

# RS Palic Commission Report Received

The OHR today received the report and annexes from the RS's 'Palic Commission' as requested by the HR on January 19. The Human Rights Commission in their final ruling of 16 January 2006 found that the RS authorities have failed to provide adequate details to establish the facts of the disappearance of Colonel Avdo Palić after the fall of Žepa.

The report details the fate of Avdo Palic and claims to reveal the location of his mortal remains. If proved accurate, and this information is yet to be verified, it would mean the RS is close to full implementation of the HRC chamber decision of 2001. The High Representative will grant no new deadlines in this case, the exhumation itself must take place as soon as ground conditions in the location allow. The High Representative hopes that this information will, in the long term, provide some level of comfort to Mrs. Esma Palic.

The RS Government's report itself will now go to the BiH Prosecutors office. The OHR will not be revealing or commenting the contents of the report as criminal investigations in this case are currently underway. All other institutions should similarly respect this process.

Although the case of Colonel Avdo Palić and the continued denial of the human rights of his wife Esma Palić seems now to be reaching its conclusion, the culture of cover-up persists. There are some 16 Human Rights Chamber decisions relating to missing persons which have been ignored by Governments across BiH, including the Federation Government, in the HRC's 'Sarajevo Serbs' case. Despite indicating a willingness to initiate a mechanism to uncover the truth in that case, the FBiH Government now seems to be backtracking. This is unacceptable.

All Human Rights Chamber or Human Rights Commission decisions related to missing persons must be fully complied with and implemented, irrespective of the ethnic or religious background of the victims or the families.

The governing institutions of BiH must observe the rule of law, and the instruction of a court is a part of the rule of law – in the HRC's case – the highest authority in BiH on human rights.

Revealing the fate and whereabouts of loved ones is part of the European Convention on Human Rights; it applies to every individual in Europe irrespective of his or her ethnic group or religious background, and must be complied with.

The lesson learned from the Palic case must be that there is no way around uncovering the truth. The RS seems finally to have made progress in this case. The OHR hopes this progress will set a precedent for the implementation of all the other outstanding Human Rights Commission cases. The High Representative expects all BiH authorities to follow suit.