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## THE WORK OF THE LAND COMMISSION FOR INVESTIGATION OF WAR CRIMES OF THE OCCUPIERS AND THEIR COLLABORATORS: ANALYSIS BASED ON SET TASKS AND CASES

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Through the presented cases in which the Commission for Investigation of War Crimes of the Occupiers and Their Collaborators ascertained accountability, this work constitutes an attempt to depict all levels of collaboration and perpetration of war crimes (their forms in particular), both through individual and group decisions. The range was genuinely quite broad, covering the integrated apparatus of occupation, destruction of the people's liberation movement, the struggle against Partisan units, crimes against civilians, plundering of assets and violence of all types.

**Key words:** Land Commission for the Investigation of War Crimes of the Occupiers and Their Collaborators, Croatia, NDH [Independent State of Croatia], Second World War, occupation, reprisal, mass crimes, Serbs, Jews

Based on the Instructions of the Land Commission for the Investigation of War Crimes of the Occupiers and Their Collaborators issued on 25 August 1944 (no. 9/44), pursuant to the decision of the Antifascist Council of National Liberation of Yugoslavia (AVNOJ), of 30 November 1943 on the establishment of the State Commission for Investigation of War Crimes of the Occupiers and Their Collaborators and based on Article 9 of the Operating Rules of the State Commission adopted at a session of the National Committee of the Liberation of Yugoslavia (NKOJ) on 6 May 1944, the principal tasks of the Commission for the Investigation of War Crimes of the Occupiers and Their Collaborators were: gathering of evidence on criminal acts perpetrated by the occupiers and their

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collaborators in the territory of the city of Zagreb, as stipulated in Articles 3, 4, 5, 6, 10, 11 and 13 of the Act on Crimes Against the People and State and Investigation of Crimes, for which the gathered materials were forwarded to the Croatian Land Commission for the Investigation of War Crimes of the Occupiers and Their Collaborators. In this sense, the Commission for Investigation of War Crimes of the Occupiers and Their Collaborators, as an investigative body, was obliged to conduct all necessary hearings and, if necessary, on-site inspections.<sup>1</sup> Studies on mass crimes had to be compiled, and crimes had to be classified based on individual categories (Serbs, Jews, reprisals, summary military tribunals courts, courts martial, etc.). A final task was the issuing of certificates pursuant to Article 53 of the State Registries Act.

In its work, the Commission for the Investigation of War Crimes of the Occupiers and Their Collaborators depended on the assistance of citizens, who, according to one proclamation, were expected to cooperate with it: "It is the duty of each citizen to report to the Commission for the Investigation of War Crimes of the Occupiers and Their Collaborators in Crime and Criminals".<sup>2</sup> More rapid and higher quality data gathering had to be organized, as stated frequently, "from house to house" with the aid of literate youths or members of the Antifascist Women's Front (AFŽ).<sup>3</sup> Criticism was also levelled at the people's authorities, who "are accessing the archives left behind by the enemies and their collaborators with insufficient understanding". The archives of enemy organizations and institutions were destroyed without inspection, even though according to some claims they contained data vital to the Commission's work.<sup>4</sup> "Since our army was not cautioned earlier, it destroyed or discarded all of the printed and written materials found in buildings (from that little that the enemy left behind), so that we were only able to find very meagre data". Therefore, the Commission for the Investigation of War Crimes of the Occupiers and Their Collaborators turned to the local Command with the request that it order all units accommodated in such buildings, "to place all written or printed materials that they found under watch, and to notify the local Command thereof".<sup>5</sup>

<sup>1</sup> *Zemaljsko antifašističko vijeće narodnog oslobođenja Hrvatske. Zbornik dokumenata 1944./III* (as of 10 May to 31 December) (Zagreb, 1975), p. 266.

<sup>2</sup> Croatian State Archives (hereinafter: HDA), Zagreb, fund 306 – Territorial Commission for the Investigation of War Crimes of the Occupiers and Their Collaborators (*Zemaljska komisija za utvrđivanje zločina okupatora i njihovih pomagača*; hereinafter: ZKRZ) Main Registration Record (Glavni urudžbeni zapisnik; hereinafter: GUZ), box 1, Parole.

<sup>3</sup> HDA, fund 306 – ZKRZ Enemy assets (*Neprijateljska imovina*; hereinafter: NI), box 659, no. 2364, 11 July 1945.

<sup>4</sup> HDA, fund 306 – ZKRZ Central City Commission (*Centralna gradska komisija*; hereinafter: CGK), box 719, no. 1984/45, 15 June 1945.

<sup>5</sup> HDA, fund 306 – ZKRZ CGK, box 711, no. 18/45, 30 May 1945. The Zagreb City Command sent a letter to the Central Commission, in which it stated that this letter was forwarded to all of its subordinate units. See: HDA, fund 306 – ZKRZ CGK, box 711., no. 59/45, 4 June 1945.

Some of these tasks were certainly also performed by the People's Protection Department (OZN) as one of the vital components of the investigative apparatus in wartime and post-war Yugoslavia. Thus, for example, during September and October 1944, the OZN IV for the Zagreb District entered 447 persons in the card file who were numbered from 1,296 to 1,743, while the records of the investigative materials had 59 numbers.<sup>6</sup> Already in February 1945, the list for Zagreb and its environs grew to 3,341, while the investigative materials numbered 104 cases.<sup>7</sup> Over the next month the District's card files had 4,800 new criminals registered, and its completion soon after was announced.<sup>8</sup>

Also interesting were the so-called "Black Books" which contained lists of persons who had to be liquidated, while the assets were to be seized. Their importance was already noted in May 1944, when the District Committee of the Croatian Communist Party (KPH) for Makarska noted that "all war criminals would receive their deserved penalty for the crimes they committed against our people. 'Black Books' must be made [...]. The precise day on which the crime was committed, who perpetrated it and where must be indicated. The descriptions of the occupiers' crimes must indicate the military unit to which the criminal belonged, so that he may be sought after the end of the war, so that no criminal will remain unpunished."<sup>9</sup> Two months later, the Municipal Committee of Gradac (Makarska) submitted a list of 99 persons, but also sought instructions pertaining to the further compilation of the "Black Book", i.e., whether to specify in it "all clerks serving in the NDH apparatus up to the present day, and whether to also include those who served but are now in the NOV [People's Liberation Army]"<sup>10</sup>

According to the aforementioned, it is apparent that the investigative bodies of the new authorities took the task entrusted to them quite seriously. It is likely that the Commission for the Investigation of War Crimes of the Occupiers and Their Collaborators already had some of these data at its disposal at the very beginning of its work. How valuable these data were, given the tasks which the State Commission for the Investigation of Crimes of the Occupiers and Their Collaborators forwarded to the territorial commissions and their subordinate units is difficult to say. What certainly is a fact is that these were all-encompassing matters that required a great deal of time, particularly if one takes into account the new assignments placed before the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators and the chronological circumstances that accompanied them.

<sup>6</sup> Vladimir Geiger et al., ed., *Partizanska i komunistička represija i zločini u Hrvatskoj 1944.-1946. Dokumenti. Zagreb i središnja Hrvatska* (Zagreb – Slavonski Brod, 2008), p. 123.

<sup>7</sup> *Ibid.*, p. 205.

<sup>8</sup> *Ibid.*, p. 241.-242.

<sup>9</sup> Mate Rupić et al., ed., *Partizanska i komunistička represija i zločini u Hrvatskoj 1944.-1946. Dokumenti. Dalmacija* (Zagreb-Slavonski Brod, 2011), p. 95, 117-118.

<sup>10</sup> *Ibid.*, p. 119-120.

According to a circular released on 23 July 1945, the State Commission for the Investigation of Crimes of the Occupiers and Their Collaborators, given the possibility that the Peace Conference in Paris would soon be convened (upon which the entire work of the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators was also contingent), sent a request for the urgent gathering of statistics on crimes committed in Yugoslavia. According to instructions, the number of victims had to be classified by location, while the types of crimes according to different categories, and the perpetrators of crimes according to nationality.<sup>11</sup> Thus, the gathering of data in the field was urgently initiated, while the delegates “must take the lead in work [...] each delegate must constantly be in the field, touring villages [...] collecting reports [...] It is the duty of delegates to [...] inspect all fascist archives.”<sup>12</sup> However, it would appear that these activists did not take the task entrusted to them seriously enough and help the commission’s work. Despite the public proclamation that perpetrated crimes had to be punished, too many criminals were still free, particularly in the villages, where “not one activist has yet submitted a report to the commission”. They had to be given to their “deserved penalty” and this was primarily a task of the activists, “for when we clean these pro-fascist elements from the people, then we will no longer have anyone to agitating among them and the people will support our authority because they will be convinced that our authorities are taking care of them”.<sup>13</sup>

The State Commission for the Investigation of Crimes of the Occupiers and Their Collaborators set a one-month deadline for the gathering of statistics, while in the forwarded letter to the district and city commissions a period of 20 days was specified.<sup>14</sup> After roughly a month, after which another rush order was released in the meantime, the work had not moved past its initial phase, and the gathered data were still incomplete. “The data on the number of slain victims are particularly deficient, for in reality they far surpass the number specified in the reports from the District Commissions”.<sup>15</sup> In order to eliminate these operational shortcomings, on 12 September 1945 a conference of all heads of district commissions for the investigation of crimes of the occupiers and their collaborators was convened, at which they had to present the summary reports on completed work. The same shortcomings were ascertained in the areas covered by other territorial commissions the investigation of crimes of the occupiers and their collaborators, so at a conference of all territorial commissions (24-26 May 1946) held in Belgrade, it was decided that

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<sup>11</sup> HDA, fund 306 – ZKRZ NI, box 659, no. 1751/45, 8 July 1945.

<sup>12</sup> HDA, fund 306 – ZKRZ District Commission (*Okružna komisija*; hereinafter: OK), box 701, no. 669/45., 24 September 1945.

<sup>13</sup> HDA, fund 306 – ZKRZ OK, box 700, 59/1945., 14 July 1945.

<sup>14</sup> HDA, fund 306 – ZKRZ CGK, box 711, no. 2624/45., 23 July 1945.

