

Human Rights Report 15-21 April 97

PROTECTION OF MINORITIES

Pressure on Bosniaks Reported in RS Towns

A Bosniak man in Banja Luka (RS) reported to UN IPTF that he discovered that a family of Serb displaced persons had moved into his flat while he was out shopping on 14 April. When UN IPTF went to report the case to the local police, they were told that they should not attempt to go to the flat because it could provoke a reaction from the displaced persons living there. UN IPTF and other international organisations are working on the case. Bosniak community representatives in the Kotor Varos (RS) area have expressed concern about increasing pressure on minorities in the area, including thefts of their property, and reported that some Bosniak families have recently left the area. UN IPTF met with the local chief of police about the matter, who said that several incidents are currently under investigation. UN IPTF requested the police to increase its patrols in the area, especially at night. Bosniak representatives in Gradiska (RS) have also recently asked international organisations for assistance in ensuring the security of Bosniak residents there in view of the increasing number of Serb refugees who are moving to the municipality from Eastern Slavonia.

Police Fail to Enforce Court-Ordered Reinstatements

International organisations in Banja Luka (RS) reported that as of 21 April, none of the 25 reinstatements of minority homeowners scheduled to begin this month had been carried out due to the local police's failure to show up at the properties to enforce court orders for the reinstatements. In some cases, police were not present to intervene when crowds gathered in front of the designated premises and threatened the persons who were attempting to move back into their homes. Local police have said that they are unwilling to enforce court decisions involving the eviction of displaced persons currently occupying these properties, though international organisations working on these cases note that the issue of finding alternative accommodation for the current occupants of these properties has been raised repeatedly with the authorities, but that the RS Ministry for Refugees and Displaced Persons has refused to give these individuals priority for the distribution of abandoned property. International organisations are raising the issue at a higher level.

RIGHT TO RETURN

Tensions Surrounding Drvar Returns Continue

UN IPTF reported that approximately 400 local residents held a demonstration in front of the municipality building in Drvar (Fed) on 16 April to protest visits and potential returns of Serbs to the area, the policies of international organisations, and local economic conditions. International monitors reported that last week municipal authorities rescinded their earlier demand that passengers on the UNHCR cross-IEBL bus could only stay for 24 hours in the town, but also reported that local radio was continuing to broadcast negative statements about returns of displaced persons. The Media Experts Commission is addressing the issue of the radio broadcasts, and international organisations are intervening with the local authorities on the issue of return of displaced persons and the protection of minorities currently living in the municipality. Several weeks ago, a Serb displaced person was detained overnight in Drvar after travelling to the town on the UNHCR bus. Human rights monitors have recorded a pattern of incidents that appear to be aimed at inhibiting returns to the area, including suspicious fires that have destroyed some 90 houses (most of them minority-owned) in the latter half of 1996. International organisations report that local police have been taken some steps to respond to these incidents, though it is unclear whether they have conducted any arrests in connection with them. In other developments, the Federation Ombudsmen's Institution is reportedly

planning to open an office in Drvar in the near future.

INSTITUTIONAL AND POLICY DEVELOPMENTS

BiH Ombudsperson Reports on Mostar Trial

The Human Rights Ombudsperson for BiH issued a Special Report on the Mostar incident that occurred on 10 February 1997 in which one Bosniak was killed and 19 others wounded when Bosnian Croat police officers opened fire on a group of Bosniaks visiting a cemetery on the eve of Bajram. The Ombudsperson found that Mostar authorities violated the European Convention on Human Rights in failing to carry out an impartial and thorough investigation into the shootings and to conduct a proper trial. She also found that the shooting at the procession by members of west Mostar police, the resultant death of a Bosniak, the wounding of nineteen other Bosniaks, and the beating of procession members by west Mostar policemen violated the right to life and the right not to be subjected to inhumane treatment. The Ombudsperson recommended to the Federation Ministers of Interior and Justice that they carry out an impartial criminal investigation and charge and try all those involved in the incident in accordance with international human rights standards, before 24 April 1997.

Ombudsperson Reports on Prnjavor Abuse Case

The Human Rights Ombudsperson for BiH recently reported on a case in which the RS authorities in Prnjavor violated the European Convention when a RS policeman arbitrarily detained a Bosniak man on 14 September 1996 and physically and verbally abused him while he was in police custody. (International human rights monitors had interviewed the man, a former judge, the day the incident occurred and intervened with the local authorities. Monitors following this case had expressed concern that the authorities took no action against the policeman, and were further troubled by the Prnjavor court's ruling several months later in which the former judge was found guilty of failing to show his identification card to the policeman and for resisting arrest.) The Ombudsperson concluded that the applicant had been submitted to inhumane treatment and had been arbitrarily detained. She also determined that physical and verbal abuse had been used by the policeman to intimidate and punish the victim, and recommended that the RS authorities financially compensate the man and fully investigate the misconduct of the police officer.

Human Rights Workshops Offered to Attorneys

The International Human Rights Law Group in cooperation with the Soros Law Centre held its first training workshop for lawyers and human rights defenders on 15 April in Sarajevo. The workshop was designed to support the efforts of legal and human rights professionals to utilise the new legal systems created by the Peace Agreement to address discrimination based on ethnic, religious, political and gender-based grounds, and to advance the ability of local attorneys to litigate human rights cases and to formulate strategies for pursuing such claims before the local courts and human rights institutions. Participants included prominent attorneys and human rights defenders from Bosnia and Herzegovina and abroad, including individuals with experience in human rights protection and in discrimination law under the European Convention. Workshop organisers plan to hold the next session in Zenica in the next few weeks.

Support Services Offered for Torture Victims

OSCE reported that the Center for Torture Victims Sarajevo officially opened its office on 8 April and has started providing rehabilitation and support services to survivors of torture and of other forms of inhumane or degrading treatment or punishment. The Center is affiliated with the International Rehabilitation Center for Torture Victims in Copenhagen and its mandate is based on the UN Convention Against Torture.

MEC Addresses Harassment Cases

The Media Experts Commission (MEC) met on 10 April without a quorum but laid the groundwork for several decisions and actions, including a letter to the Zvornik Public Prosecutor requesting that a television camera belonging to RTV-TPK be returned following its confiscation by local police, letters to the Drvar and Jajce police chiefs regarding the harassment of two reporters, and a letter to the RS Minister of the Interior regarding the temporary detention of a SFOR press officer and a Canadian television crew. The MEC also decided to open a case on "Radio Herzeg Bosna's" allegedly inflammatory broadcasts about the return of Serb refugees to the Drvar area. In other developments, OSCE reported that the next inter-entity journalists conference will be held in Banja Luka

on 9-10 May.

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).*

Office of the High Representative