

BOSNIA AND HERCEGOVINA

Politics of Revenge

The Misuse of Authority in Bihać, Cazin, and Velika Kladuša

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MAP OF THE REGION

SUMMARY

The international community has focused relatively little attention on the Una Sana canton because, in contrast to other regions of Bosnia and Hercegovina, the human rights abuses committed there are generally motivated by partisan politics rather than ethnic chauvinism. This report provides evidence that human rights abuses against opponents of Alija Izetbegović's Party of Democratic Action (Stranka Demokratske Akcije, SDA) have become a cornerstone of the local government's policy and practice in Bihać, Cazin, and Velika Kladuša, and that this policy is consistent with the SDA's increasingly nationalistic ideology.

The Una Sana canton, a province in northwestern Bosnia, is currently controlled by the SDA, with officials loyal to the SDA dominating almost all aspects of government, including law enforcement, public utilities and medical and educational institutions, and the economy. These authorities systematically persecute non-SDA members, especially targeting members of Fikret Abdić's Democratic People's Union (Demokratska Narodna Zajednica, DNZ), who fought on the side of the Bosnian Serbs against Bosnian government forces in the Bihać pocket during the war. According to the U.N. Commission of Human Rights, during the war, Abdić and his supporters, along with Bosnian Serb forces, were responsible for massive destruction of property and arbitrary detention, torture, and killings of civilians in the region. After their defeat, Abdić and most of his supporters lived out the rest of the war and the initial part of the post-Dayton period in exile in the Krajina region of Croatia, and returned to Bosnia gradually throughout the latter part of 1996 and the first half of 1997. Because of this wartime history, the Bosnian government seems to view all Abdić supporters as having betrayed their ethnic community and participated in the destruction of a multi-ethnic Bosnia and Hercegovina. The Una Sana cantonal authorities are, therefore, now engaged in a campaign of intimidation, harassment, and violence against Abdić supporters and other members of the political opposition, who they perceive as "enemies of the state."

Opposition groups have little or no access to the media and are severely restricted in their pre-election campaigning activities, and in their access to participation in local politics. The six DNZ members who were elected to the cantonal assembly are not able to attend assembly meetings because they fear for their safety. Opposition members and their families are routinely denied opportunities for employment solely because of their political beliefs. Non-SDA members are either denied medical care equal to that provided SDA supporters or are charged much higher fees. Abdić supporters who were refugees during the war and who have recently returned to the canton face particular problems: they are often denied housing, denied the opportunity to reopen businesses they formerly owned, or the chance to apply for jobs in their profession. Furthermore, Abdić supporters and other opposition members and their families face physical assaults, bombings, and other violence as part of the SDA-led campaign of harassment and intimidation.

The Una Sana cantonal authorities have thus consistently failed to comply with the provisions of the Dayton Accords, as well as their obligations under international human rights law. In addition, they have often failed to cooperate with international organizations who work in their canton to ensure the protection of minorities, the return of refugees and general compliance with the provisions of the Dayton accords. After an attack against Haris Silajdžić—then an opposition party leader—in Cazin in June 1996, for example, international protest led to the dismissal of the chief of police of Cazin. However, in a typical maneuver, he was not fired from the police force altogether, but merely transferred to his current post in the Bihać police department.

Human Rights Watch/Helsinki research in the canton has also documented a pattern of severe police abuses. The local police, especially in Velika Kladuša and Cazin, who are also under the control of the SDA, commit frequent acts of abuse, including the beating of individuals at the time of arrest and torture and ill-treatment during interrogation, and police frequently target individuals based upon their political opinions. The International Police Task Force (IPTF) spokesperson Alexander Ivanko announced in June 1997 that the IPTF was very concerned about numerous reports of police brutality in Velika Kladuša, which he indicated warranted a special investigation into police abuses in the area. However, as of mid-July, no special investigation into police brutality was under way aside from those routinely conducted on a case by case basis.

Reports received by Human Rights Watch/Helsinki indicate that an illegal network of individuals working under SDA authority are charging recent returnees exorbitant fees for housing and/or for protection. Interviews with witnesses confirmed information about high fees being charged to opposition members for medical, legal, and educational documents and services which would otherwise be free, or very inexpensive.