<sup>15</sup> HDA, fund 306 – ZKRZ NI, box 659, no number, 1 July 1946.

already gathered data were to be re-collected and re-examined.<sup>16</sup> It was decided that one person would be selected in each District Commission for the Investigation of Crimes of the Occupiers and Their Collaborator who would tour all district, city and municipal commissions for the investigation of crimes of the occupiers and their collaborators and instruct them on further work.<sup>17</sup> Responding to the same circular, a letter to the City People's Liberation Committee was also forwarded by the head of the Central City Commission for the Investigation of Crimes of the Occupiers and Their Collaborators, Dragan Kastl. According to him, the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators, through its street-level committees, had already gathered the relevant statistical data, but "as a result of insufficient or deficient organization in operations, this assignment was done in slipshod fashion. [...] Data on the number of slain victims are particularly deficient, for in reality they far surpass the number cited in the reports sent over to us at one point by the street-level committees." Since the State Commission for the Investigation of Crimes of the Occupiers and Their Collaborators ordered a renewed audit of the data, Milan Polak, a member of the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators sought the assistance and support of the City People's Committee, more precisely its secretary Mika Špiljak, in the coordination of further work.<sup>18</sup> A meeting was already held the next day, so the City Commission for the Investigation of Crimes of the Occupiers and Their Collaborators sent the City People's Committee 200 forms, with the note that this task would be effectively fulfilled only if "ongoing daily contact is established between our Commission and individual regions."<sup>19</sup> What these statements clearly indicate is that communication between individual institutions was not entirely functional, which prevented comprehensive and satisfactory performance of assigned tasks. However, there are also protests from activists, in which they characterize such expectations as unjustified and point out that their work is above all voluntary.<sup>20</sup> It is apparent that matters did not proceed smoothly and that the planned task could not be completed within a month, particularly since regular communication with the central office was difficult, requiring urging on this issue.

In further efforts, an assigned member was charged with touring each village in which there was a local People's Committee and contacting its members. The greatest difficulty was "going from place to place in the field. The field

<sup>16</sup> HDA, fund 306 – ZKRZ NI, box 659, no number, 1 July 1946. See also: *Zemaljska komisija Hrvatske za utvrđivanje zločina okupatora i njihovih pomagača. Zločini u logoru Jasenovac (fototipsko izdanje) / Croatian State Commission for Establishing Crimes of Occupying Forces and their Assistants. Crimes in the Jasenovac Camp* (Banja Luka, 2000), p. XVII-XVIII.

<sup>17</sup> HDA, fund 306 – ZKRZ NI, box 659, no number, 1 July 1946.

<sup>18</sup> HDA, fund 306 – ZKRZ CGK, box 715, no. 1467/46., 9 July 1946.

<sup>19</sup> HDA, fund 306 – ZKRZ CGK, box 715, no. 1467/46., 11 July 1946.

<sup>20</sup> HDA, fund 306 – ZKRZ CGK, box 712, no. 1252, 9 September 1945.

is rather extensive, and often the search for local People's Committees, or certain members [...] takes too much time. [...] [T]he effort and time spent are certainly not reflected in the results." As a result, it was concluded that the quality of work was not satisfactory in this manner and it was "impossible to ascertain when the list will be finished [...]."<sup>21</sup>

A document from the Montenegrin Territorial Commission for the Investigation of Crimes of the Occupiers and Their Collaborators testifies to this same problem: "Over time, the number of officials has grown to only 10 persons, of whom four were typists. This was during the highest volume of work, in the second half of 1945. [...] The success of this Commission is thus all the greater because materials were gathered in trackless areas and in war-torn Montenegrin villages."<sup>22</sup>

Special assistance was also provided to the Bosnia-Herzegovina Commission for the Investigation of Crimes of the Occupiers and Their Collaborators, which was also lagging in its work, mostly due to the enormity of the task and the shortage of qualified staff.<sup>23</sup>

Such complaints obviously made their way up to the federal level, so the State Commission for the Investigation of Crimes of the Occupiers and Their Collaborators had to be aware of these ongoing problems. However, no significant progress was effected. The assistance offered (in the sense of coordinating work) was not even close to sufficient, so despite all efforts, the task remained incomplete, since correspondence from early 1947 still contains complaints over the failure to deliver the rest of the list of "victims of fascism". Further, there is a demand that without "further delay you assume the task and urgently, within a period not to exceed 8 days, send the relevant lists, for we shall otherwise be compelled to notify the relevant authorities thereof."<sup>24</sup> The sought-after remaining lists were not found, so it is possible – and quite likely – that this task was never fully completed. However, given its enormity and the time involved, this task was virtually impossible from the very start.

According to the assignments specified by the State Commission for the Investigation of Crimes of the Occupiers and Their Collaborators, systematic crimes had to be processed and classified into categories. One of them pertains to "reprisals" perpetrated during the time of the Independent State of Croatia (NDH) which were processed together.<sup>25</sup> All cases were based on the Legal

<sup>21</sup> HDA, fund 306 – ZKRZ CGK, box 715, no. 1937 and 1704/46, 5 August 1946.

<sup>22</sup> Archives of Yugoslavia (hereinafter: AJ), Belgrade, fund 110 – State Commission for the Investigation of War Crimes of the Occupiers and Their Collaborators (hereinafter: DK), box 1-1, Report of Dr. Nedeljković on the work of the State Commission, p. 13.

<sup>23</sup> AJ, fund. 110 – DK, box 1., 1-63.

<sup>24</sup> HDA, fund 306 – ZKRZ CGK, box 718, no. 48/47., 13 January 1947.

<sup>25</sup> HDA, fund 306 – ZKRZ Zh, box 296, no. 17227-17302.; HDA, fund 306 – ZKRZ CGK, box 729, no. 547., Study on crimes - reprisals.

Decree on protective measures due to acts of sabotage against public order and safety of 30 October 1943 (no. CCXXXIII – 2728 – D. V. – 1943), which, as often mentioned, was issued so that “the mass killing of our people could be concealed in any form”.<sup>26</sup> The common motive of them all was also to retaliate against completed Partisan military campaigns.<sup>27</sup> A special task was also the mass killings organized in Zagreb and its environs (Rakov Potok and Maksimir). A particular issue was the persecution of Serbs and Jews. Additionally, the activities of the Mobile Courts Martial (PPS) and the Public Order and Safety Directorate (RAVSIGUR), later the Supreme Public Order and Safety Directorate (GRAVSIGUR), were examined in great detail.<sup>28</sup>

In its Instructions, it is stressed that the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators “must proceed quickly, moving aside all formalities and delays or postponements”.<sup>29</sup> Additionally, according to a circular from the State Commission for the Investigation of Crimes of the Occupiers and Their Collaborators, on the matter of crimes it

<sup>26</sup> The system of reprisals was also legalized by the Legal Decree on Procedures Pursuant to Communist Attacks When No Perpetrator is Found, of 2 October 1941. In such cases, this provision stipulated that the relevant agencies had to “determine and execute for each slain individual the shooting of ten persons from among the ranks of communist leaders as determined by the police authorities”. These provisions were adopted after most of the reprisals were actually carried out. This primarily pertained to the shooting of hostages, which became increasingly frequent, beginning in July 1941. An example which may be cited is the case in which a group of communist youth activist attacked a parade march of Ustasha university students in Zagreb, for which 185 hostages, “Jews and communists”, were shot. See: Nikolina SRPAK, “Kazneno pravo u doba Nezavisne Države Hrvatske (1941. – 1945.)”, *Hrvatski ljetopis za pravo i praksu*, vol. 13/2006, no. 2., p. 1129.; *Hrvatski narod* (Zagreb), year III., 5 and 7 August 1941. Thus it is obvious that these Legal Decrees had only declarative significance. See: Ivo Goldstein, *Hrvatska 1918. – 2008.* (Zagreb, 2008), p. 267.-268.

<sup>27</sup> Ljubomir Bošnjak, “Diverzije i sabotaže na području sjeverozapadne Hrvatske 1941 – 1945.”, *Sjeverozapadna Hrvatska u NOB-u i socijalističkoj revoluciji*, Ljubo Boban et al., ed. (Varaždin, 1976), p. 194.-210.; Ivan Šibl, *Iz ilegalnog Zagreba 1941.* (Zagreb, 1965).

<sup>28</sup> The Public Order and Safety Directorate (RAVSIGUR) was established as part of the NDH Internal Affairs Ministry, functioning as a special department in that Ministry. It was conceived as a standard policing institution of the NDH and it was charged with supreme oversight of the work of all police jurisdictions and agencies. At the same time the Ustasha Supervisory Agency (UNS), modelled after the German Gestapo, was established, becoming the Ustasha regime’s special police. Ante Pavelić appointed Eugen Dido Kvaternik to head the RAVSIGUR and UNS, which consolidated the work of the entire police system. After his dismissal, the UNS became increasingly weaker. In early 1943, the RAVSIGUR expanded its operations to include those under the jurisdiction of the UNS, and its name was changed to Supreme Public Order and Safety Directorate (GRAVSIGUR). See: Leopold Kobsa, “O organizaciji ustaškog aparata vlasti za provođenje terora u tzv. NDH”, *Zagreb u NOB-i i socijalističkoj revoluciji* (Zagreb, 1971), pp. 241-242; Davor Kovačić, *Redarstveno – obavještajni sustav Nezavisne Države Hrvatske od 1941. – 1945. godine* (Zagreb, 2009).

