with the psychological consequences in the remaining two groups, refugees and torture victims. With this in mind, one of the hypotheses was that forcibly mobilized persons would manifest stronger posttraumatic symptomatology than the refugees, and the question remained whether their results would be significantly different from the results in the group of victims of torture in enemy camps.

METHOD

Respondents and procedure

The study encompassed data obtained from 436 clients of the International Aid Network (IAN) in Belgrade, in the period between May 2003 and May 2005. The respondents were refugees from the 1991-1995 war-stricken areas who applied for the refugee status in FR Yugoslavia (Serbia and Montenegro). Specific subgroups in this sample of refugees consisted of men forcibly mobilized during the war on the territory of former Yugoslavia and victims of torture in camps and prisons during the wars in former Yugoslavia 1991-1995.

The subgroup of forcibly mobilized persons consisted of 140 respondents. The study included all the clients whose medical records included entries of sociodemographic data, as well as test scores, as a part of psychological battery usually applied for the purpose of registering symptomatology and setting the diagnosis of the clients. All the respondents were arrested by the police of the Republic of Serbia Ministry of Internal Affairs in the summer 1995, in spite of their refugee status in the territory of FRY, and subsequently transported across the state border. More than 90% of the respondents were detained in the paramilitary units' camp in Erdut, East Slavonija, and a smaller number in Beli Manastir, Manjaca and Knin. The majority of the forcibly mobilized persons – clients of IAN, spent 3-10 (some of them over 30) days in the camps, where they were, in almost all cases, exposed to mental and/or physical torture. After such procedure, a large number of the forcibly mobilized persons were sent to combat units of the Army of the Republic of Serb Krajina or Army of the Republic of Srpska, and a part remained as members and/or under direct control of paramilitary units, where they spent between 1.5 and 4 months (most often about 3 months) as armed soldiers.

The subgroup of torture victims consisted of 116 men, clients of the Center for Rehabilitation of Torture Victims, within the framework of IAN. All of them

had the traumatic experience of imprisonment and torture in the enemy camps and prisons during the war.

The subgroup of refugees in the narrow sense consisted of 180 persons with the refugee status in FR Yugoslavia, originally from the war-stricken areas – mostly from Croatia and a smaller number from Bosnia-Herzegovina – with the experience of different types of war-related trauma, but not the trauma of imprisonment and torture, or forcible mobilization.

The testing was conducted in the counseling units of the International Aid Network (IAN). The respondents had been seeking psychological and legal assistance and they voluntarily accepted to participate in the testing. Detailed psychological exploration was routinely performed in the Center prior to the treatment, as its results represent the guideline for the future counseling and psychotherapeutic work. The clients were subsequently provided with the adequate type of treatment. The record-keeping activities included creating data bases on all the clients, documenting their testimonies, as well as gathering information on all other materials and sources related to torture and human rights.

Instruments

The detailed diagnostical procedure was the same for all patients. It included structured clinical interview and instruments for the assessment of type and intensity of traumatic event, posttraumatic symptomatology and general psychiatric symptomatology. It should be mentioned that a number of respondents failed to provide all the data required by the tests. The following psychological instruments were used:

1. **Client list – general questionnaire** consisting of basic demographic data, registration of problems the client seeks help for, the therapist's psychological assessment of the client and the type of intervention applied by the therapist.
2. **Structured Clinical Psychiatric Interview by DSM-IV** Classification for Axis I disorders (SCID-I; First, Gibbon, Spitzer & Williams, 1996). This instrument represents the golden standard for reliable psychiatric diagnostics, according to the American classification of psychiatric disorders.
3. **Clinician Administered PTSD Scale** (CAPS; Blake et al., 1990). Similar to the previous instrument, CAPS is a structured interview, providing reliable information on the presence of posttraumatic stress disorder, whether in the moment of testing, or in an earlier period of life.
4. **Impact of Event Scale – revised version** (IES-R; Weiss & Marmar, 1997) is an instrument for self-assessment of posttraumatic symptoms.
5. **Symptom Check List Scale – Revised Version** (SCL-90-R; Derogatis, 1983) was used for self-assessment of a wide range of psychopathological symptoms.

6. **Manchester Short Assessment of Quality of Life** (MANSA; Priebe, Huxley, Knight & Evens, 1999) – inventory for self-assessment of quality of different life domains. The scale includes 16 questions, with 12 of them to be answered on the scale of 1 to 7 (1-couldn't be worse; 2-very dissatisfied; 3-mostly dissatisfied; 4-neither satisfied, nor dissatisfied; 5-mostly satisfied; 6-very satisfied; 7-couldn't be better).

Statistical analysis

In processing the results, standard descriptive and analytic statistical methods were used. Statistical processing was performed using the statistics software on personal computers.

RESULTS

Average age of the forcibly mobilized IAN clients was 43.31±8.15 (span 27-64), as opposed to the slightly older groups of clients in the torture victims subgroup - 48.13±10.90 (span 23-73) and refugees subgroup - 48.85±12.96 (span 18-79).

Table 1. *General socio-demographic characteristics of forcibly mobilized persons*

Demographic characteristics	%
Level of attained education	
No education	2,0
Primary school	29,6
Secondary school	60,2
Student	1,0
College	3,1
University	4,1
Employment	
Employed	36,4
Unemployed	63,6
Marital status	
Single	21,8
Married	70,9
Widowed	0,9
Divorced	6,4

PSYCHOLOGICAL PROFILE OF FORCIBLY MOBILIZED PERSONS

As can be seen in Table 1, the majority of subjects have secondary school education. A considerable percent of respondents have completed primary school, and a minor number of respondents fall under the remaining categories.

Employment structure of the forcibly mobilized clients demonstrates their quite unfavorable living situation. Approximately two-thirds of clients are unemployed, and only one out of three has a job.

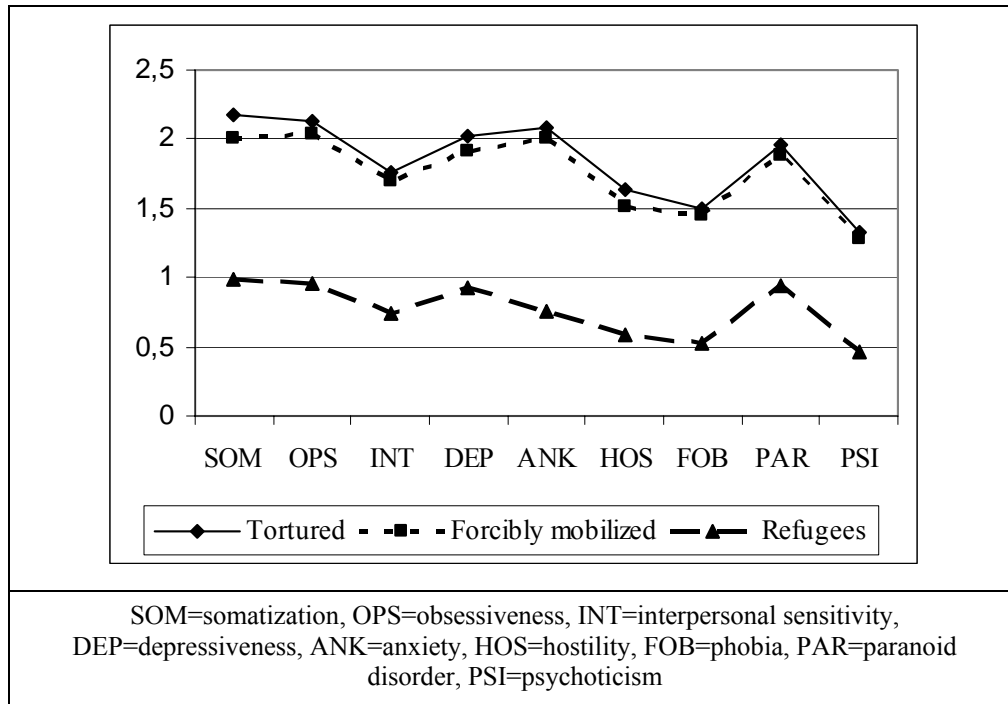
The majority of clients are married, a smaller number are single, and the number of clients falling under the categories of widowers and divorced is negligible.

Table 2. Mean value difference of symptom dimensions scores on SCL-90-R between the three groups of clients of the International Aid Network - IAN

SCL-90-R	Forc. mobilized (N=74)		Tortured (N=93)		Refugees (N=103)		Statistical significance	
	M	SD	M	SD	M	SD	F	Sig.
SOM	2,01	0,89	2,17	1,05	0,98	0,97	35,93	<0,01
OPS	2,04	0,94	2,13	1,05	0,95	0,73	40,12	<0,01
INT	1,70	0,98	1,76	1,02	0,75	0,75	29,64	<0,01
DEP	1,92	0,90	2,02	1,03	0,93	0,77	35,00	<0,01
ANK	2,01	1,02	2,09	1,12	0,77	0,83	43,60	<0,01
HOS	1,53	0,95	1,64	1,04	0,59	0,57	32,78	<0,01
FOB	1,46	1,04	1,50	1,11	0,53	0,65	24,92	<0,01
PAR	1,88	1,00	1,96	1,05	0,94	0,80	27,71	<0,01
PSI	1,28	0,95	1,32	0,94	0,47	0,58	24,80	<0,01

SOM=somatization, OPS=obsessiveness, INT=interpersonal sensitivity, DEP=depressiveness, ANK=anxiety, HOS=hostility, FOB=phobia, PAR=paranoid disorder, PSI=psychoticism

Figure 1. Mean values for 9 dimensions derived from SCL-90-R in IAN clients (scale range from 0 to 4)



Results of the SCL-90-R test presented in Table 2 show a considerable difference in the manifestation of present psychiatric symptomatology with significantly higher scores in the torture victims group, slightly lower in the forcibly mobilized, and by far the lowest in the refugee subgroup.

As shown in Figure 1, the score values on SCL-90-R, in all test dimensions, are significantly closer in the first two groups, of torture victims and forcibly mobilized, than as compared with the refugee group.

Table 3. Mean value difference of symptom dimensions scores on IES-R

	Forc. mobilized (N=104)		Refugees (N=180)		Statistical significanc	
	M	SD	M	SD	F	Sig.
IES-INT	2,32	1,04	1,53	1,12	34,36	<0.01
IES-AVOID	2,22	0,75	1,52	1,03	35,82	<0.01
IES-HYPER	2,41	1,05	1,39	1,17	54,60	<0.01

IES-INT=intrusion symptoms, IES-AVOID=avoidance symptoms, IES-HYPER=hyper-arousal symptoms

On the Impact of Event Scale (IES-R) where the respondents assessed the intensity of current posttraumatic problems, the group of forcibly mobilized persons had significantly higher mean scores, especially on the subscale of hyper-arousal symptoms.

On the Manchester Short Assessment Quality of Life Scale (MANSA) the forcibly mobilized had the mean score of 3.21 ± 0.77 , and the refugees 4.31 ± 0.79 , which constitutes a statistically significant difference ($F=131.13$; $p<0.01$).

Table 4. PTSP diagnosis established by means of CAPS-DX

Diagnosis based on CAPS	Forcibly mobilized (N=140)		Torture victims (N=116)	
	n	%	n	%
Total PTSP	89	63,6	106	91,3
<i>Current PTSP</i>	82	58,6	73	62,9
<i>Healed PTSP</i>	7	5,0	33	28,4
No PTSP	51	36,4	10	8,7

Pearson's chi-square: $\chi^2 = 43.109$, $p < 0.001$

There is no significant difference between the groups of torture victims and forcibly mobilized persons regarding the presence of diagnosed current PTSD; however, healed PTSD is present in the significantly higher percentage of torture victims. Total lifetime prevalence of PTSD (current + healed) is 91.3% in torture victims, and considerably lower, although more than half (63.6%) in the forcibly mobilized.

Table 5. Mean value difference of symptoms in current PTSD

CAPS-DX	PM (N=140)		T (N=116)		Statistical significance	
	M	SD	M	SD	F	Sig.(p)
Symptoms of re-experiencing the trauma						
B1. Disturbing dreams	0,89	0,88	1,32	1,14	16,23	<0,01
B2. Disturbing memories	1,14	0,99	1,68	1,24	20,38	<0,01
B3. Feeling of trauma repeating itself	0,18	0,48	0,36	0,71	7,55	<0,01
B4. Physical discomfort on recollection	1,19	0,97	1,47	0,97	7,86	<0,01
B5. Physiological reaction on recollection	0,92	0,85	1,13	0,98	4,61	<0,05
Symptoms of avoidance and emotional numbness						
C1. Avoiding thoughts, feelings	1,35	1,03	1,69	1,14	8,72	<0,01
C2. Avoiding activities, places, people	0,85	0,86	1,06	1,08	4,12	<0,05
C3. Inability of recollecting the trauma	0,55	0,85	0,69	0,96	2,05	n.s.
C4. Reduced interest	0,97	0,93	1,54	1,24	22,94	<0,01
C5. Detachment and estrangement	0,77	0,99	1,26	1,17	18,19	<0,01
C6. Constriction of general affect	0,91	0,94	1,20	1,10	6,98	<0,01
C7. Feeling of future without prospect	0,69	0,82	1,17	1,24	17,75	<0,01
Symptoms of hyper-arousal						
D1. Sleep disturbance	1,50	1,18	2,14	1,35	22,75	<0,01
D2. Aggravation and anger outbursts	1,09	1,02	1,44	1,16	9,73	<0,01
D3. Difficulties in concentration	1,04	0,99	1,26	1,11	4,16	<0,05
D4. Wariness	0,79	0,90	1,20	1,16	13,31	<0,01
D5. Exaggerated startle response	1,16	0,99	1,23	1,04	0,48	n.s.

FM = forcibly mobilized, T = torture victims, tortured

Although the difference in the frequency of current PTSD diagnosis between the groups of tortured and forcibly mobilized persons is small, there is a significant difference in the severity of manifest symptomatology, as seen in Table 5. The

following symptoms are particularly manifest in torture victims: reduced interest and involvement in activities, difficulties falling asleep and sleeping, disturbing dreams, disturbing memories of trauma, feeling of detachment and estrangement from other people, feeling of future without prospect and wariness.

Table 6. CAPS-DX – additional (related) symptoms in current PTSD

CAPS-DX – Additional symptoms	PM (N=140)		T (N=116)		Statistical significance	
	M	SD	M	SD	F	Sig.(p)
Depersonalization	0,05	0,28	0,10	0,40	1,61	n.s.
Derealization	0,14	0,45	0,17	0,54	0,48	n.s.
Reduced awareness of one's surroundings	0,38	0,70	0,33	0,75	0,46	n.s.
Survivor's guilt	0,05	0,28	0,11	0,48	1,76	n.s.
Guilt over what he/she had done or failed to do	0,28	0,68	0,44	0,82	3,88	<0,05

Considering the additional (related) symptoms on CAPS-DX, they are considerably less manifest than the above listed posttraumatic symptoms. The only major difference is the sense of guilt, which is more manifest in torture victims.

Table 7. CAPS-DX – severity of impairment in current PTSD

CAPS-DX – intensity of disturbances	PM (N=140)		T (N=116)		Statistical significance	
	M	SD	M	SD	F	Sig.(p)
Subjective disturbances	1,56	1,05	1,88	0,98	9,63	<0,01
Impairment in social functioning	1,16	0,99	1,46	0,97	8,95	<0,01
Impairment in professional functioning	1,18	0,99	1,33	1,00	2,32	n.s.

Functionality impairment in different life domains is more manifest in torture victims than in the forcibly mobilized persons.

Table 8. *Psychiatric diagnoses established by means of SCID*

Diagnosis based on SCID	Forcibly mobilized (N=140)		Tortured (N=116)		Statistical significance	
	M	SD	M	SD	F	Sig.
Current major depressive episode	0,22	0,42	0,23	0,42	0,05	n.s.
Previous major depressive episode	0,26	0,44	0,22	0,42	0,55	n.s.
Previous manic episode	0,00	0,00	0,01	0,09	1,21	n.s.
Previous hypomanic episode	0,01	0,12	0,01	0,09	0,18	n.s.
Dysthymic disorder (current)	0,08	0,27	0,19	0,39	7,11	<0,01
Psychotic and combined symptoms	0,00	0,00	0,01	0,09	1,21	n.s.
Bipolar II disorder	0,01	0,09	0,01	0,09	0,02	n.s.
Major depressive disorder	0,27	0,45	0,16	0,36	5,08	<0,05
Alcohol abuse disorder	0,09	0,28	0,14	0,35	1,77	n.s.
Alcohol dependency	0,04	0,19	0,03	0,18	0,00	n.s.
Non-alcoholic substance abuse	0,00	0,00	0,01	0,09	1,21	n.s.
Non-alcoholic substance dependency	0,00	0,00	0,01	0,09	1,21	n.s.
Panic disorder	0,02	0,15	0,07	0,25	3,51	n.s.
Panic disorder with agoraphobia	0,02	0,15	0,08	0,27	4,52	<0,05
Agoraphobia without panic disorder	0,00	0,00	0,04	0,20	6,26	<0,05
Social phobia	0,03	0,17	0,03	0,16	0,02	n.s.
Specific phobia	0,08	0,27	0,06	0,24	0,32	n.s.
Obsessive-compulsive disorder	0,05	0,22	0,05	0,22	0,00	n.s.
Anxiety disorder NOS	0,00	0,00	0,02	0,13	2,44	n.s.
Somatization disorder (current)	0,04	0,20	0,05	0,22	0,11	n.s.

Diagnosis based on SCID	Forcibly mobilized (N=140)		Tortured (N=116)		Statistical significance	
	M	SD	M	SD	F	Sig.
Pain disorder	0,04	0,19	0,02	0,13	0,81	n.s.
Non-differ. somatophorm disorder	0,05	0,22	0,00	0,00	6,06	<0,05
Hypochondriasis	0,02	0,15	0,02	0,13	0,06	n.s.
Dysmorphophobic disorder	0,01	0,12	0,00	0,00	1,67	n.s.
Eating disorder	0,04	0,19	0,05	0,22	0,39	n.s.
Generalized anxiety disorder	0,08	0,27	0,05	0,22	0,73	n.s.

As shown in Table 4, generally speaking, there are no prominent differences between the mean score values of psychiatric diagnoses established based on the structured interview (SCID). The differences between score values for the following disorders are somewhat more significant: previous major depressive episode, major depressive disorder and non-differentiated somatophorm disorder (more manifest in the forcibly mobilized). Dysthymic disorder, agoraphobia and panic disorder are more frequent in torture victims.

DISCUSSION

Position of the forcibly mobilized clients is in itself highly specific. For the majority of such clients, being refugees, the act of forcible mobilization was the repeated trauma, often following the series of previous ones. Literature also states that repeated traumatization can be one of the significant etiological factors in the development of PTSD (Lazarus & Folkman, 1984). There are several possible interpretations of such statements. One of the possibilities is that it plays the role of lens, i.e., enhances the influence of events. Namely, re-traumatization forces the individuals to invest their energy in the constant feeling of painful and discomforting fear, insecurity and anxiety. For that reason, additional traumatic excitations can have an unusually quick and easy negative effect on the already emotionally unstable person. The second type of interpretations state that negative influences of repeated stress accumulate, leading to the increased risk of development of mental disorders. In the forcibly mobilized persons it could create predisposition for higher sensitivity and increase the risk of development of PTSD symptoms.

The specific context of persons forcibly mobilized by members of their own nation is among the socio-cultural factors with significant determining role. Such social milieu modifies the ways of accepting the experienced traumatic event and gives it a specific meaning.

Prior to the commencement of work with the forcibly mobilized, the question was raised whether such persons actually represent a separate category of clients, or the characteristics of the coercion they were exposed to can fall under the category of torture, as defined by the United Nations. If this is the case, it would signify that they represent a subgroup of the earlier defined category of torture victims.

Certain authors still debate on this issue, since, from the theoretical point of view, there are no clear guidelines for the act of forcible mobilization to define whether such coercive act is an act of torture, or it would only be the case with the use of duress or retaliation (Spiric, 2004).

Interpretation of the obtained results can help create a clearer picture of this particular group and provide answers to some of the questions raised. Psychological characteristics as well as symptomatology of the forcibly mobilized persons are the grounds for the review of their psychological profile, and by a comparison with the clearly defined groups of torture victims and refugees, conclusion can be made on which of the groups they are more similar and closer to.

Comparison between the three groups in our sample (tortured, forcibly mobilized and refugees) regarding the manifestation of psychic disturbances measured by SCL-90-R, has shown a statistically significant difference between the three groups as regards the psychopathological phenomenology. Intensity of psychic disturbances is the highest in the torture victims group, slightly lower in the group of forcibly mobilized, and significantly lower in the refugee group. These results are in line with the research conducted by Roncevic-Grzete and associates (2001), who, using the Hamilton Depression Scale, demonstrated that clinically manifest depressiveness is more frequent in torture victims than in other traumatized groups (refugees), as well as with the findings of Stresthe and associates (1998) who observed that torture victims have higher anxiety and depression scores on SCL as compared to the non-tortured respondents. Spiric and Knezevic (2004) have discovered significant difference in all 9 dimensions on SCL-90-R between the victims of torture and refugees with the experience of war-related trauma, other than captivity and torture.

Results of comparison between refugees and forcibly mobilized persons indicate that general psychiatric symptomatology is more manifest in the forcibly mobilized. Also, specific posttraumatic symptoms in all three clusters assessed by means of the Impact of Event Scale, are more frequent in the forcible mobilization group than in the refugees. Forcibly mobilized persons rate their quality of life considerably lower on the scale of 1 to 7 (MANSA): average score 3.21 ("mostly

dissatisfied") as compared with the refugees – 4.31 ("neither satisfied, nor dissatisfied").

Since the forcible mobilization group has proved to stand much closer to the group of torture victims than to refugees by the intensity of psychic disturbances, the inevitable conclusion is that the consequences of forcible mobilization are similar to any other act of clearly defined type of torture.

According to our results, there is a major difference in the lifetime prevalence of PTSD (FM=64%, T=91%), which could be expected, since, according to available sources, the prevalence of PTSD in torture victims is by far the highest as compared to any other traumatized group. However, the results do not show significant difference in the presence of current PTSD diagnosis. The lack of significant difference in the presence of current PTSD can be explained in several ways.

According to the clients' accounts, forcibly mobilized persons have spent one to ten days in paramilitary camps during the so-called training, which is, nevertheless, a shorter period of deprivation of liberty than was the case with former war prisoners. The context of the overall situation, as well as their being treated as "traitors of their own nation", mostly included humiliation and threats as a type of psychological torture, while methods of physical torture, except methods of exhaustion and strenuous physical labor, were generally less applied. The assessed threat to life was objectively smaller, since these persons were forcibly mobilized in the name of the state and by their own people, although this was most frequently not in keeping with their subjective experience.

There is, however, a series of other factors characteristic for the position of the forcibly mobilized persons, which have caused the atmosphere of threat during the forcible mobilization to be equally unbearable as during captivity in enemy camps. Victims of torture in enemy camps manifested the natural need for cathartic verbalization, as a way to resolve the trauma. On the other hand, forcibly mobilized persons saw the discussion on traumatic experiences as inappropriate and socially unacceptable, since the torture was caused by members of their own people, with the justification that it was conducted on traitors.

It is well known that in the situation of captivity the criminal becomes the most powerful figure in the victim's life, so his behavior and belief start shaping the psychology of the victim. The forcibly mobilized persons have described the despotic control established by their torturers-compatriots, with the aim to destroy their sense of autonomy. Methods of control were based on systematic, repeated psychological traumatization. The victims' fear was often instilled by erratic and unpredictable outbursts of violence and capricious insisting on details. As mentioned in the literature, threats of death or injury, that were also applied here, are equally efficient as a direct attack on the victim (according to Herman, 1997).

