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RIGHT TO RETURN

Mixed Progress on Federation Returns

Local police in Drvar (Fed) informed UN IPTF that the car of a recent returnee from Germany was set on fire on 3 June. The man, who was described by police as a former policeman from the area, was reportedly planning to return permanently to Drvar. A Serb man reported to international monitors that he was physically assaulted when he went to visit his house in Blazuj (Fed) on 1 June. The current occupant of the house allegedly punched him in the chest and tried to strangle him. The police have forwarded their report to the court. In Stolac (Fed), international agencies reported a successful visit by more than 100 Bosniak displaced persons last week, and also reported that reconstruction work on a number of pilot project houses will resume within the next few days. However, on the night of 6 June, international monitors reported that a Bosniak-owned house in the town was damaged by fire, and that two Bosniak men were reportedly threatened by two unidentified men as they drove through Stolac the same day. Returns of Bosniaks to Stolac has been stymied by incidents of this kind, and the pilot project for returns has been effectively blocked by the local authorities.

FREEDOM OF THOUGHT/ EXPRESSION / ASSOCIATION

Ombudsperson, OHR and OSCE Address Work Discrimination in RS Firms

On 16 May, the Principal Deputy High Representative Ambassador Michael Steiner and the OSCE Head of Mission Ambassador Frowick sent a joint letter to RS President Plavsic expressing their concern about the more than 100 complaints received by international human rights monitors from company directors and workers in the RS who have been dismissed from their positions and the failure of the RS authorities to reinstate 10 company directors that had been unlawfully dismissed, despite court orders for them to do so. According to Ambassadors Steiner and Frowick, “Investigations into these allegations have produced strong evidence indicating that these dismissals are politically motivated and that leaders and candidates of opposition political parties have been particularly targeted” and expressed their concern that politically motivated discrimination in the workplace will undermine conditions for a politically neutral environment for the municipal elections. On 6 May, the Human Rights Ombudsperson for BiH Gret Haller issued a Special Report concerning the right to work in which she recommended that the RS Minister of Work, Employment and Social Protection and the current Director of the Kozaraprevoz Company (a mixed state-worker owned company in Novi Grad) arrange a meeting with her to discuss resolution of the cases of 17 company employees (including the former director, a SPRS representative of the RS Peoples Assembly) by either reinstating them to their jobs or by providing appropriate compensation. The Ombudsperson noted that all of the workers in question are members of one political party (SPRS) and were replaced by individuals from a different party (SDS) and determined that the suspension and dismissals constituted discrimination concerning right to work.

CPJ Writes to Albright on Journalists’ Rights

On 20 May, the Committee to Protect Journalists (CPJ) wrote to U.S. Secretary of State Madeleine Albright urging her to stress the priority of ensuring that press freedom and free movement of journalists are vigorously enforced with respect to implementation of the Peace Agreement. CPJ wrote that “with less than five months before municipal elections in Bosnia, we regret to report that persistent, widespread abuses of press freedom remain, notably in the [RS] and in Croat-controlled territory in the Federation Š With the stranglehold of the ruling parties on the news outlets, we have grave concerns about the future of the region’s free media, so vital to democracy.”

CPJ also noted that “local police routinely prevent journalists from doing their jobs and stand by when journalists are assaulted” and listed more than 10 incidents in which journalists were maltreated during the past year. CPJ offered a number of recommendations to improve the situation, including for international community leaders to: stress the importance of press freedom and the mobility of journalists, signal their intent to protect the rights of the media and urge the use of standardised vehicle registration plates. CPJ also recommended, among other measures, that SFOR use its authority to actively defend journalists in carrying out their professional duties, that the Media Experts Commission (MEC) look for opportunities to actively enforce Peace Agreement guarantees, and that public education about existing rules and rights of journalists be increased. In other developments, on 2 May the OSCE announced that the Zvornik Prosecutor complied with a MEC decision by returning Tuzla RTV-TPK’s video camera and recording equipment that was seized by RS police on 15 February. OSCE will also soon start to train Federation police about the rights of journalists and the relationship between police and the press in democratic societies.