<sup>29</sup> *Zemaljsko antifašističko vijeće narodnog oslobođenja Hrvatske. Zbornik dokumenata 1944./III*, p. 266.

was necessary to cite the primary crimes, meaning intellectual initiators, those who gave orders and the most active perpetrators of crimes. Probably as a result of this immense task and the need for the greatest possible expeditiousness in its completion, in almost all “major” cases, including the resolution of reprisal cases, a letter from the Territorial Commission for the Investigation of Crimes of the Occupiers and Their Collaborators of 7 November indicates that it will “specify Ante Pavelić as the main criminal, and the remaining actors as accomplices”.<sup>30</sup> The same instruction was repeated on several occasions, so it was formulated thusly: “As to criminals, and this will be for all crimes, Ante Pavelić jointly with the min[ister] of internal affairs, the director of public order and safety, etc.”<sup>31</sup> Pursuant to these notations, in all such documents, Ante Pavelić is almost formulaically specified as the main criminal who issued the aforementioned Legal Decree and that he is guilty under Article 13 of the Court Martial Decree, as he “organized, ordered and intellectually fathered the mass killings”.<sup>32</sup> Because he issued the Legal Decrees whereby, as alleged, a large part of the Serbs in the NDH lost their lives and property, Ante Pavelić was cited as the primary accountable individual. In the qualification of his crimes, he was described as the progenitor and “organizer of systematic terror and plunder against the Serbian population. The forced expulsion of the Serbs and their internment. Seizure of sovereign rights. Inciting the enemy to operate and interfere in the internal affairs of this country”.<sup>33</sup> On the question of crimes committed against Jews, a circular issued by the State Commission for the Investigation of Crimes of the Occupiers and Their Collaborators very similarly states that specific emphasis should be placed on the primary criminals, meaning those who intellectually initiated, ordered and most actively perpetrated crimes, and there was supposed to be a brief description of the stance and collaboration of individual organizations which actively participated in crimes against Jews. Additionally, the “main domestic collaborators in the looting of Jewish property” had to be specifically cited.<sup>34</sup> Thus, Ante Pavelić was named as the primary criminal for mass and individual forced removals, as he formulated the overall anti-Jewish policy, also initiated by the issuing of the Legal Decrees targeting Jews.<sup>35</sup> The foundation for the entire legal system

<sup>30</sup> HDA, fund 306 – ZKRZ Zh, box 296, no. 3584., 7 November 1945.

<sup>31</sup> HDA, fund 306 – ZKRZ CGK, box 713, no. 2349, 20 November 1945.

<sup>32</sup> HDA, fund 306 – ZKRZ Zh, box 276, no number; HDA, fund 306 – ZKRZ Zh, box 276, CGK no. 253/2; HDA, fund 306 – ZKRZ Zh, box 276, no. 15169-15182.; HDA, fund 306 – ZKRZ CGK, box 723, no. 252.

<sup>33</sup> HDA, fund 306 – ZKRZ Zh, box 485, no. 7555/46.; HDA, fund 306 – ZKRZ CGK, box 734, CGK no. 618/88.

<sup>34</sup> HDA, fund 306 – ZKRZ GUZ, box 10, no. 2056/45, 27 July 1945.

<sup>35</sup> HDA, fund 306 – ZKRZ CGK, box 714, no. 3232, 18 December 1945. On the accountability for what was perpetrated see: Ivo Goldstein, Slavko Goldstein, *Holokaust u Zagrebu* (Zagreb, 2001), p. 579-595.



was the Legal Decree on the Defence of the People and State of 17 April 1941.<sup>36</sup> The system was further supplemented by: the Legal Decree on Racial Affiliation, the Legal Decree on Protection of the Arayan Blood and Honour of the Croatian Nation (30 April 1941) and the Legal Decree on the Protection of the People and Arayan Culture of the Croatian Nation (4 June). These provisions were followed by an entire series of other laws, according to which Jews had to be registered, i.e., they had to be reported to a special station of Ustasha Security, charged with supervision of the Jews.<sup>37</sup> They were given special insignia (the star of David, the letter Ž – for *Židov*, the Croatian word for Jew) and it was decreed that they could only shop in Jewish stores.<sup>38</sup> At the beginning of June, the Legal Decree on Prevention of Concealment of Jewish Assets and the Legal Decree on Nationalization of Assets of Jews and Jewish Enterprises were also passed, and these were intended to establish complete control over Jewish assets.<sup>39</sup> As noted in the Commission's conclusion: "In a word, everything was done to eliminate Jews from all vocations and occupations and isolate them from the rest of society."<sup>40</sup>

Ante Pavelić was described as the individual who bore primary accountability for the crimes perpetrated by the GRAVSIGUR.<sup>41</sup> The explanation for this asserted that the intellectual initiators bore the primary responsibility even though they did not participate in the Directorate's specific operations and work. Particular attention in the work of the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators was accorded to the activity of the Mobile Courts Martial (*Pokretni prijeki sudovi* – PPS). Even though the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators, as stated in the documents, often could not ascertain the composition of the PPS in individual cases<sup>42</sup> so based on a similar analogy, the list of criminals was also compiled, which in this case was truly lengthy. Following the principle outlined in previous cases, Ante Pavelić was designated as bearing primary accountability, but the Commission for the Investigation of Crimes of the Occupiers and

<sup>36</sup> *Zakoni, zakonske odredbe, naredbe NDH I* (Zagreb, 1941), p. 15; Fikreta Jelić-Butić, *Ustaše i Nezavisna Država Hrvatske 1941. – 1945.* (Zagreb, 1978), pp. 159-160.

<sup>37</sup> *Hrvatski narod* (Zagreb), year III, no. 88, 11 May 1941, p. 5. According to a statement by Božidar Cerovski this station was in Bogovićeve street no. 7, and it was headed by Ivica Baraković.

<sup>38</sup> *Hrvatski narod* (Zagreb), year III, no. 113, 7 June 1941, p. 2. According to the newspaper *Novi list* of 30 May 1941, 8,860 Jews are wearing Jewish insignia.

<sup>39</sup> *Hrvatski narod* (Zagreb), year III, no. 112, 6 June 1941, p. 14.; *Narodne novine* (Zagreb), year CV, no. 149, 10 October 1941, p. 2.; *Hrvatski narod* (Zagreb), year IV, no. 570., 1 November 1942, p. 6.

<sup>40</sup> HDA, fund 306 – ZKRZ CGK, box 714, no. 3232, 18 December 1945. The German press, although it approved and praised these measures, added the hope that new decrees would follow which would settle the Jewish question.

<sup>41</sup> HDA, fund 306 – ZKRZ Zh, box 557, no. 45227, 620/1075. The same decision with the same signature can also be found in box 741.

<sup>42</sup> HDA, fund 306 – ZKRZ Zh, box 290, no. 16744.

Their Collaborators did not name him as the primary criminal “because this is understood in and of itself”.<sup>43</sup> This latter aspect was somewhat expected and justified, so this overall approach in determining the accountable parties was not overly surprising, particularly since the senior leadership of the NDH did indeed formulate overall policy and make decisions, so it also bore the corresponding accountability. However, it is noteworthy that not one case, even when individual decisions were considered, included specific evidence against Pavelić related to a perpetrated act, rather it was noted that the perpetrator of a given act was not known, so Pavelić was mentioned as the most prominent individual due to his status and significance. Thus, for example, one of the testimonies on mass crimes against the Serbs contains this statement: “I have no information on those Ustasha who removed him from the train station and took him to the camp. [...] For this physical abuse of my son, which contributed to the worsening of his illness and probably led to his death, I blame Ante Pavelić as the initiator and person who ordered the extermination of the Serbian population, and the bodies and individuals subordinate to him”.<sup>44</sup>

There is some question as to whether the data obtained from other territorial commissions for the investigation of crimes of the occupiers and their collaborators were even additionally verified and compared to those gathered in Croatia's territory, for one of the subsequently received resolutions contains this statement: “Since there are many decisions against Pavelić for the grave crimes of mass slaughter and executions of Serbs, attach this file to the single ‘decision’ for Pavelić”.<sup>45</sup> One of the final supplements to this case arrived in mid-April 1947, containing the order that the documents be added to the existing file, for in the case of certain ‘persons’ who are mentioned but who were not earlier processed as criminal, “there are insufficient grounds for new decisions”.<sup>46</sup> Pursuant to the above, it should come as no surprise that on 8 July 1945 the news was released that the State Commission for the Investigation of Crimes of the Occupiers and Their Collaborators, through the Presidency of the Ministerial Council, sought the extradition of the war criminal Ante Pavelić. Among many other things, it was noted that he, as a collaborator with the Italians and Germans, aided the fall of the Yugoslav army and introduced a Quisling regime in Croatia and Bosnia-Herzegovina in April 1941.<sup>47</sup>

<sup>43</sup> HDA, fund 306 – ZKRZ Zh, box 290, no. 16734-16743; 16744-16749; HDA, fund 306 – ZKRZ Zh, box 523, no. 42227.; HDA, fund 306 – ZKRZ CGK, box 729, no. 612.

<sup>44</sup> HDA, fund 306 – ZKRZ Zh, box 280, no. 15697, 24 August 1945; HDA, fund 306 – ZKRZ CGK, box 724, no. 344., 24 August 1945.

<sup>45</sup> HDA, fund 306 – ZKRZ Zh, box 296, no. 7623/46, 27 August 1946.

<sup>46</sup> HDA, fund 306 – ZKRZ Zh, box 486, no. 312/47, 14 April 1947.; HDA, fund 306 – ZKRZ CGK, box 734, no. 312/47, 14 April 1947.

<sup>47</sup> “Od saveznika je zatraženo izručenje ratnog zločinca Pavelića”, *Vjesnik* (Zagreb), year V, no. 68., 8 July 1945, p. 2.; “Zločinac Ante Pavelić treba da bude neodložno izručen našim vlastima”, *Vjesnik* (Zagreb), year VI, no. 311, 25 April 1946, p. 1.; “Kažnjavanje Draže Mihailovića i neodložno izručenje Ante Pavelića”, *Vjesnik* (Zagreb), year VI, no. 345, 6 June 1946, p. 4.