Characteristic type of torture was conducted through weakening of the victims by giving them addictive drugs and alcohol, which in that moment they

perceived as a means to help them survive. This calculated bribery with “small” favors was undermining the psychological resistance of the forcibly mobilized with much more success than constant deprivation and fear. Other methods of torture were manifested by unquestionable demands for respect and admiration, so that the victims would submit voluntarily. The torturers wanted not only to impose the fear of death on them, but also the gratitude that they were allowed to live. Some of the clients described situations when they were convinced that they were going to be killed, only to be saved at the last moment. After several such experiences of “certain death”, the victim, paradoxically, begins to see the criminal as a savior, who is giving false support. Having in mind that the forcibly mobilized persons were deprived for a period of time, the described behavior of the torturers becomes the means of coercion, and they themselves a source of fear and humiliation, but, at the same time, illusion of success. The final effect of these techniques was that the forcibly mobilized persons, in their own words, saw the criminal as omnipotent, with whom all resistance was pointless, and felt that their lives completely depended on absolute obedience to the will of the torturer. Based on the obtained data, we can conclude that the previously described specific psychological torture over the forcibly mobilized persons has a similar effect as the drastic methods of physical torture used on the victims of torture in enemy camps.

Motivation and fighting moral of the victims also played an important role in the overcoming of wartime strains. The prisoners in enemy camps had higher tolerance to frustrations precisely for the reason that they fought for the political and national goals, although their life was threatened. On the other hand, public opinion on those who did not go to war voluntarily was extremely unfavorable at the time. The attitude of their environment forced them to betray certain relations, social loyalty or moral values, which resulted in their being subjected to fierce criticism. The study of Aldwin, Levenson & Spir (1994) also confirmed that the assessment of favorable and unfavorable effects of military service, due to the stress in the course of military actions, mediated in the development of PTSD.

In the same way, religious and political beliefs are among generalized resources of resilience that enable the person to organize his/her experiences so as not to succumb to stress. It is well known that the majority of people feel the need for a system of all-embracing values, timeless and universal, giving the meaning to their life. Mutual systematic support of religious and political consciousness among the detainees in enemy camps built up their motivation and vitality to suffer pain, their moral strength and human dignity. On the contrary, due to being labeled as traitors of the nation and, for that reason, negatively assessing their situation, the forcibly mobilized persons have lost that kind of support.

One of the explanations for the major difference in healed PTSD between the forcibly mobilized and tortured persons would be that the trauma of torture victims occurred earlier and that, with the passage of time, more of them have recovered (having in mind that the time of initial trauma of torture victims is as

early as 1991, as compared to the FM – 1995). On the other hand, if the factor of earlier occurrence of trauma is excluded, perhaps the *persistence* of PTSD in the FM is more significant, and its smaller chances of recovery. Therefore, a hypothesis can be made that torture victims develop PTSD more frequently and suffer from a more severe form of PTSD (tbl 5 and 7), but also that they have stronger chances for recovery – ratio of healed and total = $33/106 = 31.1\%$, meaning that almost one-third of torture victims have recovered in the period of 8-14 years – as opposed to the forcibly mobilized, with the ratio of $7/82 = 7.8\%$, i.e. not even one out of ten have recovered after 8-10 years.

Stronger recovery potential in the torture victims group can perhaps be explained by the more efficient coping strategy, with directing and guiding the action, while the forcibly mobilized persons are more prone to regression, inefficient, passive reactions, giving up. The persons who have experienced forcible mobilization by their own people react by inadequate adaptive responses, tend to experience negative emotions, blame themselves or others, resort to passive forms of behavior, unlike war prisoners and their affirmative coping, who see stress as a challenge more than a threat, with the outward directed aggression, but also with the proneness to positive emotions and directed towards problem solving and seeking social support.

In the second type of analysis, when it was decided that PTSD symptomatology should be treated as continual variable, significant differences in the symptoms were established between the two groups. Symptoms such as *extremely reduced interest for the involvement in significant activities, feeling of detachment and estrangement from other people and the feeling of lack of prospect or empty future*, are more frequently manifested in victims of torture in enemy camps. Beside the above symptoms, these respondents also experience difficulties in falling asleep and sleeping, recurrent and disturbing dreams related to the traumatic event, as well as wariness, i.e. extreme caution and carefulness.

Most of these symptoms belong to the cluster of symptoms of avoiding the stimuli connected with the stressor and general numbness, on the one hand, and to the sleep disorders on the other. Having in mind that the latter signify unconscious resolving of the traumatic contents, symbolically representing the wartime experience, it can be concluded that central pathological pattern of PTSD in torture victims is represented by different avoidance strategies varying in the dimension of visibility, from the manifest, to the latent level. Our results are in line with the hypothesis of Horowitz (Horowitz & Beckers, 1971), that avoidance of painful thoughts and feelings plays the central part in the development of PTSD. A question, however, remains open, whether the avoidant behavior prevents successful acceptance of traumatic experience, or it can be a form of secondary adaptation, helping the person reduce the intensity of memory-provoked distress.

The second significant result of the comparison between the two groups is the difference in clinical diagnostics. Based on SCID, the most frequently set

diagnoses in the torture victims group were dysthymic disorder and agoraphobia without panic disorder. On the other hand, non-differentiated somatoform disorder was the most prevalent among forcibly mobilized persons, as well as major depressive disorder.

Persistent depression is one the most frequent findings in most studies of the chronically traumatized persons. Chronic hyper-arousal and intrusive symptoms of PTSD are related to vegetative symptoms of depression and create what Niederland has named the “survival triad” – insomnia, nightmares and somatic complaints (according to Herman, 1997). The paralysis of initiative, due to chronic trauma, is combined with depressive apathy and helplessness. Breakup of contacts as a result of chronic traumatization enhances isolation and depression. Altered image of one’s self of the chronically traumatized nourishes the depressive rumination of the sense of guilt. Loss of faith joins with depressive helplessness.

Somatoform non-differentiated disorder can be interpreted as a part of depression, since it is defined by the presence of anhedonia, loss of interest, and emotional reactivity (Kecmanovic, 1989). It is a form of adaptation to traumatizing environment. High consumption of energy for the purpose of defense is manifested as somatisation disorder with the tendency to repress the feelings of depression.

Forcibly mobilized persons could not express anger caused by being humiliated by their torturers, since they were members of the same nation, and also not to endanger their own survival. They often have the feeling of powerlessness and lack of control over their life, as if they are afraid of a new retaliation. Present conflicts in their everyday life are only provoking factors, reviving the suppressed hatred, which then develops guilt, sense of sinfulness and self-reproach. What’s more, the suppressed anger towards all those who remained indifferent to their fate and who failed to help them, builds up inside of them. Controlled anger and hatred focus on the self, instead of the environment, thus adding to the burden of depression.

On the other hand, the tortured clients, who spent a significantly longer period of time in enemy camps, manifest dysthymic disorder, which can be explained by permanent preservation of inadequate behavior patterns, created during the acute depressive episodes. Reactive depression is known to affect persons with low self-esteem, low threshold of frustration tolerance and extreme dependence on the support and praise of others (Clyton & Lewis, 1981). Unlike them, in dysthymic persons the traumatic experiences seem to have a prolonged effect, which makes it diagnostically unclear whether it falls under affective or character disorders (according to Kecmanovic, 1989). Other authors also state that dysthymia includes numerous chronic, non-psychotic depressive conditions of different origin, and is a frequent consequence of long-term adverse life circumstances (Akiskal et al, 1983, 1984; Keller et al, 1983). The DSM-III-R division of psychosocial needs into acute and chronic enabled the identification of dysthymia caused by long-term adverse life circumstances.

Torture victims also manifest all types of panic disorder (with or without agoraphobia), which is classified among anxiety disorders. According to the behavioral approach, a precipitating event in the life of a person is necessary for the onset of agoraphobia, according to which the symptoms of agoraphobia acquire their meaning. Agoraphobia is stated to occur when intensive anxiety is linked with a specific situation, so, in the future, in order to eliminate the fear, the person would avoid this situation. In persons with increased anxiety, anger and rage acquire a kind of discharge through the symptoms, which their surroundings do not understand, and their origin is often unclear to the persons themselves. This is the case with agoraphobia, where the fear of going out into the street is only a façade for the fear of one's own aggressive drives and tendencies, which could not be expressed openly toward the aggressor in the enemy camp.

Generally speaking, the obtained data indicate the conclusion that there are two ways of reacting to a specific traumatic experience. One way implies externalization of the generated feeling and focusing them outward, on the others, who are "guilty", responsible for what has happened and what they survived. Anxiety is the way for the person to free himself of emotional problems verbally, by complaints and self-observation. It is often accompanied by the experience of inadequate anger, rage that cannot be expressed and, in that way, neutralized. Sometimes the only way to discharge these emotions is to manifest aggression, which, if not allowed, has to be inhibited, repressed, which enhances the original anxiety and hostility even more. When the emotional states of aggressive impulses and anxiety find a socially acceptable release, the possibility for the development of somatization decreases. The other type of reaction involves internalization of emotions and focusing on one's self, as well as re-directing to a specific symptom, whether it is a thought, action or a somatic symptom. For example, the mechanism of internalization is present in the non-differentiated somatoform disorder. Here the person focuses on somatic complaints, which are stated briefly, and sometimes spontaneously associated with the life events. Behind the somatic complaints lie emotional problems such as fear, sense of insecurity, resentment, anger, sorrow, rage and often manifested or hidden aggression that the person is unable to cast off.

CONCLUSION

In the first part of the article, the comparison between three groups (of torture victims, forcibly mobilized persons and refugees) according to the manifested psychic disturbances measured by SCL-90-R, demonstrated that the groups are statistically significantly different. The intensity of psychic disturbances was the highest in the group of torture victims, slightly lower in the forcible mobilization group, and significantly lower in the refugee group. By comparing the posttraumatic symptomatology and self-assessment of the quality of life, we discovered a clear differentiation between the group of forcibly mobilized persons

and the group of refugees without the experiences of forcible mobilization, captivity or torture trauma. By the intensity of psychopathological phenomenology, the group of forcibly mobilized persons is much closer to the group of torture victims, which indicates the fact that forcible mobilization could bear similar consequences as any other act of clearly defined type of torture.

In order to test this assumption, in the second part of the article we have compared the groups of forcibly mobilized and tortured persons in view of the posttraumatic symptomatology and the presence of comorbid psychiatric diagnoses. It was established that torture victims have a significantly higher lifetime prevalence of PTSD, but also that there is no significant difference in the presence of current PTSD, although torture victims typically manifest a more severe clinical picture of PTSD. The explanation offered was that the specific type of psychological torture, combined with the implementation of the sense of guilt and betrayal, had almost as devastating an effect on the development of persistent PTSD as physical torture in enemy camps.

Analysis of comorbid psychiatric symptomatology demonstrated the differences in the distribution of psychiatric diagnoses. This finding has confirmed the assumptions of a separate profile of psychic disturbances in the forcibly mobilized persons, arising from specific circumstances of their arrest and specific type of ill treatment in paramilitary units' camps. The most prevalent psychiatric diagnoses, beside PTSD, were major depressive disorder and somatoform disorder in the forcibly mobilized, and dysthymic disorder and panic disorder in the torture victims group.

Based on the results presented in this article, it was concluded that the forcibly mobilized refugees are no different from the torture victims by the intensity of psychic disturbances and the presence of current PTSD, but also that a significant difference is found in the lifetime prevalence of PTSD and the specific profile of psychiatric symptoms, i.e. comorbid psychiatric diagnoses arising from specific differences related to the status of the victim, nationality of the torturer and the victim, purpose and intent of the torture/ill treatment (extortion of confession and revenge, as opposed to "disciplining" and manipulation), the ways of coping with trauma and valorization of the sustained trauma by the victims and by their environment.

BIBLIOGRAPHY

Ahiskal, H.S. (1983). Dysthymic disorder: Psychopathology of proposed chronic subtypes, *American Journal of Psychiatry*, 140, 11.

Ahiskal, H.S. (1984). The interface of chronic depression with personality and anxiety disorders. *Psychopharmac. Bull*, 20, 393.

Aldwin, C.M., Levenson, M.R. and Spiro, A. (1994). Vulnerability and Resilience to Combat Exposure: Can stress have lifelong effects? *Psychology and Aging*, 9, 34-44.

American Psychiatric Association (1994): *Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM-IV)*. American Psychiatric Press. Washington, D.C.

Breier, A., et.al. (1985). The diagnostic validity of anxiety disorders and their relationship to depressive illness. *American Journal of Psychiatry*, 142, 787.

Brewin, C.R., Andrews, B. and Valentine, J.D. (2000). Meta-Analysis of Risk Factors for Posttraumatic Stress Disorder in Trauma-Exposed Adults: *Journal of Consulting and Clinical Psychology*, Vol. 68, No. 5, 748-766.

Clayton, P.J., Lewis, C.E. (1981). The significance of Secondary depression, *Journal Affect Disorders*, 3,25,1981.

Côte d'Ivoire (2004). Government forces. <http://hrw.org/reports/2004/childsoldiers0104/7.htm>

Derogatis, L.R. (1983) SCL-90-R: Administration, Scoring and Procedures Manual, II. Towson MD: Clinical Psychometric Research.

Dutton, M.A., Burghardt, K.J., Perrin, S.G, et al. (1994). Battered women's cognitive schemata. *J Trauma Stress*, 7, 237-255.

Eysenck, J. H. (1969). *Psychological Aspects of Anxiety, Studies of Anxiety*. Headly LTD, Ashfort-Kent.

First, M.B., Gibbon, M., Spitzer, R.L., Janet, B.W. and Williams, D.S.W. (1996) *User's Guide for the SCID-I, Structured clinical interview for DSM-IV axis I disorders, research version*. New York: Biometrics Research Department New York.

Frelick B (2004). Questions on Democratic Republic of the Congo. Internet article: <http://hhrw.org/library/Index/ENGAFR620322003?open&of=ENG-COD>

Herman, J.L. (1997). *Trauma i oporavak*, Zavod za udžbenike i nastavna sredstva, Sarajevo.

Horowitz, M. J., Beckers, S. S. (1971). Cognitive response to stressful stimuli. *Archives of General Psychiatry*, 25, 419-429.

Horowitz, M.J., Wilner, N. and Alvarez, W. (1979) Impact of Event Scale: a measure of subjective stress. *Psychosomatic Medicine* 41 (3):209-218.

Janoff-Bulman, R. (1992). *Shattered Assumptions: Towards a New Psychology of Trauma*. New York, Free Press.

Kecmanović D. (1989). *Psihijatrija*. Medicinska knjiga. Beograd-Zagreb, 963-998.

Keller, M.B. et.al. (1983). Double depression: Two year followup, *American. J. Psychiatric*, 140, 689.

Koopman, C., Classen, C. and Spiegel D. (1994). Predictors of Posttraumatic Stress Symptoms Among Survivors of the Oakland/Berkley, Calif. Firestorm. *Am J Psychiatry*, 151, 888-894.

Lauterbach, D. and Vrana, S. (2001). The relationship among personality variables, exposure to traumatic events and severity of post-traumatic stress syndromes. *J Trauma Stress*, 14, 29-45.

Lazarus, R. and Folkman S. (1984). *Stress, appraisal and coping*. New York, Springer Publishing Company inc.

Lewis, A.J. (1934). Melancholia: A clinical survey of depressive states, A historical review, *J. Ment.Sci.*, 80, 1, 1934.

Lopašić R., Betlheim S., Dogan S. (1965). *Psihijatrija*. Medicinska knjiga, Beograd-Zagreb.

McCormick, R.A., Taber, J.I. and Krudelback, N. (1989). The relationship between attributional style and posttraumatic stress disorder in addicted patients. *J Trauma Stress*, 2, 477-487.

Mitić, M. (2004). *Povezanost osobina ličnosti merenih petofaktorskim modelom o modaliteta ispoljavanja posttraumatskog stresnog sindroma*. Diplomski rad, Beograd.

Momartin, S., Silove, D., Manicavasagar, V. And Steel, Z. (2003). Dimensions of trauma associated with posttraumatic stress disorder (PTSD) caseness, severity and functional impairment: a study of Bosnian refugees resettled in Australia. *Social Science and Medicine*, 57, 775-781.

Muir J (2001). Iran's refugee tide ebbs. Internet article: news.bbc.co.uk. Wednesday, 7 November, 2001

Ozer, E.J., Best, S.R., Lipsey, T.L. and Weiss, D.S. (2003). Predictors of Posttraumatic Stress Disorder and Symptoms in Adults: A Meta Analysis. *Psychological Bulletin*, Vol. 129: No. 1, 52-73.

Priebe S, Huxley P, Knight S & Evans S (1999) Application and results of the Manchester Short Assessment of Quality of Life (MANSA). *International Journal of Social Psychiatry* 45:7-12

Roncevic-Grzeta, I., Franciskovic, T., Moro, L. and Kastelan, A. (2001). Depression and torture. *Military Medicine*, 166, 530-533.

Shrestha, N.M., Sharma, B., Van Ommeren, M., Regmi, S., Makaju, R., Komproe, I., Shrestha, G.B. and de Jong, J.T. (1998). *Impact of torture on refugees displaced within the developing world: symptomatology among Bhutanese refugees in Nepal*. *JAMA*, 280: 443-448.

Silove, D., Steel, Z., McGorry, P., Miles, V. and Drobny, J. (2002). The impact of torture on post-traumatic stress symptoms in war-affected Tamil refugees and immigrants. *Comprehensive Psychiatry*, 43, 49-55.

Špirić, Z. and Knežević, G. (2004) The Socio-demographic and Psychiatric Profiles of Clients in the Centre for Rehabilitation of Torture Victims – IAN Belgrade. In: Špirić, Z., Knežević, G., Jović, V., Opačić, G. (Eds.). *Torture in War, Consequences and Rehabilitation of Victims: Yugoslav experience*, pp.121-152., Beograd, IAN - International Aid Network.

Svetska zdravstvena organizacija (1992) ICD-10 Klasifikacija mentalnih poremećaja i poremećaja ponašanja-klinički opisi i dijagnostička uputstva [WHO: The ICD-10 Classification of Mental and Behavioural Disorders: Clinical Descriptions and Diagnostic Guidelines]. Beograd : Zavod za udžbenike i nastavna sredstva.

Van Der Kolk BA, Pelcovitz D, Roth S, Mandal FS. (1996). Dissociation, Somatization and affect dysregulation: The complexity of adaptation of trauma. *Am J Psychiatry*, 153, 83-93.

Van Der Kolk, B.A., Mc Farlane, A.C. and Wesath, L. (1996). *Traumatic stress: the effects of overwhelming experience on mind, body and society* (pp.47-67). Gilford Press.

Weiss, D.S. and Marmar, C.R. (1997) The Impact of Events Scale-Revised. In: Wilson, J.P. and Keane, T.M., (Eds.) *Assessing Psychological Trauma and PTSD*, pp. 399-411. New York London: The Guilford Press.

Wolfe, J., Erickson, D., Sharkansky, E.J., King, D.W., King, L.A. (1999). Course and Predictors of Posttraumatic Stress Disorder Among Gulf War Veterans: A Prospective Analysis. *Journal of Consulting and Clinical Psychology*, Vol 67, No. 4, 520-528.

SURVIVING THE GUILT: A PSYCHOANALYTIC RETROSPECT ON THE ISSUE OF COMPENSATION OF FORCIBLY CONSCRIPTED REFUGEES IN SERBIA

Vladimir Jović

SUMMARY

This work contains a brief review of a conference about the forcible conscription of refugees in Serbia in 1995, and we offer a psychological analysis of the discussion group in a psychoanalytical framework. The material here represents just a fragment of the psychological reality of posttraumatic communities in the ex-Yugoslavia. The lack of empathy with the victims of forcible conscription and the hostility to the idea of their compensation are indicators of post-war psychological confusion, where denial of a traumatic reality and externalization of complex feelings onto an isolated group are used as defense reactions. This paper stresses a particular feeling – guilt – which I believe is crucial for the maintaining of complex interactions between these two apparently completely separate groups: “participants” and “observers”. The material I analyzed indicates an arrested process of social soul-searching in Serbia which is, domestically, followed by an arrest of the development of democratic institutions, and internationally, by the lack of real reconciliation between the formerly belligerent ex-Yugoslav nations. Psychologically, it indicates an impossibility of a normal process of mourning, which is an individual process, but is, nevertheless, trapped in the Serbian social field due to a lack of social institutions (or an institutional framework) that could ensure adequate mourning, integration of all that is lost and continuation of a normal development of the individual and community.

INTRODUCTION

Precisely ten years before the editing of this monograph (or more precisely, from June to August 1995), the police crisscrossed Serbia, intercepting men and arresting those who had just fled Croatia after the “Flash” and “Storm” operations¹⁸⁵ or those whose identity cards somehow linked them to the combat zone.¹⁸⁶ The lists of the refugees had been made by the Serbian Red Cross and the Commissariat for refugees. The individuals were arrested in their homes, in the presence of their families, with no possibility of taking elementary personal effects or informing others about their whereabouts. They were first transferred to provisional assembly centers (most frequently, police or fire stations) and then further on (in an organized manner and under armed escort) to “training” camps (where they faced various forms of abuse, humiliation and torture) or directly to some of the combat zones in Croatia and Bosnia. In the paramilitary-run camps, where humiliation and torture were focused and carried out in an organized fashion, many of these unwilling soldiers were beaten and systematically humiliated (“Mr. Discipline” and being tied to a kennel are just two of the frequently recurring bizarre details in many stories from Erdut). They were called traitors, cowards and deserters. This happened even to the individuals who had spent all their time on the frontline¹⁸⁷ and who, afterwards, fled the pogroms of civilians by the Croatian Army and sought shelter for their families in the “motherland”, the promised land of Serbia. Needless to say, some of these people were later killed in the war in Bosnia.

The individuals who had undergone such experiences began contacting IAN CRTV, first occasionally and then ever more frequently. In August 2004, IAN initiated the project “Redress in Action”, focused exclusively on forcibly conscripted refugees. Gradually, we could reconstruct a picture of a coordinated action, systematic roundup and subsequent abuse - all disguised by a patriotic narrative and utterly senseless (as many other actions in that war). The main idea of the project was, first of all, to help these people, and then back their efforts to gain moral and material compensation for torture and abuse. Still, in spite of the things these people had been through, we frequently encountered a complete lack of

185 Offensive military actions whereby Croatia gained control over the entire ex-Republic of Serbia Krajina, in May and August 1995.

186 It is a well-established fact that the police were ordered to apprehend all persons whose identity cards were marked with the letter “T”. However, we cannot speculate here on what this mark stood for (“transit” or something similar). It is, however, certain that the mark meant that the person in question had to do something with Croatia or Bosnia & Herzegovina.

187 At least four years, i.e., until Operation “Storm” began.

empathy with them and their experiences. I believe that this lack of understanding, occasional hostility towards the idea of compensation, and depreciation (or downplaying) of the question of possible psychological consequences in war victims¹⁸⁸ reveal the incapacity of Serbian society to face war consequences in the posttraumatic period.

This paper contains a review of a conference on forcibly conscripted refugees – the conference in which I presented our project. I will try to demonstrate how the material I collected on the occasion indicates a certain pattern of representations of war victims and their life context and, especially, a certain pattern of representations of the war that happened in the 1990s. In a further text, I will try to put those representations into a theoretical perspective.

LAW OR JUSTICE?

My analytical material consists of some of the statements put forth in the conference *Forcible conscription of refugees in Serbia – legal and psychological consequences*, held in Belgrade on April 4, 2005. The conference, which rallied representatives of various NGOs and governmental agencies,¹⁸⁹ was characterized by an open and confrontational ambiance in which many various views were put forward. The very nature of the discussion provided a good opportunity to analyze the statements presented for some of the frequent attitudes towards victims in this country. What was said there?

