

# Human Rights Report October 1999

## SUMMARY

- **Assassination attempt against Editor-in-Chief of Nezavisne Novine**
- **Assault on Dobož journalist**
- **Bosniak councillor injured in Srebrenica**
- **Security incidents in Zvornik town centre**
- **Property amendments harmonize Entity property laws to facilitate return**

## Right to Return/Freedom of Movement

*[This section focuses on return-related information which is significant from a human rights perspective]*

### General Overview:

1. Minority returns continued in October, although in many areas, tensions were on the rise. Funding gaps continue to hamper many of the reconstruction driven return initiatives. Lack of property law implementation continues to be the main obstacle for return of pre-war residents to their apartments in all parts of Bosnia and Herzegovina.

### Visits/Returns/Incidents: Republika Srpska:

2. On October 7, a Bosniak deputy municipal secretary in **Srebrenica** (Eastern RS) was injured by unknown masked men in a lavatory in the Srebrenica municipal building. Immediately following this event, eight other councillors left Srebrenica. It is feared that this incident may adversely impact return to the municipality, as well as the functioning of the municipal assembly.
3. Assessment visits to Eastern RS continued in October. The assessment visits to the municipalities of **Foca** and **Visegrad**, including to the centre of these towns, continued and will be increased to two per week. A total of six families out of 28 (whose houses are being reconstructed) have now returned to the village of Bogovici in **Pale** municipality and the first return of a Bosniak to the centre of Pale took place.
4. A tense situation has developed in **Kopaci/Srpsko Gorazde** after displaced persons were denied implementation by local authorities of decisions on repossession of their property (or the implementation of the CRPC decisions on their property). Some 50 displaced persons have been camping with tractors on the Inter Entity-Boundary Line between Gorazde and Srpsko Gorazde.
5. On 30 October, an explosion took place when a grenade was thrown at an SFOR foot patrol walking down a busy street in Zvornik. This was followed by another serious security incident on 31 October, when an explosion damaged five IPTF vehicles parked in front of the IPTF office in Zvornik. The motive for and identity of perpetrators of these explosions are presently unknown.
6. Some tension possibly affecting the Zvornik return areas was caused in late October when the SNS President of the Executive Board made a number of inflammatory statements against Bosniak return on local TV. As a precaution the international community recommended temporarily slowing the return process. Large numbers of displaced persons have been in a process of returning to Zvornik municipality, to outlying villages throughout the summer. Despite some tension, no serious incidents have taken place in the return areas.
7. The return process to **Modrica**, to the village of **Tarevci**, where serious security incidents took place in June 1999, has continued through October. Some 20-25 Bosniaks have continued to

reconstruct their houses and have established a permanent presence there. Tensions have been on the rise in Modrica due to the unannounced deliveries of building supplies as well as visits (also unannounced) by high level Federation officials. In **Doboj**, housecleaning has continued, including in the strategic Svetlica hill overlooking Doboj town.

8. In the Western part of the RS, the number of returnees continued to rise in **Prijedor**, despite the deteriorating weather conditions. As the returnees have been more vocal with regard to the enforcement of their rights, the situation has been quite tense. In **Banja Luka** area the number of minority returns continues to be low due to the lack of progress in the property law implementation. In **Gradiska**, where some 900 Bosniaks have returned since 1996, the repossession of housing is a serious problem. The returnees have become de facto "floaters" upon return, and are living temporarily with friends and relatives while waiting for their property.

#### **Visits/Returns/Incidents: Federation:**

9. The investigation into the incident that took place in **Ilici** village, south west of Mostar, in 28 September, has not yet brought results. One SFOR soldier and a local policeman were injured in an explosion which occurred during an assessment visit of 50 Bosniak returnees. The visit had originally been planned as an organized return movement, but due to written protests from some community leaders warning of "massive" returns, the returnees decided only to visit.
10. In Sarajevo Canton, two assessment visits of Bosnian Serbs to **Ilijas** municipality, to a village currently occupied by displaced persons from Srebrenica, took place without incident. These visits were significant considering the tense atmosphere among Srebrenica DPs, many now living in Ilijas, following the assault against the Bosniak councillor in Srebrenica [see paragraph 2, above].
11. In the Croat controlled areas of the Federation, in particular in Mostar, returns were stalled partly as a reaction to the SFOR operation against illegal/criminal activities in West Mostar on 14 October. In early October, returns of Serbs to **Mostar Old Town** and **Capljina** took place; some 30 Serbs (12 stayed over night) returned/visited settlements in the municipality of Mostar Old Town and a group of 80 Serbs (30 stayed overnight) returned to villages Klepci and Prebilovci in Capljina. Also, returns and visits of Serbs to **Ravno** Municipality continued.
12. Returns of Croats from the Dalmatian coast and **Livno** and **Tomislavgrad** continued to **Bugojno** (Bosniak administered) municipality. In **Canton 6** (middle Bosnia), some returns of Bosniaks from Zenica to **Busovaca** and **Vitez** (Bosnian Croat) were taking place as well as returns of Croats from Kiseljak to **Fojnica** (Bosniak administered). Harassment of Croat returnees led reportedly to increased patrols by SFOR in **Gornji Vakuf**. Small numbers of Serbs returned to **Travnik** and **Jajce**.