Furthermore, the cantonal judicial authorities are currently holding ten individuals in the Luka Cantonal Prison in Bihać on charges of war crimes. The men were arrested in violation of the “rules of the road” agreement signed in Rome by the parties to the Dayton Peace Accords in February 1996, which requires the local authorities to obtain prior authorization from the International Criminal Tribunal for the former Yugoslavia (ICTY) before arresting anyone suspected of having committed war crimes or crimes against humanity. These individuals have been accused of numerous war-time atrocities, ranging from genocide to the killing or ill-treatment of prisoners. To the extent that there is sufficient evidence to support these accusations, such individuals should clearly be arrested and prosecuted. However, the Rome Agreement created a mechanism—prior review by the ICTY—to avoid domestic prosecutions for war crimes that were motivated by revenge and ensure that the authorities possess sufficient evidence of individual guilt to warrant prosecution. However, the cantonal authorities, in direct violation of this agreement, arrested the men without prior authorization, and delayed submitting relevant files to the ICTY. What is more, most of these individuals were severely beaten by the police before being confined in Luka prison. In addition, their rights of due process have been severely and systematically violated by the cantonal judicial authorities, who are also under the strong arm of the SDA authorities. For these reasons, Human Rights Watch/Helsinki has serious questions about the ability of the suspects to obtain a fair trial before an unbiased tribunal in the Una Sana canton.

The international community has an important role to play in improving respect for human rights in the canton. It is up to the international organizations involved in the implementation of the Dayton agreement to hold the Una Sana cantonal authorities accountable for their acts of non-compliance. Authorities who have ordered or participated in attacks against persons based upon their ethnic or political affiliation since the Dayton agreement must not be permitted to run as candidates in the upcoming municipal elections in September 1997. The Organization for Security and Cooperation in Europe (OSCE), through the establishment of the Election Appeals Sub-Commission (EASC), has established mechanisms to deal with officials that have obstructed implementation of the Dayton agreement who attempt to run for office. Their mandate authorizes the EASC to sanction or strike from the ballot any candidates or political parties who are in serious violation of the provisions of Annex III (Elections) of the Dayton agreement or the Provisional Election Commission (PEC) Rules and Regulations, including the code of conduct for candidates, and to consider striking any candidates who violate provisions of the Dayton agreement other than Annex III. It is imperative that the EASC exercise its crucial mandate to strike from the ballot for the municipal elections officials who have committed serious human rights abuses in the Una Sana canton.

Similarly, police officials and personnel who have ordered or participated in attacks against or harassment of opposition members must be vetted and screened out of the police department. The IPTF has an extensive mandate to vet the police in the territory of the federation. Though some training and screening is underway, IPTF has informed Human Rights Watch/Helsinki that no police officers have yet been removed in the Una Sana canton as a result of their participation in human rights abuses or obstruction of the Dayton agreement.

The only possibility for lasting peace and reconciliation, secure refugee return, freedom of movement and expression, and a free and fair election process rests on the removal of governmental and law enforcement officials who have violated the provisions of the Dayton agreement, and have committed human rights abuses. These removals should be accompanied by legal and disciplinary action against those who have abused their official positions to conduct or endorse attacks. Any international economic aid which goes to the Una Sana canton should also be conditioned on the cessation of attacks and harassment against opposition members and strict adherence to the provisions of the Dayton peace agreement and international human rights standards.

RECOMMENDATIONS

Human Rights Watch/Helsinki calls upon the Una Sana cantonal authorities, under Cantonal Governor Mirsad Veladžić, and including Bihać Mayor Adnan Alagić, Cazin Mayor Sabid Lipović, and Velika Kladuša Mayor Ejup Alagić, to:

- inform all cantonal and municipal employees publicly and in writing that discrimination, harassment, and attacks against persons based upon their political affiliation will not be tolerated, and will result in punitive measures;
- end discrimination against non-SDA members in employment;
- dismiss any and all officials who participate in or officiate over harassment, intimidation, or attacks against persons based upon their political affiliation;
- cease immediately any and all direct and immediate incitement of acts of violence, discrimination or criminal harassment or intimidation against the opposition through television and radio;
- ensure that all political candidates and parties have equal access to the state-owned media in the Una Sana canton;
- provide security as necessary to ensure that the DNZ party members elected to the cantonal assembly can participate without fear of attack;
- immediately establish cooperative relationships with the federation ombudsmen's office, and with all international organizations involved in the implementation of the provisions of the Dayton agreement, according to their obligations under the Dayton agreement and under the federation constitution;
- grant equal access to humanitarian aid for all persons regardless of political affiliation.
- comply with the letter and spirit of the Rome Agreement by ensuring that all orders to arrest persons suspected of war crimes are based on evidence that has been determined to be sufficient by the ICTY. Specifically, the files of individuals whose names appear on any local lists of war crimes suspects, but who have not yet been arrested, should immediately be forwarded to the ICTY for review;