First of all, much attention was paid to the theme of the *reality* of traumatic events and their consequences, which were either downplayed, devaluated in their importance or compared/measured with some other consequences. To the judges who had experience in compensatory lawsuits, psychiatric opinions about clients seemed phony, “somehow all identical, as if copied one after another”. This view was followed by a questioning of the very validity of posttraumatic stress disorder (PTSD) as a diagnosis (“if there are so many who have PTSD, then everybody has it”). A question was also raised about “whether those three or four days in Erdut” could produce such consequences. If such a “small” event (several days in a “training” camp) could produce PTSD, then all traumatic experiences could be made relative. Indeed, one of the female participants said that then she too could “sue the state for esthetic deterioration, for all those years of stress”. Somebody also asked “how could one compare those who spent a day or several days in Erdut with those who spent months in a detention camp”, while someone else remarked that those “couple of days” surely could not be so terrible as months spent on the frontline. Then the discussion moved toward the proposal/conclusion to “measure the intensity of infraction of rights by the number of hours or days spent in a

188 The consequences I have seen in the last couple of years.

189 In total, 34 experts in various fields.

particular place”. There was also a question of why the charges were filed “just now”, ten years after the forcible conscription, i.e., why our clients did not file their charges earlier. We explained that the majority of the clients spoke about their fear of seeking assistance before (in the previous period), and that they felt encouraged only by the fact that the number of those seeking compensation was by now considerable, but this explanation did not meet understanding. There was also a denial of the fact that many of the forcibly conscripted had inferior education, were unaware of their rights and unable to get the necessary information, aside for the fact that they frequently lived in collective refugee shelters, very much isolated from the rest of the population. Instead, we were told that “they could have informed themselves had they wished, so that this is not a justification for their tardiness”.

The discussion became especially bitter when we considered the issue of the money to be paid as compensation. One of the female participants compared the value of the compensation sought by the forcibly conscripted refugees with the value given to a mother who had lost her son in war, thus clearly suggesting that the forcibly recruited demanded too much. At that point, the discussion turned into a competitive bidding on the adequate values for compensation, as well as into a measurement of the relative gravity of various experiences. It was also stated that “the Hague tribunal does not pay too much, since, for instance, one person who had been mistakenly arrested was compensated with 3 000 euros”.¹⁹⁰ By that time, the excited participants took completely opposite positions. All in all, the debate resulted in a conclusion that “you can try to help, but not seek assistance in courts”. Or, as one of the lady judges stated, “you cannot get justice in a court; you can only get the law” (we will return later to this otherwise true sentence).

If I were to recall the round table in terms of group dynamics, I would say that everything looked very explosive. The group quickly split in two camps: those who advocated compensation and those who opposed it. However, the intensity of discussion did not correspond at all to a relatively simple formal pretext: submission of a petition to the Supreme Court of Serbia (the second part of this monograph contains more details about this initiative). The feeling I had at the beginning differed considerably from the one I had at the end. Initially, I was quite thrilled to see judges, lawyers who represented our clients, state officials and members of large Serbian NGOs, all sitting around the same table (a picture I dared not dreaming of a few years ago). However, after the end, we drank coffee in two separate groups, again feeling bitterly that there were still “us” and “them” - the cleavage being much bigger, deeper and more senseless than I thought. In that particular place as well, I realized how still impossible it was in this country to think about the war that took place some time ago. Briefly, there were simple

¹⁹⁰ This was said in the conference but not verified afterwards.

black-and-white images, a simplified, split understanding of justice and compensation, suspicion, an impression of being attacked, followed by a need to defend personal opinions, and the occasional sentiment of being overwhelmed by the images of war that surfaced from descriptions of other victims. All this meant that the war was still alive in our thoughts, and that it was not possible to integrate the traumatic events we all had experienced.

THE INDIVIDUAL AND THE GROUP: METHODOLOGICAL ASSUMPTIONS

The denial of compensation of people who were victimized by members of their own ethnic group has to be understood in a practical context. Possible explanations of various attitudes have to shed light on the interaction between victims and spectators, but they also have to elucidate the psychosocial context in which our clients live. The goal, thus stated, demands a much more serious study which would largely surpass the present text. Instead, I will offer a brief review of relevant attitudes. A justification for such a procedure could be found in an immediate, non-theoretical need: support of concrete efforts to protect people who suffered harm. The explanation that will follow will not be possible without some historical and political references, and I will consequently make a short digression in order to explain some methodological difficulties.

Psychoanalysis has frequently made an effort to explain conflicts, wars and totalitarian regimes from the dynamic point of view, i.e. by analyzing unconscious motives, defenses and conflicts. Still, I find it difficult to translate terms of individual psychopathology into the “psychopathology” of mass or large groups, first of all because these group phenomena are complex and cannot be explained only psychologically¹⁹¹. Secondly, omission of a more complex social, economic and political context almost inevitably leads to simplified parallels between the development of an armed conflict and mental illness. This, in turn, produces impressions of “sick” vs. “healthy” nations, which is an oversimplification that has never produced anything valuable. There are two paradigmatic (partially overlapping) psychological explanations: regression of large groups and the so-called “posttraumatic explanation”. The first explanation basically develops Freud’s original explanation of mass psychology (Freud, 1921), and was used by Volkan in his analyses of the ex-Yugoslav conflict (Volkan, 1997; Volkan, 2002; Volkan, 1999). His account contains several premises that deserve critical consideration. The first one postulates the existence of “the identity of a large group”, which is a part of the “core identity” and has its roots in early

191 “The understanding of even larger social group issues cannot be achieved through psychoanalytic understanding alone and doubtless requires interdisciplinary contributions from social psychologists, economists, historians, etc.” (Blum, 1986).

development. Building his explanation of this identity on the basis of Erikson's works and Kernberg's work on borderline personality structures, Volkan puts national identity within the same category, automatically ascribing to it core characteristic as well. In his opinion, a large group in a crisis situation passes through regression, which may be stimulated by politicians or political regimes, with resulting involvement in a violent conflict, instigated by the impulse to preserve identity, because the threat of losing identity equals the threat of death¹⁹². The second explanation, also founded on a pathological pattern, is the "posttraumatic explanation" (which has recently become a frequent approach in Serbian professional community as well). It postulates that the 1991 conflict in the ex-Yugoslavia represents some sort of continuation or reenactment of the 1941 conflict, while its shocking intensity is explained by a long period of communist repression and interdiction of discussion about inter-ethnic conflicts in the Second World War.¹⁹³ The "posttraumatic explanation" also implies a generational transfer of the trauma of genocide from the Second World War. According to this view, the second (and third) generation of victims takes upon itself the duty of revenge.¹⁹⁴

The explanation that makes the fear of losing one's (group) identity one of the organizing factors in conflict situations represents a rough analogy with psychotic fears of identity loss and fragmentation in disturbed persons. When speaking of the psychological causes of war, I think that the organizing factor of

192 "The loss or threat of losing one's core identity creates extreme anxiety, even terror, in an individual"

193 Volkan partially uses this explanation in the context of the chosen trauma, when speaking how Milošević reincarnated the trauma of the defeat in Kosovo in 1389 and thus set off combat against Muslims (Bosniaks and Albanians) in the former Yugoslavia. If we were to analyze the role of the Kosovo myth in modern Serbian culture or Serbian understanding of national identity, we would incline more towards the sociological concept of "cultural trauma", which stresses the cultural memory of trauma in the imagination of a group (for example, the memory of slavery in Afro-American cultural products (Eyerman, 2001). Cultural trauma does not include the necessary immediate direct group experience, nor does it in any final sense correspond to aspirations or convictions of some homogeneous group.

194 In a short passage, Glover offers some facts: "One boy of twelve came close to death at the hands of Ustase. A killing squad led by their closest neighbour had come to murder the family. They escaped because they were out. That boy's son, Milan Babic, led the Krajina rebellion against Tudjman's government. General Adzic, the Yugoslav national army chief of staff, who planned the war against Croatia, had hidden in a tree as a boy, while Ustase troops hacked his parents to death. General Mladic's father was killed by the Ustase. Milan Kovacevic, who ran a string of Serbian concentration camps around Prijedor, had himself been born in the Croatian camp at Jasenovac" (Glover, 2001). However, as Blum says when speaking about the relationship between early individual traumatic experience and later behavior of the perpetrator: "The danger in this line of thinking lies in simplistic explanation in the generalization from individual to mass disturbance, in a genetic fallacy that may offer illusory continuity and comprehension." (Blum, 1986)

every group is not the fear of losing group identity but rather the fear for one's life.¹⁹⁵ On the other hand, nationalistic narrations, which inevitably contain historical references as well (when we omit analysis of particular contents), essentially come down to the rhetoric of "blood and soil", national "founding myths", the elaboration of national exclusiveness or superiority ("Serbs are people of heaven") and, simultaneously, the creation of existential threats that a nation faces. Moreover, special attention is paid to the righteousness of war ("Serbian land is where Serbian graves are") and dehumanization of the adversary, and this sequence can be found in many wars throughout history. In the Yugoslav case, similar fears and pre-fabricated answers, projected by a powerful propaganda machine at the end of the 1980s, gradually became the official history and official politics. But what (and how) can we infer from individual narrative: conclusions about the identity of a large group (which is supposedly determined in early development), or only conclusions about the person who (re)produced the narrative?¹⁹⁶ How can we speak about the "core" national identity of entire nations, while setting aside the heterogeneity and complexity of these groups?¹⁹⁷

I will try to focus here on an analysis of feelings and attitudes of *individuals*. I will analyze individual representations of a particular group, while trying to demonstrate how these representations are distorted by unconscious

195 There is one Glover's elegant, simple and, I think, true psychological metaphor about "The trap of Hobbesian fear" (Glover, 2001), which he described by a Tukidid's sentence about the cause of the Peloponnesian war: "What made war inevitable was the growth of Athenian power and the fear which this caused in Sparta". What Milošević did at the end of the 1980s (creation of a personal, absolutistic regime in Vojvodina, Kosovo and Montenegro) must have stirred up fear and nationalistic rage in other ethnic groups.

196 A. Vučo (Vučo, 2002) wrote about ethnic stereotypes in the pre-war Yugoslavia, systematizing them on the oral, anal and genital level (stereotypes about nutritional habits, hygiene and sexual behavior of other groups), but he also stressed their universal character, which denies their determining effect in conflict development. A subtler relationship between the individual and the social element was described by Traub-Werner (Traub-Werner, 1984): "The process of prejudice is constituted by faulty or arrested development that leads to the formation of pathological defensive structures. The defensive structures can only take the form of prejudice within a historical framework and against a cultural background that will provide the ideational content to the process of prejudice. This content is culturally bound and will determine 'who I hate', while the defensive structure of the process will answer the question 'why I hate'. Last, but not least, the interaction between the individual psychopathology and group psychology will determine the form that the process takes, i.e., 'how I hate'."

197 A still unpublished survey carried out on persons exposed to the war in Bosnia and Herzegovina revealed that premorbid personality characteristics (including indicators of criminal behavior, family relations, attitudes toward parents, school achievement, peer behavior, problems in early development, etc.) predicted not only the development of PTSD, but also war-related experiences, such as the place and the role a person had in the war (Jović, 2005).

attitudes. No matter what group we take into account, attitudes towards it will express the unconscious processes (conflicts, defense mechanisms or capacities for thinking) of the persons advocating these attitudes. It will be an analysis of the individual elaboration of external (social and political) circumstances, born out of the human need to find an epistemological framework for unbearable experience. Unfortunately, it is always easier to borrow this framework from the already available pool of simple explanations. Much like simple splitting is more economical than some more sophisticated defense, we can expect that individuals will more often accept explanations replete with simple representations of the self and others. The popularity or acceptability of a particular variant of group experience will depend on the possible psychological benefits it may bring to the individual. However, the importance of these indices lies in their possible destructive value for the people we work with and whose interest we protect, even when they themselves are victims of similar simplified patterns.

This paper purports to demonstrate that the difficulties of understanding of war victims' needs - and especially the lack of empathy with their need to obtain compensation for their suffering - are a consequence of a complex and largely unconscious mechanism. This explanation can be broken down into several statements: 1) the root of the lack of empathy with this group is a denial of complex feelings related to the denial of war trauma carried out through isolation or negation of traumatic experience and projection of these feelings into the people who participated in war, which seemingly creates an insurmountable barrier between "participants" and "spectators"; 2) this mechanism is not one-sided and is made possible by the fact that "participants" unconsciously accept the projected role; 3) the reason for splitting and denial is a trauma-related persecutory guilt, either guilt for things done (or guilt for the wish to have them done) or survival guilt; 4) social mechanisms of denial of persecutory guilt include control mechanisms which are especially revealed in attitudes toward ill veterans; 5) the raising of the issue of compensation of victims sets off and inflames these processes because it touches the question of guilt ("*Who* is guilty?"), to which neither individuals nor institutions are willing to respond. Refusal to face this question, in fact, arrests the social process of reexamination of things done and hinders development of mechanisms and institutions that could, first of all, empower individuals to mourn their losses, but also equip society with an efficient protection from the repetition of the same in the future. But let us start with the first assumption: what feelings are contained in the representations of this group, given the fact that they arouse such strong emotional reactions?

DANGEROUS INDIVIDUALS

There are several characteristics that distinguish forcibly conscripted refugees from other war victims in the former Yugoslavia and transform them into a suitable

container for various feelings. First of all, they are men of Serbian nationality and are, as such, traditionally *expected* to be recruited to defend the people they belong to. The question of *how* this mobilization was carried out seemed far less important. Second, they were abused and tortured by members of their own ethnic group, which “spoils” the stereotypes of the good and bad side in this war, especially because this opens the unpleasant story of the role of paramilitaries in this war. Third, their claim for monetary compensation places them outside of empathic understanding. Fourth, they come forth with psychological and psychiatric expertise showing that many of them suffer from stress-related disorders and thus take on themselves a part of the stigma reserved for the mentally ill. Fifth, the whole context in which they were arrested and abused indicates an organized and direct involvement of the Serbian police in the war in Croatia and Bosnia & Herzegovina.¹⁹⁸ Sixth, they are a part of a defeated army and a symbol of a defeated national policy. And lastly, we should not forget the cumulative effect of all these factors.

Since the beginning of the war in the former Yugoslavia, the media have for years talked about the persons who suffered from psychological consequences of war, but they mentioned them almost exclusively in the context of some violent event (suicide or murder) committed by persons “who had come from the frontline” and who were immediately supposed to suffer from the “Vietnam syndrome”.¹⁹⁹ The media are still willing to report these unfortunate events in a sensationalizing manner, and the same goes for the cases where the mentally ill were somehow involved in violent acts. This further stigmatization in the media favored the formation of an image of a dangerous, mentally disturbed warrior who

198 The question “why compensatory claims of the forcibly conscripted refugees have been filed just now” seemed particularly important, since it opened a Pandora’s box of various political meanings. It has been ten years since the forcible conscription took place; the limitation period for filing compensatory claims for forcible conscription is five years, while the limitation period for unlawful arrest is ten years. Our petition to the Supreme Court of Serbia proposed a prolongation of the limitation period for filing compensatory claims by tying them to the limitation period for unlawful arrest. If forcible conscription of refugees was treated as a war crime against civilians (unlawful transfer to concentration camps and other unlawful transfer – covered by paragraph 142 of the Criminal law of Yugoslavia), it would not be barred by the statute of limitations, so that our petition, in fact, turned out to be a kind of compromise for abandoning insistence on this act as a war crime (which would also entail the questions of whom Serbia was in war with, as well as the question of reparations to be paid to Croatia and B&H, etc.).

199 In fact, from the “post-Vietnam syndrome”; the term itself appeared originally in New York Times in 1971, on a similar occasion (after the death of Lieutenant Johnson, who had been decorated for exceptional merit in Vietnam and was killed in an armed robbery of a convenience store in Detroit). This was one of the events that initiated the strong political movement which led to the opening of more than 200 centers financed by (but independent of) the Veterans Administration (Shatan, 1997).

is to be cured, controlled or put away from society by all possible means. Simultaneously, much less attention was paid to the problems of refugees and warriors, their adjustment and their needs for systematic assistance. Briefly, these themes seldom made headlines in the country “that produced much more history than it could digest” (to use the famous Churchill phrase about Yugoslavia). That is how a large group of individuals simply “disappeared” from the public eye, or were mentioned seldom and then only with negative connotations. Let us try to understand this.

M. Foucault once said that we inherited from the Middle Ages two patterns of dealing with “dangerous individuals”: exclusion (as with lepers) and inclusion (i.e., control and surveillance, as in quarantines for plague sufferers) (Foucault, 2002). The mentally ill have for centuries been seen as dangerous, which led to the “Grand confinement”, i.e., the foundation of asylums whereby hundreds of thousands of individuals were permanently excluded from society. Grinberg speaks about “mentally ill persons as depository of the persecutory guilt of the family and society” (Grinberg, 1992). Lévy-Strauss described two types of society – *anthropophagous* ones, which “swallow” people, transforming them into persons without identifiable existence, and *anthropoemic* ones, which “vomit” them (in: Grinberg, 1992). Using this description as a metaphor, I could say that the rebellious Serbs in the breakaway, independent Croatia (whose ruling elite maintained itself in power by advocating an ideology of national identity) had to be thrown out (“cleansed”), while Serbia swallowed and forgot them. In Serbia, this group - a quarter of a million of refugees - never became a clearly recognizable political or social factor with a clearly defined agenda of protection of its interests.²⁰⁰ For the majority of them, integration meant abandonment of the past and “old identity”, while repatriation was not feasible because of the various obstacles set by Croatian authorities, and a strong feeling of insecurity. Fourteen years after the beginning of the war in Croatia, there are still collective refugee shelters in Serbia, usually outside larger settlements, while refugee issues have been neglected or abused for years, depending on the current political needs. Moreover, aside from a couple of attempts, there are still no specialized services for treatment and rehabilitation of persons suffering from stress-related disorders, while numerous programs of education never resulted in systematic changes of

200 It is interesting that the leaders of the former regime blazed the trail in that creation of the impression that refugees from Croatia and Bosnia & Herzegovina were dangerous. For example, they blamed refugees for the 1996/97 winter protest and, according to one report, Milošević himself considered them as “political nuisance and economical albatrosses”, thus alluding to some kind of voracity (Milka Ljubičić, “Oluja, deset godina kasnije - pitanja koja čekaju odgovor: Stradanje u ime ‘vožda i oca domovine’”, *Danas*, 05.08.2005.). We have to remember that the big war-mongering campaign at the beginning of the 1990s was initiated precisely for the protection of their interests. I will not delve here into assessment of political statements of various groups in Serbia.

curricula in schools and universities. So far, no systematic epidemiological research of the prevalence of mental disorders has been carried out, although the results of some preliminary research on isolated groups reveal very high rates (Tenjović et al. 2001; Tenjović et al. 2004; Jović et al. 2005; Lecic-Tosevski and Draganic-Gajic, 2004).

The other players in the drama were “swallowed” as well: there is a complete public denial of the issue of the soldiers and policemen from Serbia who participated in the war in Croatia and Bosnia. The official line says that Serbia did not take part in the war and that the only individuals who engaged themselves “on the other side of the Drina” were volunteers. In Croatia, the Serbs who participated in the war as members of the Army of the Serbian Republic of Krajina are deemed rebels and terrorists and are therefore denied the status of legitimate combatants. The active YNA²⁰¹ soldiers were granted the status of “war participants” at the beginning of the conflict, while afterwards, they were registered as volunteers in the units of the of the Army of the Serbian Republic or the Army of the Serbian Republic of Krajina. Forcibly conscripted refugees, however, had their documents taken away before being sent off to the frontline, in order to conceal their identity in the case of imprisonment or death.

In the meantime, nothing in fact has been “brought to an end”; there has not been any reflection on the national level, any reexamination of the national position after a series of disastrous wars, crimes, bitter defeats and humiliations. Almost no step, even a symbolic one, has been taken towards reconciliation with the other ethnic groups we fought with. In the psychological sense, the barrier between those who participated and those who observed (“spectators”) has only been reinforced. I call them “spectators” because I am inspired by descriptions of the large corps of officials, bureaucrats and common civilians who worked in Nazi death camps (or around them), and who, during the Holocaust, were indifferent to the sufferings of prisoners, although they themselves did not commit any direct crime. We all could watch pictures of the “conquest/liberation” of Vukovar (the bombardment of this town lasted longer than the NATO bombing campaign), or the bombardment of Dubrovnik; we all could know about Srebrenica or many other crimes. Nonetheless, all the officials who spoke in public were surprised after the broadcasting of a film about the execution of a group of Bosniak boys by a paramilitary group that called itself “The Scorpions”.²⁰² We all knew about the killings of Serbian civilians in Osijek, Vukovar, Split, Gospić and other places, but the Croatian public was nevertheless shocked when this issue surfaced (15 years later), through a confession of a man who had killed several Serbian civilians under orders when he was 16. I sincerely hope that the crimes against Serbs and other “non-Muslims” in besieged Sarajevo will soon become known – the crimes I came

201 The Yugoslav National Army - the old, legitimate army of the Socialist Federal Republic of Yugoslavia.

202 Documentary footage broadcast by the Belgrade-based B92 TV station, in June 2005.

to know of directly through the stories of my clients who had survived them. When I speak about “spectators”, I speak not only about those persons (or those parts of us) who have intimately justified these misdeeds while espousing the national project, “national interest” or whatever other rationalization that had been offered by the media. I have in mind that big group of individuals - in all warring sides - who did not commit any crime, nor directly participated in war, but who, nevertheless, identified themselves with leaders and their solutions and succeeded in hating their erstwhile neighbors, thus finding a libidinous relation with such projects, while ensuring for themselves a safe psychological position of belonging, a peace of torn representations and a freedom from the unbearable deliberation of the absurdity of war. This is presently a big group which is still in the gray zone (in the area where the war is seemingly over and, as such, not worth mentioning), and which easily switches to every new ideology provided it offers distancing from the reexamination of war crimes. I distinguish this group from one much smaller (but still alive) group of persons who have succeeded in resisting group stereotypes and the siren song of paranoid rhetoric, and who never intimately acquiesced to the dehumanization of other nations. These people are at least aware that a war happened and that it is an immutable fact that changed our lives forever. The second group, I believe, has much bigger chances of mourning its losses and continuing life by integrating war experience into some new form of sense.

However, the war remains alive because it is split and “transferred” onto others – the ones who “participated” and whom “that misery befell”. The question of a clear dividing line between participants and spectators becomes a hot psychological question, because a clear separation ensures distance and safe denial of one’s own hostile and nationalistic aggressive feelings (among others), but it also does the same with the feelings of frustration, deprivation, resentment and anger provoked by defeat of grandiose nationalistic visions. Unbearable feelings must be severed and displaced. The war took place outside of Serbia, much like it seems that it happened only to those who were in the combat zone, while the fact that it happened to *all of us* is completely denied. Thus, the group containing the war reference has to be kept at a safe psychological distance, and if it appears in public, it takes form of “dangerous individuals”, war-maddened warriors who can destroy (kill) non-contaminated peaceful citizens.

However, hostile and aggressive nationalistic rage is not the only emotion displaced onto this group; similar externalizations enable us to maintain self-love and the remaining social bonds²⁰³, but also serve as the ultimate defense against

203 “Self love and social bonds were protected by externalization of what was despised in the self and objects, to alien groups and scapegoats” (Blum, 1986).

depression²⁰⁴. They contain all that has been contaminated by war, all the things we cannot stand within ourselves or cannot mourn or get over: ten years of poverty, fear, insecurity, misery and humiliation, all that culminating in the complete helplessness during the NATO bombing campaign, when all we could do was listen to planes and explosions and stare at destroyed buildings and dead bodies. If the boundary between the “participant” and “spectator” group was disrupted (as I believe happened for a moment in the discussion I described), then one could indeed raise the question: “Who has not been traumatized?” The whole package of war-related emotions and political and economic insecurity will explode in our faces, repeatedly and with a renewed feeling of impossibility of understanding experience and forever setting aside suffering in order to continue living. That is why war stories leave such a strong aftertaste of (psychological) mutilation, of deep psychological scars that did not or could not heal.