## **Right to Return/Right to Property**

#### **Legislative Developments:**

13. On October 27, the High Representative imposed amendments to property laws in both Entities, as well as instructions on their application. These Decisions harmonize the RS legislation with the Federation legislation, provide the authorities in both Entities with detailed instructions on the application of the property and housing legislation, removing ambiguities in the laws and making them workable in practice. In Republika Srpska, the amendments to the *Law on the Cessation of the Application of the Law on the Use of Abandoned Property* correct the inconsistencies that existed between RS and Federation legislation, and create legislative equality between the two Entities. In addition, most articles of the 1993 *Law on Amendments to the Law on Housing Relations* have been repealed. Both in the Federation and the RS, the

amendments to the property laws also include a few new provisions, of which the most important include:

- The deadline until which the claimant of a socially-owned apartment must reoccupy this apartment (unless good cause, which is redefined, prevents him/her from doing so) is changed from one year to 90 days. The 90-day deadline for repossession starts counting from the day the claimant is notified in writing that his/her apartment is vacant.
- The amendments define “multiple occupants” and oblige the authorities to take immediate action to evict them. Multiple occupants who fail to comply with an eviction order shall be fined between 50 and 500 KM.
- The period of time during which multiple occupants as well as illegal users must vacate claimed apartments and property is now a maximum of 15 days.
- The 90-day deadline for vacating apartments and property applicable to all other current users can be extended in cases of documented absence of alternative accommodation for up to one year only with the agreement of the OHR.
- An appeal against a decision of a first-instance body does not suspend the enforcement of this first-instance body’s decision.
- The Federation Ministry of Defence is entitled to continue to administer the apartments at its disposal, i.e., those apartments that are unclaimed, in accordance with the law, and issue contracts on the use of these apartments to temporary users, using the same humanitarian criteria as the municipal authorities, who are required to vacate the apartment they currently use.
- An administrative body that acts against the law shall be fined between 1000 and 5000 KM, and an official in the body, who does not define refugees and displaced persons as set out in the law, shall be fined between 200 and 1000 KM.

14. On October 27, the High Representative also issued Decisions imposing the *Law on the Implementation of the Decisions of the Commission for Real Property Claims of Displaced Persons and Refugees* (CRPC) both in the Federation and Republika Srpska. These laws regulate the administrative and court procedures for the recognition and implementation of CRPC decisions. CRPC was created under Annex 7 of the Dayton Peace Agreement to determine occupancy rights and ownership, in cases in which the claimants do not enjoy possession of that property. Although CRPC decisions have always been final and binding, administrative officials in both Entities have failed to implement the upwards of 55,000 decisions issued to date.

(Copies of the Decisions of the High Representative are available on the OHR web site: <https://www.ohr.int>)

## **Policing/Right to Security and Liberty of the Person**

15. **Canton 7 Audit:** Following upon previously reported reviews of police administrations in Canton 6 and 7 [see HRCC Semi-Annual Report, paras 48 – 58], the UNMIBH Human Rights Office has continued to carry out operations to assess the compliance of law enforcement officials with democratic policing principles, internationally accepted human rights standards, and in particular the right to return. In October, the six police administrations in the City of Mostar were targeted and the preliminary observations of the audit show that there are shortcomings in the chain of command and in levels of unification in all six police administrations. The level of unification, however, appears to be better in the Bosniak-dominated administrations than in those dominated by Bosnian Croats. There are no joint criminal investigations in Mostar and a general lack of co-operation between the different ethnic groups prevails. In addition, a number of non-authorised personnel are serving as police officers and different salary structures exist for Bosniaks and Croats.
16. **Minority Police Recruitment:** Recruitment of minorities continued for both the Federation

