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FREEDOM OF THOUGHT / EXPRESSION / ASSOCIATION

DNZ Participation in Round Table Causes Walk-Out
On 20 August, OSCE organized a political party round table in Velika Kladusa (Fed), including for the first time, a participant from the Democratic People's Union (DNZ), the party associated with former autonomist leader Fikret Abdic. The meeting proceeded for an hour and a half without incident, but when the DNZ representative was given the floor, twenty-five of the thirty participants left. The remaining participants, most of whom are independent candidates, expressed their desire to hold another round table even though the major political parties walked out this time. Despite continuing tension regarding DNZ activities, OSCE reports that the ability of opposition parties to campaign in Velika Kladusa and Cazin has significantly improved since last year.

FREEDOM OF MOVEMENT

RS Police Continue to Defy IC Demands on "Visas"
On 16 August, UN IPTF received a report that a group of travelers from the UK and the USA traveling from the FRY were detained at the Vardiste (RS) border point because they refused to pay 30 DM each for a "RS transit visa." After waiting there for 30 hours, they decided to pay the "transit visa" fee and an additional fee of 200 DM per vehicle (allegedly for "customs insurance") and were allowed to pass. On 15 August, three Croats traveling through Doboj (RS) were told by local police that they must each pay 30 DM for a "transit visa." UN IPTF went to the scene and informed the police that their request was illegal, but the local police took the Croat travelers to the Doboj police station and charged them for the visas. UN IPTF has filed a non-compliance report against the officers involved. The OHR and UN IPTF have

repeatedly informed the RS Ministry of Interior that RS police must stop demanding and issuing "RS visas," since under the BiH Constitution, the authority to regulate and implement immigration, refugee and asylum policy rests with the common institutions of BiH. On 17 August, a woman reported to UN IPTF that local police prevented her from crossing the Loncari junction near Brcko after she refused to pay a "tax" and also confiscated her vehicle, cargo, and personal documents. UN IPTF will follow up on this case.

THREATS TO LIBERTY AND SECURITY

Eight Policemen Disciplined in Beating Case
In response to UN IPTF's investigation into 29 allegations of police abuse in the Sarajevo area during the period from 1 January to 15 June, Sarajevo Canton Interior Minister Ismet Dahic announced on 20 August that cantonal police had investigated the five substantiated allegations in UN IPTF's report and one unresolved case. In one case of physical maltreatment of three men in custody at the Stari Grad station, the Ministry had determined that eight policemen at this station had gone "too far in using force against the offenders." One officer had to turn in his badge, three policemen were transferred to other departments, and four others will be docked 5% of three months of salary as a disciplinary action. Dahic said that investigations into the remaining cases continue.

RIGHT TO RETURN

Bosniaks Return to Villages Around Jajce
Between 16-21 August, the agreement of 5 August for Bosniak return to villages around Jajce (Fed) was implemented. During this period, about 400 heads of families registered for return in an operation that was monitored by SFOR, UN IPTF, UNHCR, and local authorities. Human rights monitors report that the majority of returnees feel secure enough to stay overnight in the villages and have begun reconstruction and cleaning of their homes. Returns to Bucici (Fed) and Divicani (Fed) were momentarily delayed on 19 and 20 August, respectively, when local Croat leaders tried to reduce the number of agreed-upon

returnees, but the process was put back on track following an intervention by the Office of the High Representative. The return process was marred by two mine incidents on 20 August, when two returnees were seriously injured. These mines were located on an often-traversed main road in a mixed Bosniak-Croat area, raising speculations that they were planted. Humanitarian organizations note that the next step to ensuring permanent return is reconstruction of homes, since most are currently damaged and unsuitable for habitation through the winter months.