SURVIVAL OF GUILT

An additional characteristic that can be observed in forcibly conscripted refugees - which, I believe, makes them particularly suitable for the “deposition” of the unconscious contents we spoke about - is their *personal* feeling of guilt. Numerous contacts with these individuals have made me aware that what made them suffer most was the fact that they had been labeled as “traitors” or “deserters”, or accused of “the ruin of the state”. These feelings were equally disturbing for individuals who never before had been in war, as well for those soldiers who had spent four years on the frontline before escaping to Serbia. In conversations, the theme of “fleeing” or abandoning one’s birthplace was something that very rarely appeared in spontaneous associations. But their dreams spoke otherwise and I could frequently obtain contents relating to the home or the place that in reality was abandoned or destroyed, themes relating to the responsibility towards one’s family or soldiers from the same unit - repetitive dreams about the killed or deceased or persons who had the same experiences in detention camps.

Simultaneously, one finds material about combat participation, which is almost always subject to avoidance (I will try to offer a more detailed description later). Here I cannot give a systematic review of the characteristic material, but I can say that guilt significantly determines posttraumatic adjustment of a large

204 In a study of anti-Semitism, which was carried out immediately after the Second World War, Ackerman and Jahoda (Ackerman and Jahoda, 1948) demonstrated that anti-Semitism was only (negatively) correlated with depression and deep self-recrimination: “The existence of an anti-Semitic reaction presupposes a tendency to blame the outside world rather than one’s self, and dynamically, such a tendency is in contradiction to the overtly self-destructive trend of a genuine depression. When the focus of hate is directed against the self, the basis for an externalization of aggression in anti-Semitism no longer exists.”

number of these individuals. I believe that this guilt is crucial if we are to understand why these people almost inexplicably accepted the humiliation they were exposed to during forcible conscription or, more precisely, if we are to understand the way most of them speak about these experience, and which, most frequently, is characterized by a bland tone of fatalistic acceptance. I think that this guilt explains why so few of them protested publicly against the violation of their rights, and why so few of them continue demanding some sort of compensation (no more than 10%, as far as I know), or are willing to speak publicly about it.

Many authors hold that guilt is an inevitable part of the dynamics of persons with traumatic experiences. The importance of this fact varies over time. The initial description of diagnostic criteria for the clinical picture of PTSD included guilt in two forms: guilt for things done and survival guilt (American Psychiatric Association, 1980), but this criterion was excluded from the subsequent version of the classification (American Psychiatric Association, 1987). Defenses against guilt are very strong and it is not unusual for survivors to deny guilt in their accounts, interviews and self-assessment tests. However, work on guilt represents the very core of psychotherapeutic work and the main marker of any progress in therapy.

The process of integration of traumatic experience represents a complex process of mourning. In other words, mourning is a lifelong, complex psychological mechanism whereby one abandons old relations, bonds and patterns and adopts and develops new, more sophisticated psychological structures needed for normal functioning. Or, as Grinberg said: "Living implies passing through a succession of mourning experiences" (Grinberg, 1992). Development is hampered when the normal process of mourning is arrested, most often when defense mechanisms (which paradoxically serve to attenuate anxiety) begin obstructing integration of new experience. In the pathological organization of personality, these mechanisms include splitting, denial and projective identification, and they are all focused on avoidance of the unbearable feeling of guilt (Steiner, 1990). In the etiopathogenesis of stress-related disorders, the most frequently mentioned theme was dissociation of (traumatic) parts of personality (i.e. traumatic experience), which thwarts integration of that experience and thus precludes an adequate process of mourning. I believe that these two processes are basically very similar, and constantly intertwined, since persecutory guilt plays a capital role in posttraumatic pathology as well.

However, there is a specific quality of guilt in traumatized persons. It frequently reveals itself through negation ("Just don't think I feel guilty..."), but, still, I have seen many ex-warriors who came with a conscious feeling of guilt and spoke about it very clearly. But even in cases where it was apparently completely absent yet revealed itself in secondary contents, we cannot speak about depressive guilt in the strict sense of the term (with self-recrimination, apathy, mourning, lack of will and physical weakening, with feelings of helplessness and despair). The

guilt in traumatized persons comes in the persecutory form, most often in the form of externalized hostile objects that must be kept at bay, or in the shape of a concrete traumatic reenactment without guilt but with the realization of a concrete punishment. In fact, it seems that defusion²⁰⁵ of instincts (as one of the decisive consequences of traumatic experiences) is simultaneously accompanied by the regression of internal objects that form the super-ego and that trauma, in fact, leaves the individual at the mercy of guilt that is no longer a psychological content but “the pure culture of Thanatos”.

The further discussion of this theme will be left for some other occasion. What I wanted to stress here is importance of the (unconscious) feeling of guilt in trauma survivors, but also their susceptibility to the (again unconscious) acceptance of the projected contents in the form of reliving persecutory guilt. Or to put it simply: the psychosis of the crowd that wants to make them scapegoats is experienced in internal space as a realization of persecutory guilt. It looks as if the torture they bore in “training” camps was welcomed with a certain fatalistic longing.

HEROES AND DESERTERS

It seems that medical history has seldom offered such controversies as the one about traumatic neurosis, or PTSD now. The questions of the real existence of difficulties, possible motives for financial compensation or psychological gain, and personal responsibility in traumatic experience have kept recurring for decades in the professional community, regardless of the victims (sexually abused women, combat veterans or victims of industrial, traffic or other accidents) (McFarlane, 2000). The issue of traumatic neurosis in soldiers seems particularly complex. Ben Shephard’s impressive monograph about psychiatric attitudes towards warriors and war neurosis in the 20th century (Shephard, 2001) offers a grim picture of modern societies (torn with internal conflicts), military hierarchies (occupied with their simple goals), and doctors (psychiatrists and psychiatry in the service of conflicting interests).

A soldier is expected to be courageous, generous and ready for self-sacrifice. In the popular consciousness, these characteristics are intimately related to patriotism and the role of men in the family and nation. Simultaneously, it is just these characteristics that should testify to one’s maturity and morality. The lack of courage and the unwillingness to sacrifice oneself reveal a lack or decrease in morality, or “the weakness of the will”, as it was termed in some armies in the 20th century. This attitude was not limited to the military organization alone; it is deeply rooted in the European tradition and one could find several elaborations of these ideas in the history of philosophy. Descartes stated that free will is a mark of the

205 The opposite of “fusion”.

divine in human nature and human beings can be praised or condemned on the basis of their use of it. A person is good only if he/she freely acts for the sake of the common good and this generosity is seen as a paramount virtue. In the First World War, German military doctors explained cases of war neurosis - popularly called "*Kriegszitterer*" or "war shakers" because of the tremor that dominated the clinical picture - as "the lack of will-power". The therapy aimed at "the raising of will-power" basically consisted of a series of exhausting physical exercises that, in fact, represented a form of unbearable torture. Consequently, the soldiers preferred to be sent to the frontline. Another way of handling the problem was to label them as deserters.²⁰⁶

When describing the "old army" of the British kingdom prior to the First World War, Shephard stresses that a person could be "either sick, well, wounded or mad; anyone neither sick, wounded, nor mad but nonetheless unwilling to or incapable of fighting was necessarily a coward, to be shot if necessary" (Shephard, 2001). But there was also another escape. In the course of time, military medicine made use of various diagnoses that covered the symptoms of what later became known as PTSD, but those diagnoses pointed to organic damage – from the "irritable heart" to "shell-shock"²⁰⁷.

A specific kind of violence against soldiers was organized in medical institutions as well. The First World War saw a growing interest in therapy by "shock" or "active methods", of which Kaufmann's became the most popular one. Basically, the method consisted in the application of electrical current during long intervals (2 to 5 min.), which caused great pain. Quick initial successes led to wrong conclusions, durability of recovery was low and there were unwanted side

206 According to Shephard, during the First World War, 306 British and Commonwealth soldiers were executed on account of desertion, insubordination and cowardice. After the end of the war, General Haig affirmed that all the soldiers had been medically examined and that those without a medical indication had not been not executed. It was not until the 1990s that the families of the executed organized and initiated a public campaign to rehabilitate them and compensate the families, but British Prime Minister Anthony Blair rejected the compensatory claims. The families justified their action by claiming that those soldiers, in fact, had suffered from "shell shock", that they had not been examined and that the medical indication had not been taken into account, even in the cases where it had been present. It has to be remarked that, in the same period, the Germans executed 25 soldiers, while the Americans carried out no execution at all.

207 As van der Kolk (van der Kolk et al. 1996) says: "Ascribing an organic origin to traumatic neuroses was particularly important in combat soldiers. Such an attribution offered an honorable solution for all parties who might be compromised by people breaking down under stress: The soldier preserved his self-respect, the doctor did not have to diagnose personal failure or desertion, and military authorities did not have to explain psychological breakdown in previously brave soldiers, or bother with such troublesome issues as cowardice, low unit morale, poor leadership, or the meaning of the war effort itself".

effects. However, as time went by, “recovery” demanded ever-longer applications of ever-stronger current which, eventually, resulted in some fatalities. When examining the conditions in which these incidents took place in the Austro-Hungarian army, a special task-force also demanded an opinion from Freud [included in the Standard edition as the “Memorandum on the electrical treatment of war neurotics”, appended to the introductory paper on war neuroses (Freud, 1919a)].

This approach, however, was not exclusively limited to that particular time and place. Our generation as well could hear lectures on the treatment of war neuroses with electric shock in our hospitals after the Second World War. The therapy was primarily meant to frighten the patient and thus prevent the appearance of symptoms in the form of crises. During the Second World War, posttraumatic symptomatology (which had a specific manifestation known as “Kozara illness”)²⁰⁸ was detected in 1943 and was reportedly “contagious” in character. At the end of the war, experts spoke about thousands of combatants with these symptoms. It seems that military doctors were extremely doubtful of these symptoms, seeing them mainly as “feigning” and “imitation” (Dojč, 1946). Immediately after the end of the war, Josip Dojč, a medical corps major, divided them “on the basis of... experience... consisting of almost 2000 personally observed cases” into “neurotics, imitators and malingerers”²⁰⁹, and concluded: “In all three groups, there is no question of a disease but of phenomena which could be suppressed, provided they genuinely try to act with self-discipline and collect their mental energy in order to suppress this phenomenon” (Dojč, 1946). Consequently, he recommended “the most energetic disciplinary and educational measures”. Quite differently, the psychoanalyst Hugo Klajn offered a more complex image of young partisans whom he had observed in a specially isolated center near Belgrade (Klajn, 1995). It is quite probable that his complex portrayal of an army deemed heroic delayed the publication of his work for ten years (Trebješanin, 1995)²¹⁰. After the end of the

208 Kozara, a mountain and a region in western Bosnia, universally known in the countries of the former Yugoslavia as the theater of one of the most dramatic battles in the Second World War, when the communist Partisan movement faced near extinction by technically and numerically superior German and German-allied forces. Kozara became a symbol of agonizing escape from death.

209 He gives them high-sounding diagnoses in Latin: psychoneurosis convulsiva belli reactiva (which covers a “relatively small group”, made of “psychopaths and hysterics”), psychoneurosis convulsiva belli imitatoria (found in “young, infantile and primitive” persons; imitation is unconscious), and psychoneurosis belli convulsiva simulatoria (denoting the group of persons who consciously simulate attacks because “they realized they could get something thereby”).

210 If we again take a look at Klajn’s monograph, we will observe two facts that are important for my text: a) all the patients described had exceptionally stressful experiences (from a very short description of 22 cases, it could be seen that 5 were Nazi camp survivors, 5 had a part or the totality of their families killed, while 10 were

Yugoslav conflicts of the 1990s, several military psychiatrists confirmed that Klajn's understanding of war neurosis helped them considerably (Špirić and Čabarkapa, 2002).

Through centuries, the soldier has always been considered as a person without identity or, alternatively, with an identity based on a complete identification with the community. Foucault's explanation of the successes of the Prussian army (Foucault, 1997) is based on "the breaking of the body" and the construction of the basic military acts as a series of simple and uniform corporal movements. The procedure aimed, among other things, at the annihilation of any individualistic act and that remained part and parcel of modern military training. There are also some additional factors that may explain the changed role of the soldier. First of all, as the latest wars show, soldiers fight less and less frequently at the borders of their states, with clearly proclaimed goals, which was a usual characteristic of wars since the "nationalization of conflicts" at the end of the Middle Ages (Foucault, 1995). Power and military institutions have become centralized, placed under the state's jurisdiction, when wars began to be waged at the borders of modern states. This has produced an important differentiation in the process of the production of the professional army: distinction between soldiers and civilians, i.e., persons who have been prepared for military action (instructed to kill), and persons who are expected to do just the contrary, who must not be warriors and who subjugate their personal aggression to the demands of social relations. However, it seems that in the last few decades this process has fallen prey to a certain regression – the limits of military action are blurred, as demonstrated by the "War against terror", for example. Nevertheless, defining the role and legitimacy of combatants remains an important legal and psychological question. Every new conflict poses the important question of how to draw a (inevitably very strong) dividing line between "warriors" and "civilians" (Watkin, 2005).

When analyzing these conflicting attitudes we could say that the conflict lies at the core of the definition of interests: the old ideology of submission of individual interests to the state was dramatically changed in the 20th century which, in spite of all the bloody conflicts, witnessed the birth of the individual and the elaboration of an ethics of protection of individual rights. Presently, states in war are faced with internal conflicts which are not easy to resolve, especially when

wounded (most often several times); b) the explicit stress on guilt in descriptions of "defensive attacks" in 4 patients who participated in executions of enemy soldiers. Klajn's explanation of their attacks deserves to be quoted here: "In those attacks a neurotic a) defends himself from (unconscious) self-recrimination, stressing that the enemy deserved to be punished - because he tortured him, killed his family, and so on; b) satisfies his wish for revenge, by carrying out punishment of the enemy - by shooting him, hanging him, slaying him in an attack; c) punishes himself, through identification with the victim - by executing on himself all possible torture, inflicting pain and injury to himself or hitting, biting, scratching, tearing himself" (Klajn, 1995) (italics in the original).

there is no clear definition of the threat to national interest (Abrams, 2000). Soldiers continue to be subject to training that aims at their depersonalization and the dehumanization of the enemy who becomes easier to kill. There still remains a possible frightening moment when military structures and armed individuals detach themselves from the political context of war and start committing senseless crimes - the moment when crimes are committed consciously, systematically, deliberately, with an ingenuity that defies the sickest imagination. It seems that there is a certain “body limit”, a psychological barrier outside of which the body of the other is no longer seen as a human object,²¹¹ and this is something that resembles a deeply set barrier or taboo against murder. The consequence of wars are veterans who are a symbol of the antithesis to orderly society based on the interdiction of violence and the violation of the rights of others. Thus, these individuals (and their war neuroses) represent persecutory depositories that society has to encapsulate, enclose, isolate – or control by therapeutic means.

MALINGERERS OR PATIENTS?

The establishment of a link between psychological symptoms and claims for compensation for the harm caused is often seen as malingering aimed at some sort of benefit. In fact, the story of traumatic neurosis begins with debates on “railway spine” – pain in the back that occurred after railway accidents. Some of the persons suffering from these disturbances pressed charges against railway companies (and gained considerable indemnities). Lawyers operated in high gear (Hacking, 1995), while doctors took mutually opposite positions in this debate.

In 1867, the English surgeon John Eric Erichsen explained these symptoms by inflammatory processes in the spine marrow (chronic mielomeningitis) (Weisæth and Eitinger, 1991), thus distinguishing them from hysteria – a diagnosis reserved for women at that time. The first one to bring attention to the psychological origin of the symptoms was another English surgeon, Herbert Page (Ellenberger, 1970). When examining these patients, he found hemianesthesia, which in that time was considered as pathognomonic for hysteria. His explanation that this disorder was not different from classical hysteria was considered as valid in Great Britain and the USA. In Germany, Robert Thomsen

211 In a previous analysis of the types of torture that the clients of the CRTV had survived (Jovic and Opacic, 2004), we have obtained two distinctive factors: “All cited types of torture from the first factor still seem to belong to an area in which the victim recognises himself/herself as ‘other’, as another living person, while the torture described in the items of the second factor could be ascribed to treating the body of another as an object over which full and ruthless control has been established. Torture can then represent a triumph over the body (and the barriers of prohibition to inflict injury to others), after which the very killing of the victim is not only possible, but also easy”.

and Hermann Oppenheim opposed the idea that hemianesthesia was a proof of hysteric origin. They demonstrated that in “railway spine”, hemianesthesia was much harder, depression much deeper and therapeutic response much weaker. They described inorganic cases as “traumatic neurosis”, which was the first known use of that term. Charcot, the most influential European neurologist at the time, joined the discussion by denying the existence of traumatic neurosis or, more precisely, by introducing the notion of traumatic hysteria. He demonstrated that hypnosis as well could produce results identical to traumatic paralysis, which led French psychiatry to start making a distinction between *classical hysteria* (the etiology of which is mainly determined by heredity) and *traumatic hysteria* (in which heredity has a small or no role at all).

This short story has to be told because it is paradigmatic for the perception of “traumatic neurosis” among the public, since there is still a conceptual cleavage that characterizes the impression of traumatized persons we analyze: the disturbance is either “real” (physical, physiological, with clear corporal, i.e., organic correlates), or “hysteria” and “simulation”, given the fact that these two terms have somehow become fatefully linked. In fact, it was not until psychoanalytical explanations after the Second World War that we gained a better understanding of the nature of this disorder.²¹² In a paper on war neuroses, Abraham also tackled the question of compensation (Abraham, 1955). Presenting the case of a person who demanded an enormous amount of money as compensation for a wound, he pointed to the deep unconscious meaning that the compensation had for the survivor: “The pension compensates merely for the reduction in earning capacity which can be objectively assessed, and not for that which is far more important in the eyes of the patient, his impoverishment in object love, for which he cannot be adequately compensated”.

During the last few years, much effort has been made to understand the question of the gravity of symptoms, their aggravation and malingering in veterans, and their relations to the question of compensation (Smith and Frueh, 1996; Arbisi et al., 2004; Constans et al., 2004). One of the relevant findings says that since 1980, more than 200 000 American veterans claimed benefits on the basis of

212 Before the very end of the war, and after a couple of years of mutual isolation, psychoanalysts rallied at the Fifth international psychoanalytical congress, held in Budapest, on September 28-29, 1918. The congress also included the seminar “Psychoanalysis and war neurosis”, which opened with three works of Sándor Ferenczi, Karl Abraham and Ernst Simmel. These works, together with a work of Ernest Jones on the same subject (which had been presented in London, in the Royal Society of Medicine, somewhat earlier on, in April 1918), were published together a year later in a monograph (which should have been the first one in the newly-established series *Internationale Psychoanalytische Bibliothek*»), with a foreword by Freud, also included in the Standard edition (Freud, 1919b). One of the conclusions of the seminar was opening of centers for treatment of war neuroses, but the plan was abandoned because of the Revolution and the end of the war.

disability, with PTSD being the most frequently invoked psychiatric grounds (Arbisi et al., 2004). The question: “How is it possible that there are so many traumatized people?” expresses the impression that there is the possibility to deliberately feign psychological consequences of traumatic experiences in order to ensure financial reward. But when we speak about American veterans, we also have to keep in mind another kind of statistic: according to the most meticulously (as far as we know) designed epidemiological study of the psychological consequences of war (*National Vietnam Veterans Readjustment Study*), the number of veterans suffering from PTSD in the period after the war was huge.²¹³ It is a fact that many individuals who were exposed to wars develop some sort of psychological problems later on. This finding has been obtained in this country as well, in a study of 1500 refugees, returnees and local inhabitants which was simultaneously carried out in Croatia, Bosnia & Herzegovina and Serbia (Jović et al. 2005). On self-assessment instruments, all three groups in all three countries revealed similar values of symptoms of stress-related disorders: elaborate statistical analyses ascertained that 35,7% of refugees, 35,3% of returnees and 27,4% of local inhabitants revealed the values on the Impact of Event Scale (IES) that correspond to the existence of stress-related disorders at the time of study. When these huge percentages were compared with the same respondents’ answers to some simple questions (such as “Do you take tranquilizers now?”), we obtained similar percentages: 29,2% for returnees, 29,8% for refugees and 27,0% for local inhabitants. I have to stress that the survey was carried out in a manner that could in no way suggest to the respondents that they would obtain any external incentive if they aggravated their symptoms. Whatever conclusion we may draw from these data, we have to remember the consequences of a very brutal war that included a very large strata of population, whose consequences will continue to be felt for decades. Does the question “How come there are so many traumatized persons?” represent a repeated attempt to turn a blind eye to “the real price of the political projects of the 1990s” (Jović et al. 2005)?

In our case, there is something else: our clients *do not demand* compensation on the basis of psychiatric diagnoses, or evidence that physical or

213 The research did not include only the target group (Vietnam war veterans, the so-called “theater veterans”), but also two control groups: 1) soldiers who had been engaged in the army in the period of the war but had not directly participated in it (“era veterans”) and 2) civilians. The research demonstrated that 15.2% of American soldiers who had participated in the Vietnam war had PTSD at the time of study, which makes about 480 000 cases out of 3.14 million men who had participated in the war. Life prevalence was double: 30.9% of all respondents. This percentage was much higher for soldiers who had been exposed to high stress in the combat zone (35.8%, PTSD prevalence rate at the time of study). Higher risk of disorder was directly correlated to higher level of combat exposure, which partially explained the significant difference of PTSD rate in Caucasians (13.7%), Afro-Americans (20.6%) and Latin-Americans (27.9%).

psychological pain was inflicted on them, but on the basis of unlawful arrest and transfer to army units outside of the Republic of Serbia, in a period in which they enjoyed the internationally recognized status of refugees. Their encounter with a psychiatrist was just a part of the regular procedure, and what I saw most often differed strongly from the usual representation of a soldier who aggravates or feigns his troubles.²¹⁴

RECOMPENSE OR RECOGNITION?

The question of compensation for the victims of forcible conscription opens, in turn, several other political, social and moral questions in our posttraumatic society characterized by denial. Compensations of the Holocaust victims begun long after the end of the Second World War. The victims' unwillingness to talk about their experiences is an important psychological factor; the second and third generation opened the question of the Holocaust and reparations.²¹⁵ The question of

214 In a period of ten months, I examined 22 of the 150 forcibly conscripted refugees who had contacted the CRTV during a period of more than twelve months. The majority of the clients I saw did not spontaneously talk about their symptoms. In fact, they sought a psychiatrist not of their own but because, as I said, they understood it as an obligatory part of the regular procedure. A few of them were symptomless (4 in total), while another 7 spoke of the troubles that had disappeared in the meantime. The troubles typically corresponded to PTSD symptoms, and the clients regularly reported them as "dreams" or "pictures"; additional examination yielded the complete picture followed by symptoms of avoidance and hyperirritability. However, a considerable number of the examinees still revealed PTSD symptoms at the moment of examination. Almost typically, they denied the "troubles", but when I started asking more direct questions, the outlines of posttraumatic reactions began to appear. We have to bear in mind that some of these people had spent much time on the frontline, with varying degrees of traumatization. Before "Flash" and "Storm", the front in Croatia was relatively calm during a long period of time, but we can say that some of our clients had participated in direct combat. They had difficulty talking about it, thus similarly avoiding pain, but also trying to suggest that the experience of forcible conscription and imprisonment overshadowed the war experience. As if "the things that happened there" were somehow expected and bearable while "the things that happened here" were both unexpected and especially hurtful. It is impossible for me now to give a full account of the complex interactions of various traumatic experiences. The types of torture these people have been exposed to will be analyzed in the second part of this monograph, but it has to be stressed here that, in difference with close combat experience, the experience of "training" camps was one of the genuine torture and clearly distinct from other war-related experiences, as it included complete helplessness and a series of psychic humiliations.