Academy in Sarajevo and the RS Academy in Banja Luka. Minority police recruitment is essential in order to promote equality within the police force, and is also essential in order to meet the "Bonn-Petersburg" ratio, which mandates police recruitment based on ethnic representation in the 1991 census. The final round of testing for the Federation Academy was conducted at the end of October and 189 applicants passed the test. The background checks for the cadets have yet to be completed by the IPTF. On October 26, the second intake began in the RS at the Banja Luka Academy. Sixty-five cadets enrolled, 51 of whom were non-Serb.

17. **Project against Violence against Women:** A pilot project to develop mechanisms to prevent, minimise and punish violence against women commenced in Zenica in Canton 4 in October. Training sessions were organised for the local police on violence against women and will be followed by training of legal professionals and social workers. The training initiative, which is implemented jointly by international organisations and a local NGO Medica Zenica, is significant, as it brings together local police, representatives of various sectors dealing with violence against women and a local non-governmental organisation. In addition, a method by which the local police can identify and follow up reported cases of violence against women including domestic violence cases has been established, and will be monitored by IPTF.
18. **Trafficking and Deportation:** On October 29th, the High Representative issued a Decision on Trafficking and Deportation, effectively extending the August 30 Interim Directive issued by the IPTF Commissioner on the same subject. The Decision, which requires that any decisions regarding deportation of foreigners be taken in consultation with the IPTF, is intended to ensure appropriate treatment of persons who are threatened with deportation, particularly those who are victims of trafficking. This Decision is in response to the failure of BiH House of Representatives to adopt a draft *Law on Immigration and Asylum*, which would enable BiH to address the issue of deportation in a manner consistent with international law.

## International War Crimes Tribunal

19. Arrest of Damir Dosen: Damir Dosen, allegedly a shift commander in the Prijedor Keraterm camp, was indicted by the ICTY on 21 July 1995 and arrested by SFOR on October 25. More than 3000 Muslims and Bosnian Croats from Prijedor municipality were confined there at the Keraterm camp, and many were killed, sexually assaulted, tortured, beaten, or otherwise subjected to cruel and inhuman treatment. Dosen is indicted for crimes against humanity, violations of the laws or customs of war and grave breaches of the Geneva Conventions of 1949, but not for genocide. On 8 November, Dosen pleaded not guilty to all charges. The next hearing is scheduled for 20 January 2000. Damir Dosen's case will be joined with that of Dragan Kolundzija, another Keraterm shift commander detained by SFOR on 7 July 1999.
20. **Mass Graves in Zvornik:** ICTY has confirmed that there are four mass graves containing the bodies of approximately 320 Srebrenica victims, in the newest return location of **Sultanovici/Liplije (Zvornik Municipality)**. Part of the grave-sites have been used by the Zvornik authorities as a municipal rubbish dump, despite repeated complaints by returnees about the use of this land for this purpose.

## Right to a Fair Trial

### Domestic War Crimes Trial:

22. On October 25, the re-trial of **Goran Vasic** resumed. On April 13, 1999, Vasic was convicted of war crimes against the civilian population and war crimes against prisoners of war and sentenced to ten years of imprisonment. However, Vasic was acquitted, due to lack of evidence, of the killing of the then Deputy RBiH Prime Minister Hakija Turajlic on January 8, 1993. The case was adjourned until late December in order to clarify whether French UNPROFOR soldiers

witnessing the murder will and can testify before the Cantonal Court in the retrial.

23. The hearings in the **Djedovic** case continue. Currently the Sarajevo Cantonal Court is considering a request to hear witnesses in Croatia before a Croatian court. This would help resolve this case which has been pending for some time due to the reluctance of the witnesses to testify in Sarajevo for fear of being indicted for war crimes.
24. The **Zvornik 7** retrial was postponed again until November 15 for a 2-day hearing, after the RS Supreme Court issued its decision on the appeals of the three Bosniaks convicted at first instance of the murder of 4 Serb wood cutters on 26 April 1995. The retrial will address substantial irregularities in the investigation and appeal process which called into question the fairness of the trial.

