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PROTECTION OF MINORITIES

Eviction, Intimidation of Minorities Reported in RS

A Bosniak woman in Prijedor (RS) reported that she and her family were forcibly evicted from their home by a Serb displaced person on 18 April, and a Croat woman in Banja Luka (RS) told UN IPTF that she was beaten until she lost consciousness on 9 April by a group of Serb displaced persons whom she had asked to stop cutting wood on her land. The woman said that she and her daughter had been assaulted by the same group the previous week. A Croat man living in Simici near Banja Luka (RS) was reportedly assaulted by two men, one of whom was armed, on 24 April while he was collecting firewood near his home. The man told UN IPTF that this was not the first time that he has been beaten up by local residents. A Croat man in Banja Luka (RS) reported to UN IPTF that his wife was seriously injured when a Serb man armed with a gun forcibly entered their house on 25 April and assaulted her with the weapon. Local police arrested a suspect shortly after. A Bosniak woman who returned to her hometown of Gradiska (RS) last year told UN IPTF that the local authorities are refusing to issue her an identification card, allegedly because her children were born in Croatia and Slovenia. A Bosniak man reported to UN IPTF that shots were fired at him from a passing vehicle while he was standing outside his house in Foca (RS) on 19 April. A Bosniak man living in Teslic (RS) reported to UN IPTF that six windows of his house were broken by unidentified rock-throwers on 23 April, and another Bosniak man was also slapped by a Teslic policeman on 24 April after he and a friend were stopped for an identification check while they were riding their bicycles around the town. The policeman admitted to UN IPTF that he had slapped the complainant because of his “rash” cycling. Human rights monitors are following up on these cases.

Minorities Harassed in Federation Towns

SFOR reported that a Bosniak-owned home was set on fire in the

Livno (Fed) area on 18 April and that two explosions occurred outside the house shortly after the fire had been set. It is the eighth time that the inhabitants of this house have been harassed in this manner in the past few months. UN IPTF also reported that unidentified persons threw a firebomb into the basement a Serb woman's house in Drvar (Fed) on 20 April and fired rifle rounds into the air when she ran outside to put out the flames. In a continuing series of incidents, 12 uninhabited Bosniak-owned houses were reportedly set on fire in the Jajce (Fed) area on the night of 17 April. All of the homeowners are temporarily living in Zenica, except for one person who is living in Croatia, and all were reportedly planning to return to Jajce in the near future. A Serb man in Vogosca (Fed) also reported that on 20 April someone banged on his door and wrote derogatory graffiti on exterior of his house. UN IPTF are monitoring the local police's investigations into all of these incidents.

RIGHT TO RETURN

Slow Progress on Federation Returns

UNHCR reported that a series of initiatives are emerging from local authorities and displaced persons groups in central Bosnia to accelerate returns to the area. Initiatives, including the "open cities" concept for returns, involving the municipalities of Vares, Gornji Vakuf, Busovaca, Prozor and Kiseljak are apparently being met with support from local residents. In a less positive development, international monitors report that 35 uninhabited Bosniak-owned houses in Jajce (Fed) have been damaged by fire in the past 45 days in an apparent effort to prevent minority returns to the area. UN IPTF also received a complaint from a Croat woman that a group of men stole construction materials from her family's house in a Bosniak majority area in Mostar (Fed) on 22 April. Local police in Stolac (Fed) are investigating the theft of building materials intended for the reconstruction of pilot project houses on the same day. A Serb woman was also reportedly threatened by several Bosniaks when she went with UN IPTF and the local police to visit her home in Ilidza (Fed) on 24 April. UN IPTF is following up.

Displaced Persons Harassed in Federation
On 20 April, several Croats en route to visit their pre-war homes in the Bugojno (Fed) area were forced to turn back after they were confronted by a group of Bosniaks armed with guns and sticks. UN IPTF, SFOR and the local police dispersed the crowd and the visitors took another route to see their homes. In Jajce (Fed), the local fire brigade confirmed that a recent fire at an uninhabited Bosniak-owned house in the area had been intentionally set. When questioned about the case, local police told UN IPTF that Bosniaks have allegedly been returning to the area on the weekends to burn their own houses. International organisations are following up on a number of cases of fires that have damaged uninhabited Bosniak-owned homes in the Jajce area.

FREEDOM OF MOVEMENT

Cross-IEBL Traders Arrested, Fined
A Bosniak and a Serb woman travelling from Gradiska to Sanski Most (Fed) to sell some video cassettes were detained by Federation police in Sanski Most and brought to court where they were fined 350 DM on the spot and had their tapes confiscated. Federation police had told the women that they were arrested because trade between the two Entities is "illegal." The police later escorted the Serb woman to the IEBL and released her from custody.

INSTITUTIONAL AND POLICY DEVELOPMENTS

Reappointment Process of Sarajevo Judges Raises Concerns
On 11 April, the Sarajevo Cantonal Assembly, upon the recommendation of the Cantonal President, re-elected judges for the Cantonal Courts and the President of the Cantonal Court appointed judges for two municipal courts. Despite the fact that most of the 78 judges working in these courts have substantial professional experience (some more then 20 years in the judiciary system), 29 of them were not re-elected or re-appointed to their posts and will not be able to appeal the Canton's decision. Fourteen of the 37 Cantonal Court judges were not re-elected and 15 out of 41 municipal judges were not re-appointed, though they will be able to reapply for their

jobs. Human rights observers note that no explanation or advance notice was given to the 29 judges, and have expressed concern about the lack of transparency in the selection process, noting that it raises serious questions about the independence of the judiciary and the role of the local authorities in this regard.

International Community Condemns Flawed Trial The Principal Deputy High Representative Ambassador Steiner wrote to RS Prime Minister Klickovic on 24 April to protest judicial proceedings in the cases of seven Bosniak men in Zvornik, calling the trial and the verdicts a "miscarriage of justice" which "laid bare the [RS's] failure to uphold even minimum fair trial standards." Three of the seven men were each sentenced to 21 years in prison for murder and for illegal weapons possession; the other four were sentenced to one year in prison for illegal weapons possession, but were released the same day in view of the fact that they had already served most of their sentences. Ambassador Steiner stated that the defendants were denied legal counsel of their choice and that the court-appointed RS lawyers did not give their clients effective legal representation. Ambassador Steiner also reminded Klickovic that he had not upheld his assurances that Federation lawyers would be allowed to act as co-counsel in the cases. The High Representative Carl Bildt had also raised this matter with RS President Plavsic earlier in the day, who agreed that the defendants had been denied the right to counsel of choice, and that this violation must be remedied. In his letter, Ambassador Steiner noted that the flaws in the trial itself were "numerous and profound" and demanded that the defendants be given a fair trial and that on appeal, the Higher Court must remand the case based on the gross procedural violations in the Lower Court proceedings, and that the case be retried. *"If the RS is not capable of fulfilling the requirements for a fair trial, then the defendants must be released,"* he concluded, adding that the RS must be aware that its failure to respect basic democratic standards is, and will be, a key obstacle to economic assistance.

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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