

October 25, 2001

Utahn Details Atrocities in Bosnian War

By Brent Israelsen

Kemal Mehinovic, a Bosnian refugee now living in Salt Lake City, concluded his testimony in Atlanta this week in a two-day trial against another refugee accused of committing atrocities during the 1992-95 war in Bosnia-Herzegovina.

An ethnic Muslim who came to Utah in mid-1995, Mehinovic testified before U.S. District Judge Marvin Shoob that Nikola Vuckovic, a soldier in the Bosnian Serb army, routinely tortured him and other non-Serbs in detention centers in the northern Bosnian town of Samac in 1992.

Claims Innocence: Vuckovic, who has lived in the Atlanta area since 1997 on refugee status, has said he is innocent of the charges but he did not appear for his trial.

His former attorney said he apparently returned to the Balkans and does not intend to return to the United States.

Though unable to face his alleged tormentor, Mehinovic said he was satisfied with the two-day trial, which ended Tuesday afternoon.

In a statement through his interpreter and attorneys, Mehinovic said he brought the civil lawsuit against Vuckovic because he "felt an obligation toward those who were killed or suffered extreme cruelty" at the hands of Vuckovic.

Joining Mehinovic as plaintiffs were Hasan Subasic, another refugee in Utah; Muhamed Bicic, now living in Germany; and Safet Hadzialijagic, of Belgium. The latter two men testified in the trial via satellite television.

Shoob has taken the case under advisement and is expected to issue a verdict within two months, said Sandra Coliver, director of the Center For Justice and Accountability, a San Francisco-based law firm that represents victims of alleged torture and persecution from abroad.

The center's lawyers asked Shoob for a multimillion-dollar judgment against Vuckovic. Though they do not expect to collect the money, they want the judgment to make

Vuckovic's life difficult should he return to the United States and "to send a message that the United States is not a safe haven for torturers."

If Mehinovic prevails, the center plans to "turn up the heat" on Vuckovic. First up is to persuade the U.S. Immigration and Naturalization Service to keep Vuckovic out of the country. Coliver said the agency has expressed an interest in the case by interviewing Mehinovic and Subasic.

The center also plans to track Vuckovic if he returns to the United States to ensure his wages are garnished to satisfy the judgment.

Unique Lawsuit: Mehinovic's lawsuit, the first of its kind against a Bosnian in this country, is one of a growing number of civil actions brought under the Alien Tort Claims Act of 1789 and the Torture Victims Protection Act of 1991.

The center has cases pending against individuals from EI Salvador and Chile.

The group recently won a \$66 million judgment against an Indonesian general for atrocities in East Timor.

In addition to testifying in the civil trial, Mehinovic is expected to fly to The Hague in November to be a witness in an international war crimes trial now under way against four Bosnian Serbs from Samac.

Mehinovic was among the first of about 1,000 refugees from Samac who have resettled in Utah.