#### **Other Trials with Human Rights Dimensions:**

25. **Golubovic:** The first trial before the newly established 5 member joint Herzegovina-Neretva Cantonal Court is a long pending murder case in which three Bosniaks are charged with the July 1992 murder of a Serb family of four (husband and wife and their two children) in Konjic. The trial is taking place before a judicial panel which includes a Bosniak presiding judge, a Bosnian Croat colleague, and 3 lay judges. This is a long awaited and much anticipated development. The commencement of hearings in this case on October 28<sup>th</sup> is a significant first step towards the functioning of the Cantonal High Court.

## **Freedom of Expression**

25. **Assassination Attempt on Editor-in-Chief of Nezavisne Novine:** Zeljko Kopanja, Editor-in-Chief of *Nezavisne Novine* (Banja Luka), sustained serious injuries resulting in the amputation of both legs, in an explosion which occurred in a Banja Luka parking lot on 22 October. Kopanja had been the subject of threats since August of this year, when *Nezavisne Novine* became the first newspaper in the RS to publish accounts of war-time atrocities committed by Serb forces, specifically in the Teslic area and on Mount Vlasic.
26. **Attack on Journalist in Doboj:** On Wednesday November 3, journalist Mirko Srdic, correspondent for TV BiH and the BETA news agency, was physically assaulted and threatened with his life. The assailant was allegedly the present mayor of Doboj, Mayor Mirko Stojcinovic. The assault followed two stories which were recently aired by TV BiH, both of which cast the political party, SDS Doboj, and SDS member Mayor Stojcinovic in an unfavourable light. Mr. Srdic's name has also been linked to the production of a video documentary, which has recently been in circulation, on corruption in Doboj.
27. The assassination attempt against Zeljko Kopanja and the assault against Mr. Srdic represent the continuation of a trend of violence and threats aimed at undermining the development of a free and independent media in Republika Srpska. However, this problem is not restricted to the RS, but occurs throughout BiH.
28. **Creation of a Legislative Advisory Group on Defamation and Freedom of Information Legislation.** A Legislative Advisory Group, comprised of government representatives, national and international experts, and representatives of international organizations has been established to develop Defamation and Freedom of Information legislation for BiH. These laws will aim to protect the right of citizens and journalists to access information without the threat of undue interference. The creation of the Advisory Group was announced on November 8<sup>th</sup>, and its work will commence in mid-December.

## Social and Economic Rights

29. **Intensification of workers' movements:** On 25 October, demonstrations called by the *Confederation of Independent Trade Unions* took place in Sarajevo. According to the press, approximately 30,000 people participated, calling for the government to address demands including: adoption of a social care programme; signature of a collective agreement with the union within 15 days; reduction of taxes immediately; payment of unpaid salaries as well as social and health care contributions immediately; and reversal of all illegal privatisation. Since then, other groups throughout the Federation, such as textile workers, have also been organising strikes. These events have given rise to discussions in the press about labour issues as well as to a wave of criticism regarding the role of the *BiH Confederation of Independent Trade Unions*.
30. **Federation Labour Law adopted:** On 5 October 1999, a new *Federation Labour Law* was adopted despite warnings by members of the international community, namely IMF, the World Bank and OHR regarding its dramatic economic implications. The article which raises particular concern (Article 143) is the provision concerning compensation for those remaining on waiting lists. Debates over this important item have been the major cause for the delay in the adoption of the law. The article presents the advantage of dissolving the waiting list system but provides for cash compensation for workers who cannot be reinstated — a majority of the concerned population. However few companies will be in a position to meet such a financial burden and the Federation is unable to take over such a responsibility. Shortly after the adoption of the text, the Federation Ministry of Social Affairs established a commission in order to develop a viable solution within a reasonable period of time. The Commission, which includes OHR and World Bank representatives first met on 4 November, the day the labour law entered into force.
31. The *Federation Labour Law* also introduces a non-discrimination provision (Article 5), which states: “A person seeking employment, as well as a person who becomes employed shall not be discriminated against based on race, colour, sex, language, religion, political or other opinion, national or social origin, financial situation, birth or any other circumstances, membership or non-membership in a political party, membership or non-membership in a union, and bodily or mental problems.” However, the text preserves the very strict deadlines (two weeks from being aware of a violation) imposed to file claims before administrative and legal bodies in the case of alleged violations, leaving little margin of action to employees to react.
32. **Discrimination against Women in Employment:** In September, the International Human Rights Law Group (IHRLG) released a study entitled “*Non-Payment of Maternity Leave Allowance: Violation of Human Rights and Discrimination*,” which documents discrimination against women in the work-place manifested through the non-payment of maternity leave benefits throughout most of the Federation in both private and public enterprises, and the non-payment of the same by private enterprises in Republika Srpska. In the Federation, women are entitled to one year maternity leave, to be paid by the Cantons, but the required Cantonal legislation is not in place, except in Sarajevo Canton (where women are generally paid for 6 of the 12 months leave to which they are entitled). In the RS, where women are also entitled to 12 months maternity leave, there is evidence that women who become pregnant and new mothers are frequently dismissed from their employment. The IHRLG notes that practice with respect to maternity leave payment in BiH violates international human rights standards, including Article 10 of the *International Covenant of Economic, Social and Cultural Rights*, which provides that paid leave or leave with adequate social benefits should be provided to new mothers; as well as the *UN Convention on the Elimination of all forms of Discrimination Against Women*. Current practice also violates the BiH Constitution, as well as the Entity level Constitutions. For further information or a copy of the report, please contact the IHRLG at: tel: 387-71-207-328 or e-mail at [dianalg@bih.net.ba](mailto:dianalg@bih.net.ba).