Open City Ceremony Disrupted

On 19 August, a ceremony in which Lukavac's (Fed) participation in the "Open Cities" initiative was to be announced was canceled after it was disrupted by a group of 15 displaced women from Srebrenica. The Lukavac mayor reportedly tried to convince the women of the benefits of Lukavac's participation in the Open Cities initiative to all residents, but was told that Federation towns should not be open to Serb displaced persons as long as people like themselves can not return to the RS. On 12 August, UNHCR had announced that the mayor of Lukavac had declared his willingness to accept the return of displaced Serbs to their homes in Panjik and Stupari and would guarantee their security, including by hiring some of the returnees for the police force. On 8 August, local media reported that an agreement had been reached for 149 Serb families to return to the two villages, and that international organisations had pledged to support the reconstruction of houses there. Efforts will continue to facilitate returns to Lukavac and its participation in the Open Cities initiative.

OTHER HUMAN RIGHTS ISSUES

Concerns Raised About Sarajevo War Crimes Trial

Miodrag Andric, a Bosnian Serb who had been indicted for war crimes against civilians was convicted and received a 20-year prison sentence from the Sarajevo Cantonal Court on August 22. Andric had been detained since June 1995. His file was sent to the International Criminal Tribunal for the Former Yugoslavia (ICTY) for review in April 1996, and the ICTY Prosecutor found

sufficient evidence for his detention on suspicion of war crimes the following month. The presiding judge noted that the verdict was based on the testimony of two witnesses who stated that Andric, with a group of Serb soldiers, killed three people in an attack by the Bosnian Serb Army in a village near Rogatica during the war. During the trial, the defence called for a re-enactment at the scene (based on the contention that the witnesses could not have seen the alleged acts from their vantage point) and for the hearing of witnesses from the RS. These motions were rejected by the panel of judges, which argued that no additional testimony was needed because there was already "enough evidence to make a decision." International organisations (including OHR, which monitored the trial) are concerned that rejection of these motions violated Andric's fair trial rights, particularly Article 6(3)(d) of the European Convention on Human Rights under which all persons have the right to "obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him." An appeal can be filed within eight days of delivery of the written verdict.

INSTITUTIONAL AND POLICY DEVELOPMENTS

Bosnian Youth Meet in Romania

OSCE, Mladi Most, and Shuler Helfen Leben (two international non-governmental organizations involved in promoting reconciliation amongst youth) held two inter-entity youth camp sessions in Sovata, Romania between 5-16 August. Young people from Germany and BiH (including Serbs, Croats, and Bosniaks) participated in workshops and recreational activities that focused on mutual understanding and cultural awareness. The organizers chose to hold the campt outside BiH to provide Bosnian youngsters with an opportunity to meet on "neutral" ground.

Donors Catalogue Provides Advice to NGOs

OSCE and the International Council of Voluntary Agencies (ICVA) recently published a "Donor Catalogue" to serve as a practical guide for organizations seeking funding sources. The guide describes donor agencies, including the types of activities they fund, beneficiaries, and application requirements, and lists training and technical assistance

opportunities currently being offered. The catalogue, aimed at domestic non-governmental organizations and groups, also offers general advice on project development, proposal writing, and other strategies for approaching donors. OSCE and ICVA are distributing the catalogue to local NGOs throughout the country.

Inter-faith Meeting Held in Tuzla
On 18 August, leaders of the Orthodox, Catholic and Muslim faiths met in Tuzla in a gathering organised by OSCE. The Orthodox Bishop of Zvornik-Tuzla, the Bishop of Banja Luka, the Muftis of Tuzla and Mostar, the Guardian of the Tuzla Franciscan Monastery, the Parish priest of Tuzla, Franciscan Provincial of Sarajevo, the Deacon of Brcko and a representative of the RS Ministry of Religions discussed a number of issues, including visits of religious leaders to cities in which they currently only have limited access, and cross-entity travel to conduct religious services. Attendees noted the value of inter-faith activities and expressed support for the return of the Orthodox Bishop Kacavenda to his residence and church in Tuzla, a controversial issue in the Tuzla area.

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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