

September 8, 1997

Acting President of Serbia  
Dragan Tomić  
Andrićev Venac 1  
11000 Belgrade, FRY

Dear President Tomić:

The American Bar Association (ABA) and its 391,000 members of the legal community have a deep commitment to the preservation of the rule of law in the international community. In particular, we seek to encourage the maintenance of judicial systems that are independent from government interference and that respect the independence of judges, lawyers and human rights advocates in order to maintain internationally recognized standards of fairness and justice. These principles are embodied in the most recent "Rule of Law Resolution" adopted by the ABA House of Delegates in August 1997.

Pursuant to this Resolution, we are writing to express our deep concern regarding the allegations of assault on Mr. Nikola Barović, a Belgrade lawyer and human rights advocate. According to reports that we have recently received, on July 16, 1997, Mr. Barović was assaulted by the bodyguard of Mr. Vojislav Seselj, a leader and Presidential candidate of the extremist Radical Party and Mayor of the Belgrade Municipality of Zemun. According to reports, the bodyguard repeatedly kicked Mr. Barović in the face and torso; Mr. Barović reportedly sustained a broken nose, cheekbone and rib, and also a concussion due to the attack. Mr. Barović has since required surgery as a result of the injuries.

Mr. Barović has defended many politically unpopular clients in the former Yugoslavia, including ethnic Croats and Serbs, as well as Albanians. Most recently, Mr. Barović has represented a family of ethnic Croats evicted from their homes by the Zemun authorities. Additionally, he has publicly spoken out against the authorities' alleged policy of ethnically motivated evictions.

It would be a matter of deep concern to the ABA, if there were a pattern of harassment of lawyers due to their human rights work. Such harassment clearly would violate international human rights norms, which require governments to ensure that lawyers are free to perform their professional functions without intimidation or improper interference. The independence of judges, lawyers and human rights advocates is fundamental in maintaining the international standards of equal justice and due process.

We therefore respectfully urge that the assault on Mr. Barović be investigated and those responsible for any violations of law be brought to justice.

We also respectfully urge that the Federal Republic of Yugoslavia immediately take all necessary measures to ensure the safety of Mr. Nikola Barović.

Sincerely,

  
Jerome J. Shestack

cc: The Honorable Madeleine Albright  
The Honorable John Shattuck  
The Honorable Richard Miles  
The Honorable Nebogsa Vujovic