## Right to Education

33. **Spot Checks Commence:** In an effort to identify areas where textbooks with offensive material may still be in use, the international community has commenced with "spot checks," which will be undertaken in most municipalities. In October, a spot check of the Catholic School Centre in **Sarajevo** revealed that offensive text slated for deletion or blacking out, had been highlighted with a yellow marker instead. A spot check in **Brcko** revealed that a very small percentage of books had been expurgated. Spot checks will continue through December, 1999.
34. **Discrimination against school-children in Gradiska:** In Gradiska, knowledge of Cyrillic, and preference for children of war veterans appear to be factors in admission to secondary course. A Bosniak student applying for a veterinary course reported that in addition to a test in the Serbian language, preference in selection is for children of war veterans. The student was apparently denied admission to the first set of places due to poor grades on the Serbian language test (despite good grades in other subjects). He was then disqualified from a second group of places as his parents are not war veterans/invalids/killed soldiers.
35. **On-going Discrimination in Stolac:** There continues to be no progress towards integration of school children in Stolac, where municipal authorities continue to refuse to implement OHR's Instruction on provision of education facilities for Bosniak children. Only one third of the capacity of the school (reconstructed with international funds) is presently in use, while Bosnian Croat children use the school, 53 Bosniak returnee children attend school in a private house.
36. **On-going Discrimination in Prozor-Rama:** Efforts have been underway to combine a Bosniak "home school" in Prozor-Rama with the main Prozor town elementary school (Bosnian Croat children), but local authorities are obstructing resolution of the situation. Bosnian Croat representatives indicate that they do not see any possibility for such integration unless instructed by the Cantonal authorities. Both sides have also rejected any common activities between the children from both schools, although the door has been left open to a possible meeting of teachers. This is the fourth school in Prozor-Rama using a Bosniak Curriculum, and the second situated in a private house.
37. **Educational Facility caught in Political Dispute:** The Mostar "Gimnazija," which was a grammar school serving children from all ethnic groups before the war, and which OHR indicated in July should once again serve children of all ethnicities, has become the focus of a political dispute between authorities in East and West Mostar. The school, situated on the "Boulevard," is of strategic importance to Bosnian Croats as well as Bosniaks as it, along with several other buildings, forms a de facto "wall" which structurally divides the city into two parts. On November 9, a reconstructed portion of the building, without a legal decision of the City Council as to the future use of the building, and in contravention of a request by the OHR to postpone any movement into the building until all relevant authorities discuss the issue. Most of the 280 students are Bosnian Croats.
38. **Religious Education in Tuzla:** The Ministry of Education in Canton 4 has issued a unilateral decision, bypassing the consideration of the Cantonal Assembly, to impose mandatory religious instruction in the Canton 4 schools. There have been complaints by parents that children who choose not to attend these classes are suffering harassment and intimidation at school.

