Human Rights Report 23-29 June 97

FREEDOM OF MOVEMENT

Crime and Police Hinder Movement in RS

On 22 June, two men told UN IPTF that they were stopped in Loncari (RS) while driving on the "Arizona Road" (the main inter-entity transit route between the Posavina corridor and Tuzla) by two RS policemen who issued them a ticket for 200 DM. As the travellers did not have enough money, the police confiscated their identification documents and told them they must pay a fine in Brcko in order to get their documents back. UN IPTF is following up. UN IPTF also removed two illegal checkpoints on 22 June; one on the road between Sarajevo and Pale (RS) and the other near Foca (RS). The checkpoint near Foca was dismantled with SFOR's assistance. Also on 22 June, a man reported to UN IPTF that he was robbed while travelling south on the "Arizona Road" by two men who stopped his car with their vehicle and stole money and identification documents. The victim suffered a laceration from broken glass. SFOR and UN IPTF have reported a number of similar incidents over the past few months and are working with the local police to improve security on this road.

Teslic Police Demand "Visas" from Minority Travellers

A Croat woman told UN IPTF that she and two passengers were stopped by RS police in Teslic (RS) on 12 June who took their identification documents and brought them to the police station. One of the women had to pay 45 DM for a "visa" and five FRY dinars as a "tourist tax." The Office of the High Representative and UN IPTF recently wrote to the RS authorities to inform them that under the Peace Agreement, only the joint institutions of Bosnia and Herzegovina have the authority to issue "visas," and therefore the RS authorities must stop this practice.

RIGHT TO RETURN

Busovaca Returns Underway

UNHCR reported last week that Croat and Bosniak authorities have agreed on the return of 700 Croats and 82 Bosniaks to their homes in Busovaca (Fed) and that many displaced persons have returned to the municipality in the past few months. Busovaca has declared itself an "Open City" under the new UNHCR returns initiative that targets return of minorities to cities that demonstrate full commitment to protection human rights. UNHCR will identify potential donors to enable the project's implementation.

Mixed Results in Stolac

On 23 June, Bosniak families participating in the pilot project in Stolac (Fed) began returning to their homes as part of an UNHCR-brokered agreement to return 32 of the 68 families by the end of June at a rate of three to five families per day. The project had been agreed upon 19 months ago, but returns to the area had been repeatedly blocked by the local authorities. On 23 June, five families returned, on 24 June three of the four families who attempted to return did so, only one family returned on both 25 and 26 June, two families returned on 27 June, and four tried to return on 28 June but only one was able to. The families that did not return had either been turned away by the local authorities (allegedly because they were not the original owners of the homes) or chose not to return after learning that other families had been turned back. UNHCR is addressing the intransigence of the Stolac authorities at the Federation level, and is maintaining a policy of redirecting international assistance from Stolac until the project is completed.

Banja Luka Authorities Criticised

In a recent press conference, the Human Rights Working Group in Banja Luka (RS), comprised of representatives of the OHR, OSCE, UNHCR, UN Civil Affairs, UN IPTF, and SFOR expressed deep dissatisfaction over the failure of the RS authorities to reinstate 38 minority families to their rightful homes. The 38 cases are significant because each of the families remained in

Banja Luka throughout the war, and in all cases, received positive court decisions confirming their right to return to the properties. Despite repeated assurances from the RS authorities to carry out court decisions by evicting the illegal occupants of these homes, police have repeatedly failed to appear at the sites of intended reinstatements, allegedly on the orders of senior police officials in Banja Luka. The Banja Luka authorities' failure to reinstate the families is in non-compliance with the Peace Agreement and the findings of the Human Rights Ombudsperson for BiH, who requested the reinstatement of the families by the end of June. Non-enforcement of the court orders was deemed "deplorable" by the Banja Luka Human Rights Working Group, which also said that the inability of families living in the Banja Luka area who possess court orders for their reinstatement to return to their homes raises serious doubts about wider returns of displaced persons and refugees to the city.

THREATS TO LIBERTY AND SECURITY

UN IPTF Releases Investigation Results

In its special investigation into 29 allegations of police abuse in the Sarajevo (Fed) area, UN IPTF was able to substantiate five cases of human rights abuses committed by local police involving six victims since 1 January 1997. Another case is likely to substantiated. The remaining alleged abuses, except for two which UN IPTF determined were deliberately false statements by the complainants, were unsubstantiated, meaning that no evidence of injury or independent witnesses could be found. Of the substantiated cases, two were from the Novo Sarajevo station and involved the beating of detainees who had been arrested for traffic violations. Three allegations of assault by police at the Stari Grad station involving four victims were substantiated after medical evidence confirmed that police had severely beaten three detainees. In the other case, a man suffered a head injury while in police custody; UN IPTF is looking into discrepancies between the victim's and the policeman's versions of events. UN IPTF is working with the Federation

Ministry of the Interior regarding its findings and will make recommendations to improve the situation, as well as monitor disciplinary actions against the officers involved in the incidents.

OTHER HUMAN RIGHTS ISSUES

OHR Requests Clarification, Update on West Mostar Police Issues

UN IPTF is looking into reports that the former west Mostar (Fed) police chief Marko Radic, who had been removed from his post for his involvement the 10 February shooting incident, is now working as an adviser to the Cantonal Interior Ministry. Several days ago Radic made inflammatory statements in the local media appeared to be aimed at provoking ethnic tensions. International organisations, including the OHR, OSCE and UN IPTF, condemned the statements and the Mostar Media Experts Sub-commission are looking into the matter. In other developments, the OHR has requested an update from the Federation authorities on its call for a new criminal investigation and correct legal proceedings based on new indictments to be undertaken in the cases of three west Mostar policemen who were photographed firing into a crowd of marchers on 10 February. The Human Rights Ombudsperson for BiH requested similar action in her 10 April report on the incident and the subsequent trial. In March, the three policemen were given suspended sentences in legal proceedings which the OHR characterised as having “nothing in common with justice”. The OHR also raised its concerns with the Federation authorities about reports that the three policemen may still be working as a part of the force and that some may have even been promoted. The OHR has also asked for an update on actions that have been taken in the cases of two other west Mostar policemen who had been photographed with their weapons drawn during the shooting incident and who were to be suspended from duty, investigated and prosecuted.

INSTITUTIONAL AND POLICY DEVELOPMENTS

Conflict Resolution Workshops Held

OSCE and the U.S. Information Agency sponsored a series of conflict resolution and peace building workshops from 14-19

June in Banja Luka, Mostar, and Zenica. In Banja Luka, participants from the RS and the Federation pledged to keep in close contact with each other and to develop further initiatives to foster cross-IEBL communication. The Mostar workshop provided a forum for local community leaders from both sides of the city to discuss ways to enhance communication and cooperation.

Federation Ombudsmen Win Human Rights Award

On 20 June, the Federation Ombudsmen, Vera Jovanovic, Branka Raguz and Esad Muhibic, were awarded the Human Rights Prize by the Graz University academic senate "Carl Franzens." The senate made an unanimous decision to confer the award on the Federation Ombudsmen for their human rights protection work in Bosnia and Herzegovina over the past two years. The Federation Ombudsmen are the third winners of the Graz prize, which has also been given to the rector of the San Salvador University, Ju Sobrino, and to the head of the Vienna-based Institute for Investigation of War Crimes, Simon Wiesenthal.

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