

UN Security Council resolution 1019 (1995) on violations of international humanitarian law in the former Yugoslavia

RESOLUTION 1019 (1995)

Adopted by the Security Council at its 3591st meeting, on 9 November 1995

The Security Council,

Recalling all its earlier resolutions on the situation in the Republic of Bosnia and Herzegovina, and reaffirming its resolutions 1004 (1995) of 12 July 1995, and 1010 (1995) of 10 August 1995, and the statements of its President of 7 September 1995 (S/PRST/1995/43) and 12 October 1995 (S/PRST/1995/52), and *deeply concerned* that despite repeated calls that it should do so, the Bosnian Serb party has not complied with the demands contained therein,

Gravely concerned at reports, including by the representative of the Secretary-General of the United Nations, of grave violations

of international humanitarian law and of human rights in and around Srebrenica, and in the areas of Banja Luka and Sanski Most, including reports of mass murder, unlawful detention and forced labour, rape, and deportation of civilians,

Recalling also all its earlier relevant resolutions on the situation in the Republic of Croatia, and *reaffirming* its resolution 1009 (1995) of 10 August 1995, and the statements of its President of 7 September 1995 (S/PRST/1995/44), and of 3 October 1995 (S/PRST/1995/49),

Deeply concerned at reports, including by UNCR0 and United Nations humanitarian agencies, of serious violations of international humanitarian law and of human rights in the former sectors West, North, and South, in the Republic of Croatia, including burning of houses, looting of property, and killings of civilians,

Reiterating its strong support for the efforts of the International Committee of the Red Cross (ICRC) in seeking access to displaced persons and to persons detained or reported missing and *condemning* in the strongest possible terms the failure of the Bosnian Serb party to comply with their commitments in respect of such access,

Commending the efforts of the United Nations peace forces and other United Nations personnel in the former Yugoslavia, in particular in the Republic of Bosnia and Herzegovina, despite extreme difficulties,

Taking note of the letter to the President of the Security Council from the President of the International Criminal Tribunal for the former Yugoslavia of 31 October 1995 (S/1995/910),

Expressing its strong support for the work of the International Tribunal established pursuant to its resolution 827 (1993) of 25 May 1993,

1. *Condemns* in the strongest possible terms all violations of international humanitarian law and of human rights in the territory of the former Yugoslavia and *demands* that all concerned comply fully with their obligations in this regard;

2. *Reaffirms* its demand that the Bosnian Serb party give immediate and unimpeded access to representatives of the United Nations High Commissioner for Refugees, the ICRC and other international agencies to persons displaced and to persons detained or reported missing from Srebrenica, Zepa, and the regions of Banja Luka and Sanski Most who are within the areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces and

that the Bosnian
Serb party permit representatives of the ICRC (i) to visit and
register any
persons detained against their will, whether civilians or
members of the forces
of the Republic of Bosnia and Herzegovina, and (ii) to have
access to any site
it may deem important;

3.*Reaffirms* also its demand that the Bosnian Serb party
respect fully
the rights of all such persons, ensure their safety, and
release them
immediately;

4.*Reaffirms further* the obligation on all the parties to
ensure the
complete freedom of movement of personnel of the United
Nations and other
relevant international organizations throughout the territory
of the Republic of
Bosnia and Herzegovina at all times;

5.*Demands* that all detention camps throughout the territory of
the
Republic of Bosnia and Herzegovina should be immediately
closed;

6.*Reaffirms* its demand that the Government of the Republic of
Croatia
take urgent measures to put an end to *violations* of
international humanitarian
law and of human rights, and investigate all reports of such
violations so that
those responsible in respect of such acts be judged and

punished;

7.*Reiterates* its demand that the Government of the Republic of Croatia
respect fully the rights of the local Serb population
including their right to
remain or return in safety and *reiterates also* its call upon
the Government of
the Republic of Croatia to lift any time-limits placed on the
return of refugees
to Croatia to reclaim their property;

8.*Demands* that all States, in particular those in the region
of the
former Yugoslavia, and all parties to the conflict in the
former Yugoslavia, comply fully and in good faith with the
obligations contained in paragraph 4 of
resolution 827 (1993) to cooperate fully with the
International Tribunal
established pursuant to that resolution including by providing
access to
individuals and sites the Tribunal deems important for its
investigations, and
by complying with requests for assistance or orders issued by
a trial chamber
under article 29 of the Statute of the Tribunal, and *calls*
upon them to allow
the establishment of offices of the Tribunal;

9.*Demands* that all parties, and in particular the Bosnian Serb
party,
refrain from any action intended to destroy, alter, conceal,
or damage any
evidence of violations of international humanitarian law and
that they preserve
such evidence;

10.*Reaffirms* its support for the actions of the United Nations peace forces, and other United Nations personnel, including the great importance of their contribution in the humanitarian field, and *demands* that all parties fully ensure their safety and cooperate fully with them;

11.*Requests* the Secretary- General to submit to the Council as soon as possible a written report based on all information available to the United Nations concerning recent violations of international humanitarian law in the areas of Srebrenica, Zepa, Banja Luka and Sanski Most;

12.*Requests also* the Secretary-General to continue to inform the Council on a regular basis of measures taken by the Government of the Republic of Croatia to implement resolution 1009 (1995) and the present resolution;

13.*Decides* to remain seized of the matter.