Loyalty to the *Poglavnik* ('Leader', i.e. Pavelić), was deemed particularly incriminating, so the list of war criminals/accomplices was generally filled with ministers in the NDH Government in charge of specific portfolios. However, it is important to note that since the primary criminal had already been determined in advance, the list of accomplices was rather broad and encompassed almost everyone who, by virtue of his/her status, could be included in any conceivable case. Among them, the name Andrija Artuković, the NDH internal affairs minister, was quite often notable. His work was almost always presented as collaborative with a high degree of accountability. Thus, Artuković was considered responsible in cases dealing with reprisals because, as stated, he was responsible for issuing the aforementioned legal decrees whereby reprisals were performed (justified).<sup>48</sup> The same case applied to crimes perpetrated against Serbs and Jews, wherein Artuković, as minister, implemented the policies stipulated by the legal decrees based exclusively on the racial and ethnic principles.<sup>49</sup> This principle, according to Artuković himself, implied that the NDH Government would "settle the Jewish question in the same way that it was settled by the German government."<sup>50</sup> In descriptions of the RAVSIGUR's work, it was also asserted that Artuković was one of the persons who played "an active part in persecution", i.e., he was among those who were characterized as "direct perpetrators in specific cases".<sup>51</sup> It is interesting that the summary report tied to the RAVSIGUR's operations contains the conclusion that "it was not possible to ascertain, neither then nor now, the identity of all executive organs, nor was it possible to ascertain on whose command an individual victim was arrested, where such individual was taken to prison and his/her fate". This conclusion resulted from the fact that the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators was given "a relatively small number of reports [...]" on this specific case, but this led to application of the already well-known system of analogies which was omnipresent in the Commission's work.<sup>52</sup>

Pavelić appointed Eugen Dido Kvaternik the director in charge of public order and safety, both in Zagreb and throughout the NDH, and he remained at this post until roughly the end of October 1942.<sup>53</sup> In this regard, he was most

<sup>48</sup> HDA, fund 306 – ZKRZ CGK, box 729, no. 547, Study on crimes – reprisals.

<sup>49</sup> HDA, fund 306 – ZKRZ GUZ, box 15, no. 2235/30., pp. 3733-3734; F. Jelić-Butić, *Ustaše i Nezavisna Država Hrvatske 1941. – 1945.*, p. 158.

<sup>50</sup> I. Goldstein, S. Goldstein, *Holokaust u Zagrebu*, p. 109. Cf. Mirko Peršen, *Ustaški logori* (Zagreb, 1990), p. 34.

<sup>51</sup> HDA, fund 306 – ZKRZ Zh, box 526, no. 42382., 619/374.

<sup>52</sup> HDA, fund 306 – ZKRZ Zh, box 523, no. 42227., 42324.

<sup>53</sup> Ante Pavelić dismissed him from his duties on 13 October 1942. Kvaternik remained in Zagreb until February 1943, when he moved to Slovakia with his family. During September 1944 he went to Austria, where he remained until May 1945, and afterward he spent the next two years in Italy. In June 1947 he departed for Argentina, where he remained until his death. See:

often cited as the principal criminal in these cases, whether it was a matter of cases in which he personally conducted arrests and interrogations or this was done by subordinate agencies acting on his orders.<sup>54</sup> According to some interpretations, he was at the top of the chain of command that made decisions on killings, and he was also a member of the closest circle of people surrounding Pavelić.<sup>55</sup> Since the cases of mass killings (particularly the crimes in the Maksimir forest) involved numerous liquidations done over an extended period and that in most cases there were only vague statements as to the responsibility for the perpetrated crimes, most often Kvaternik's accountability was specified as unquestioned, for it was stated that as the director general of the GRAVSIGUR he organized mass persecution and killings.<sup>56</sup> In this task, the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators accomplished a great deal and "caught" the most important culprits, each of whom, by virtue of their posts, participated in the perpetration of these crimes. In this regard, on 27 November 1945 a decision was compiled which included a proposal to initiate criminal prosecution against Eugen Dido Kvaternik and accomplices for the shootings carried out in Maksimir, and on 13 March 1946 it was forwarded to the Public Prosecutor for the city of Zagreb.<sup>57</sup> The name Eugen Dido Kvaternik, as a co-perpetrator, was also mentioned in cases involving crimes against Serbs. His involvement pertained to the receiving and implementation of orders, often at his own initiative. At the first level of accountability, as the director general of the Supreme Public Order and Safety Directorate, Kvaternik "issued directives for the removal of Jews and managed these criminal activities."<sup>58</sup> In all cases, his accountability was interpreted through his role and importance in the GRAVSIGUR. Although his name specifically was rarely mentioned in reports or testimonies, it is certain that his accountability was immense. However, it is important to note that in this case as well, his close personal relationship with Pavelić was underscored as exceptionally incriminating.

According to a report from a Commission envoy compiled on the basis of data gathered "in the field", it follows that upon perpetration of mass crimes "Ustasha officers" first came to the scene of the killing and conducted "judgment and justification" next to the open pits for the bodies. The killing methods were diverse, which was reflected in the field tours: "Scattered brain tissue, bones from the skull and tufts of hair were found at the site". The conclusion reads: "These crimes were committed by Ustasha. All that could be approxi-

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Marko Grčić, ed., *Tko je tko u NDH. Hrvatska 1941. – 1945.* (Zagreb, 1997), pp. 224-225. On Eugen D. Kvaternik as director see: D. Kovačić, *Redarstveno – obavještajni sustav Nezavisne Države Hrvatske od 1941. – 1945. godine.*, pp. 71-88.

<sup>54</sup> HDA, fund 306 – ZKRZ Zh, box 524, no. 42326.

<sup>55</sup> I. Goldstein, *Hrvatska 1918 – 2008.*, pp. 213-214, 236.

<sup>56</sup> HDA, fund 306 – ZKRZ CGK, box 728, no. 834., CGK no. 534/42, 11 September 1945.

<sup>57</sup> HDA, fund 306 – ZKRZ Zh, box 296, no. 394/1946, 13 March 1946.

<sup>58</sup> HDA, fund 306 – ZKRZ GUZ, box 15, no. 2235/30, pp. 3733-3734.

mately ascertained is that they were mostly Ustasha from the UNS in Zagreb. Furthermore, the Ustasha rail battalion [...] The remaining Ustasha formations as perpetrators of these crimes could not be ascertained.” However, the principal offender designated in this case was Mirko Puk, the minister of justice and religion at the time, who, “as defender of justice should have been called upon first and foremost to protect and safeguard the lives and other moral and physical goods of citizens, but instead he was the first to trample on these things, and he was the protector of all crimes”,<sup>59</sup> Mirko Puk, as minister, co-signed the aforementioned legal decrees upon which the policy against the Serbs is based, thereby “identifying himself with Pavelić’s policy of persecuting Serbs”.<sup>60</sup> His role was similar with reference to the formulation of anti-Jewish policies in the NDH, so already at the end of April 1941, Justice Minister Mirko Puk stated that “the foundation for a law on Jews” was being prepared.<sup>61</sup> This included Jewish-owned property, so Puk, as one of the signatories of the legal decree that nationalized the assets of Jews and Jewish-owned enterprises, was deemed the principal offender in this regard. In the description of the crime, he is described as: “initiating and ordering the plunder of the assets of Jews, initiating and ordering mass removals to camps, a high functionary of the terrorist apparatus”.<sup>62</sup> His portfolio also included the functioning of the Extraordinary Tribunals and the PPS, so in this regard, Puk, as the relevant minister, was also accountable as the organizer of these courts, who enforced the enacted legal decrees.<sup>63</sup>

The names Mladen Lorković (foreign affairs minister), Ante Nikšić and Mato Frković, who implemented policies as dictated by legal decrees, were cited along these same lines. This applied in particular to the case of mass crimes against Serbs. Lorković in particular was singled out with regard to the deportation of Serbs from the NDH.<sup>64</sup> The plan for the mass expulsion of Serbs was confirmed in an agreement between the Third Reich and the NDH,

<sup>59</sup> HDA, fund 306 – ZKRZ Zh, box 407, no. 1776/46, 31729-31768.

<sup>60</sup> HDA, fund 306 – ZKRZ Zh, box 485, no. 7555/46.; HDA, fund 306 – ZKRZ CGK, box 734, CGK no. 618/88.

<sup>61</sup> *Hrvatski narod* (Zagreb), year III., no. 71, 24 April 1941, p. 7.

<sup>62</sup> HDA, fund 306 – ZKRZ GUZ, box 115, no. 5281/46.

<sup>63</sup> HDA, fund 306 – ZKRZ Zh, box 290, no. 16734-16743; 16744-16749; HDA, fund 306 – ZKRZ Zh, box 523, no. 42227; HDA, fund 306 – ZKRZ CGK, box 729, no. 612.

<sup>64</sup> “Nijemci su otjerali stotine hiljada Srba i Slovenaca s njihovih ognjišta. Saopćenje Državne komisije za utvrđivanje zločina okupatora i njihovih pomagača”, *Vjesnik* (Zagreb), year V, no. 209, 21 December 1945, 3. Cf. Andrija Ljubomir Lisac, “Deportacije Srba iz Hrvatske 1941.”, *Historijski zbornik IX* (1956), no. 1-4: 125-145.; Slobodan D. Milošević, *Izbeglice i preseljenici na teritoriji okupirane Jugoslavije 1941–1945. godine* (Belgrade, 1981); Ivo Goldstein, “Iseljavanje Srba i useljavanje Slovenaca u Nezavisnoj Državi Hrvatskoj 1941. godine”, *Med Srednjo Evropo in Sredozemljem. Vojetov zbornik*, Sašo Jerše, ed., (Ljubljana, 2006), p. 595-605; Marica Karakaš Obradov, “Migracije srpskog stanovništva na području Nezavisne Države Hrvatske tijekom 1941. godine”, *Časopis za suvremenu povijest* 43 (2011), no. 3: 801-826.

concluded in the German embassy in Zagreb on 4 June 1941.<sup>65</sup> The signed agreement stipulated that “a population exchange must be conducted from 4 July and to 31 October”.<sup>66</sup> The aforementioned three were also mentioned on a rather long list of co-participants in a case dealing with the RAVSIGUR’s activities. In this case, all three were described as persons who “took an active part in the programs. These are direct perpetrators in specific cases.”<sup>67</sup> However, in a similar explanation for the same case, something quite different is stated: “The direct perpetrators of the crimes committed in this manner cannot be ascertained, but for all such acts committed by police organs [...] he also bears accountability with the others as an organizer and command authority.”<sup>68</sup> Nikšić was called to accountability with regard to the seizure of Jewish-owned assets.<sup>69</sup> Frković was also mentioned as a co-perpetrator in cases of mass crimes against Serbs and in the analysis of RAVSIGUR’s activities and its authority.<sup>70</sup> A letter containing the names of the persons who were ascertained by the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators as participating in crimes against Serbs was forwarded to the Investigations Department of the Public Prosecutor in the city of Zagreb, with the note that the complete files were in the archives of Commission for the Investigation of Crimes of the Occupiers and Their Collaborators, “for the whereabouts of all commanding authorities and direct perpetrators are unknown, as they are in flight”. However, the letter states that insofar as the prosecution initiates criminal proceedings prior to extradition in individual cases (informants were particularly stressed, since it was believed that they would be simpler to locate than those who issued orders), it would submit the portions of files that pertained to these individuals. Placement of the documents in the archives clearly indicated that the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators was aware that most of the commanding authorities would probably never answer for their crimes.