Human Rights Watch/Helsinki calls upon the presidents of the local branches of the SDA, including cantonal SDA President Mirsad Veladžić, Bihać SDA President Alaga Adinović, Cazin SDA President Alaga Topić, and Velika Kladuša SDA President Ejup Alagić to:

- cease immediately any and all intimidation, discriminatory practices, harassment or ill-treatment of persons not affiliated with the SDA and/or members and candidates of opposition parties, and their families. Publicly direct the SDA membership to cease any such practices;

Human Rights Watch/Helsinki calls upon the Una Sana cantonal judicial authorities, and specifically Hasan Pjanić, president of the cantonal court, to:

- drop war crimes charges against those whose files are determined by the ICTY to contain unsubstantiated or inadequate evidence of war crimes;

- ensure that those who appropriately remain in the custody of local cantonal authorities are guaranteed fair criminal justice procedures and protections. Specifically, immediately inform all suspects of their rights and the charges against them; allow immediate access to counsel of their choice; inform the suspects' families of their whereabouts within twenty-four hours of the detention, according to the provisions of domestic law; promptly bring detainees before a judge; subject each extension of detention to judicial review; ensure the right to trial within a reasonable time or release the defendant; guarantee public proceedings before an independent and impartial tribunal; provide adequate and thorough medical care for prisoners;
- ensure that testimonies and confessions taken under duress or signed as a result of torture or other ill-treatment by law enforcement officials are not used in any court proceedings, except in proceedings against the perpetrators of the abuse.

Human Rights Watch/Helsinki calls upon the Una Sana cantonal law enforcement officials, under the authority of cantonal Minister of the Interior Edhem Veladžić and Chief of Criminal Investigations Halid Velagić to:

- bring an immediate end to torture and ill-treatment of detainees by the police in Una Sana canton.
- institute and announce a policy that the beating and harassment of detainees is prohibited and that any officer suspected of violating the human rights of a detained person will be immediately suspended from duties, pending an investigation by IPTF and/or local police authorities; the officer will be permanently dismissed if found by either body to be responsible for abuse;
- institute disciplinary measures and criminal prosecution for any and all law enforcement personnel who are found to have been involved in beatings or other serious abuses of human rights;
- ensure that police take appropriate actions to stop attacks by others against persons based upon their political affiliation or ethnic origins, or based upon their employment with international organizations;
- void any statements or testimonies taken under duress or signed as a result of torture or other ill-treatment by law enforcement officials;
- ensure that conditions in the Luka Cantonal Prison continue to meet international standards of humane treatment, and that the rights of the detained are respected. Human Rights Watch/Helsinki commends the Una Sana cantonal law enforcement and judicial authorities on the maintenance of satisfactory conditions in the Luka Cantonal Prison.

Human Rights Watch/Helsinki calls upon the minister of education, science, culture and sports, Fahrudin Rizvanbegović, and federation minister of health, Bozo Ljubić to:

- insist that persons be chosen for employment in medical and educational institutions based solely on merit, and not on political affiliation or ethnic origin;
- insist that educational and health facilities provide equal services to all persons regardless of political affiliation or ethnic origin.

Human Rights Watch/Helsinki calls upon the OSCE, the IPTF, and the Office of the High Representative (OHR) to:

- form a civilian implementation council or task force, as recommended by the International Crisis Group, chaired by the OHR, which would have the authority to dismiss officials who have seriously obstructed or violated the Dayton Peace Agreement, as documented by the IPTF, the Stabilization Force (SFOR), the Office of the Human Rights Ombudsperson, the OSCE, or the OHR itself. Human Rights Watch/Helsinki

recommends that such a council include representatives from the federation and from the Republika Srpska. Independent organizations and individuals, including human rights or advocacy NGOs or groups should be permitted to submit evidence to the civilian implementation task force.