215 This is how Huber (Huber, 2002) describes the so-called "generational factor": "Following the Second World War, Holocaust survivors were not ready and not in the position to talk about their fate. They consciously and unconsciously avoided their past; besides this, they were too busy building up new lives, for the most part in Israel

compensation can also be regarded as a social movement, much like the compensatory claims of Afro-Americans (for the period of slavery), or the demands of Japanese-American who were interned in concentration camps during the Second World War. However, these actions demand a framing, or a decision about *who* is the malefactor, *who* is the victim, *what* wrong has been done and *what* is the reparation desired (Howard-Hassmann, 2004).

Compensation is not money. It is a reparation of the damage done, and international law informs us of different kinds of reparation: “National authorities should therefore facilitate access to a variety of reparations, including judicial, compensatory, rehabilitative, restitutive, declaratory and commemorative forms” (Dalton, 2003). A clear decision to admit to the victims that they suffered a crime is much more important than the type of reparation or the amount of money. That is what I clearly heard from a client who had been arrested as teenager and brought to Erdut. During the next ten years he experienced fears and nightmares, and now offers a chronic picture of a traumatized person, with all the secondary disorders and a failing family and professional life. When we touched on the issue of compensation, he said clearly: “Frankly, I don’t care about it at all; what’s important to me is the fact that there is *someone* who, after all these years, still remembers what they did to us”. In the psychological sense, it is important to define the type and the just measure of compensation. Otherwise, the chaos of compensation bidding will continue and the very idea of reparation will be rendered meaningless, with victims remaining a potential target for manipulation by various interested parties (doctors and lawyers) who, already, offer promises and huge money (while charging for their services, for sure).

But before recognizing victims, there has to be a broader, clearer political will to name the deeds by their real name. The public has to take a stand on these crimes and the war. On the social level, the question “Who is guilty?” has never found an answer in this country, while institutions behave as if they are trying to ignore the question and continue with life while attempting to deny the reality of the past. This creates a social ambiance that precludes confrontation with the war while, on the individual level (for victims and others alike), it hinders the

or the USA. What is more: revelations about the concentration camps did not correspond with the real horror, and in the USA of the 1950s one was more worried about the misery of anticommunist refugees than about Holocaust survivors. Even the Jewish establishment in the USA ‘forgot’ about the Holocaust, since West Germany was a crucial ally in the confrontation with the Soviet Union. To put the past in the spotlight did not serve any purpose; it complicated things. Both the Eichmann trial (1961-62), which caused a public debate about the ‘Final Solution’ in Israel, and the ‘Auschwitz trials’ in Germany (1963-65), opened up the taboo. Personal stories by Holocaust survivors (Elie Wiesel, Primo Levi, Jean Amery) in the 1960s and 1970s represent the first attempts to bring the Holocaust closer to a wider public. But both the perpetrators and victims in general remained silent about the past. Only a genuine development within Jewish circles in the USA opened the debate”.

integration of traumatic experience through the process of mourning. The individual process will be caught in the social framework that thwarts it, much like a sick family thwarts the normal development of a child (to use a slightly rough analogy). First of all (but not exclusively), that particular social framework has to be founded on legal mechanisms that can ensure not only victim compensation, but also the naming and punishment of the culprits. The system's institutions, which are supposed to protect the people from the state, and not the state from the people (as I said at the conclusion of the round table), are not independent, free (or mature) enough to enforce "the law". As long as this does not happen – ideally, through a lengthy reform of all state institutions, social soul-searching and the development of mechanisms for protection of the weak - we can do nothing else but demand "justice" through various mechanisms, movements, actions and projects.

The reasons for this situation far exceed the interests of one particular group. "Because we live in the first period in history in which there is such full awareness of cruelty and killing as they happen, our response is particularly important. We can start to establish a tradition that, based on our knowledge of the atrocities, we find them intolerable, and will do what we can to eradicate them" (Glover, 2001). Or we can help continue another tradition that accepts them fatalistically. In this affair, there can be no "participants" and "spectators".

BIBLIOGRAPHY

Abraham, K. (1955) Psychoanalysis and the War Neuroses. In: Hilda Abraham, (Ed.) *Clinical Papers and Essays on Psycho-analysis by Karl Abraham*, pp. 59-67. New York: Basic Books.

Abrams, E. (2000) To Fight the Good Fight. *The National Interest* 70-77.

Ackerman, N.W. and Jahoda, M. (1948) The dynamic basis of anti-semitic attitudes. *Psychoanal. Q.* **17**, 240-260.

American Psychiatric Association (1980) Diagnostic and Statistical Manual of Mental Disorders, Third Edition (DSM-III). Washington, D.C.: American Psychiatric Press.

American Psychiatric Association (1987) Diagnostic and Statistical Manual of Mental Disorders, Third Edition, Revised (DSM-III-R). Washington, D.C.: American Psychiatric Press.

Arbisi, P.A., Murdoch, M., Fortier, L. and McNulty, J. (2004) MMPI-2 Validity and Award of Service Connection for PTSD During the VA Compensation and Pension Evaluation. *Psychological Services* **1**, 56-67.

Blum, H.P. (1986) On identification and its vicissitudes. *Int. J. Psycho-Anal.* **67**, 267-275.

Constans, J.I., McCloskey, M.S., Vasterling, J.J., Brailey, K. and Mathews, A. (2004) Suppression of attentional bias in PTSD. *Journal of abnormal psychology.* **113**, 315-323.

Dalton, Paul. Some perspectives on torture victims, reparation and mental recovery. 2003. 2005.

Dojč, J. (1946) O biti živčanih napadaja u ratu (ratna neuroza) [On essence of nervous attacks in war (war neurosis)]. *Vojno-sanitetski pregled* **3**, 117-119.

Ellenberger, H.F. (1970) The discovery of the unconscious. New York: Basic Books.

Eyerman, R. (2001) Cultural Trauma: Slavery and the Formation of African American Identity. Cambridge: Cambridge University Press.

Foucault, M. (1995) Od svetlosti rata ka rođenju istorije. In: Savić, O., (Ed.) *Evropski diskurs rata*, pp. 23-55. Beograd: Časopis Beogradski krug.

Foucault, M. (1997) Nadzirati i kažnjavati. Nastanak zatvora [Surveiller et punir. Naissance de la prison]. Sremski Karlovci, Novi Sad: Izdavačka knjižarnica Zorana Stojanovića.

Foucault, M. (2002) Nenormalni: Predavanja na Kolež de Fransu 1974-1975 [Les anormaux: Cours au Collège de France (1974-1975)]. Novi Sad: Svetovi.

Freud, S. (1919a) Introduction to 'psycho-analysis and the war neuroses'. The Standard Edition of the Complete Psychological Works of Sigmund Freud edn, 17. 204-215. London: Hogarth Press and The Institute of Psychoanalysis, 1966.

Freud, S. (1919b) Introduction to 'psycho-analysis and the war neuroses'. The Standard Edition of the Complete Psychological Works of Sigmund Freud edn, 17. 204-215. London: Hogarth Press and The Institute of Psychoanalysis, 1966.

Freud, S. (1921) Group psychology and the analysis of the ego. The Standard Edition of the Complete Psychological Works of Sigmund Freud edn, 18. 65-143. London: Hogarth Press and The Institute of Psychoanalysis, 1966.

Glover, J. (2001) *Humanity: A Moral History of the Twentieth Century*. London: Pimlico.

Grinberg, L. (1992) *Guilt and Depression*. London: Karnac Books.

Hacking, I. (1995) *Rewriting the Soul: Multiple Peronality and the Sciences of Memory*. Princeton, New Jersey: Princeton University Press.

Howard-Hassmann, R.E. (2004) Getting to Reparations: Japanese Americans and African Americans. *Social Forces* **83**, 823-840.

Huber, T. (2002) Holocaust Compensation Payments and the Global Search for Justice for Victims of Nazi Persecution. *The Australian Journal of Politics and History* **48**, 85+.

Jovic, V. and Opacic, G. (2004) Types of Torture. In: Spiric, Z., Knezevic, G., Jovic, V. and Opacic, G., (Eds.) *Torture in war: Consequences and rehabilitation of victims - Yugoslav experience*, pp. 153-169. Belgrade: International Aid Network.

Jović, V. (2005) Odnos ratnih stresora, kliničke slike poremećaja vezanih za stres i dimenzija ličnosti - Doktorska disertacija [Relation of war-related stressors, clinical picture of stress-related disorders and dimensions of personality - Dissertation]. Beograd: Univerzitet u Beogradu, Medicinski fakultet.

26. Jović, V. , Opačić, G., Špeh-Vujadinović, S., Vidaković, I. and Knežević, G. (2005) Refugees and mental health - implications for the process of repatriation and integration. In: Opačić, G., Vidaković, I. and Vujadinović, B., (Eds.) *Living in post-war communities*, pp. 147-179. Beograd: International Aid Network.

Klajn, H. (1995) Ratna neuroza Jugoslovena [War Neurosis of Yugoslavs]. Beograd: Tersit.

Lecic-Tosevski, D. and Draganic-Gajic, S. (2004) The Serbian Experience. In: Lopez-Ibor, J.J., Christodoulou, G., Maj, M., Sartorius, N. and Okasha, A., (Eds.) *Disasters and Mental Health*, pp. 247-255. John Wiley&Sons.

McFarlane, A.C. (2000) Traumatic stress in the 21st century. *Aust N Z J Psychiatry* **34**, 896-902.

Shatan, C.F. (1997) Living in a Split Time Zone: Trauma and Therapy of Vietnam Combat Survivors. *Mind and Human Interactions* **8**, 205-223.

Shephard, B. (2001) A War of Nerves: Soldiers and Psychiatrists in the Twentieth Century. Cambridge Massachusetts: Harvard University Press.

Smith, D.W. and Frueh, B.C. (1996) Compensation Seeking, Comorbidity, and Apparent Exaggeration of PTSD Symptoms Among Vietnam Combat Veterans. *Psychological Assessment* **8** , 3-6.

Steiner, J. (1990) Pathological organizations as obstacles to mourning: The role of unbearable guilt. *Int. J. Psycho-Anal.* **71**, 87-94.

Tenjović, L., Knežević, G., Opačić, G., Živanović, B., Vidaković, I., Vujadinović, B. and Maksimović, A. (2001) Internally displaced persons from the Prizren area of Kosovo: Living conditions, mental health and repatriation issues. Belgrade: International Aid Network.

Tenjović, L., Vidaković, I., Vujadinović, B., Knežević, G., Opačić, G. and Živanović, B. (2004) Internally displaced persons from the Prizren Area of Kosovo: awaiting the return. Belgrade: International Aid Network.

Traub-Werner, D. (1984) Towards a theory of prejudice. *Int. R. Psycho-Anal.* **11**, 407-412.

Trebješanin, Ž. (1995) Klajnova analiza ratne neuroze [Klajn's analysis of war neurosis]. In: Klajn, H., (Ed.) *Ratna neuroza Jugoslovena [War Neurosis of Yugoslavs]*, pp. 5-30. Beograd: Tersit.

van der Kolk, B.A., Weisaeth, L. and van der Hart, O. (1996) History of Trauma in Psychiatry. In: van der Kolk, B.A., McFarlane, A. and Weisaeth, L., (Eds.) *Traumatic Stress - The Effects of Overwhelming Experience on Mind, Body and Society*, pp. 47-74. New York/London: The Guilford Press.

Volkan, V. (1999) The tree model: a comprehensive psychopolitical approach to unofficial diplomacy and the reduction of ethnic tension. *Mind and Human Interaction* **10**, 142-206.

Volkan, V. (1997) *Bloodlines: From Ethnic Pride to Ethnic Terrorism*. New York: Farrar, Straus & Giroux.

Volkan, V.D. (2002) Large-Group Identity: Border Psychology and Related Societal Processes. *Mind and Human Interaction* **13**, 49-76.

Vučo, A. (2002) Beyond Bombs and Sanction. In: Varvin, S. and Štajner-Popović, T., (Eds.) *Upheaval: Psychoanalytical Perspectives on Trauma*, pp. 17-39. Belgrade: International Aid Network.

Watkin, K. (2005) *Warriors Without Rights? Combatants, Unprivileged Belligerents, and the Struggle Over Legitimacy*. The Occasional Papers Series edn, Harvard University: Program on Humanitarian Policy and Conflict Research.

Weisaeth, L. and Eitinger, L. (1991) Research on PTSD and other post-traumatic reactions: European literature. *PTSD Research Quarterly* **2** (2):1-8.

Špirić, Ž. and Čabarkapa, M. (2002) Pregled publikovanih radova i saopštenja na stručnim skupovima iz oblasti traumatskog stresa u vojnoj psihijatriji u periodu 1992-2002. godine [The review of published articles and reports presented in conferences on traumatic stress in military psychology (1992-2002)]. In: Preradović, M., Raičević, R. and Špirić, Ž., (Eds.) *70 godina Vojne psihijatrijske službe [70 years of Military psychiatric service]*, pp. 103-114. Beograd: Javno preduzeće PTT Srbija.

GROUP PSYCHOTHERAPY IN PATIENTS WITH THE EXPERIENCE OF TORTURE AND FORCIBLE MOBILIZATION

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SUMMARY

One and a half years of therapy work with the group of torture survivors, including a number of members with the additional experience of forcible mobilization, compelled us to present the most significant events in the group and group dynamics, focusing on the contents related to forcible mobilization and members with this experience. The article primarily contains the issues of (dis)trust in the institutions and other people in general, including ourselves as persons who are there to help, but who also represent a non-governmental, in the clients' opinion, "international" organization. The issues of (in)security, (non)-belonging, self-respect, (non)-existence of control over one's own life... as well as the sense of guilt, fear and anger, are addressed in this paper, as issues that were dominant in the group work with these clients. The article includes a review of the clients' motivation to join the group therapy, as well as the resistance we have encountered in working with them, with the possible explanations to a certain number of clients dropping out of therapy (a large number of these clients had the experience of forcible mobilization). Events in the group were analyzed from the psychodynamic (group analytic) point of view and examples from the sessions were provided, vividly illustrating our topic. Having in mind that this type of work, with torture victims and forcibly mobilized clients as a separate group of traumatized persons is for the moment insufficiently present and described in the literature, in the lack of available references, we have tried, based on our own knowledge and work experience, to present our views and possible explanations of the phenomena we have detected in the course of work with this group of clients.

SPECIFIC FEATURES OF THE GROUP AND SELECTION OF PATIENTS

The idea of establishing such a group²¹⁶ arose from the therapists' need to offer the severely traumatized clients of the Center a further therapeutic possibility to overcome their traumatic experience more successfully and to achieve better adaptation to their present environment. Reactions and stress related to trauma can be treated in both an individual, and in a group setting. In view of positive experiences in the work with war traumatized and tortured clients of our Center in the individual setting, we wanted to try and offer them treatment in the group psychotherapeutic setting as well.

This was not the first group of tortured and war traumatized persons that was established and led by the Center therapists, but it was the first group to be established and led at the Center itself. Earlier groups (in Hrtkovci, Slankamen and Bijeljina) were led by mobile teams of therapists, as described in the previous monograph (Spiric et al., 2004). Beside the one already stated, the group had other specific features as well: it was led co-therapeutically; both therapists were female and of younger age, and group members were men, traumatized by war and exile, torture survivors, most of them forcibly mobilized, and of middle to older life-age.

Forming of the group was preceded by months of consultations, on the need for such type of therapy, considering the delicacy of tasks to be set before the therapists and members of the group, as well as the careful selection of patients.

The basic criteria we followed in the course of selecting the patients for this group were: they were all males, refugees, detained and tortured by the enemy armies or paramilitary formations, or, following the exile, they had the experience of forcible mobilization and torture in one of the camps of the Serbian paramilitary formations (Erdut, Manjaca). An important criterion in the selection of patients for this group was the posttraumatic stress disorder (PTSD) diagnosed in the course of clinical examination and subsequent psychological testing. This diagnosis, of course, included the triad: re-experiencing of trauma, avoidance and hyper-arousal. A certain level of education, intelligence, as well as the ability to think psychologically, were also among the main criteria for the selection.

Our impression on the patients' motivation to undergo such type of treatment was also important, considering the level of distrust and previous harm experienced by the group members as members of groups they belonged to earlier, then as members of the detainee group, and now through their experience of living

216 (Biljana Djordjevic and Sandrina Speh, as co-therapists, have led and still lead the group, under the supervision of Jovanka Cvetkovic).

“in vacuum”, incompleteness and existence “neither here nor there” through belonging to the refugee group.

It can be said that, starting with the selection of patients, through forming the group and the initial sessions, to this day, and we intend to continue so in the future, as long as this group exists, we constantly had three questions in mind: 1) who are the members of this group? 2) what are their needs? and 3) how can the group help them?

Members of this group are people who have experienced dramatic and traumatic events in their lives, which, in the most negative way possible, have changed their lives forever. The experience of torture they were exposed to, and, for the most of them, subsequent experience of forcible mobilization by the police of the country they sought refuge in, after being released from the camps, place the focus of attention on the degree of impaired trust in others. The very fact that this group was formed, functioned and survived, brings the hope that the psychological and any other damage that was done to them can be resolved, although in many phases of the group’s life the task seemed insuperable, insurmountable and insoluble.

The need for understanding, care, support, respect, interest in themselves and their lives, the need to regain hope in fellow man, to take control over one’s own life, to stop mourning and move on, find new meaning, regain trust, self-respect and to feel safe, are the primary psychological needs of the members of this group. Traumatic experiences such as war-related traumas, and especially torture, raise a multitude of complex feelings that are difficult to cope with, as well as difficulties in processing these experiences and integrating them in the overall life experience in such a way as to make them no longer overwhelming and impairing. Traumas of this type, coming as a consequence of human actions, deeply shatter the basic confidence in people and sense of security, which are crucial for normal functioning. Therefore it could be expected that the most difficult task would be to gain the clients’ trust in ourselves as therapists, persons who are there to help and not to inflict pain.

There are specific factors of group therapy that we had in mind when we were considering initiating this group. Irvin Yalom, whose work focused on groups, described various factors of use in group psychotherapy, naming them therapeutic factors: introduction of hope, universality, altruism, corrective emotional experience, building up of social skills, interpersonal learning, group cohesiveness, catharsis (Yalom, 1985). These factors, representing different parts of the change process, are the factors operating on the interpersonal level. The other level in the group that offers change is the deeper, projective level. In this sense, the other members, therapists and the group as a whole, serve as receptors for the projections of detached, unbearable parts of self, as well as anxiety related to it (Bion, 1959).

The atmosphere created in the therapy group has to allow for helplessness, hopelessness and despair to be experienced in safety. This is the case in all therapy groups, and it was particularly important to create such safe and protected atmosphere in this group, having in mind multiple and severe traumatization of its members.

DEVELOPMENT OF GROUP COHESIVENESS

Is it possible to relent to the therapists and the group, or else to “self-organize”, i.e. withdraw, shut down and give up?

After several months of preparation, the group began its work in March 2004. In the first session, twelve members were present. Beside the torture experience, eight of them also had the experience of forcible mobilization. To the moment of writing this article (July 2005), 36 group sessions were held. The group, led by the pair of co-therapists, met biweekly for the period of 90 minutes, in the same place and at the same time. For the time being, the question of ending the group remains open.

The initial group sessions focused on the members getting to know each other, as well as the therapists and functioning of the group. When asked by the therapists, the members speak about their expectations from the group. They are unanimous in assessing themselves as people who have survived something horrible, which is why they joined the group, they all feel bad and expect the group to help them feel better. They speak of their wartime plight, camps they were detained in, of their distrust toward the institutions and the system of the country they are in, of the dilemma whether they should yield and give up the idea that help and understanding can be attained, or to “self-organize” and fight for their rights. They mention the institutions they previously sought help from, “going from door to door”, feeling humiliated numerous times, agreeing with each other that “a kind word” would have meant more than actual, material help, but the “kind word” never came. Here the members suggest to the therapists their need for idealized help (“kind word”), thus indicating, in the very beginning of group life, that they are not ready to relinquish the idea of getting such help, instead of real, i.e. corrective emotional experience. For that reason, interventions of the therapists are aimed at explaining the members that precisely such expectations exist in the group and from the group, i.e. for the group to be a place where they could find “kind word” and understanding for themselves and what they went through, but also that due to this and other difficult experiences they were exposed to in the past, trust is not easy to feel, and that the dominant feelings present in the group are hope on the one hand and doubt on the other.

How difficult is the idea that help can be obtained and more importantly, taken, can be seen in the following sessions, when the number of members

decreased. Interestingly, as early as the second session, none of the members who, beside the torture, also had the experience of forcible mobilization, showed up. Later on, the number of members with the experience of forcible mobilization has stabilized, but these members found it more difficult than others to come to group regularly. It seems that the group situation and the invitation to participate in it was experienced on the subconscious level as another “forcible mobilization” they did not want to respond to.

The members who are present are disappointed with the others’ not coming, but also with the therapists whom, unconsciously, they consider responsible for the group dropping out. Although the manifestation of discontent and anger toward the therapists is difficult in all therapy groups, it is particularly present here and noticeable in almost every session: *One of the members talks about his job and his dissatisfaction with the bosses: He works illegally in a small family enterprise where everybody cover for one another, because they are family, although “they don’t know first thing about business”, and he is forced to learn new things, such as working on the computer, just so he could help them, and so they “don’t have a clue” and he “does all the work”.* On the one hand, the therapists are viewed as “members of a small family enterprise” who “don’t have a clue but they cover for each other” and want the “others to do all the work”, but, on the other hand, there is a feeling that he wants to be a part of the family, i.e. group, to be accepted and protected by this relationship, understood and appreciated, with the feeling that he needs to acquire some additional skills in order to make that possible.

One of the members, later to be one of the most regular ones, coming to group on a regular basis until he was diagnosed with a severe somatic illness, and who during the war was a high-ranking official of the then Yugoslav National Army (JNA), is trying to keep the members together, encouraging both them and the therapists, taking the responsibility in the same way as during the war, when he was taking the responsibility for his soldiers. Talking about his job and his life, he points out how important it was for him to create something here, to have something of his own, and how proud he is that he succeeded, he has a little orchard next to his house, he planted some new trees as well, and in several years’ time he managed to furnish his household better than the locals. So now, the neighbor borrows tools from him, and he “has all and doesn’t borrow anything”. Evidently, the anxiety is present related to the question of how much can be shared in the group, if something can be “borrowed”, or he has to do everything by himself “with his own tools”.

Another member, on the other hand, speaks of friendships, of opening up and bonding, disappointment in others, he is sad he didn’t find friends here, because where he lives now, people are “simple and narrow-minded” and everything is fine as long as he is ready to “stoop to their level”, but if he wants to talk about “serious things”, then it is a problem, because “they don’t have the

broadness". He ends with the conclusion that he is nevertheless "reserved and highly cautious in communication".

The topic was also brought up of life before the war, of time when they had their homes, lands, jobs, families, their lives (idealization shifted to the time "before", which is always present in trauma) and the time now, when they lost almost everything and as if nobody needs them, being so worn-out, tired and sick. They talk about their present jobs where they work illegally and with almost no rights, with uncertain salary that is late for months, and the feeling that they don't have any choice, that they are left to themselves and that nobody cares about them. There is an obvious feeling of the need for safety, for establishing continuity between the time before, "then and there", time before the war, when their life was good and they felt safe, and the time today, "here and now", where everything is uncertain, but in which they want to feel the long lost peace again.

WOMEN THERAPISTS AND MEN WAR VETERANS

The topic introduced in the early sessions was the attitude of the group members towards women therapists. *In one of the first group sessions, a dynamic debate starts between the members on the issue of their relationships with their wives. Two opposed perspectives are differentiated. The first, represented by members who talk about good marriage, understanding they get from their spouses, without whom the already difficult reality would be unbearable, and the second, led by a member who is unhappy with his marriage and in constant conflict with his wife, who thinks that he is to blame for their present hardships.* Beside the real meaning and importance that this topic has in their lives, another, unconscious meaning is also present. Namely, the sex of the therapists has initiated "negotiations" between men in the group, on the type of relationship that is to be established with the women therapists, i.e. whether it will be a relationship of conflicts, judgment and lack of understanding, or one of care, support and acceptance.