THREATS TO LIBERTY AND SECURITY

Police Abuses Continue in Sarajevo, Other Towns

A man complained to UN IPTF that he was beaten up on 29 May by policeman at a Sarajevo (Fed) station because he refused to sign an interrogation report. The man said that he was punched, kicked and hit by two officers at the station during questioning. UN IPTF also received complaints from three other men who said that they were badly beaten up during interrogation at another Sarajevo police station on 5 June. All three men have visible bruises on their bodies and medical reports have been issued on their cases. In Gacko (RS), a man complained to UN IPTF that he was assaulted at a police station after he was arrested on suspicion of theft. UN IPTF did not observe any bruises on the man’s body, but are following up on the case with the local police. A man in Bihac (Fed) told UN IPTF that he was slapped by a policeman who stopped him for a traffic violation on 31 May, and two men who identified themselves as supporters of Fikret Abdic told UN IPTF that they were detained by local police in Velika Kladusa (Fed) on 28 May as they were returning home from registering a complaint with the police against their neighbours. The two men had been escorted to the police station by UN IPTF and were heading home when they were stopped by the police, brought back to the station, taken into separate rooms and assaulted during questioning. UN IPTF observed bruises on both men’s bodies. UN IPTF recently issued a press release stating that it will independently investigate this case and similar cases in the Sarajevo area, and also expressed concern about continued reports of human rights violations committed by police. Additional UN IPTF monitors have been put on duty to provide a 24-hour presence at “problematic” police stations in Sarajevo.

INSTITUTIONAL AND POLICY DEVELOPMENTS

PIC Addresses Implementation Gaps

On 30 May, the Steering Board of the Peace Implementation Council (PIC) issued a declaration setting out the agenda for further implementation of the Peace Agreement. The declaration covers all aspects of the Agreement, from normalisation of regional relations to economic recovery. With respect to human rights, the PIC reiterated that cooperation with the Tribunal is still lacking and that failure to hand over persons indicted by ICTY, especially Radovan Karadzic, is of grave concern. The PIC noted the High Representative’s proposal that person co-operating with or condoning the role of persons indicted by ICTY should be denied visas to travel abroad, and supported his recommendation to deny new economic assistance to municipalities continuing to tolerate indicted persons working in public capacities. High priority was given to the return of refugees and displaced persons, noting that without return there will be continued instability in the country. The PIC also deemed that assistance in housing and infrastructure rehabilitation should be contingent on acceptance of return, with priority given to areas accepting minority returns. Of particular importance is the obligation of both Entities to amend existing property laws, since the current laws “place insurmountable legal barriersŠeffectively

blocking hundreds of thousands of pre-war occupants from returning." Concerning treatment of minorities, the PIC stated that it is "deeply concerned with a pattern of discrimination and harassment of ethnic minorities" and that the police "not only frequently condone violence on ethnic and political grounds, they are also responsible for these violations themselves." The PIC noted that the legal system remains in adequate to address these problems. The new UN IPTF checkpoint policy, along with a uniform system of vehicle registration, were cited as key steps to improving freedom of movement and after 1 January 1997, only cars with new BiH number plates will be allowed to cross international borders.

Chamber Hears Property Cases

On 4 June, the Human Rights Chamber held a hearing on four military (JNA) apartment cases and one private property case against both the State and the Federation of Bosnia and Herzegovina. The five applicants represented themselves and the Federation was represented by an official of the Ministry of Justice. Despite a direct request by the Chamber to the Presidency of BiH, no State representative was present, nor was an official agent appointed to liaise with the Chamber. As an extraordinary measure, the Chamber agreed to hear a representative of the Federation Ministry of Defense, who acted as an assistant to the Ministry of Justice representative. The Chamber adjourned after eight hours of deliberations. No specific date was given concerning the issuance of a decision.

NOTE: *The HR Report is based on the most recent information available to the OHR from inter-governmental and non-governmental organisations. Questions on specific items should be directed to the reporting organisation or to the HRCC. Please send information for inclusion in the report to 387-71-447-420, attention Leah Melnick (leah.melnick@ohr.int), Kristina Koch (kristina.koch@ohr.int), or Vladimir Stanisic(vladimir.stanisic@ohr.int).*

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