- protest at the highest levels all breaches of the “rules of the road” and/or violations of international human rights standards;
- ensure that all proceedings in domestic war crimes cases are carefully monitored by qualified international staff with knowledge of human rights standards. Human Rights Watch/Helsinki commends those organizations—in particular the IPTF and the OSCE—that have monitored these cases, and encourages the continuation of such monitoring;
- press cantonal officials and federation authorities to remove officials determined to have participated in or ordered the commission of human rights abuses;
- use all political and diplomatic means possible to ensure the cooperation of the local authorities with the institution of the federation ombudsmen;

Human Rights Watch/Helsinki calls upon the IPTF commissioner to:

- ensure that any and all law enforcement officers and officials found responsible for human rights abuses are expeditiously removed from the police force. The list of those to be considered for removal from the police should include but not be limited to cantonal Minister of the Interior Edhem Veladžić, Cazin Chief of Police Čazim Budimlić, Velika Kladuša Chief of Police Fikret Hadžić, Bihać Criminal Investigations Inspectors Asmir Bakrač, Mujo Koričić, and Izet Šahinović, Velika Kladuša Criminal Investigator Bešir Rizvić, Velika Kladuša Deputy Station Commander Jasmin Aldiz, Cazin police officer Sanel Osmančević, and Todorovo police officer Šerif Čelebić, cantonal Chief of Criminal Investigations Halid Velagić, Bihać police officer and former Cazin Chief of Police Sead Kauković. Allegations against these individuals are described in this report;
- order IPTF in Bihać to conduct regular inspections of the Ministry of the Interior/Criminal Investigations building and the area behind the building, especially any garage facility or similar structure which has been used as a place of detention and abuse, and monitor the activities of the criminal investigations unit and inspectors working out of the facility to ensure that no one is detained or mistreated in that facility;
- conduct a special investigation into police abuses in the Velika Kladuša and Cazin municipalities, and publicize the results;
- due to IPTF’s major role in the screening and training of the local police in Bosnia and Hercegovina, IPTF monitors have a special duty to publicize police abuses as they occur. IPTF should publicize any and all human rights abuses at the hands of the police in a way that will protect the safety and privacy of victims. The IPTF should make public the names of the police officers when its investigation reveals evidence of police abuses, and call for their prosecution. Human Rights Watch/Helsinki urges the IPTF to fulfill its commitment that it will “publish the names of the officers involved and will ensure that they no longer serve as policemen,” as stated by IPTF spokesperson Alexander Ivanko at a June 3, 1997 press conference in Sarajevo;
- publicize immediately any denial of access or obstruction of IPTF’s mandate by local authorities;
- immediately end the ban on sharing information on human rights abuses with other organizations, except in cases where the sharing of information would jeopardize the safety of specific victims. Information regarding human rights abuses should not be withheld due to political considerations;

- resume the human rights training of the local police that had been taking place in the Una Sana canton until March 1997 by IPTF in collaboration with several international organizations, including UNHCR and the OSCE;

Human Rights Watch/Helsinki calls upon the OSCE to:

- urge the EASC to use its mandate in as broad a manner as possible to strike from the ballot any candidates for public office and political parties in the Una Sana canton, and throughout Bosnia and Hercegovina, who have violated the provisions of Annex III of the Dayton agreement and the Provisional Election Commission Rules, and to consider striking from the ballot candidates who have violated the provisions of the Dayton agreement other than Annex III.¹ Among possible candidates whose names should be considered for striking from the ballot should be cantonal Governor Mirsad Veladžić, Bihać Mayor Adnan Alagić, Cazin Mayor Sabid Lipović, Velika Kladuša Mayor and SDA President Ejup Alagić, Sanski Most Mayor Mehmed Alagić, Velika Kladuša Chief of Police Fikret Hadžić, Deputy Chief of Police Velika Kladuša Jasmin Aldiz, Cazin Chief of Police and SDA delegate to the cantonal assembly Čazim Budimlić, former SDA President of Cazin and Director of Cazin Hospital Selim Toromanović, Director of Una Sana Cantonal Television and Radio Nedžib Veladžić, Director of Cantonal Criminal Investigations Halid Velagić, teacher Džeko Bibujica, Cazin Minister of Education Jasmin Mureskić. Individuals who are struck from the ballot should be given the opportunity to have their cases heard in an independent review process in a manner which is in accordance with international legal standards;
- consider striking the SDA party from the ballot in the municipalities of Bihać, Cazin, and Velika Kladuša due to eighteen months of ongoing discrimination against non-members and systematic attacks against opposition members and their families;
- ensure that all political parties have equal access to media for the pre-election campaign period. If necessary, SFOR and IPTF should be requested to provide security through their presence for pre-election campaigning activities. The OSCE, IPTF, UNHCR, and SFOR should collaborate in monitoring and taking steps to prevent pre-election intimidation of voters;
- ensure that the EASC penalizes immediately any party member or party which engages in voter intimidation, as was done in other towns and municipalities, such as Prijedor, Banja Luka, Kotor Varoš, and Gradiška for the upcoming municipal elections;
- develop a canton-specific plan, with the cooperation of SFOR and IPTF, for the protection and transition into office, of opposition members, DNZ or others, who may win in the municipal elections.