In one of the group sessions in the advanced stage of the group's life, *the member M.N. mentions that the anniversary of his exchange is approaching. In the following session, when the therapists ask him how he feels about that, he changes the topic and starts talking about the differences between men and women, raising the question of trust in women. He talks about his wife, the value of her support and respect, about female strength and intuition, on how he trusts women more than men, that it is women who "hold things under control" in partner relationships, but also, that there are "different women", women who "nurture", but also those who "only look after themselves" and who are "prepared to leave not only their husbands but their children as well".* This was a clear analogy, as well as the member's expectation from his therapists to be nurturing, and also his worry that they might in fact be like the "women who leave their children". At the same session, another member jokingly mentions the need to introduce female

members into the group. According to this member's fantasy, women in the group would induce them, the men, to "open up" and talk about issues that they might be avoiding now. He also brings up the subject of sexual attraction, and of their wives (not) being jealous over their coming here and discussing personal matters with "two women". He says that he has read Freud, and that according to Freud "certain erotic feelings" occur in every relationship.

With the arrival of new members (due to some of the members dropping out, new ones were occasionally introduced), "war topics" would again be discussed. Which war zone they were at, where they were captured, which camps were they detained and tortured in. Beside the apparent need to work through complex feelings related to such experiences in a secure, therapeutic atmosphere, these topics often had the function of excluding women-therapists and the attempt to establish male authority.

On the other hand, beside the gender, the difference in age between the therapists and the members also contributed to a specific group dynamics. The therapists feel, as they said in one of the supervisions, as if they work with a group of "hurt fathers", fathers who, despite the prejudice in our culture that "men don't cry", found the strength to ask for help, to rely on the girl-therapists and try to trust that their intentions were good, and that, in spite of their inexperience and youth, they were highly educated and able to help them.

The therapists' expectations were twofold. On the one hand, there were expectations they had of their own work and efforts. On the other, the expectations that, beside the support that the members would undoubtedly offer to one another, as people with the same experience of wartime plight and torture, they would also find within themselves the capacity for a new and deeper understanding of themselves and of the change. If you imagine the mentioned and non-mentioned "vectors" of expectations and wishes, as well as the capacities of all the participants, and if you add to it different personalities of people with the terrifying experience of torture and/or forcible mobilization, you will see a complex network of strong emotions, whose entangled threads are to be held, contained, understood and "disentangled" by the group led by the therapists.

As could be expected, the age difference and the difference in life experience, as well as the gender, between the therapists and members of the group, initially sets the culture of mutual respect and appreciation. The members speak with defensive optimism, strong support, mutual understanding, devise concrete actions of self-help, and are grateful to the organization and the therapists. In this phase, the therapists feel "valuable", fulfilled, stating how wonderful it is to work with people filled with gratitude! *The phase of developing group cohesiveness and idealization* in this group confirms once more the theory of group development phases according to Yalom (Yalom, 1985). However, the idealization phase in this group lasts much longer than in the majority of other groups. Even though the therapists feel content in this phase, the question remains, what is

happening with the unpleasant and unacceptable feelings, such as despair, guilt, hopelessness and anger?

After the initial idealization, however, came the first open resentment and criticism of the therapists, principally demanding of them to be more controlling and to direct the work of the group by imposing certain themes and “vetoing” the others. The topics that affected them the most and that should be “censored” were precisely the ones related to traumatic experiences, that is, the feelings set off by the experiences. The sense of guilt was a particularly painful issue, and any reference to this topic caused an uproar of anger and the need to deny the feeling completely. Any reference of the possible presence of this feeling was regarded as an accusation and pointing the finger at them, as pouring salt on the still fresh and painful wound. Only one member of the group, taking the role of “spokesman” (Foulkes, 1948), accepted this topic, reflecting on his own responsibility and guilt for certain events. It is a member who usually tends to find the guilt in himself, even when it is clear that there is no responsibility of his own. As such, he was a suitable choice to be “delegated” by the group to deal with this painful and disturbing topic and to cope with the sense of helplessness and the realization that sometimes in life horrible things happen that are impossible to predict, understand or have control over.

DOUBLE BETRAYAL

“Forcible mobilization” of unbearable feelings of anger, powerlessness, helplessness, fear, despair and guilt

The subject of forcible mobilization was frequently addressed in the group. Most often in group situations when something would become too difficult to handle, or when the challenge to express anger toward therapists would be too great. In one of the group sessions, the therapists introduced new members. After the initial approval and the “old” members informing the “new” ones on the work of the group, the uneasiness about the newcomers and the resentment toward therapists due to that, turns into a heated debate on crimes and responsibility, events of war, crime and manipulation, betrayal and courage. The new member, forcibly mobilized after coming to Serbia as a refugee, talks tensely and irritably about his experience, stating that the most difficult thing for him was the “betrayal” he experienced here, that he, *“a war veteran and invalid, should be detained and abused by some Arkan’s men, calling him a traitor and a coward”*.

Similar situation occurred in the session when the therapists informed the group about the severe illness of the most active and regular member, six months after forming the group. The information presented to the members starts a chain reaction of painful emotions, primarily fear and powerlessness, helplessness, having and not having support, disappointment, loss of faith in people, and in

contrast, the need to believe in others and to preserve hope in spite of numerous negative experiences. As a reaction to this, the group again manifests the need to evacuate painful emotions into the forcibly mobilized member, who takes the role of “spokesman”, letting loose a series of insults aimed at the international organizations, institutions, and the state.

Another challenge for the group and another situation of “delegating” the members with the experience of forcible mobilization to take the group anxiety for all, were the sessions that ensued after the group received information about this monograph. Due to special consequence of this information for the group dynamics, we will discuss it later in more detail. For the moment, we will only consider the reaction of the “forcibly mobilized”: member M.L. (forcibly mobilized) is not present at the session when the therapists shared this information with the group. After turbulent reactions, the anger toward therapists focuses on the absent member, and he becomes a *“selfish man with the material interest above all and with unclear motives for joining the group”*. The central group fantasy at this moment is that the therapists are more concerned about their personal interest, i.e. gain from writing and publishing the article, than about genuine support to the members of the group, and so the therapists become “selfish” and with “unclear motives for joining the group”. Group anxiety projects onto the absent member, who, by his absence (but not only this!) becomes the most suitable person for evacuation of the feelings of anger, betrayal, disappointment and distrust. Considering that there were other group members not present at the session, a question is raised why these feelings evacuated specifically into the member with the experience of forcible mobilization. M.L. shows up for the next session. The therapists repeat the information he did not know. This time, everybody is quiet, and M.L. becomes noticeably upset. First he has the need to, once again, explain the therapists in detail what he has been through, constantly repeating “do you understand?” After that, becoming more and more aggravated, he is moving the chair closer to the therapists, gradually entering the circle, while all the other members are silent. In this situation, the member M.L. takes the role of “spokesman” and confronts the therapists in the name of the group, expressing resentment, anger and rage. It seems that group anxiety has re-activated in this member the traumatic situation where he is again to be sacrificed by the group, which is what happened during the forcible mobilization.

The three described situations are examples of escalation of paranoid fears in the group. In all three situation of, so to speak, “crisis” in the group, the augmented group anxiety has evacuated into members with the experience of forcible mobilization. It seems that these members, due to their experience, i.e. active defense, were suitable respondents i.e. “spokesmen” or “scapegoats”, the members into which the unbearable feelings of guilt, anger, powerlessness, hopelessness, despair and fear would be evacuated.

On the other hand, it seems that the group was perceived as a place where forcible acceptance of one's own painful emotions – first of all aggression and guilt – was supposed to occur, the place of compulsory infliction of mental pain. The situations described are also examples of how, in this group, the defense from depressive emotions is articulated through the defense from persecutory guilt, which leads to the possible conclusion that forcible mobilization was experienced as the realization of persecution.

SILENCE IN THE GROUP

Group analytical orientation, as a framework for the functioning of this group, conditioned both the existence of stable setting (same space, same time, same therapists) and the non-directiveness of approach, without imposing topics of conversation, but encouraging free association and allowing silence in the group. This situation was sometimes difficult to bear, both for the members and the therapists. For the members, because it reminded them of the traumatic situations they went through, primarily of the suspense they felt during captivity while they were expecting new “surprises” from their torturers, and for the therapists, because they were afraid they would be perceived as torturers themselves, at least on the subconscious level. Precisely for these reasons, there was almost no silence in the group, since the members tried to avoid it, and even if it occurred, the therapists, for their part, tried to make sure it didn't last too long, having in mind the impact it could have on the group of people with this type of trauma:

In the tenth group session, member P.L. who, from the beginning, was the bearer of passive and isolated elements for the group, for the first time uses group time in a different way and taking a lot of it to himself, talks about his war time experiences, captivity and torture he had survived. Immediately after his story, there is a silence, to which he reacts with agitation and the need to end it. Upon the therapist's intervention that it seems that for some reason silence has become difficult for him and for the others, he says that he is like that with his family as well, that he finds silence and being alone distressing and unhealthy, and right after that he changes the subject, showing vivid interest for the therapists, what they do, where they are from, how they will spend the upcoming holiday, if the therapists themselves have suffered trauma, and how their parents are. Not getting the expected answers from the therapists, he continues to talk about how, after the war and the disability pension, he took up model- building, and also learned the goldsmith's trade, which now is a source of income as well, mentioning that he particularly likes cleaning and mending broken jewelry.

It is obvious that silence in the group has instigated painful feelings that the member tried to evacuate into the therapists. His interest in the therapists was partly defensive, but, on the other hand, it was also an attempt to communicate with his own healthy parts represented by the therapists, which brings calming

down and turning to healthier and safer topics such as life after the war and an attempt to overcome the trauma (he cleans and mends broken jewelry – something precious to be cleaned and mended, similar to his need to clean and mend everything inside of him that survived in spite of horrifying experiences).

DROPPING OUT OF THERAPY

Dropping out of therapy, especially in the early sessions, is not uncommon. Seeking psychological assistance, apart from the hope of obtaining help and relief, also brings the concern about facing painful contents and feelings, the fear whether help would be attainable or not, and if someone would be able to accept and understand what the clients themselves find hard to understand and accept. Of course, there are unconscious motives as well, that should not be disregarded – the fear of regaining confidence, by which the internal gain, coming from fostering of hatred and vindictive feelings, would be lost. For these reasons, early dropping out of members in this group is not surprising. However, a question arose, if there were other factors, specific for this group of traumatized people, which caused the initial interest for psychotherapy to decline and the number of dropouts to increase. One of the factors is undoubtedly the nature of motivation. Apart from the basic motive, to “feel better by talking in the group”, there were others, relying on the “usefulness of treatment for the compensation claims”. Without further explanations on the importance of material compensation in the psychological sense as well, it seems that it was difficult to face the questions that were raised already in the first session. “We all feel bad, that’s why we’re here”, “of course we are angry, it was harder for us than for the rest of our countrymen”, “and on top of all, to be arrested by some Arkan’s men”, “of course we don’t trust those international organizations”... We can recognize the need to ask for help and, at the same time, the fear to obtain it. In the first group session, they talk of powerlessness, but they also “take care” of the member who was released from prison only several months earlier. It seems that it was the least painful to deal with the suffering, painful and vulnerable parts of self when they were seen from the outside, in somebody else. Thus, from the very first session, they showed the tendency to keep the tortured and suffering part of self on a distance, both from themselves, and from the therapists. When the challenge from the introduced “hot topics” and the accompanying feelings would become too great, considerable absenteeism or dropping out of therapy would ensue, and the conversation in group sessions would focus on current political issues, with a strong need to marginalize the role of therapists.

Posttraumatic stress disorder as a frequent consequence of traumatic events, consists of three groups of symptoms, one of which being the symptoms of avoiding memories and situations related to or reminiscent of the traumatic event. The need and attempts not to think, not to talk and not to remind oneself about the

trauma, are the attempts to escape from the unbearable feelings. Dropping out of therapy was probably one but not the only way of expressing the need for avoidance. The members shielded themselves from painful contents by humor, by work, often compulsive in nature, the need to avoid “difficult” subjects in the group and turn to “nicer” topics such as talking about the future or everyday events in the society. There were also needs to turn the group into something it was not, into a place to socialize and chat in, to avoid the usual setting and go outside to the park, to go to a café, or some other space that would not hold the danger of painful emotions. Some of the clients saw the limited and closed space of the group work room as a reminder of the traumatic events, primarily of captivity, and they often talked about the uneasiness they felt in such space, or they left in the middle of the session to go to the toilet, in order to evacuate what was harmful and unclean inside of them.

In the ninth session, when most members were absent, one of the two present members speaks of the fear of indictments, of new persecutions by the Croatian authorities, and that this might be reason why most members are not there, that there is fear about who the therapists are, since they work in an international organization, so that the reason why they are frequently absent is their distrust, not in the therapists, but in the organization they work for, that they have had enough of international organizations and their so-called help. Splitting, as the dominant defense mechanism in the group, is present for a very long time. The therapists are “good and full of understanding”, and doubts and fears are transferred onto the organization we work in, that is, on the possibility that the therapists, only if “ordered by the bosses” and not by their own willing, could do something that would harm them. He starts talking about the situation in the country, about insecurity, betrayal from all sides, collapse of the country and the society, on how there is no order and no one obeys the rules. Talking about it, he becomes more aggravated. The therapists’ attempts to try and make a connection between what he’s saying and the irregular attendance of the members, with the anger toward therapists, perceived to be betraying them and not being protective enough, and the group as “a country collapsing, a place where there is no order and respect for the rules”, are without success. Events in one of the following sessions have a similar tone, when the therapists announced the introduction of new members. After the silence, a heated argument ensues, absorbing a large part of the group time, on “incompetent politicians”, “conflict between Tadic and Kostunica and their responsibility for the situation that the country is in” and how it would be crucial for “the president and the premier to come to agreement, and stop making all those frequent changes in the government that impede the state functioning”. Here the therapists are perceived as Tadic and Kostunica who “can’t come to agreement” and constantly make “changes in the government”, i.e. introduce new members, and because of that the group cannot work with full capacity. This interpretation hits the target. An avalanche of criticism follows,

doubts, questions, anger and advice for the therapists on how to manage the group, that they should be “sly as foxes” to “see through them”, to find a “cunning” way to “open” them, instead of them “opening up on their own”, to be “more direct”, “clearer”, “stricter”, to “foresee” what will happen to them. They also touch on the therapists’ age, one member declaring that it is an “unbridgeable gap” The need for de-idealization of the therapists is also an “unbridgeable gap”, but the activated splitting still disables the ambivalence and the beginning of integrative processes. Hence the anger aimed at the therapists, who are trying to introduce the “heretical” idea of own imperfection, their imperfection and imperfection of the group.

DEVELOPMENT OF GROUP DYNAMICS AND COUNTERTRANSFERENCE

(Working through and mourning)

After establishing group cohesiveness and surviving drop-outs, the members start taking more initiative and the focus gradually shifts from the outside events to what is happening on the inside. The idea emerges of the importance of group as a place where they can reflect on themselves freely and without restraints, and the members communicate with each other more authentically. *In the nineteenth session, one of the more active group members advises a new member on how “the group is a place where you can and should allow yourself to face painful memories and feelings, so you could function better in the real life”.*

The idea of the therapists being the only ones to blame for some of the members dropping out and the only responsible for the survival of the group, is more and more replaced by the idea of own responsibility: *In the 14th session, the conversation started on some of the members not showing up. One of the present members expresses his opinion that it is a consequence of misguided and unrealistic expectations of certain members of the group, who think that “they just have to show up and the therapists will do everything else”. Remembering his first session, his apprehension and skepticism about it, he says he is glad that “in spite of all” he stayed, fitted in and started realizing “very important things” about himself, adding that the group is being more and more helpful for him. Another member agrees with this, saying how important the group has been for him, how he has changed, and is no longer depressed as before. He also says that he rarely shows his feelings and doesn’t talk about them anywhere else outside the group. He vaguely suggests his fear of “letting out all the emotions he keeps inside”. Other members join in, commenting on how they see themselves and the others in the beginning and now, and in what way the group has helped them. A fear is also present that for some reasons the group would end its work.*

Escalation of symptoms (e.g. intensification of nightmares, tension or dejection), on which they were informed at the start as a possibility to be expected, does not raise as much fear as before, since the gains are clearly seen as well, i.e.

after the period of intensification of symptoms, followed the period of reduction, or even of their complete retreat: *Z.C., one of the more passive members of the group, in favor of the theory that “bad things in life” should be left behind, that “traumas should be forgotten and never mentioned”, starts to reexamine his attitude. He talks about how several years ago he completely retreated into himself and the only thing he did was planting fruit trees, how he planted a huge orchard next to the barracks and even got commended for it by his superior officers, even though he did all that “to run away from his feelings”, and then afterwards he “ended up in hospital because he was not feeling well mentally”.*

The dreams become available for analyzing and understanding and, with the development of the group, they become more frequent material for the sessions: *In the 16th session, the member B.N. talks about how his dreams “are intensifying”, especially after the session, “both dreams of war, and of some unreal things that he didn’t experience”. More and more frequently, he dreams about friends he has lost in the war, of whom he doesn’t speak often, but whom he misses very much. He had a dream about an acquaintance from Croatia, who went missing before the war and nothing was heard of him since, whether he was dead or alive. It is strange to him, why he dreamed of someone he was never close with. The therapists’ explanation that it is a part of him he is encountering, a part of him that went missing before the war and is not close to him now, a part that he doesn’t know whether it is dead or alive any more, initiates in B.N., but also in other group members, recognition of the need to find within themselves the personality aspects they have repressed and couldn’t get in touch with for a long time. L.K. says how in his dreams someone always chases, but never catches him, and how in the dreams he always lacks either money or identity card. Nightmares, the symptom that almost regularly accompanies posttraumatic stress disorder, most often about persecution and with the dreamer feeling he cannot escape or he is missing something important to save himself. In such cases the therapists’ interventions are aimed at pointing at the members’ need to face the painful feelings that are haunting them: anger, killing rage, but also sorrow and guilt. What is lacking in the dream is what they have actually lost: identity and existence. The subject of loss is addressed, of numerous separations they had, doubts about being able to establish satisfactory relationships with others, to allow themselves to have good friends again. In the same session, member C.M., bearing group anxiety for all, defends from this idea by stating that he cares about the group, but it is “different”, that they are people “like him”, and he doesn’t believe that he could have such close relationship and understanding with other people “outside the group”.*

The following illustration shows how the therapy, although experienced as significant and useful, was also painful and terrifying for these people: *In one of the sessions, more than six months after starting the group, member M.D. expresses his dilemma about whether to go to his birthplace for the exhumation of his cousin’s body. He thinks that he should go and “face everything that is*

troubling him” but he also expresses fear of making this decision. After this session, this member started coming to group less frequently, and eventually dropped out, in spite of his calling the therapists regularly for three months, and saying that next time he would come. The therapists’ attempts to communicate with him and bring him back to the group were unsuccessful. The challenge to “exhume” his deepest and most painful emotions was too great, in spite of the obvious need for therapy. M.D. was one of the members of the group who emphasized how well they adapted to the new environment, who scarcely looked back on the war, mobilization, captivity and forcible mobilization, and who tried to look on the world “from the bright side”.

As for the therapists, the phase of increased enthusiasm and exhilaration about working with this group is evident, often growing into an idealization of the group and of themselves as therapists. Although a part of these reactions can be considered both useful and desirable, especially in the first months of the group’s existence, it is certain that such experience of the therapists was not only a defense but also, to a large extent, an answer to the members’ expectations. The therapists have largely denied the existence of problems in working with this group of people, just like the members themselves, denying the fact that they have often worked with two or three, and even only one member, due to significant absenteeism, particularly in the first year of the group, and through denying the fact that issues they were facing in the group were just as difficult, painful and disturbing for them as they were for the members. The need to keep the group from disintegrating, and to prevent the scenario by which there is and there can never be a safe place for these people, that they are let down, betrayed, abandoned and on their own again, was too strong and present, both in the group and in the therapists. Due to such countertransference reactions, the fantasy that anger, rage, discontent and resentment were redundant and undesirable emotions in the group was maintained for quite a long time.

REVOLUTION IN THE GROUP CULTURE AND THE ONSET OF UNACCEPTABLE FEELINGS

“Promised land of persecuted Serbs and promised safety in the group”

Triggering and exposing of these feelings was preceded by new and (un)expected situations. First they were the sessions where new members were introduced, with increasing protests and the feeling that new members came as “replacements for them”. Not “replacements” for those who dropped out, but “replacements for them” who are already there, present. On the subconscious level, it is possible that the arrival of new members was perceived in the same way as the arrival of new detainees in the times when they were imprisoned and kept in unbearable suspense of what the next day would bring. Probably, a sense of relief was present as well,

arising from the idea that the torturers would now focus on the newcomers, at least for a while... The feeling so human, and yet so hard to accept from the moral aspect of personality, provoked by the drop-outs in the group and consequential introduction of new members, caused a great amount of anxiety and anger.

Further group situations causing the onset of “unpleasant” feelings were the ones when the therapists offered more directive interventions on the matter of unconscious and profound guilt and confronted them with their mechanisms of avoiding or repressing difficult contents.

The final “revolution”, however, was brought on by the information conveyed to the group about writing the monograph and the need for writing this article. All members of the group react in the same way. They all agree that we should write “about that”, but after such supportive statement, the therapists face a torrent of disapproval and criticism aimed at “various addresses” i.e. absent members, non-governmental organizations, politicians and politics, at those who extradite Serbs to The Hague so that they would declared them criminals, at “general” betrayal they have met so many times before... At the same time, the therapists’ interventions and attempts to make a connection with the information that exploded in the group like a bomb, are denied or ignored, with the clear message to “shut up or they will turn against them too”. In this session every last one of them remembers and talks about his most difficult experience in the war. Those are distressing events that acquired the character of the most difficult ones because they included being let down by their close friends or associates, or were related to their ordeal of making decisions on other people’s lives, or they witnessed situations that were later misrepresented by the media. One of the members talks about his family’s forest that was “preserved for centuries and trees weren’t cut down, so that sons and grandsons could inherit it and build their homes there”, on how his grandfather and father could foresee that one day Serbs would be exiled from Croatia, but they stayed there nevertheless. He concludes how his ancestors, as he himself did, “followed their heart and hope, which, as writers say, dies the last”. The attack on the therapists is full and frontal. As if nothing positive could be seen. One of the members, enraged, is talking about “new treasons” they are exposed to, “as if it wasn’t enough that they were persecuted and tortured, and driven off their ancestral homes”, but also, to top it all, some of them experienced forcible mobilization in Serbia, in the “promised land of persecuted Serbs”. All of a sudden, the therapists, and particularly one of them, irresistibly and by unusual elements, start resembling women prosecutors, lawyers and the women in Serbian political stage who promote extradition of criminals to The Hague and insist on taking the responsibility for crimes committed by the Serbs, i.e. “all the unscrupulous and labile women who don’t understand them, who laugh at their suffering and don’t take seriously what they have been through”.

And, as idealization is often followed by persecution, out of “kind, good and beautiful girls” the therapists become “selfish, cruel and unscrupulous women”

who “either won’t or can’t understand their suffering, torment and distrust” and who will “follow their own agenda” no matter what they do.

The therapists’ feelings range from sadness that they have hurt them, and “betrayed” their confidence and affection, to the idea which has become obvious after this session, that being a therapist means much more than being supportive and understanding to someone who feels bad and that both them and the group need to move from the tranquil atmosphere of “unconditional acceptance and love” in order to achieve genuine change.

This situation is probably a chance to de-idealize the therapists, and consequently, to reduce the distance that has remained between them and the members all the time. The gap between the members, who are primarily males, warriors, aggressive and rough, and the therapists who are women, young, gentle, kind and beautiful, unimpaired by war and torment, unimpaired by aggression and anger, neither the members’, nor their own.