The circle of the “most accountable” persons closed with these names, even though no specific breakdown existed, although the names that followed con-

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<sup>65</sup> S. D. Milošević, *Izbeglice i preseljenici na teritoriji okupirane Jugoslavije 1941–1945. godine*, p. 31–32. The expulsion of Serbs from the territory of NDH was accompanied by the simultaneous expulsion of Slovenes. The Nazis wanted to vacate parts of Slovenian territory so that they could settle it with Germans. Initially the NDH authorities were not pleased with this idea, but later they upheld the task. See also: A. Lj. Lisac, “Deportacije Srba iz Hrvatske 1941.”, p. 126; Rafael Brčić, “O iseljavanju Slovenaca u Bosni 1941. godine”, *Prilozi*, (1973), no. 9/1: 303.; I. Goldstein, “Iseljavanje Srba i useljavanje Slovenaca u Nezavisnoj Državi Hrvatskoj 1941. godine”, pp. 595–596.

<sup>66</sup> S. D. Milošević, *Izbeglice i preseljenici na teritoriji okupirane Jugoslavije 1941–1945. godine*, p. 31–32.

<sup>67</sup> HDA, fund 306 – ZKRZ Zh, box 526, no. 42382, 619/374.

<sup>68</sup> HDA, fund 306 – ZKRZ Zh, box 524, no. 42328.

<sup>69</sup> HDA, fund 306 – ZKRZ GUZ, box 115, no. 5281/46.

<sup>70</sup> HDA, fund 306 – ZKRZ Zh, box 485, no. 7555/46; HDA, fund 306 – ZKRZ CGK, box 734, CGK no. 618/88; HDA, fund 306 – ZKRZ Zh, box 526, no. 42382, 619/374.

sisted of persons from the NDH administrative apparatus who were each one in a series of perpetrators of individual acts characterized as war crimes. In this first place, this pertains to Ljudevit Zimperman,<sup>71</sup> Filip Crvenković,<sup>72</sup> Milutin Jurčić<sup>73</sup> and Erih Lisak,<sup>74</sup> the directors general of the Supreme Public Order and Safety Directorate. These names could be found on almost all lists of accomplices in cases which the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators processed. Zimperman was thus one of the primary co-perpetrators in the implementation of mass crimes, particularly with emphasis on crimes committed in the area of Maksimir.<sup>75</sup> Since Zimperman followed Kvaternik at the top post in RAVSIGUR, it is not surprising that his name was mentioned near the top of the list of those accountable for crimes perpetrated by RAVSIGUR officials. More precisely, the names of these four individuals and their role, according to the interpretation of the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators is best described by the following citation, according to which the

<sup>71</sup> Ljudevit Zimperman, attorney and Ustasha official. After establishment of the NDH he became a departmental chief in the Ministry of Justice and Religion, and in June 1942 he was appointed commissioner in the Chamber of Attorneys. In mid-October of that same year he succeeded Kvaternik as director of the Public Order and Safety Directorate, but at the end of the year he was placed at the disposal of the Justice and Religion Ministry. In early 1943 he was head of the Office of the State Council, and as of the end of March he became a state councillor. See: *Tko je tko u NDH*, p. 431.

<sup>72</sup> Filip Crvenković earned a law degree and a doctorate, and practiced law in Sisak. At the end of 1941 he became administrator of the State Monopolies Directorate in Zagreb. He succeeded Kvaternik as UNS commander. From December 1942 to October 1943, he served as director general of GRAVSIGUR. After this, he was once more named chief administrator of the State Monopolies Directorate. In May 1945 he withdrew to Austria, and thereafter to Argentina. See: *Tko je tko u NDH*, p. 74.

<sup>73</sup> Milutin Jurčić earned a doctorate of laws at the Law School in Zagreb, after which he worked as an intern in Kosovo and as a judge in Samobor. From the establishment of the NDH until November 1942, he participated in combat as an Ustasha captain. From September 1942 to the end of August 1943 he was commander of the Bilogora Ustasha Command Staff in Bjelovar. From October 1943 to the end of August 1944 he was director general of GRAVSIGUR, after which he was arrested as a participant in the Lorković-Vokić putsch. On the night of 10/11 February 1945 he was taken from his home in Samobor, where he was killed by members of the Ustasha Defence. See: *Tko je tko u NDH*, p. 175.

<sup>74</sup> Erih Lisak emigrated to Italy 1933, whence he returned in 1941 with Pavelić, immediately becoming his personal adjutant. During 1941 he held the post of public order and safety commissioner in the Internal Affairs Ministry, organizing the police in individual cities. From August 1942 to October 1943 he was head of the Supervisory Section in the Ustasha Army command. After this he was appointed the Grand Prefect of Gora-Prigorje Grand County. From September to November 1944 he was appointed director general of GRAVSIGUR. Until May 1945 he held the post of state secretary in the Internal Affairs Ministry, and then he retreated to Austria. In September 1945 he stole back into Croatia, where he was arrested ten days later and sentenced to death. See: *Tko je tko u NDH*, p. 234.

<sup>75</sup> HDA, fund 306 – ZKRZ Zh, box 295, no. 17250, CGK no. 534/59c.

conclusion was reached that thanks to them it was “possible to maintain such a system, in which all of these crimes could be committed with impunity”.<sup>76</sup> The overall operations of this agency were described as the “matrix through which all violence was perpetrated, and it set the tone for the notorious police system over which it presided”.<sup>77</sup> Thus, it comes as no surprise that the Zagreb Command’s Court Martial sentenced Zimperman to death on 21 July 1945.<sup>78</sup>

Filip Crvenković, also the director general of the Supreme Directorate (incriminating by virtue of this agency’s overall operations) attended the session held in the Directorate’s premises in Zagreb at the request of Siegfried Kasche at the end of April 1943, at which it was decided that all remaining Jews be arrested and interned (except those deemed the most essential, “honorary” or in mixed marriages),<sup>79</sup> and “in this sense the persecution of the remaining Jews commenced.” During May 1943 they had to be transferred to camps in Germany.<sup>80</sup> According to one interpretation they participated in the decision on the final “cleansing of the Jewish element”, which was being planned in harmony between the Germans and the NDH authorities. These persons, among them Crvenković, were deemed among the persons most accountable for the fate of Zagreb’s Jews who were arrested in May 1943.<sup>81</sup>

The role of Milutin Jurčić, director of the Public Order and Safety Directorate, was particularly underscored in the processing of perpetrated reprisals. According to the gathered testimonies, reprisals were carried out so that the local police submitted a written proposal to the Supreme Public Order and Safety Directorate (GRAVSIGUR). According to testimony, the “reprisal” order was issued by the director of the Supreme Public Order and Safety Directorate, who also determined the extent and manner in which reprisals would be conducted. This decision was made after the proposal and in agreement with the director of the Police District of the city of Zagreb and the chief of the police district’s political section and commander of the police armed forces. “The police district then sent a written proposal with the list of persons, the number of whom was even higher than previously ascertained”. This proposal was delivered to the director “who then selected persons from the list to be subjected to reprisal, and immediately pencilled in a brief order which read, roughly, ‘to be executed’ and his signature.”<sup>82</sup> After this, the political section of the Supreme Directorate would

<sup>76</sup> HDA, fund 306 – ZKRZ Zh, box 557, no. 45227, 620/1057.

<sup>77</sup> HDA, fund 306 – ZKRZ Zh, box 526, no. 42382, 619/374.

<sup>78</sup> *Tko je tko u NDH*, p. 431.

<sup>79</sup> This agreement was not consistently observed as seen from the example: HDA, fund 306 – ZKRZ GUZ, box 10, no. 89.

<sup>80</sup> HDA, fund 306 – ZKRZ GUZ, box 119, no. 5281/46, CKG no. 617/489; I. Goldstein, S. Goldstein, *Holokaust u Zagrebu*, p. 470.

<sup>81</sup> HDA, fund 306 – ZKRZ CGK, box 721, no. 3232, CGK no. 91/4.

<sup>82</sup> HDA, fund 306 – ZKRZ CGK, box 723, no. 252.; I. Goldstein, S. Goldstein, *Holokaust u Zagrebu*, p. 274.



draw up the necessary files and press notices.<sup>83</sup> Therefore, it is clear that according to the gathered data, Jurčić issued the order, after which the proposal was accepted and an agreement was concluded with Josip Vragović, the administrator of the Police District in the city of Zagreb, and Franjo Lucić, the chief of that district's political section, and Joso Rukavina, the commander of the Police Armed Forces. The aforementioned notices were drawn up by Vjekoslav Paver – so that “they have also been made accountable” for the perpetrated crimes.<sup>84</sup> The same level of accountability was transferred, given the function, to the case of mass crimes and crimes against Serbs, and in general where this pertained to the operation of the agency he led.

The case of Josip Vragović was also one of the more prominent, since besides serving as director of the Police District in Zagreb, he also held a post in the GRAVSIGUR. In individual testimonies he was charged for “organizing and ordering individual mass arrests, detainments, torture and killings.”<sup>85</sup> The minutes with Josip Vragović were compiled before a task force of the Central City Commission for the Investigation of Crimes of the Occupiers and Their Collaborators in the Kanal camp (today's Central Bus Station). In the decision it compiled, his last residence was registered as prison, while his “remaining personal data” specify that he was sentenced to death by the People's Court.<sup>86</sup>

Erih Lisak was Pavelić's adjutant, a grand county prefect, and the director of the Supreme Public Order and Safety Directorate in the NDH Internal Affairs Ministry.<sup>87</sup> He signed decisions on reprisals, arrests, removals to camps and fire squad shootings.<sup>88</sup> His accountability on the matter of mass crimes was underscored in particular.<sup>89</sup> In cases of crimes against Serbs, it was stated that Lisak was among the group of people who received and carried out orders, not infrequently at their own initiative. Besides group decisions and joint studies, the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators also dealt with individual responsibility (which was later incorporated into group decisions). So there was also a decision on Lisak as the di-

<sup>83</sup> HDA, fund 306 – ZKRZ Zh, box 276, no. 3847/45.