Human Rights Watch/Helsinki calls upon the International Criminal Tribunal for the Former Yugoslavia to:

- expedite its review of all files submitted by the parties pursuant to their obligations under the Rome Agreement in order to facilitate the quickest possible arrest of individuals against whom the ICTY has found sufficient evidence;

Human Rights Watch/Helsinki calls upon the international community, and donor countries and organizations to:

¹ Under the Provisional Election Commission Rules and Regulations, article 141, the EASC “may prohibit a political party or coalition from running in the elections, decertify a political party or coalition already listed on the ballot, remove a candidate from a candidates list or an independent candidate from the ballot when it determines a violation of the principles established in the General Framework Agreement for Peace in Bosnia and Hercegovina or the Rules and Regulations established by the Provisional Election Commission has occurred.”

- cease immediately any and all economic aid to SDA-controlled institutions—such as transportation, postal and telephone companies, businesses and factories, medical and educational facilities—that are shown to deny equal opportunity for employment and equal services to individuals based on political affiliation or ethnicity. Any such institution that changes its discriminatory policy should be rewarded with the aid which had been previously withheld;
- deny the award of small business loans or other international economic aid to individuals when they are determined to have participated in war crimes or human rights abuses;
- ensure that the OSCE is provided with sufficient funding to carry out its election monitoring role, including enabling all parties to participate equally in pre-election campaigning activities, and voter education.
- ensure that the EASC is provided with sufficient funding and resources necessary to perform its function.
- ensure that the ICTY has the financial resources and personnel necessary to review all files submitted to it pursuant to the Rome Agreement in an expeditious manner.

BACKGROUND

Even before war erupted in Bosnia and Hercegovina, the population of Bihać was more than 50 percent Bosnian Muslim (Bosniak), and the towns of Cazin and Velika Kladuša were almost entirely Bosniak.² The majority of Bosnian Serbs and Bosnian Croats who lived in the area before the war fled (or were forcibly displaced) to Belgrade, Croatia, Prijedor, or Banja Luka during the war.³ The region was home to a number of agricultural industries, among them an international farm and food processing company called Agrokomerc, owned by local businessman Fikret Abdić. An important regional employer, Agrokomerc employed 13,000 people before the war in Velika Kladuša alone.⁴

² According to the U.N. High Commissioner for Refugees (UNHCR), approximate pre-war populations in the Una Sana canton were as follows: 47,000 out of the 70,000 residents of Bihać were Bosniak; 62,000 out of the 63,500 residents of Cazin were Bosniak; and 51,000 out of the 52,500 residents of Velika Kladuša were Bosniak. UNHCR, Refworld CD-ROM, FolioBound Views: Country Reports, Repatriation Reports, Bosnia and Hercegovina: Bihać, Velika Kladuša, Cazin.

³ Ibid.

⁴ Since the end of the war, unemployment has risen dramatically: employment at the major companies in Cazin has dropped 82 percent, at least partially as a result of damage to buildings and farms and a lack of capital for reconstruction; in Bihać, damage and lack of funds have resulted in an 83 percent drop in employment in the largest, pre-war companies in Bihać. Ibid. Human Rights Watch/Helsinki

At the beginning of the Bosnian war in 1992, Bihać was quickly targeted by the Bosnian Serb army because it provided a convenient link between the newly established "Republic of Serb Krajina" and Bosnian Serb-controlled Banja Luka. Abdić, interested in maintaining his economic and personal power-base, denounced the Bosnian government and aligned himself with the Bosnian Serb and Croatian Serb troops against the Bosnian government in order to achieve control over the region. Thus, despite being encircled by Serb troops, Abdić was able to open a route for commercial access to Croatia.⁵ The Bosnian government labeled Abdić a traitor; his later statements that the Bihać pocket would reject "death in [Bosnian President] Alija [Izetbegović's] tomb state"⁶ further distanced him from the Bosnian government.

In September 1993, Abdić declared the establishment of the "Autonomous Province of Western Bosnia," [this movement will hereafter be referred to as Abdić's "autonomy" or autonomous movement] which comprised much of the canton, with the capital in Velika Kladuša. Abdić's strong control over the region was evident from the masses of local citizens who declared allegiance to him and also from the defection of 2,500 troops from the Bosnian army's Fifth Corps to Abdić's army.⁷ Local support is generally believed to have been generated from loyalty to the man who had brought many jobs to the region and who had the ability to ensure that basic goods reached Muslims in the Velika Kladuša area via smuggling with Serbian and Croatian forces and officials; as a result, Abdić was nicknamed—and generally known as—"Babo," or "Daddy."