The need for splitting and saving good parts of self by projecting them into therapists, which is evident in a series of sessions and in numerous examples presented in this article, where “the therapists are good and the organization is bad”, is maintained to the last group sessions, and in the end all the inadequacy is seen in one of the therapists, while the other one remained “good”.

Considering that the “bad” object was originally placed outside the group, in far-off external objects (international organizations, politicians, society, bad countries, “decaying West” etc.), and that in the course of time it was recognized in the group as well, so that some members were only “kind and benevolent” and others were only “impulsive and aggressive” with all the above events, we could say that the entire group process is shifting towards recognition of the distant and confronted feelings.

With the “splitting” of the co-therapeutic pair into a part which is “good and involved” and a part which is “detached and looks like Sonja Biserko”, it seems to us that this mechanism will be abandoned for the benefit of recognition, acceptance and integration of both desirable and undesirable parts of self. It may be too much to expect of them to consider that what is annoying in Biljana Vuco and what is “rotten in the West”, is the fear of mental reality that what they all perceive as unscrupulous is present in every one of them (and us), and that every society and every man can recognize something “rotten” in themselves!

The following sessions bring encouragement, reflected in the members’ acknowledging that there are positive aspects of writing this article as well. Or, as one of the members said “not all pediatricians have children either, and they treat them successfully”, which was a distinctive tribute to the therapists, who, in spite of their lack of experience of war plight and torture, were able to understand, to be there for them, to share with them and to help. To treat them successfully.

SIGNIFICANCE OF WRITING THIS ARTICLE

The significance of this article for the group and group process, and for the therapists themselves, is manifold. First of all, the very fact of writing this article has clearly indicated basic difficulties in working with this group, and we are sure that this effect will have positive influence on our further work. This is, nevertheless, the first group of detained and tortured clients that was approached in this way, i.e. within the framework of group-analytical work, not only in IAN, but, as far as we know, in the country as well. The second important aspect of writing this article was the introduction of this topic into the group. Beside the revolution in the group process that we described above, and which is the secondary gain, our aim was to give the group members an opportunity to have complete control in this situation over what comprises their life in the group. Control and possibility of choice were not only of formal nature, and we were prepared to give up the article if even one of the members should show significant and open disapproval. We are glad that this group (“our group”) took the challenge and gave us their confidence. And, as one of the members said, “there are few situations in life which are remembered by their good throughout life”. For him, it was the feeling of immense pride that he felt when in a brief television report he saw his father kissing the foundations of the demolished church in Croatia. For us, in the life of this group, those were the situations when the members succeeded in showing strength to cope with provocative situations and to show their feelings, with complete trust in us.

INSTEAD OF THE END

Final effects are difficult to discuss when the group is still on-going. We believe that maximum benefit from the group is obtained by the most regular members and the members who are in the group for a long time. One of the members stands out, not only by his attendance statistics, but also by the capacity for understanding intrapsychic processes and interpersonal relationships he has developed and nurtured in the group. On the other hand, there are those who were absent frequently, and those who dropped out of therapy, or only came to session once. Their gain is in accordance with what the group had to offer them in the moment when they were members. In our opinion, the group accepted the so-called “interim” members well and supported them to stay in the group, which, unfortunately, wasn’t always successful.

Our gain is impossible to measure from the professional standpoint alone. Experiences such as this are among life experiences for us. Just as much as their trauma left trace on their lives, our experience in working with them has set guidelines on how great can human powers be in adversity.

The feelings toward “the end” are dual, even in the case of writing an article. “Conclusion” is a much better term. Mentioning “the end” could be a kind

of preparation for the end of working with this group, which is to happen sometime in the future...

However, it is difficult to talk about feelings that will follow the process of ending, even though we know that the ending of therapy always implies opening of new opportunities, both for them and for us.

BIBLIOGRAPHY

Bion, W.R. (1959) *Experiences in Groups*. New York: Basic Books.

Foulkes, S.H. (1948) *Group analytic psychotherapy. Method and Principles*, H.Karnac (Books) Ltd. Maresfield library.

Kaplan, H.I., Sadock, B.J. and Grebb, J.A. (1994) *Synopsis of Psychiatry*, Baltimore: Williams&Wilkins.

Peternel F. (1991) *The Ending of a Psychotherapy Group*, Group Analysis 24: 159-169.

Špirić, Ž., Knežević, G., Jović, V. and Opačić, G., (2004) *Tortura u ratu, posledice i rehabilitacija: Jugoslovensko iskustvo*. Beograd: International Aid Network

Yalom, I. (1985) *The Theory and Practice of Group Psychotherapy*. New York: Basic Books.

FORCIBLE MOBILIZATION OF REFUGEE WAR VETERANS AS A RISK FOR FURTHER PSYCHIC DECOMPENSATION

Radomir Samardžić

SUMMARY

Forcible mobilization conducted over exiled and expelled persons in Serbia in the summer of 1995, has caused different psychic disorders in the majority of the forcedly mobilized, primarily of posttraumatic etiology, and the most frequent among them was posttraumatic stress disorder. Forcible mobilization was accompanied by mental and physical abuse in the course of the subsequent military drill. The abuse also assumed the characteristics of torture. The article presents typical cases of the forcibly mobilized, procedures during drill, posttraumatic sequellae and characteristics of the clinical picture. Psychological-psychiatric evaluation and therapy of these patients was connected with, and partly impeded by legal consequences of compensation for non-material damage, due to mental pain sustained in the course of arrest, forcible mobilization and abuse during training. On the other hand, findings obtained in this study, combined with legal consequences, could be of major importance for the prevention of torture.

INTRODUCTION

In the course of 2004 and 2005, more than 150 clients contacted the Center for Rehabilitation of Torture Victims (CRTV), for the purpose of therapy and psychological-psychiatric assessment of the potential psychopathological sequelae of forcible mobilization that was conducted over them primarily in the summer of 1995. The majority of clients, mostly war veterans, were mobilized immediately upon their retreat from the Croatian front after the Croatian offensive „Oluja” (”Storm“) in August 1995. However, this type of mobilization, of persons who have fled to Serbia as refugees, dates back to the summer of 1994. It is believed that in June 1994 several thousand people from Serbia (between 2,000 and 4,000) have been taken against their will to war zones in Bosnia (under control of Pale) and Krajina (Humanitarian Law Center, 2003).

Forcible mobilization was an additional stress for the majority of war veterans. Most of them fought in the war in Croatia since 1991 and were exposed to different types of war stressors during that time. Some of them were in direct combat, some were under wartime work obligation, or in the Civil Guard, and some of them were detained as well. The exile is a highly stressful experience in itself. Sequelae of posttraumatic syndromes or clearly manifested clinical pictures of posttraumatic stress disorder (PTSD) were registered in most clients. In some of them, the onset of PTSD was primarily the result of stressors and traumas during forcible mobilization, and in others, forcible mobilization has instigated re-experiencing of the repressed war-related traumas. The training they were subjected to was interspersed with physical abuse and humiliation and, on the whole, had the elements of torture.

More than other forms of traumatic events, caused by natural or technological disasters, the interpersonal trauma shatters the deep and early-formed foundations of interpersonal relationships, threatening to deprive the person of the sense of security, attachment and spontaneous sharing of emotions with other people, for a considerable period of time, or even permanently. Interpersonal trauma can have the form of criminal assault, rape, violence during combat or political violence. What makes it particularly disturbing is the aspect of intentional infliction of pain. Torture, as a specific type of political violence, represents extreme use of sadistic patterns in interpersonal relationships, causing not only psychiatric disorders, but also highly severe and far-reaching negative consequences on the overall psychosocial functioning of the victim. The most frequent consequence of longterm and/or intensive torture is the onset of PTSD, followed by a range of comorbid psychiatric and (psycho)somatic disorders. Basoglu et al. have established the presence of three stressors related to different aspects of psychopathology in torture survivors: the intensity of torture, secondary

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consequences of captivity in various life domains, and general psychosocial stressors following the captivity (Basoglu et al. 1994).

Torture victims are considered to be the most vulnerable post-war social group, requiring a specific multidisciplinary approach in psychosocial rehabilitation (Kucukalic et al. 2003).

Poor socioeconomic state, characteristic for refugees, and poor mental state, characteristic for torture survivors, have a mutual negative effect, enclosing the victim in a vicious circle which is hard to break without significant social support. Hondius et al. studied health problems of the refugee torture victims, in view of violence, demographic factors and current sociopsychological problems in the asylum. It was discovered that it was not only the experience of violence that added to the health problems, but the current social situation as well. The refugees attributed their somatic and psychological problems to illnesses (48%), torture (29%) and concerns related to exile (40%) (Hondius, et al. 2000).

In the study conducted on torture victims who sought psychological-psychiatric assistance at the CRTV in the period of January 2001 to September 2003, it was discovered that these persons are at increased risk of somatic and particularly of psychiatric disorders. Their health problems last longer and they run a higher risk of chronification than was the case with other respondents who suffered from psychic disturbances as a result of other wartime and post-war stressors, or they were family members of torture victims (Spiric and Knezevic, 2004).

The majority of clients, victims of forcible mobilization who contacted CRTV, reported the sense of disappointment, which they continue to feel, as they did not expect to be arrested and abused "by their own people".

In most clients, the motive for obtaining material compensation for the suffering experienced due to forcible mobilization and during the time they have spent in the field and the crisis area, became an adverse factor in the diagnostic and therapeutic process. In some of the clients, the tendency to overestimate the symptoms was detected.

Rendering tendencies and simulation of posttraumatic residues and PTSD are a quite frequent phenomena in clinical and forensic practice. Posttraumatic stress disorder is one of the rare psychiatric entities to arrive at the focus of public and media attention, especially due to the fact that in some cases material and financial compensation ensues. For this reason, the psychological-psychiatric evaluation also includes assessment of validity of both psychiatric symptoms and answers provided by the client, claiming them to be the result of a mental or physical trauma. Psychiatric researchers demand the presence or absence of diagnostic criteria to be established in a systematic, reliable manner, which is generally achieved with the application of instruments for the structured interview. This type of assessment is performed within the framework of the Clinical administrated interview for posttraumatic stress disorder – CAPS, which was used in diagnostic evaluation of

clients who have contacted CRTV. CAPS has an additional advantage, since it contains both severity assessment, and the category assessment of PTSD. (Blake et al. 1995).

The aim of this article is to determine the extent to which forcible mobilization could have contributed to psychic decompensation and development of posttraumatic stress disorder in war veterans exiled from Croatia in August 1995.

FORCIBLE MOBILIZATION: TRAINING, DRILL OR TORTURE?

Mobilization implies activities of the country's armed forces for the purpose of preparation of human and material resources for wartime operations or in the circumstances of national or mass disasters. It is conducted in times of peace, within training and testing the efficacy of the system of mobilizing human and material resources. It is also conducted in the course of war preparations, during the war, or in circumstances of mass disasters. Mobilization of refugees, men who were mostly involved in the war in Croatia and who fled to Serbia, was conducted forcibly and for the purpose of preparation of new war actions.

In June and October 1995, the Humanitarian Law Center (HLC) has published two reports on severe violations of the UN Convention on the status of refugees in Serbia. The report also included the problem of mobilization of refugees. In the course of 1996 and 1997, HLC has filed claims in the name of 708 Serbian refugees from Croatia and Bosnia, who were unlawfully deprived of liberty by the members of Serbian police after the Croatian offensive "Oluja" and forcibly incorporated into military units of Serbs from Krajina and Bosnia. By these claims, the refugees demand of the Republic of Serbia to be awarded just compensation for non-material damages and mental pain caused by injury to reputation, honor, dignity and fear sustained (Humanitarian Law Center, 2003).

In the course of 2004 and 2005, approximately 150 persons with the experience of forcible mobilization have contacted the CRTV for the purpose of psychological-psychiatric evaluation of the effects of traumas they have suffered during and after the forcible mobilization. They were referred to evaluation by the CRTV psychologists, or upon recommendation of the Association of ex-detainees.

In order to clarify what it was that occurred during the forcible mobilization – drill, excessively cruel military training, or torture – it was necessary to define the basic notions first: Have the action in the course of forcible mobilization been conducted unlawfully? Can they be regarded as military training, drill or torture? These are the questions that can be answered after a detailed analysis of the legal aspect, analysis of actions taken by the persons who have conducted the mobilization, as well as those who conducted the "training", and, the most importantly, based on the analysis of statements and psychological reactions of the mobilized persons.

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Military training is performed in accordance with the military service regulations and programs prescribed for acquiring military, and war and combat skills. The training can be more or less strict and rigorous, depending on the duties of the units it is conducted in, on the characteristics of governmental and social structure, and the place, role and doctrine of military organization within these structures.

Drill is defined as a special type of military command and training, which entails sharp, clear and loud commands for the purpose of executing specific actions prescribed by the military training. Members of the unit have to perform specific motions and actions in a clearly defined manner, in order to retain a specific position or change the position by shifting from one place to another. Drill is frequently performed in military parades or for other ceremonial purposes (Powers, 2005).

Understanding of the contents and essence of torture is not fixed and unchangeable. It is no longer the widely accepted image of violence over political prisoners in prison cells. It comprises a much wider range of actions, and includes a larger number of people than is usually believed. Torture is conducted not only in police stations, prison cells, military barracks or prisoners' camps. Torture is conducted in all of these places, but also in centers for juvenile delinquents, refugee camps, in the streets, in the apartments. To make the fight against torture more efficient, the above aspects of variety and context in which torture could take place have to be taken into consideration.

Torture implies the infliction of severe physical or mental pain in the manifestation of cruelty as a means of intimidation, deterrent or punishment, or extracting information or confession. At times, torture is even conducted without an apparent reason and it is then used in the context of pleasure of the torturer (Wikipedia, 2005).

In spite of attempts of the greater part of the world community to restrict human rights violations, in the course of 1999, torture was conducted in 132 countries (Amnesty International Publications, 2000).

In the 1984 UN Convention, torture is defined as: "Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions." (Montgomery and Foldspang, 1994).

Torture is often wrongfully regarded as an act against individual. It can, however, be conducted against groups of people, families, parts of social group or

society on the whole, when it is justified by, for example, demands for its democratization (Reyes, 1995).

Due to increased monitoring of various human rights organizations, torture has been conducted more by means of psychological methods, so as not to leave physical trace.

Among risk factors related to the history of torture are exile, civil war, minority groups, prisoners of war. The total prevalence of torture among refugees is estimated to be in the range of 5-35% (Piwowarczyk et al. 2000).

Torture can destroy basic human capacities, especially in the domain of psychological functioning: the notion of identity, personal safety, selfrespect and selfesteem, trust in other people, righteousness, etc. (Doerr-Zegers et al. 1992, Mollica et al. 1999).

The following text contains excerpts from the interviews documented in specialists' findings on the clients who have sought assistance at the CRTV, in the period of December 2004 to July 2005.

Torture and methods: examples from the CRTV practice

Analysis of sociodemographic characteristics of the clients who sought assistance at the CRTV indicates that they are people with the average age of approx. 45, most often with secondary school education, typically craftsmen, married, with one or two children. Most of them had jobs and real property in Croatia. They have fled, with almost no means of living, some of them stayed with their relatives, others were accommodated in collective centers. Almost all of them have been actively involved in the war in Croatia, some have also been in captivity, and the majority have been exposed to severe or disastrous war-related stressors. A small number have asked for psychiatric help and undergone psychiatric treatment.

Based on anamnestic data obtained by the evaluation of psychological-psychiatric condition of seven typical cases which will be presented later (in compliance with ethical standards of anonimization), it can be clearly concluded that, for most of them, the abuse they were exposed to had the character of torture. Furthermore, typical psychological reactions and delayed posttraumatic symptoms can be observed, as well as other mental disorders.

Case No. 1

D.L. the age of 29, locksmith. He contacted CRTV for the first time. As the reason for seeking help, he reports disturbances in the form of tension, occasional insomnia and nightmares. He connects these disturbances with the experiences he had in Erdut where he was forcibly mobilized after he had fled from Croatia due to the military offensive "Oluja". He has spent four months in Erdut. Immediately upon his arrival in Erdut, he was beaten with the stick, punched and kicked. On an

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occasion he was forced to carry a rock that was referred to as “Mr Discipline”. The disturbances he reports have started immediately after his return from Erdut, but he has not sought psychological-psychiatric assistance before coming to the CRTV. He actively participated in the war in Croatia since its onset in 1991, until it was finished. During that time he witnesses disastrous events, saw human bodies torn apart by explosions, a great number of killed and wounded people. However, he says that his experience in Erdut was much more difficult for him. The client was diagnosed with healed PTSD.

Case No. 2

K. Dj. unemployed mason, 45 years of age, living with his wife and son at the periphery of Belgrade, with the refugee status. He sought assistance due to disturbances in the form of insomnia, nightmares and recurrent memories of the traumatic experience of forcible mobilization. He was forcibly mobilized in mid August 1995, several days after he had fled from Croatia as the result of military offensive “Oluja”. He was in Erdut until mid December of the same year. He gives information about the ill treatment he was exposed to: superior officers have slapped and kicked him repeatedly, and forced him to dig trenches. He was forced to enter the dog house several times. They cursed his mother and insulted him, calling him a traitor. He remembers that he was very much afraid and did not dare stand up to such treatment. He participated in the war in Croatia since 1991 as a member of the reserve unit. He witnessed a number of disastrous events, he saw several of his fellow soldiers with their throats cut, and human bodies torn apart, but, as he says, he forgot those experiences far easier than what he experienced during forcible mobilization. In the objective finding, the symptomatology of partial PTSD was registered.

Case No. 3

N.O. 50 years of age, unemployed, single, with the refugee status, living at the periphery of Belgrade. Several days after he had come to Serbia with the refugee convoy from Croatia, in August 1995, he was forcibly mobilized and sent to Erdut. He was actively involved in the war in Croatia for four years. During the war, he was often in life-threatening situations and witnessed disastrous events. He had a house and real estate in Croatia. Now he is living in difficult material conditions, together with his parents. He contacted CRTV for the first time. He reports disturbances in the form of recurrent memories of the traumatic experience of torture he was exposed to in Erdut. He frequently dreams of what he experienced, feels constant tension and fear, and is usually in a dejected mood. He states that he was often beaten with sticks, punched and kicked. He was forced to strenuous physical labor. The most difficult, however, were the insults, derogatory names and humiliation he was subjected to. Clinical finding, followed by structured interviews

for the assessment of psychiatric disorders (SCID) and posttraumatic stress disorder (CAPS), indicated the presence of chronic PTSD and chronic mood disorder.

Case No. 4

G.S. in the life age of 31. Mining and geology engineer, employed. Single. He contacted CRTV and sought psychiatric-psychological assistance for the first time. As the reason for contacting CRTV, he states the traumatic experience of forcible mobilization. He was mobilized the day after his exile from Croatia, 14.08.1995. He was arrested and taken, with his hands cuffed, to the Civil defense section in Sid. He was transported to Erdut where he spent about 20 days. As soon as he arrived, his head was shaved. Several times during his stay, he was repeatedly slapped and kicked, and on one occasion he was hit with a rifle butt. He was forced to carry a rock with the writing "Mr Discipline" on it. He was insulted and humiliated by derogatory names, called a traitor, deserter, coward, etc. He felt humiliated, in constant state of confusion and failing to understand why all that was happening to him. Since then, he has a continuing fear of uniformed persons, especially policemen, which he often avoids. Contact with them causes intrusive memories of the above experiences. He has difficulty falling asleep. Sometimes he is absentminded, crowds and commotion trouble him. In the objective finding, phenomenology of partial PTSD is registered, with comorbid symptomatology of moderately severe depressive episode.

Case No. 5

K.T. is 46, he is construction equipment operator, unemployed, occasionally working as carpenter on seasonal jobs. He is married, without children. He lives with his wife in Zemun. He contacted CRTV for the first time due to disturbances that were the result of forcible mobilization in August 1995. He reports constant nervousness, lack of interest, intrusive memories of the sustained traumas, difficulties sleeping and dejected mood. He states that he was forcibly mobilized in mid August 1995, the day after he had fled from Croatia. He spent several days in Erdut, and subsequently about 20 days in Gabos and Karadzicevo. During that time, he was repeatedly beaten, and on several occasions hit with the rifle butt. On one occasion in Erdut he was tied to the dog house and forced to bark like a dog, and once he was tied up to a post. When digging trenches, he stepped on a landmine (he was previously told that there were no mines on that site). His left upper leg was wounded due to which he received hospital treatment. The disturbances he reports have started several months after the described events; he contacted a neuropsychiatrist about eight years ago, but he was reluctant to take the medications that were prescribed to him then. He was engaged in the war with

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Croatia as a reservist, and sustained some of the war stressors without major difficulties. What he experienced during forcible mobilization was much harder for him, with the feeling of disappointment, especially when he remembers the humiliation and insults that were thrown at him. In the objective finding, symptoms of chronic PTSD were registered, with comorbid symptomatology of depressive episode, of moderate severity.

Case No. 6

M. Z. in the age of 53, unemployed driver. He is married, has three children, lives with his family at the periphery of Belgrade. He has the status of refugee from Croatia. He had fled from Croatia during the military offensive "Oluja". In the course of the offensive, he was wounded in the legs by a granate shell, and his daughter lost her leg from the knee down. When he came to Serbia, he was on crutches, but he was forcibly mobilized and taken to Erdut. From there, he was sent to hospital in Vukovar, got the fifteen days leave and was placed in Ilok, and after that he was sent off to the frontline where he remained until November 1995. He denies any reference of torture or physical harassment, only his head was shaved against his will. In the war in Croatia, beside the described wounding and witnessing his daughter being wounded, he also witnessed the death of his brother who was hit by a granate shell and died on his arms. During the interview he denied having psychic disturbances. He was more concerned about his material and existential situation. He talks about his experiences during forcible mobilization with the feeling of disappointment. He came to the examination reluctantly, stating that he came because others had recommended it to him. In the objective finding, no current or residual posttraumatic phenomenology was registered.

Case No. 7

B.S. metalworker, 33 years of age, without permanent employment, single, lives with his parents at the periphery of Belgrade. He was forcibly mobilized on 12.8.1995, immediately after he had fled from Croatia. He was previously arrested. Together with a large group of men, he was transferred to Erdut where he spent one week of training, and then he was sent to Karadzicevo where he stayed until end of December 1995. He states that this experience was much harder for him than the time he had spent in the Croatian front. He still feels humiliated and offended by the degradation he was subjected to. Upon his arrival in Erdut, immediately after stepping off the bus, he was slapped and insulted, called a traitor and a coward. One day, for a mistake he had made during training, he was tied up to a post for one and a half hours, and on one occasion he was forced to carry the "Mr Discipline" rock. During the time in Karadzicevo, he was forced to dig trenches and dugouts. A few months after the mobilization ended, the sleep problems began, he had difficulty falling asleep and experienced nightmares, frequent convulsions

during sleep and he would wake up frightened and in sweat. He often experienced recurrent memories of the described events. He asked for psychiatric assistance in 1999, and he has been on regular medication since approximately two years ago. From that time, he sleeps better, and the intrusive memories usually occur before falling asleep, nightmares are less frequent. There are, however, new disturbances, in the form of "nervous stomach, feeling of pressure in the chest and heart palpitations. He is easily aggravated, oversensitive and often afraid of losing control". He connects these disturbances with the stresses experienced during forcible mobilization as well. During the war in Croatia, he was seldom exposed to combat stressors, spending most of the time on the separation lines. He participated in taking out the wounded, and on several occasions witnessed the death of his fellow soldiers. In 1992, he completed the one-month military training and was sent off to the front. In 1993, he was captured by Muslims in the Bihac region and spent 15 days in captivity, but he was not subjected to torture. Objective finding registers the phenomenology of healed posttraumatic stress disorder, of the partial level, with the symptoms of somatoform disorder.