<sup>84</sup> HDA, fund 306 – ZKRZ Zh, box 276, no. 11627; HDA, fund 306 – ZKRZ CGK, box 729, no. 547, Study on crimes – reprisals.

<sup>85</sup> HDA, fund 306 – ZKRZ Zh, box 524, no. 42327; HDA, fund 306 – ZKRZ CGK, box 722, no. 141.

<sup>86</sup> HDA, fund 306 – ZKRZ CGK, box 730, no. 616/2. After the fall of the NDH, Josip Vragović was arrested on 15 May 1945, and, in 1946, sentenced to 20 years in prison, which was transformed into a death sentence. After an appeal, he was given 20 years in prison. He served almost half of his sentence in Leopoglava, Stara Gradiška and Srijemska Mitrovica. He was released from prison on 15 May 1954. See: *Tko je tko u NDH*, p. 418-419.

<sup>87</sup> *Tko je tko u NDH*, p. 234.

<sup>88</sup> HDA, fund 306 – ZKRZ Zh, box 276, no. 15169; HDA, fund 306 – ZKRZ CGK, box 723, no. 252.

<sup>89</sup> HDA, fund 306 – ZKRZ CGK, box 728, no. 834, CGK no. 534/42, 11 September 1945.

rector of GRAVSIGUR, who was responsible for “illegal arrests, detention, restriction of personal freedoms, removals to camps and killings”. In four specific cases, persons were arrested as activists of the People’s Liberation Movement (*Narodnooslobodilački pokret* – NOP), during October and November 1944. Most were taken to the prison on Savska road in Zagreb and transferred to the concentration camp in Jasenovac three months later, where they were known to have been for a time, after which all trace of them was lost. Others deemed guilty besides Lisak were Franjo Lucić, at the time he was head of the political section of the Police District in the city of Zagreb, Miroslav Mak, the chief of the sub-section for the prevention of anti-state activities in that same Police District, and Hinko Dominik Picilli, the administrator of the camp in Jasenovac. According to the attached minutes, the informants did not specify even one “accountable” name, so it is clear that even in such cases accountability was established, if not illogically, then nonetheless rather expectedly.<sup>90</sup> Given the aforementioned, the reports in the press at the time, asserting that in the trials against Lisak, Ivan Šalić and others the witness testimonies exceeded the indictment itself, should not be surprising.<sup>91</sup> The trial against Lisak and Šalić began on ) September 1946 before the Supreme Court of the People’s Republic of Croatia (NRH). On 11 October 1946, a verdict was pronounced “in the name of the people”. Lisak was sentenced to death by hanging, while Alojzije Stepinac and Ivan Šalić were sentenced to restriction of freedom for a duration of sixteen and nineteen years respectively, with compulsory labour and loss of political and civil rights for five years.<sup>92</sup>

The next names on the lists of criminals were those who were often cited as “lower” ranking persons, i.e., those who actually carried out crimes formulated by the primary accountable parties, but thanks precisely to these individuals it was “possible to maintain such a system in which all of these crimes could be

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<sup>90</sup> HDA, fund 306 – ZKRZ Zh, box 281, no. 15988.

<sup>91</sup> On the trials mentioned, see also Nada Kisić-Kolanović, “Vrijeme političke represije: ‘veliki sudski procesi’ u Hrvatskoj 1945.-1948.”, *Časopis za suvremenu povijest*, 25 (1993), no. 1: 10-17; “Optužnica teško tereti izdajnike, ratne zločince i njihove pomagače na čelu s Erihom Lisakom i Ivanom Šalićem”, *Vjesnik*, (Zagreb), year VI, no. 424a., 10 September 1946, p. 1.; “Optuženi Gulin: ‘Ja vidim da je to usko povezano prijateljstvo, odnosno veza između ustaša i klera, između nadbiskupa i ustaša’”, *Vjesnik*, (Zagreb), year VI, no. 431, 18 September 1946, p. 1.; “Pred Vrhovnim sudom Narodne Republike Hrvatske započelo je suđenje grupi ustaških zlikovaca sa Erihom Lisakom i Ivanom Šalićem, sekretarom nadbiskupa Stepinca”, *Borba* (Belgrade), year XI, 10 September 1946, p. 3.

<sup>92</sup> “U ime naroda, Vijeće Vrhovnog suda NR Hrvatske donijelo je pravednu osudu Lisaku, Stepincu i družini”, *Vjesnik*, (Zagreb), year VI, no. 452, 12 October 1946, p. 2.; “Tekst osude Vijeća Vrhovnog suda NR Hrvatske. Zbog čega su osuđeni Lisak, Stepinac, Šalić i družina”, *Vjesnik*, (Zagreb), year VI, no. 453, 13 October 1946, p. 2.-3. For some documents, see: Joža Horvat and Zdenko Štambuk, ed., *Dokumenti o protunarodnom radu i zločinima jednog dijela katoličkog klera* (Zagreb, 1946) or Božidar Dugonjić, ed., *Dokumenti o protunarodnom radu i zločinima jednog dijela katoličkog klera* (Zagreb, 2008), pp. 357-410.

committed with impunity”<sup>93</sup> Most often this list began with persons such as Božidar Cerovski,<sup>94</sup> Viktor Tomić,<sup>95</sup> Nikola Rajković, Stjepan Cerjak, Franjo Lucić, Nikola Bogojevski<sup>96</sup> and others.<sup>97</sup> Most of these names were associated with the perpetration of mass crimes during the war. Their personal initiative particularly came to the fore in the case of Cerovski, F. Lucić and Rajković, and it was decisive in the prosecution of crimes against the Serbs.

The same names were also inescapable with regard to the Jewish question, so Božidar Cerovski, the public order and safety commissioner in the city of Zagreb, who assumed “all command responsibilities” from this post, was mentioned as an accountable individual.<sup>98</sup> The list also included the Ustasha assistant commissioner for the city of Zagreb, Nikola Rajković, and Ivica Baraković, the chief-of-staff of the Jewish Section in the Ustasha Police Force. Joso Rukavina was also considered accountable for the deportation of Jews in January and August 1942, as he issued directives against the Jews. Siegfried Kasche, the Third Reich’s ambassador in Zagreb and, as alleged, a confidant of Hitler, was charged, along with others, for “killings and massacres, systematic terror, torture of civilians, deportation of citizens and their internment under inhumane conditions” during the last removal drive, in May 1943. Kasche was also charged with “aligning the policies of the NDH with the policies of national socialism and Germany’s interests”<sup>99</sup> Filip Crvenković and Josip Majić were mentioned as the individuals who carried out these same arrests and deporta-

<sup>93</sup> HDA, fund 306 – ZKRZ Zh, box 557, no. 45227, 620/1057.

<sup>94</sup> Božidar Cerovski was a police officer and civil servant: In April 1941 he was appointed Ustasha commissioner for public order and safety in Zagreb. In June he was appointed director of the Ustasha Police Directorate in charge of measures against “hostile elements”. In May 1945 he withdrew to Austria, whence the British authorities extradited him to Yugoslavia. In early 1947 he was sentenced to death by the new authorities. See: *Tko je tko u NDH*, pp. 67.-68. The Commission had data according to which Cerovski was allegedly in the English occupation zone and his extradition was sought through the State Commission. See: HDA, fund 306 – ZKRZ CGK, box 715, no. 1346/46.

<sup>95</sup> Viktor Tomić was administrator of the UNS Security Agency from the summer of 1942. When this agency was dissolved he transferred to the PTS Security Agency in January 1943, after which he was appointed head of the Intelligence Department of the Ustasha Army and promoted to the rank of Ustasha lieutenant colonel. In May 1945 he left Croatia and spent almost two years in camps in Austria and Italy. When he was informed that he would be extradited to the Yugoslav authorities, he committed suicide. See: *Tko je tko u NDH*, p. 401.

<sup>96</sup> Nikola Bogojevski was a police officer. In May 1941 he joined the Ustasha movement and worked as an assistant in the RAVSIGUR commission at the Ustasha Headquarters in Banja Luka. As of early 1942 he transferred to the Protective Police in the city of Zagreb and the Prigorje Grand County. At the end of 1942 he was appointed chief of the anti-communist section. He had a reputation as the most capable investigator. In May 1945 he withdrew to Austria, and later to Egypt. See: *Tko je tko u NDH*, pp. 43-44.

<sup>97</sup> HDA, fund 306 – ZKRZ Zh, box 295, no. 17250, CGK no. 534/59c.

<sup>98</sup> I. Goldstein, S. Goldstein, *Holokaust u Zagrebu*, pp. 154-155.

<sup>99</sup> HDA, fund 306 – ZKRZ GUZ, box 119, no. 5281/46, CKG no. 617/488.

tions.<sup>100</sup> For each of these persons there were also individual indictments which were later incorporated into the joint case.<sup>101</sup> Thus, Cerovski was specified as one of the primary perpetrators of the persecution conducted by the NDH Public Order and Safety Directorate. Since he was a commissioner for the Public Order and Safety Directorate and he led the Political Department, his participation in these persecutions was the “most active”. Not only did he “administer the work of subordinate organs, he also personally conducted arrests, personally interrogated, abused and tortured victims, held them in jails, sent them to camps and took them to shootings and hangings”.<sup>102</sup> One testimony indicates that interrogations in Petrinjska street (in Zagreb) were conducted by Cerovski, and “his agents subjected me to severe physical abuse”.<sup>103</sup> It was quite similar in the jail in Franje Račkog street (Zagreb), although there Viktor Tomić took the lead in inflicting abuse. “They beat me, hung me by my arms, blindfolded me and then about 10-15 of them beat me.”<sup>104</sup> Many statements confirm that they genuinely distinguished themselves in this abuse: Nikola Rajković, the Ustasha assistant commissioner for Zagreb, and Viktor Tomić, who was described in a number of instances as one of the most brutal Ustasha police officers.<sup>105</sup>

An agent particularly noted in the jail on Square “N” (Zagreb) was Franjo Lucić, who interrogated and abused arrested persons.<sup>106</sup> Krešimir Fibić delivered his testimony before the Central City Commission for the Investigation of Crimes of the Occupiers and Their Collaborators and in it he imputed Franjo Lucić, an official with the police force in Đorđićeva street. Namely, on the night of 16/17 October 1944, “Ustasha police agents” burst into his home due to reports that he illegally possessed a radio receiver which he was using to send news to London and Moscow. The radio was taken from him, and the accused

<sup>100</sup> HDA, fund 306 – ZKRZ CGK, box 721, no. 3232, CGK no. 91/4.