Abdić's secession, strengthened by his collaboration with Bosnian and Croatian Serb forces who were also fighting the Bosnian army, held for nearly ten months before his troops were defeated. On July 10, 1994, however, the Bosnian army's Fifth Corps staged a surprise attack on the rebels by pretending to defect to Abdić's army. Setting old tires on fire and shooting blanks, the "mutineers" simulated battle with the rest of the Bosnian army; encouraged, Abdić sent ammunition, weaponry, and soldiers to assist the defectors, and was left at a serious disadvantage when the Fifth Corps then confiscated Abdić's weapons. Abdić's troops, still fortified by weaponry from Bosnian and Croatian Serb forces, managed to maintain control of the region but were severely weakened.

⁵ Jonathan Randal, "Refugees Spurn Plea to return to home; Bosnian Muslims Camped in No Man's Land Insist Area they Fled to is too Dangerous." *The Washington Post*, September 21, 1994, p. A35.

⁶ Radio Free Europe/Radio Liberty Daily Report, No. 192, October 6, 1993.

⁷ Roger Cohen, "Besieged Bosnian Pocket Fights Sense of Betrayal." *The New York Times*, June 24, 1994, p. A3.

Abdić and his troops reportedly committed many serious abuses during the war, including summary executions, torture and rape of detained civilians and prisoners of war (POWs). In July 1994, for example, reports of ill-treatment of POWs in the Bihać pocket led to U.N. visits to the detention centers of all sides. On July 26, 1994, U.N. Special Rapporteur on the former Yugoslavia Tadeusz Mazowiecki visited the area, and noted that “there [were] more prisoners in the Bihać region alone than in the [rest of] Bosnia-Herzegovina.”⁸ Mazowiecki visited the Kupljensko camp, located in an old farm in the Krajina region of Croatia owned by Agrokomerc, which at that time was Abdić’s “prisoner of war” camp. In addition to appalling conditions and ill-treatment by guards, he reported that prisoners in Kupljensko were being returned by Abdić’s forces to the front lines as forced laborers. According to Mazowiecki’s report, at that point, the inmates of Kupljensko appear to have been largely civilian prisoners rather than soldiers, taken into the camps for being “traitors and conspirators” or, as U.N. observers noted, merely for having relatives on the other side of the fighting. Mazowiecki also visited a government-run detention camp in Bihać for prisoners of war where serious human rights violations were reported. Up to three hundred people were held in these government camps, and Mazowiecki stated that they were treated in a “humiliating” and “very brutal” way.⁹

On August 18, 1994, Abdić declared a unilateral ceasefire and was believed to have escaped to Croatia. Although they were offered an amnesty by the government forces almost immediately, large numbers of his supporters also left, with the intention of entering Serb-held areas of Croatia (the self-proclaimed Republic of Serb Krajina). As these 22,000 to 25,000 refugees entered the Krajina, they discovered that the only refugee camps available to them in the area were the Kupljensko former farm/prisoner-of-war camp and a similar camp at Staro Selo, both with horrific conditions. At this point, many tried to enter Croatia proper and, although the Croatian authorities were aware of the conditions into which the refugees were being forced, they declared that the refugees would not be permitted into Croatia. Turned away by Croatian police near Turanj, a standoff developed, and many more refugees eventually camped, in the middle of fighting, in the no-man’s land between the Krajina and Bosnia and Herzegovina. UNHCR estimates that a total of 35,000 Abdić supporters had left the region by the end of August 1994.

The Kupljensko camp housed many thousands in conditions that shocked observers and challenged humanitarian organizations. The camp was guarded by the Croatian law-enforcement authorities. Human Rights Watch/Helsinki attempted to enter the camp on several occasions to investigate conditions at the camp, but was turned back each time by the Croatian authorities.

Throughout the war, Abdić is reported to have maintained contact with the refugees in the camps, urging them not to return and to continue fighting; as a consequence, very few refugees returned to the Bihać region, despite repeated invitations to do so by Izetbegović. Many individuals who did return to their homes reported being harassed and abused by soldiers of the Bosnian army, fueling rising fears about return. There was increasing frustration in the Kupljensko camp, where refugees demanded visas to third countries on account of the continued fighting; at the same time, Croatian soldiers stationed around the camp attempted to scare the refugees into returning home through threats and intimidation. In late September 1994, frustration turned into rioting as refugees blockaded U.N. workers who were processing resettlement claims, setting fire to cars. U.N. workers blamed the refugees’ anger on continuing inflammatory and politically-charged broadcasts from Abdić, who encouraged the refugees to stay in Kupljensko until they could return to a “liberated” province.