DISCUSSION

As demonstrated in this article, the forcible mobilization of war veterans refugees from Croatia in August 1995 was not only a socio-political problem related to human rights violation, but it also had psychological-psychiatric implications due to mental and physical abuse with the characteristics of torture.

In the course of 2004 and 2005, several dozens of persons with the experience of forcible mobilization have contacted CRTV. Analysis of the socio-demographic characteristics of this group of people indicates that they are men with the average age of 45, mostly with secondary education, predominantly craftsmen, married, with one or two children. Most of them had a job and real estate in Croatia. They have fled, with almost no means of living, some of them stayed with their relatives, and some were placed in collective centers. Almost all of them have been actively involved in the war in Croatia, some have been captured, and the majority has been exposed to severe or disastrous war-related stressors. A smaller number has sought psychiatric assistance and undergone psychiatric treatment.

These people were victims of war and the Croatian military offensive "Oluja". They have fled to Serbia in hope that they would find hospitality and welcome. They were in for a surprise. They were arrested, taken to police stations, and then to East Slavonia, to Erdut. In this base they were subjected to additional military training which, by the methods applied, had the characteristics of torture. The following methods were applied most frequently:

- Arrest and taking into custody without court order.

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- Physical violence: slapping, kicking, hitting with hard objects, bats or rifle butts, tying up to posts or tree trunks.
- Forced physical labour: digging trenches and other, often pointless physical activities.
- Forcing to carry the rock with the inscription “Mr Discipline” .
- Psychological torture: being placed in dog house and forced to bark, having their head shaved, being subjected to cursing, humiliating comments and insults regarding their courage, patriotism, heroism etc.

The severity of traumatic stressors of the ill-treatment these people were subjected to, represents a significant predictor of longterm sequelae of psychiatric disorders.

A study of the experimental animal model of anxiety, depression and PTSD indicates that the human experience closest to this model is related to the experience of torture survivors (Basoglu and Paker, 1995).

Thus, in the cases presented here, symptoms of posttraumatic sequelae are registered, in the form of complete or partial posttraumatic stress disorder, predominantly with comorbid psychopathology of depressive disorders, and somewhat less frequently, of somatoform disorders as well.

In the majority of forcibly mobilized persons, evident symptoms of posttraumatic sequelae are interspersed with the strong feeling of disappointment. The majority of clients disappointed and surprised by the brutality of people who abused them, and could not find the explanation for such treatment, especially since they were of the same nationality. Such perception of the traumatic experience has made its emotional and cognitive processing more difficult, which is in line with the relevant data contained in the literature (Foa et al. 1989).

Some clients have stated that they are afraid for their safety, one of them took different routes coming to the Center the first few times, with the paranoid fear that “policemen might see him”. The majority of clients stated that they had unpleasant feelings and associations upon contact with the police. At the same time, the fear of policemen provokes memories of the traumatic experience of arrest and forcible mobilization, which is a symptom of re-experiencing of trauma, characteristic for the first group of PTSD symptoms. Avoiding contact with the police refers to the symptoms of avoiding the stimuli that can provoke traumatic memories. This kind of attitude and the fear of some of the clients comes from the fact that torture possesses the capacity to destroy fundamental human abilities, such as confidence in others and inclusion in a social group. Observations from working with the clients who have sought assistance at the CRTV are in line with the data contained in scientific literature, on the refugees who were subjected to torture. Torture leaves consequences on the level of psychological functioning in the domains of personal safety, ability to create and maintain relationships with other people, role and identity, justice and existential meaning (Silove, 1999).

Social-political aspect and the environment in which the forcible mobilization, i.e. torture took place, gives a particular angle to this phenomenon. At the time when forcible mobilization was conducted, hardly anyone raised their voice against it, except several non-governmental organizations, or they were overpowered by the current, mostly misrepresenting political propaganda on the “national interests”.

Forcible mobilization was conducted in an organized manner and seemed to be of official character. However, strict military training for the purpose of achieving “good subordination” assumed the character of torture.

Strong social support to torture victims can have a protective effect on the traumatic consequences of torture (Barret and Mizes, 1988).

Majority of the forcibly mobilized refugees were veterans of the 1991 war in Croatia. They had already been exposed to war-related stressors and combat traumas, and subsequently, to the additional trauma of exile. On such a ground of accumulated traumatic experiences, forcible mobilization occurred. Was forcible mobilization the basic factor for the development of posttraumatic symptoms and disorders, or was it just an additional traumatic factor for the already existing disorder? This question does not arise from the aim of this article; additional research is needed for a more detailed consideration of the limiting influence of the legal aspect of this problem.

The findings resulting from the evaluation of these clients have a significant effect on the legal aspect of forcible mobilization. The presented case studies clearly show that the majority of clients connect their psychic disturbances with the torture sustained in the course of forcible mobilization. Rending tendencies were also evident, which presented a problem, both in the diagnostical phase of evaluation, and in the planned therapeutic interventions. The motivation of the majority of clients was to obtain expert finding and opinion, and therapy was the aim of only a few of them.

In most clients, PTSD was diagnosed. Characteristic symptoms of this disorder are divided into three clusters. The first cluster contains symptoms of re-experiencing the trauma, through intrusive memories, nightmares and mental and physical distress accompanying the memories. The second cluster of symptoms refers to avoidance of memories, situations or persons reminiscent of the trauma, with the feeling of loss of the capacity for adequate interpersonal communication, which is why these persons become withdrawn and solitary, experience loss of interest and the capacity to feel pleasure. The third group of symptoms is characterized by sleep disorders, hyper-arousal and bursts of anger, lack of concentration, excessive caution and exaggerated startle response. These symptoms lead to significant disturbances in the domain of social and professional functioning (DSM-IV, 1994).

In legal theory and practice, PTSD is regarded as mental or emotional pain, and defined as a phenomenon occurring in the inner, psychic life of an individual,

and which can be comprehended primarily based on the behavior and verbalization of the affected person. Each person experiences mental pain in a different manner. The injured party is a victim who was brought into the condition of suffering pain against his/her will, which disturbs his/her psychophysical balance.

In legal opinion, forcible mobilization of exiled and expelled persons is a violation of their fundamental human rights and liberties, and infliction of mental pain which is a direct consequence of unlawful deprivation of liberty, use of force and brutal actions and forcible engagement in war (Sivert and Milosevic, 2004).

In this article, therapeutic procedure with the clients was not described in more detail. It was conducted according to the principles of integrative therapy: by psychotherapy, pharmacotherapy and psychosocial rehabilitation. Psychotherapy is conducted with the use of different types of methods and techniques, and the literature holds references to cognitive-behavioral therapy, testimony method, psychodynamic and psychoanalytical techniques with the emphasis on supportive and explorative techniques. In some clients, shortterm therapy with abreaction and manipulative techniques which can lead to immediate release of the symptoms, were highly efficient, especially in clients with the healthy personality.

Antidepressants and anxiolytics were the most frequent psychopharmacs prescribed. Some clients were also prescribed medications for different somatic complaints, which for the most part were connected with the consequences of chronic stress (Samardžić, 2004).

As we have already addressed the importance of social support in the posttraumatic and post-torture period, it can be assumed that obtaining the right to compensation for non-material damages would be a kind of compensation for the belated social support. Evidently, it is important to emphasize the need for maintaining objectivity of the professional psychological-psychiatric evaluation and to prevent the unnecessary medicalization and psychiatrization of the socio-political aspect of this problem.

CONCLUSION:

Forcible mobilization of refugees from Croatia, war veterans exiled in the course of the Croatian offensive "Oluja", was an organized and official action of the state, with the purpose of preparing the mobilized persons for the upcoming war operations. Military training and actions undertaken with the mobilized persons assumed the character of torture. The majority of the mobilized persons already had a traumatic war-related experience. Exile, and especially torture during the forcible mobilization, were cumulative traumatic stressors that caused the onset of various mental disorders of posttraumatic type in most of them. In the majority of clients who have sought psychological-psychiatric assistance, either sequelae or fully developed psychiatric disorders were registered, most frequently the posttraumatic stress disorder of the chronic type, often with comorbid mood

disorders. Socio-political and legal aspect of this problem could have a disruptive influence on the effects of research and evaluation of the clients' psychological-psychiatric status. On the other hand, results of this study, in combination with the legal consequences of the compensation for non-material damage due to emotional pain for the injury to reputation, honor, dignity and sustained fear, awarded to torture victims, could be of immense importance for the prevention of torture.

BIBLIOGRAPHY

American Psychiatric Association (1994) Diagnostic and statistical manual of mental disorders 4th Ed. Washington, DC.

Amnesty International Publications (2000) Amnesty International Annual Report 2000. London, England.

Barret T, Mizes J. (1988) Combat and social support in the development of posttraumatic stress disorder in Vietnam veterans. *Behavior modification* **12**, (1):100-115.

Basoglu M, Paker M, Tasdemir O et al. (1994) Factors related to longterm traumatic stress responses in survivors of torture in Turkey. *JAMA* **272**, 357-663.

Basoglu M, Paker M. (1995) Severity of trauma as predictor of long-term psychological status of survivors of torture. *J Anxaety Dis* **4** (9), 339-350.

Blake DD, Weathers FW, Nagy LM, Kaloupek DG, Gusman FD, Charney DS, Keane TM. (1995) The development of a clinician-administered scale. *J Trauma stress* **8**. 75-90. Doerr-Zegers O, Hartmann L, Lira E, et al. (1992) Torture: psychiatric sequelae and phenomenology. *Psychiatry* **55**, 177-184.

Foa E, Steketee G, Rothbaum B. (1989) Behavioral-cognitive conceptualizations of posttraumatic stress disorder. *Behaviour therapy* **20**, 155-176.

Fond za humanitarno pravo, (2003) Suočavanje sa prošlošću/Reparacije (Saopštenja za 2003. godinu). Retrieved from: http://www.hlc.org.yu/srpski/Suocavanje_sa_prosloscu/Reparacije/

Hondius J, van Willigen H, Kleijn C et al. (2000) Health problems among Latin American and middle-eastern refugees in the Netherlands: relations with violence exposure and ongoing sociopsychological strain. *J Trauma Stress* **13**, 619-634.

Kucukalic A, Mehmedbasic B, Masic I. (2003) Torture as a medico-psychological and social problem. *Medicinski arhiv* **57**, 105-108.

Mollica R, McInnes K, Sarajlic N, et al. (1999) Disability associated with psychiatric comorbidity and health status in Bosnian refugees living in Croatia. *JAMA* **282**,433-39.

Montgomery E, Foldspang A. (1994) Criterion-related validity of screening for exposure to torture. *Danish Medical Bullten* **41**, 588-591.

Piwowarczyk L, Moreno A, Grodin M. (2000) Health Care of torture survivors *JAMA*, **84**(5):539-541.

Powers, R. (2005) Individual Drill. Retrieved from: <http://usmilitary.about.com/od/theorderlyroom/1/bldrill.htm> .

Reyes H. (1995) Torture and its consequences. *Torture* **5**, 72-76.

Samardžić R. (2004) Terapija sa žrtvama torture: integrativni model i značaj farmakoterapije. U: Špirić Ž, Knežević G, Jović V, Opačić G, urednici. *Tortura u ratu, posledice i rehabilitacija: jugoslovensko iskustvo*. Beograd: IAN – International Aid Network; p. 277-288.

Silove D. (1999) The psychosocial effects of torture, mass human rights violations, and refugee trauma: toward an integrated conteptual framework. *J Nerv Ment Dis*. **187**, 200-207.

Šivert M, Milošević M. (2004) Pravne posledice naknadnog nastupanja posttraumatskog stresnog poremećaja. U: Špirić Ž, Knežević G, Jović V, Opačić G, urednici. *Tortura u ratu, posledice i rehabilitacija: jugoslovensko iskustvo*. Beograd: IAN – International Aid Network, p.346-352.

Špirić Ž, Knežević G. (2004) Socio-demografski i psihijatrijski profil klijenata Centra za rehabilitaciju žrtava torturre-IAN Beograd. U: Špirić Ž, Knežević G, Jović V, Opačić G, urednici. *Tortura u ratu, posledice i rehabilitacija: Jugoslovensko iskustvo*. Beograd: IAN – International Aid Network, p.115-145.

Wikipedia (2005) Retrieved from: <http://www.en.wikipedia.org/wiki/Torture>

COMPENSATION IN THE CASES OF FORCIBLY MOBILIZED REFUGEES²¹⁷

Mojca Šivert

The circumstances under which 705.667²¹⁸ persons have left the territory of the Republic of Croatia and Bosnia-Herzegovina are widely known, as well as the disasters and suffering that they have sustained in their attempt to get to Serbia. To all of them, after entering the territory of the Republic of Serbia, it seemed, at least for a moment, that they have reached the place where they didn't have to fear for their safety and safety of their families any more. Beside their personal belief, this kind of safety was guaranteed to them both by the national and the international legislation.

Once outside their country of citizenship, they were given the status of refugees in the Republic of Serbia, in compliance with the international Refugee Convention of 1951²¹⁹, the Protocol to this Convention of 1967, as well as on the basis of the valid Law on Refugees of the Republic of Serbia.

Art. 33 of the Convention explicitly states that “no Contracting State shall expel or return (‘refouler’) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.”

Unfortunately for all, in the period of June to September 1995, this presented no obstacle for the agencies of the Republic of Serbia, more specifically, the official bodies of the Republic of Serbia Ministry of Internal Affairs (MUP RS)

217 The data were obtained from the plaintiffs themselves, as well as from their witnesses

218 Data of the Commissariat for Refugees of the Republic of Serbia

219 The People's Federative Republic of Yugoslavia ratified this Convention on 01.07.1960, thus becoming a signatory state, bound by the Convention.

to deprive of liberty approximately 10,000 exiled and expelled persons²²⁰ and conduct them across the state border to the territory of the Republic of Croatia and Bosnia-Herzegovina, that is, the territory they had previously fled from.

Namely, members of the Serbian police would come to the collective centers where the refugees were accommodated, under the pretext of conducting informational interviews or checking the data, at the same time threatening the refugees with the use of force unless they comply. The police would then unlawfully arrest the refugees, take them to local police stations and, after several hours of detention, conduct them across the state border, under armed threat and abusive treatment. Some of the refugees were transferred to the town of Erdut in East Slavonia, the location of the Serbian Voluntary Guard camp (hereinafter: the Camp), under the command of Željko Ražnatović Arkan, and others were sent via Bijeljina and Janja to Manjača, the Republic of Srpska, also a camp of the Serbian Voluntary Guard.

In the Camp they were exposed to ill-treatment and humiliation. The methods of “punishment” they were subjected to, for the “offences” they did not commit, were deeply insulting to human dignity. They were forced to run in circles, carrying a rock of 20kg of weight, named “Mr. Discipline”, that they had to bow to before they took it up, and do the same after putting it down. They were locked up and tied to doghouses, and forced to bark like dogs. They were stripped to the waist and remained tied to flag poles for several days. This type of violence was used as an instrument of coercion against the exiled and expelled persons, with the aim to intimidate them and break their personalities.

After several days in the Camp, the refugees were sent against their will to the combat units of the Republic of Serb Krajina or the Republic of Srpska Army. They were deployed to the frontline where they were constantly exposed to all risks of war, and many of them lost their lives. Most of them remained within these units until the signing of the Dayton Agreement in December 1995. Some of them were captured in the course of war actions and held captive in Sarajevo, Mostar, Bihac, until the official exchange of war prisoners, in some cases even until June 1996.

From the moment they were arrested by the Serbian police to their return to Serbia, these people have suffered extreme pain, primarily emotional and mental, due to the violation of their personal freedom and rights (by the unlawful deprivation of liberty), and many of them have also suffered physical pain and fear as a result of torture they were subjected to. All of this has had negative impact on their health.

The above actions of the Serbian Ministry of Internal Affairs represent gross violation of fundamental human rights and liberties of the exiled and expelled

220 Unofficial data

persons, and infliction of emotional pain, which is a direct consequence of the unlawful deprivation of liberty, use of force and brutal procedures, and forcible participation in the war.

The Republic of Serbia not only failed to provide the necessary protection of the exiled/expelled persons on its territory, according to the Convention and the Law on Refugees, but in fact through its agencies exposed these persons to the very dangers they had fled from when obtaining the status of refugees. These actions are also in violation of the provisions of Article 23 of the FRY Constitution, Article 25 of the Constitution of the Republic of Serbia, and Article 1 of the Law on Internal Affairs of the Republic of Serbia.

The Code of Obligations (CO) envisages the possibility of initiating proceedings, i.e. filing claims for compensation of non-material damages to all persons who have suffered emotional pain, fear or physical pain. The claims are filed against natural persons or legal entities or agencies, whose actions have caused one or more aspects of the non-material damages. The aim of the legislators was to allow the persons who have sustained aspects of the damages to alleviate the suffering they have been or are still exposed to, by the financial compensation awarded to them.

Pursuant to Art. 376 of the Code of Obligations (CO), the general statute of limitation for compensation claims is the subjective period of 3 years from the day of the plaintiff's knowledge of the damage and the perpetrator, i.e. the objective period of 5 years.

Out of approximately 10,000 forcibly mobilized refugees, only about 1,000 have filed claims for compensation of non-material damages within the legally prescribed period. The reason for this was the fear of further persecutions by the Slobodan Milosevic's regime, as well as the fear of Arkan and his command personnel. Furthermore, we should not disregard the fact that persons in question are refugees who were forced to struggle for their existence due to poor economic situation in Serbia and that most of them had no material resources and information that the claims for compensation of non-material damages should be initiated within the legally prescribed statute of limitation for this type of damages.

In the compensation claim proceedings initiated before the year 2000, the court has established beyond doubt the responsibility of the official bodies of the Republic of Serbia for the infliction of damage manifested in the sustained fear and emotional pain resulting from the injury to reputation, freedom and rights of person, and the Republic of Serbia was obligated to award indemnity to the plaintiffs (exiled/expelled persons who filed the claims) for the damages sustained²²¹.

Acting on behalf of persons exiled from the territory of Bosnia-Herzegovina and Croatia, the International Aid Network (IAN) has initiated 42

221 Depending on the actual case, the amounts range from 150,000.00 to 250,000.00 CSD – judicial practice

legal proceedings (in the name of 51 persons) before the First Municipal Court in Belgrade, after the expiry of the statute of limitation, claiming compensation for non-material damages due to violation of freedoms and rights of person, sustained physical pain, fear and emotional pain as a result of diminished life capacity. Simultaneously, the same number of criminal charges was submitted to the competent public persecutor's offices.

The charges were made because, in our opinion, actions of the Serbian officials on the occasion of unlawful deprivation of liberty – forcible mobilization, correspond entirely with the criminal act of unlawful deprivation of liberty under Art. 63, par. 3 and 4 of the Criminal Code of the Republic of Serbia, and we believe that the statute of limitation for the described cases ought to be extended in accordance with Art. 377 of the Code of Obligations. The above Article stipulates that “when the damage is caused by a criminal act, and criminal charges foresee a longer statute of limitation, the right to instigate a compensation claim against the person responsible expires upon termination of the period designated as the statute of limitation for criminal charges”.

Criminal act under Art. 63 par. 3 and 4 of CC RS consists of unlawful detainment, holding in custody or deprivation of the freedom of movement in any other way. The criminal act was committed by the officials – members of the Republic of Serbia Ministry of Internal Affairs, through the abuse of power and authority, and the deprivation of liberty was conducted in a particularly cruel manner and lasted a considerable period of time. From the above stated facts, it can be concluded beyond doubt that in the procedure of deprivation of liberty, the official bodies of the RS Ministry of Internal Affairs have acted against the law.

Therefore, due to the manner in which the refugees have been unlawfully deprived of liberty, the duration of the deprivation of liberty, as well as the consequences that followed as a result of the unlawful deprivation of liberty, the damages sustained by the refugees were caused by the commitment of the criminal act of unlawful deprivation of liberty under Art. 63, par. 3 and 4 of the CC RS. Pursuant to provisions of Art. 95, par. 3 of the Criminal Code, charges for a criminal act for which the term of more than 5 years of imprisonment is stipulated, can be made within the statute of limitation of 10 years from the time when the criminal act was committed.

On February 10, 2004, on the matter of statute of limitation for the compensation of non-material damages in cases when damage was inflicted by unlawful deprivation of liberty conducted by the official bodies of the Republic of Serbia, the Supreme Court of Serbia, Civil Law Section, has taken legal stand by which compensation claims based on the state responsibility for the damages caused by its official body, by means of unlawful deprivation of liberty, have the statute of limitation in the duration as envisaged under provisions of Art. 376 of CO. In the explanation of this stand, it is declared that by applying the provisions of Art. 377 of CO, the statutes of limitation could be applied only on the direct

perpetrator of the criminal act that caused the damage, and not on the state as well, that is, on the legal entity responsible for the damages instead of the direct perpetrator.

On 26 November 2004, Humanitarian Law Center, Belgrade Human Rights Center and International Aid Network have addressed an initiative for the amendment of the above legal stand, based upon the opinion that this was not the case of individual instances of unlawful acts committed by the members of the police, but that this conduct was in fact a consequence of the general policy of the Republic of Serbia, and therefore the principle of responsibility of the immediate perpetrator would not be consistent with the doctrine of justice and righteousness.

In support of the proposal to prolong the statute of limitation for the claims for compensation of non-material damages by connecting them with the criminal act of unlawful deprivation of liberty, we present two legal stands adopted by the Civil Law Section of the Supreme Court of Serbia.

1. In the session held on 27.12.1999, the Civil Section of SCS took the legal stand on the matter of statute of limitation for war damages claims. Namely, the damages sustained by the members of the former JNA (Yugoslav National Army) in the course of armed conflicts against paramilitary formations of the former republics of SFRY ... were caused by the criminal act of armed insurgence under Art. 124 of the Criminal Code of Yugoslavia, and the claims related to this damage have the statute of limitation of 15 years, pursuant to Art. 377, par. 1 of CO. **(I Su. -147/99)**

2. In the session of 25.06.2001, the Civil Section of the Supreme Court of Serbia altered its legal stand²²² on the matter of responsibility of the Republic of Serbia for unlawful acts of the official agencies of the MIA. The above legal stand has established full responsibility of the Republic of Serbia for the detrimental consequences that ensued due to unlawful acts of its official agencies, even in case they were committed in the territory of the Republic of Srpska and the Republic of Serb Krajina, on the grounds that “justice and the need to provide compensation to the victim require the use of adequate causality theory, since, without a doubt: **if it had not been for the unlawful action, the detrimental consequence would not have ensued**”. The proof that the actions undertaken by the Republic of Serbia agencies were unlawful and that there were no grounds for the deprivation of liberty, is evident in the fact that after the actual arrest, no criminal charges pursuant to Art. 191 and 195 of the Criminal Procedure Code have been made against these persons.

222 The amended stand was adopted based on the initiative of the Humanitarian Law Center

Therefore, damages sustained by the members of the JNA in the course of armed conflicts with paramilitary formations and the damages caused to the forcibly mobilized persons by the RS Ministry of Internal Affairs, are, in both cases, caused by unlawful actions of the perpetrators. Having in mind the already accepted right to indemnity based on the criminal act of armed insurgence in the first case, adoption of the proposed legal stand presents itself as a just solution, since the damages sustained by the forcibly mobilized persons are caused by the criminal act of unlawful deprivation of liberty under Art. 63, par. 3 and 4. The obvious reason for this is the fundamental rule in the application of law, that “in equal cases one must act in an equal manner”.

The Supreme Court of Serbia has not taken legal stand on this initiative, even though more than six months have passed since it was addressed. Criminal proceedings are also still in the phase of criminal charges, namely, the identity of the immediate perpetrators has not been established yet. There is danger that criminal proceedings would fall under the statute of limitations and that both immediate perpetrators and their commanding officers would remain unknown and unpunished.

We believe that there is no political will to solve this problem, and that a separate law to regulate the compensation of damages to these persons, with an unlimited period for exercising their rights, would present the only just solution.