## Domestic Human Rights Protection

### Progress in the work of the Institutions

Cases Registered	Human Rights Chamber	Ombudsperson	CRPC
Cases Registered	2967(+172)	3581(+127)	227,000(+approx 2,000)
Cases Completed	433(+130)	1398(+63)	66,000(+approx. 7,000)

40. In nineteen cases against the FBiH (*Buntic and others*) and in nine cases against the RS (*I.M. and others*), the Ombudsperson referred the reports to the respondent parties and forwarded the same to the High Representative for further action, after the time limits for compliance with her recommendations given to the Governments had expired. In all cases the applicants left their homes during the war for war-related reasons. As a consequence of application of the *Law on Abandoned Apartments* in the FBiH, the *Law on Use of Abandoned Property* and the *Law on Housing Relations* in the RS, the applicants' apartments and houses (in the RS) were allocated for use to third persons. All applicants submitted their repossession claims to the competent authorities pursuant to the new entity laws but none of them has received the final decision upon their requests nor reposessed their property within the time limits set out in the new laws.

### **Human Rights Chamber**

41. In October, the *Human Rights Chamber* held a session and delivered decisions on the merits in six cases. In *Lacevic v. FBiH*, the Chamber found that the Federation had violated the rights of an applicant who had exchanged a house in Montenegro with a purchase contract holder of a JNA apartment in Sarajevo because the contract could not be recognized and because he was threatened with eviction. The Chamber ordered the Federation to allow the applicant to validly register his apartment in accordance with the property laws of July 1999.
42. In *Pletelic v. RS*, the applicant was unable to regain possession of his house in Gradiska, which was found to be a violation of the ECHR because of a failure of the authorities to process his claim for reinstatement. The Chamber ordered the RS to permit the applicant to regain possession of the apartment and ordered the RS to pay compensation.
43. In *Gligic v. RS*, a case concerning a rental agreement over a house in Banja Luka, the Chamber ordered the RS to allow the applicant to occupy his house in accordance with the contract. In *F.G. v. RS*, the Chamber found no violation of the right to a home and possessions, because the local authorities had reinstated the applicant while the case was pending before the Chamber.
44. In *Cuturic v. RS*, the Chamber found that in a court case concerning employment, the right to a fair trial in a reasonable time (it took four years) had been violated, and ordered that the proceedings be decided upon in a reasonable time. In *Mahmutovic v. RS*, the Chamber found that the order by municipal officials in Prnjavor to exhume the applicant's wife's remains constituted discrimination and violated, *inter alia*, the freedom of religion. The Chamber ordered that the municipality not interfere with the burials of the Prnjavor Muslim community and ordered the RS to pay compensation to the applicant. (*Chamber decisions and reports are available from the Secretariat or on the Internet at <http://www.gwdg.de/~ujvr/hrch/hrch.htm>.)*

### **Implementation of Decisions**

45. No progress was reported in October with implementations of the decisions of the *Human Rights Chamber*. The Ombudsperson, however, reported the following: Three cases against the FBiH (J.B., S.Z. and B.K.) concerned the failure of the competent housing authorities to enforce decisions issued in the applicants' favour and to restore their possession over the apartments. The Ombudsperson found violations of human rights guaranteed by the *European Convention on Human Rights* and recommended that the FBiH Government ensure that the applicants be reinstated into the apartments. The Government fully complied with Ombudsperson's recommendations. In addition, the Ombudsperson reported that amicable resolutions were achieved in two cases: (D.B. and F.D.). In those cases, binding administrative decisions on the applicants' reinstatements had not been enforced. Within the time-limits given by the Ombudsperson to the FBiH Government in regard to possible amicable solutions, the applicants were reinstated into their apartments. In another case, *R.J. v. RS*, concerning the length of the



civil proceedings before the competent court, within the time-limit given by the Ombudsperson to the RS Government, the president of the competent court replied confirming that the case had been decided. (*More information about the work of the Ombudsperson is available at <http://www.ohro.ba/index.htm>.*)

#### **Future of the Institutions - Legislative Progress:**

46. The Prime Minister of Republika Srpska has indicated that he supports the draft *Law on the Ombudsman of the Republika Srpska* prepared by the Venice Commission and other organisations, which, importantly, includes the establishment of the Ombudsmen as a multi-ethnic institution. A draft law was sent to the National Assembly in October. The finally agreed upon version should be on the agenda of the next RS National Assembly session.
47. The Federation legislature is debating a similar draft law on the *Federation Ombudsman*. The draft law has passed the first reading (of two) in the House of Representatives, with only minor changes. This law will clarify and expand the present provisions in the Federation Constitution, providing a legislative basis for the institution.