⁸ “Fighting increased through July in Bihać,” Associated Press, July 26, 1994.

⁹ Ibid.

In October 1994, the Bosnian Serb forces regained much of the territory around Bihać. Many Abdić-supporters then reportedly returned to the canton to fight on the side of the Bosnian Serbs. Intense fighting between the Bosnian army and the Bosnian Serb army continued until May 1995. During this period, the Bosnian Serbs were able to maintain a near-complete blockade of the region and refused to let humanitarian aid enter Bihać: 90 percent of U.N. convoys into the region were unable to complete delivery of aid. Though the area had been declared a no-fly zone by the U.N., the U.N. Commission on Human Rights reported that Abdić's forces, aligned with the Bosnian Serb and "Republic of Serb Krajina" forces, launched frequent missile attacks against civilian areas, especially in Velika Kladuša and Cazin.¹⁰ In one of those raids on November 18, 1994, both cluster and napalm bombs were dropped in the first confirmed use of napalm during the Bosnian war;¹¹ fortunately the napalm bomb failed to explode. The U.N. Commission on Human Rights also reported during this time that Abdić's "autonomy" and the "Republic of Serb Krajina" troops were detaining approximately 400 Muslim men in a detention camp in Dubrava, near Velika Kladuša. Most of the prisoners were reportedly civilians. The report states:

witnesses report having seen prisoners being forced to undertake mine clearance operations near the camp, and a number of allegation of torture and summary execution have been made. The prisoners are housed in badly war-damaged buildings originally intended for fowl. There are allegations of other detention facilities near Velika Kladuša, including one housing Muslim women who are subjected to regular sexual abuse.¹²

Croatian forces then came to the aid of the Bosnian army, and with this fortification the Bosnian government was able to break the blockade and recapture the region in May 1995.

Another wave of refugee flight followed the Bosnian army's victory. Meanwhile, however, people began filtering back into the region from the Kupljensko camp. In 1995, there were reports of returning refugees being beaten or harassed by locals and soldiers in Cazin, Bihać, and particularly in Velika Kladuša. To address the concerns of the returnees, on December 1, 1995, the Bosnian government created a tri-partite police force, headquartered in Polje, with members drawn from government, Croatian and Turkish police forces.¹³ The mandate of this force expired in August 1996, and, as this report details, its goal of creating a safe environment for returnees was not fully realized.

Tensions in Cazin rose to a very high level during the fall and summer of 1996. During this period, cafe bars were frequently the targets of politically related bombings, Abdić supporters and other opposition members were frequently the victims of physical attack, and gunfire could be heard through the night. Residents of Cazin and U.N. Civil Affairs representatives informed Human Rights Watch/Helsinki that during the months of November and December 1996, machine-gun fire could be heard periodically every night, usually being fired in front of the houses of displaced persons and recent returnees. Through the political pressure of international organizations, and perhaps due to the realization by the SDA authorities that intimidation would not win votes, such daily incidents had decreased by January 1997. However, though nightly gunfire may have ceased, systematic harassment, intimidation, and attacks against opposition members and their families have continued steadily during the first half of 1997, especially in Velika

¹⁰Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, "Tenth periodic report on the situation in the former Yugoslavia," (New York: United Nations, 1995), A/50/69/S/1995/79, p.7.

¹¹ Sean Maguire, "U.N. condemns 'villainous' Serb napalm attack," Reuter News Service, November 19, 1994; see also "Red Cross warns of humanitarian law breaches in Bihać," Reuter News Service, November 19, 1994.

¹²Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, "Tenth periodic report on the situation in the former Yugoslavia," (New York: United Nations, 1995), A/50/69/S/1995/79, p.7.

¹³ The establishment of this police force was the result of a meeting in New York, held on October 23, 1995, aimed at securing conditions for refugee return to the Velika Kladuša area.

Kladuša and Cazin. Many returnees have had trouble recovering their property, others have been harassed, denied employment, intimidated into paying exorbitant fees for goods and services that are either free or inexpensive for SDA affiliates and their families, and some have been physically attacked. Those who have returned to Cazin and Velika Kladuša have done so at great risk to themselves and their families.¹⁴

¹⁴ This report will focus exclusively on the Velika Kladuša, Cazin, and Bihać municipalities.