<sup>101</sup> HDA, fund 306 – ZKRZ GUZ, box 119, no. 5281/46, CKG no. 617/494; HDA, fund 306 – ZKRZ GUZ, box 119, no. 5281/46, CKG no. 617/495; HDA, fund 306 – ZKRZ GUZ, box 119, no. 5281/46, CKG no. 617/496.

<sup>102</sup> HDA, fund 306 – ZKRZ Zh, box 524, no. 42324, 42330.

<sup>103</sup> HDA, fund 306 – ZKRZ Zh, box 524, no. 42324, 616/134; HDA, fund 306 – ZKRZ CGK, box 725, no. 395.

<sup>104</sup> HDA, fund 306 – ZKRZ Zh, box 524, no. 42324, 616/147; HDA, fund 306 – ZKRZ Zh, box 557 no. 45240, 620/1088.; One of the testimonies is also available in: Lutvo Ahmetović et al., ed., *Zbornik sjećanja Zagreb 1941 – 1945.*, vol. 2, (Zagreb, 1983), pp. 218-219.

<sup>105</sup> HDA, fund 306 – ZKRZ CGK, box 730, no. 616/2; I. Goldstein, S. Goldstein, *Holokaust u Zagrebu*, p. 551. According to Jere Jareb's interpretation, Vjekoslav Luburić and Viktor Tomić carried out the orders which they received directly from Ante Pavelić. See: Jere Jareb, ed., Eugen D. Kvaternik, *Sjećanja i zapažanja 1925 – 1945* (Zagreb, 1995), p. 284. On his biography, see: *Tko je tko u NDH*, p. 401.

<sup>106</sup> HDA, fund 306 – ZKRZ Zh, box 526, no. 42382, 619/80; HDA, fund 306 – ZKRZ Zh, box 526, no. 42382, 619/374.; HDA, fund 306 – ZKRZ Zh, box 581, no. 45227, 620/301, 620/357.

was sent to the police for questioning, where his case was handled by Lucić.<sup>107</sup> Given the numerous statements, it comes as no surprise that the Public Prosecutor was given a proposal for criminal charges against Franjo Lucić and an order to place his assets under temporary management and supervision.<sup>108</sup>

In the majority of cases, officers of the Police Force who conducted arrests and interrogations were mentioned as co-participants. Thus, for example, the arrests were conducted by: “Miroslav Mak and Marko Prpić, officers, who made the decision to hang the victim as a form of reprisal”.<sup>109</sup> In the other reports, Ivan Čeko, Zvonimir Draženović, Vilim Dugi, Tomo Filipović, Stipe Radić, Danijel Rogić, Ante Skelin and Franjo Sučić were indicated as co-participants in this crime as the police agents who most often participated in the arrests of individuals and in the statements of survivors their names were the only ones noted as guilty parties.

Allegedly not even Zvonimir Draženović was left behind. As commander of the Police Force and later chief of the political section, he administered operations but also personally conducted arrests and abuse.<sup>110</sup> Đorđe Radovanović delivered testimony on the matter of Zvonimir Draženović. In it, he said he was taken to the Armed Forces Police in Zvonimirova street, where he was handed over to Draženović, who then abused him. From there he was transferred to Savska street, where he was also abused for over six weeks. In this testimony, he said Draženović “using all possible terrorist means to physically and mentally torture me” until he forced him to admit that he intended to flee to the Partisans, “even though he found no real evidence for this”.<sup>111</sup> His final destination was Đorđićeva street, where he awaited amnesty on 23 December 1944.<sup>112</sup> According to the testimony of Pavao Kralj, he was in jail from 30 July 1944 to 7 May 1945. During his stay there were beatings, suffocation, hangings on a pole, confinement in a bunker for seven days, starvation, tearing out of hair and nails, to which an attached physician’s report testified.<sup>113</sup> That Draženović issued orders for arrests was also confirmed by the case of Ivan Slade, who was first held in Zvonimirova street no. 9, and then transferred to Savska road, where he remained for five months. He had to be hospitalized due to torture, and after

<sup>107</sup> HDA, fund 306 – ZKRZ Zh, box 228., Zh 9565. Cf. HDA, fund 306 – ZKRZ CGK Zagreb, box 711, no. 177/45.

<sup>108</sup> HDA, fund 306 – ZKRZ NI, box 650, 611/P.

<sup>109</sup> HDA, fund 306 – ZKRZ Zh, box 276, no. 15169-15182.

<sup>110</sup> HDA, fund 306 – ZKRZ Zh, box 525, no. 42337.; HDA, fund 306 – ZKRZ GUZ, box 97, no. 4289/46; HDA, fund 306 – ZKRZ Zh, box 245, no. 11579, 11605; HDA, fund 306 – ZKRZ Zh, box 276, no. 15160; HDA, fund 306 – ZKRZ Zh, box 291, no. 16843; HDA, fund 306 – ZKRZ Zh, box 557, no. 45239, 620/1087.

<sup>111</sup> HDA, fund 306 – ZKRZ Zh, box 197, no. 6229.

<sup>112</sup> HDA, fund 306 – ZKRZ CGK Zagreb, box 721, no 24.

<sup>113</sup> HDA, fund 306 – ZKRZ Zh, box 184, no. 5059a.

this he was transferred to the jail in Nova Ves, where he was sentenced to two years in jail the Court Martial of the Zagreb City Command. He was moved to Lepoglava, and from there, prior to the arrival of the Yugoslav Army, he was transferred to Jasenovac, where all trace of him was lost.<sup>114</sup> One of the cases in which Draženović was cited as the primary culprit pertained to the victims Antun Berc, the Senjarić brothers and Slavko and Draga Jeršić, who were arrested in early November 1944 and taken to Savska road, where they were interrogated for five days in the presence of Ante Skelin and Ivan Toth. At the end of the year, Drago Jeršić and Antun Berc were taken to Stara Bistra, where they were hung, while the Senjarić brothers were hung in Odra as a form of reprisal in January 1945.<sup>115</sup> Therefore, it was to be expected that soon after the formation of the Department in charge of “enemy assets” the property of Zvonimir Draženović was among the seven completed cases (which also included major enterprises).<sup>116</sup> In this vein, his entire assets were placed under the interim management of the Territorial People’s Assets Administration and an interim administrator for it was appointed.<sup>117</sup> A high number of decisions compiled on war crimes perpetrated by Draženović prompted a request for his extradition to the Allied countries, since the Commission had at its disposal data according to which Draženović was in the Fermo camp in Italy.<sup>118</sup>

Danijel Rogić, a referral officer for the Police District in the city of Zagreb, was also mentioned in several testimonies.<sup>119</sup> In the case of Ivan Filipčić, he conducted interrogations in Petrinjska street, wherein the prisoner was hung on a pole between two chairs with hands and legs bound. The file also contains a decision of the State Security Administration (*Uprava državne bezbednosti – UDBa*) which defines Rogić as a war criminal.<sup>120</sup> Numerous testimonies noted that Rogić was in the jail in Savska road. In its letter to the District Commission for the Investigation of Crimes of the Occupiers and Their Collaborators, the Central City Commission for the Investigation of Crimes of the Occupiers and Their Collaborators stated that he was “sentenced to death by the People’s Government”.<sup>121</sup> Arrests were mostly conducted on the basis of various denunciations, and their perpetrators were frequently identified by name, and while the agents conduct-

<sup>114</sup> HDA, fund 306 – ZKRZ Zh, box 242, no. 11269; HDA, fund 306 – ZKRZ CGK, box 723, no. 247.

<sup>115</sup> HDA, fund 306 – ZKRZ Zh, box 184, no. 5032; Z. Draženović is also specified as the primary culprit in: HDA, fund 306 – ZKRZ CGK, box 725, no. 375.

<sup>116</sup> HDA, fund 306 – ZKRZ CGK, box 720, no. 48/45, 23 June 1945.

<sup>117</sup> HDA, fund 306 – ZKRZ NI, box 649, no. 318/P.

<sup>118</sup> HDA, fund 306 – ZKRZ Zh, box 242, Criminals in flight abroad.

<sup>119</sup> HDA, fund 306 – ZKRZ Zh, box 216, no. 8018-8019; HDA, fund 306 – ZKRZ Zh, box 226, no. 9416; HDA, fund 306 – ZKRZ Zh, box 228, no. 9679-9680; HDA, fund 306 – ZKRZ Zh, box 525, no. 42338.

<sup>120</sup> HDA, fund 306 – ZKRZ Zh, box 217, no. 8313/95.

<sup>121</sup> HDA, fund 306 – ZKRZ CGK, box 715, no. 1451/46.

ing interrogations were largely named as the accountable persons, although this information was cited provisionally or taken from secondary sources.<sup>122</sup> A portion of testimonies, as already stated, confirmed that physical abuse was frequent during interrogations. A part of the information was gathered during visits when families came to take possession of the bloody clothing of prisoners.<sup>123</sup> However, this was normally followed by: "Who beat her, I don't know. I'm old and illiterate so I don't know any details".<sup>124</sup> Most often they stated that the arrests, trials and shootings involved participation by "a certain" someone, e.g. Sabljak, Skelin, Bracanović, etc. who were agents in Ustasha jails and who truly participated in arrests and abuse, to which the high number of statements testifies. However, more detailed accompanying information was lacking, so generally the following was mentioned: "I have no greater details on these crimes, nor do I know of any greater details on the manner of their perpetration."<sup>125</sup> Despite this, at this level it was not difficult to compile decisions on war crimes, particularly because the names of the persons employed at the Police Force very often appeared as the culpable parties in various cases. The guilt of its staff members intertwined with cases of reprisals, mass persecution, mobile extraordinary courts, courts martial, etc. Their accountability was generally described with the comprehensive qualification: "mass killing, persecution and abuse".<sup>126</sup> All of these persons who were specified as culprits/co-culprits for the perpetrated crimes truly were, each within in his own framework, participated in perpetration of these crimes. What is difficult to ascertain is the extent to which they incited these crimes, and the extent to which they were mere performers of individual activities, particularly if one takes into consideration that the criminal systems often made innocent persons guilty.