## **New Reports**

- European Stability Initiative. *Reshaping International Priorities in Bosnia and Herzegovina, Part One: Bosnian Power Structures*. 14 October 1999.
- Helsinki Committee. *Report on the Activities on Implementation of the Project "Protection, Promotion and Monitoring of Human Rights in Republic of Srpska,"* Bijeljina, October 1999.
- International Crisis Group. *Is Dayton Failing? Bosnia Four Years After the Peace Agreement*. ICG Balkans report No. 80, Sarajevo, 18 October 1999.

## **HRCC Member Organizations**

**OHR**: Under the Annex 10 of Dayton Agreement, the Office of the High Representative is tasked with co-ordination of civilian aspects of peace implementation in Bosnia. OHR maintains a regional human rights presence, and works closely with other agencies who monitor the human rights situation, to develop strategies and co-ordinate interventions. For more information about the OHR generally or about human rights specifically, please contact:

Office of the High Representative  
Emerika Bluma 1  
Sarajevo, Bosnia  
fax: 387-71-447-420  
tel: 387-71-447-275  
web: [www.ohr.int](http://www.ohr.int)

**OSCE**: The OSCE mandate derives from Article 10 of Annex 6 of the Dayton Agreement. The Human Rights Department advances civil, political, social and economic rights including property, return, education, employment, and others. The Human Rights Department interprets its mandate to include *inter alia*: monitoring on and investigating allegations of human rights abuses and training of national NGOs. Its 28 Field Offices and 4 Regional Centers allow the OSCE to ensure the full coverage of the territory of BiH and makes the organisation a direct actor in addressing human rights-related issues.

OSCE  
Human Rights Department  
Dzenetica Cikma 2/4  
Sarajevo, Bosnia  
tel: 387-71-444-444

fax: 387-665-236  
web: [www.oscebih.org](http://www.oscebih.org)

**UNHCR:** The United Nations High Commissioner for Refugees is the lead organisation for the implementation of Annex 7 of the Dayton Agreement, which guarantees the right of displaced persons to return to their homes of origin. UNHCR provides international protection and assistance to refugees and displaced persons, and other persons of concern. For more information about UNHCR in Bosnia, please contact:

UNHCR  
Unis Building Tower A  
Fra Andela Zvizdovica 1  
Sarajevo, Bosnia  
tel: 387-71-666-160  
fax: 387-71-470-171  
web: [www.unhcr.ch](http://www.unhcr.ch)

**UNMIBH/IPTF Human Rights Office:** The existence of International Police Task Force is mandated by Annex 11 of the Dayton Agreement. Under Security Resolution 1088, the IPTF's work includes "investigating or assisting with investigations into human rights abuses by law enforcement personnel." The main objectives of the Human Rights Office are to: investigate human rights violations by law enforcement agents; design remedial measures to correct such violations; and to monitor and ensure the implementation of corrective measures. To implement these objectives, the Human Rights Office carries out investigations into serious incidents of police misconduct and conducts comprehensive inspections of law enforcement agencies to address persistent endemic institutional deficiencies. The Human Rights Office is comprised of 145 International police and 17 international civilian staff, deployed throughout the country.

UNMIBH  
Mese Selimovica 69  
Sarajevo  
tel: 387-71-496-265  
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**OHCHR:** As of December 1998, the OHCHR in Bosnia and Herzegovina is part of the Office of the Special Representative of the Secretary General (SRSG, in charge of the UNMIBH). It focuses its activities on human rights training and on issues of gender and discrimination, with particular emphasis on social and economic rights. It continues to support the mandate of the Special Rapporteur of the Commission on Human Rights and participates in the work of the Human Rights Co-ordination Centre (HRCC) of the OHR. The legal authority for its presence is based on annual resolutions of the Commission on Human Rights as well as Article XIII of Annex 6 of the Dayton Agreement.

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**NOTE:** *The HRCC Human Rights Monthly Report is based on the regular and special reporting of inter-governmental and non-governmental organisations. The aim of the Report is to provide a concise overview of human rights issues, cases and trends affecting the overall human rights situation in Bosnia and Herzegovina during the reporting period. 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 to the attention of Lene Madsen, Sirpa Rautio or Eric Frejabue or by e-mail to [lene.madsen@ohr.int](mailto:lene.madsen@ohr.int) or [sirpa.rautio@ohr.int](mailto:sirpa.rautio@ohr.int) or [eric.frejabue@ohr.int](mailto:eric.frejabue@ohr.int).*

## Office of the High Representative