The analyzed cases provide a picture of all levels of collaboration (categorical structure) and perpetration of war crimes (particularly their forms), both through individual and through group decisions. The first category would encompass the chief collaborators, the organizers, ideologues and order-issuing authorities for the perpetration of crimes. The next group would consist of those who implemented these orders and the persons who implemented policies to benefit the occupying powers, while the third group would consist of members of military formations, staff in institutions, and others who participated in shootings, hangings and any other form of reprisal. The range was

<sup>122</sup> HDA, fund 306 – ZKRZ Zh, box 296, no. 17226a-17302. "Maksimir" crimes – evidentiary material, CGK no. 534/21.

<sup>123</sup> HDA, fund 306 – ZKRZ Zh, box 296, no. 17226a-17302. "Maksimir" crimes – evidentiary material, no. 24/45.

<sup>124</sup> HDA, fund 306 – ZKRZ Zh, box 296, no. 17226a-17302. "Maksimir" crimes – evidentiary material, no. 289/45, CGK no. 534/25.

<sup>125</sup> HDA, fund 306 – ZKRZ Zh, box 296, no. 17226a-17302. "Maksimir" crimes – evidentiary material, CGK no. 534/36.

<sup>126</sup> HDA, fund 306 – ZKRZ Zh, box 291, no. 16827.

truly broad and covered: the integrated occupation apparatus, destruction of the people's liberation movement, the struggle against Partisan units, crimes against civilians, looting of assets and violence of all type. However, all of them, as often stated, shared the common interest of the occupiers, which determined and assigned each individual role and task.

Looking at the overall picture, it is important to note that in most cases, the list of co-perpetrators, given that the primary criminal was – as already noted – determined in advance – was quite broad and included almost every person who may have been involved in a given case by virtue of his status. Even though the culpability of most of them was not in question, in most cases the question of their specific and individual accountability was not clearly delineated, rather the principle was stressed that their accountability was implied in and of itself. This is also partially confirmed by the letter from the Central City Commission for the Investigation of Crimes of the Occupiers and Their Collaborators sent to the Territorial Commission for the Investigation of Crimes of the Occupiers and Their Collaborators which sent general instructions due to their return of 16 cases (dealing with perpetrated reprisals) which had to be “supplemented” according to the newest instructions. At the city level, criticism was levelled at this case “because here it is case of entirely different crimes, perpetrated over several years at different locations and, most importantly, under different crimes”. Additionally, it was stated that such a task would be difficult to complete from the technical aspect as well, for the broadness of the case meant it would be incomplete and difficult to review.<sup>127</sup> However, as concluded, this was only an opinion, while decisions were made at other levels. This criticism was not accepted, because on 20 November a response was forwarded to the Central Commission for the Investigation of Crimes of the Occupiers and Their Collaborators which reinforced the position that all reprisals be treated as a single case, which was, as stated, also the “stance of the State Commission”.<sup>128</sup> In this vein, a final report on reprisals was compiled, citing numerous common elements in their perpetration.<sup>129</sup> This report concludes with this statement: “It is certain and unambiguous that many other criminals participated in this massacre, but even though this commission could not ascertain anything about them, they will have to be detected and justly tried”.<sup>130</sup> This type of crime may be one of the most detailed to be researched by the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators. An extenuating circumstance was the notices on perpetrated reprisals published in the NDH press. This was a sound foundation upon which further cases could be built, but most of them were missing statements from any manner of witness, so

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<sup>127</sup> HDA, fund 306 – ZKRZ CGK, box 713, no. 2159, 12 November 1945. The same document is available in box 296 under the same call number.

<sup>128</sup> HDA, fund 306 – ZKRZ Zh, box 296, no 3584, 20 November 1945.

<sup>129</sup> HDA, fund 306 – ZKRZ CGK, box 729, no. 547, Study on crimes – reprisals.

<sup>130</sup> HDA, fund 306 – ZKRZ CGK, box 729, no. 547, Study on crimes – reprisals.



there were not even more detailed data on what was done. Therefore, it was convenient to ascribe accountability to those who held the highest posts in the system and occasionally expand the list with the names of individuals who conducted interrogations in a flagrantly brutal manner in the various jails in Zagreb at the time.

According to the conclusion concerning the operations of RAVSIGUR/ GRAVSIGUR, “it was not possible to establish, neither then nor now, the identity of all executive organs, nor was it possible to ascertain the orders under which individual victims were arrested, where they were taken to detention and what their fate was”. This conclusion was a consequence of the fact that “the commission was given a relatively small number of reports [...]”.<sup>131</sup> According to the available records, from March 1943 to May 1945, a total of 1,170 victims were processed, who were recorded in 1,074 reports.<sup>132</sup> Computation of the total damages incurred due to this crimes remained equally undefined, for only some reports contain damage claims. This is backed by reports which, not knowing specific culprits for a given crime, accused: “We deem the Ustasha *poglavnik* and unidentified Ustasha from the Petrinjska police [the police in Zagreb’s Petrinjska street] guilty of this crime”.<sup>133</sup> In order to secure a more complete picture, it is important to emphasize that this case was one of the more extensive, but given the extensive tasks, even here the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators was not entirely satisfied with the final result. Even though one may gain the impression that the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators did not entirely complete any task, such a conclusion would not be absolutely warranted. Given the as-yet methodologically unknown operating formula and the fact that the set tasks were truly all-encompassing, while the deadlines were rather short (which does not mean that there was no time), a considerable amount was accomplished. Another interesting matter is the Department in charge of “enemy assets”, which was charged with compiling an overall view of the property transfers in the land registers during the “occupation”, but with time it became clear that such a task would be difficult to implement, so a decision was made subsequently to set it aside, while the proposal for an asset sequester was only sent in those cases when individuals owned specific property if it had greater value. This was particularly so because it quickly became apparent that seizure of assets of an increasing number of people would be burdensome to the state, so efforts were dedicated to the more “feasible” cases.

In assessing its overall work, I cannot overlook the evident shortcomings in this service, which first and foremost pertained to its considerable lack of

<sup>131</sup> HDA, fund 306 – ZKRZ Zh, box 523, no. 42227, 42324.

<sup>132</sup> HDA, fund 306 – ZKRZ GUZ, box 97, no. 2396/46; HDA, fund 306 – ZKRZ CGK, box 741 no. 620/1075; HDA, fund 306 – ZKRZ Zh, box 583, no. 45227-45560.

<sup>133</sup> HDA, fund 306 – ZKRZ Zh, box 523, no. 42324., 616/14.

objectivity, frequent use of ideologically tainted terminology, bias and unsystematic approach, which are clearly indicated by the available documents. The gathered evidence (reports), of which a considerable portion is rather vague in matters of locations and times of crimes, as well as the accountability for these acts, may only serve as testimony on crimes perpetrated during the war after considerable comparison with other documentation (which I believe was not greatly practiced in the work of the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators), but they are not the most accurate indicators of accountability. Additionally, the principle underlying the work was not individual, i.e., the approach for establishing the accountable parties often took the form of “collective responsibility”. Moreover, at the state level non-uniform criteria for the establishment of guilt was noted. Individuals were treated differently for the same behaviour by different territorial commissions. “The drastic difference between Territorial Commissions appeared when dealing with civilians serving or acting as associates to the occupiers and Quislings. Further research will show that there was a territorialization of criteria, that political subjectivity was introduced and that there was a non-uniform application of criteria in the work of the territorial commissions when they proclaimed individuals perpetrators of war crimes”.<sup>134</sup> Nonetheless, from the overall standpoint, Dušan Nedeljković, the chairman of the State Commission for the Investigation of Crimes of the Occupiers and Their Collaborators, noted in his final report without any particular euphoria that the ultimate result of the work was “immense and satisfactory”.<sup>135</sup> According to many statements made by the actual staff in the in his final report, the research apparatus was exceptionally faulty, so that this shortcoming had to be rectified by legal experts who did the bulk of the work. If the research teams did not do their job well, the question arises as to the manner in which they gathered the research material that served as the foundation for determining accountability for any possible perpetrated crimes. However, this question was not within the realm of the work done by the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators, rather it was a matter for the courts, which had to launch or halt further proceedings pursuant to the proposal of the Commission for the Investigation of Crimes of the Occupiers and Their Collaborators. However, it is worth noting that it was stressed on several occasions that the work should not be “shackled by legal norms”. The justice of the time, as extolled by the Yugoslav Army Generals Koča Popović and Peko Dapčević upon their entry into Belgrade, “also includes retribution”.<sup>136</sup> And it truly was present.

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<sup>134</sup> Miodrag Đ. Zečević and Jovan P. Popović, ed., *Dokumenti iz istorije Jugoslavije*, vol. I (Belgrade, 1996), p. 14.

<sup>135</sup> AJ, fund. 110 – DK, box 1, 1-74.

<sup>136</sup> Ivan Janković, *Smrt u prisustvu vlasti. Smrtna kazna u Jugoslaviji i svetu* (Belgrade, 1985), p. 174.

## **Die Tätigkeit der Landeskommission für die Feststellung der von Okkupanten und ihren Helfern begangenen Verbrechen: Analyse nach den gesetzten Zeilen und Fällen**

### **Zusammenfassung**

Mittels dargestellter Fälle, für die von der Landeskommission für die Feststellung der von Okkupanten und ihren Helfern begangenen Verbrechen die Verantwortung festgestellt wurde, versucht man in dieser Arbeit alle Ebenen von Kollaboration und Verübung von Kriegsverbrechen (besonders ihre Formen) darzustellen. Die Forschung basiert sowohl auf den auf Einzelne, als auch auf Gruppen bezogenen Urteilen der genannten Kommission. Spannweite dieser Verbrechen war sehr breit und umfasste Verbrechen gegen integratives Okkupationsapparat, Vernichtung der Volksbefreiungsbewegung, Kampf gegen Partisaneneinheiten, Verbrechen gegen Bürger, Plünderung des Eigentums und Gewaltakte jeder Art.