According to UNHCR, by March 1997 between 17,000 and 18,000 Abdić supporters had returned from the Kupljensko and Gasinci camps, mostly to the towns of Cazin and Buzim.¹⁵ The Kupljensko camp was closed. As of April 1997, there were still approximately 2,000 Abdić supporters living in a refugee camp in the Croatian village of Gasinci, but Human Rights Watch/Helsinki received reports that the Croatian government will close the Gasinci camp during the summer of 1997. International observers in Bihać suggest that the Gasinci refugees are planning to return to the area to vote in the September 1997 municipal elections. As this report will demonstrate, returnees will face an uncertain future. Those who have already returned have suffered various forms of intimidation, harassment, and even attacks. Some returned to their homes only to be evicted. OSCE officials in Bihać told Human Rights Watch/Helsinki that there have been several cases of evictions of Abdić supporters who had returned to the region, mostly in Cazin and in Velika Kladuša.

According to international monitors in the Una Sana canton and confirmed by the observations of Human Rights Watch/Helsinki, support for Fikret Abdić remains strong, especially in Velika Kladuša. Abdić is currently reported to be based in Rijeka, Croatia, where he was recently appointed director of Agrokomerc for Croatia, and from where he reportedly directs the activities of the DNZ.

SDA control of the media is pervasive. In fact, Nedžib Veladžić, director of the Una Sana cantonal Radio and Television Station, is also the cantonal president of the SDA. Political leaders use the radio and television while limiting the population's access to objective and complete information. One recent example, on April 6, 1997, General Dudaković, commander of the Fifth Corps of the Bosnian army, said the following on Radio Velika Kladuša:

Before the last elections, there were some hints that the people from Kupljensko were planning to send some [armed] groups and we were ready to wipe them out with four battalions from the direction of Buzim and Cazin. A general [an IFOR general] came to me and asked me if I would use power. Yes, I would. This is my country and they would use subversive groups to kill people. That is the reason for me to use the power....We will never again be unarmed. You know very well, we all have something hidden, but the essence and importance is that we are organized. We will be united. We will not allow plots, they can talk whatever they want, but we have our limits of tolerance. That is how I feel about DNZ, at the top of DNZ is Fikret and that means that he cannot come...he cannot come.¹⁶

Given the circumstances in the canton, statements such as this by General Dudakovic or other high-level military, law enforcement and civilian officials create fear among supporters of Fikret Abdić and could lead to direct physical attacks against them. Opposition party members are unable freely to express their opinion for fear of reprisal from the SDA-controlled authorities. Those who do speak out are likely to find their livelihoods threatened, and in some cases may find their lives endangered.

POLITICALLY MOTIVATED DISCRIMINATION AND ILL-TREATMENT

Overview

The Una Sana cantonal government, infrastructure, and law enforcement are overwhelmingly controlled by high ranking members of the SDA (Stranka Demokratske Akcije, Party of Democratic Action), the Bosnian nationalist party. The cantonal president of the SDA is Mirsad Veladžić,¹⁷ who is also the governor of the canton (its highest

¹⁵ Human Rights Watch/Helsinki interview with UNHCR, Bihać, Bosnia and Hercegovina, March 7, 1997.

¹⁶ Transcript provided to Human Rights Watch/Helsinki by the OSCE in Velika Kladuša.

¹⁷ Mirsad Veladžić is the uncle of Edhem Veladžić, cantonal minister of the interior, and also the uncle of Nedžib Veladžić, director of cantonal radio and television.

official) and the cantonal director of Agrokomerc. The SDA, through these officials and business persons, exercises complete control over all aspects of society in the Una Sana canton. In Velika Kladuša, for example, the local SDA authorities reportedly distributed tractors to mid-level SDA members only. International monitors stated that higher level SDA members received "better than that," indicating more advanced machinery.¹⁸

In order to maintain their tight rein, high ranking SDA members have been engaging in an ongoing and systematic campaign of harassment and intimidation, and non-SDA members have been denied a role in society. In the post-Dayton period, these opposition members, especially former members of Fikret Abdić's autonomous movement, have been the targets of SDA-orchestrated employment discrimination, discriminatory provision of medical services and humanitarian aid, and strict limitations on freedom of expression.

Human Rights Watch/Helsinki representatives encountered an atmosphere of distrust and fear which pervades the area. Non-SDA members live in fear of the SDA-led authorities. This fear has affected the population to such an extent that non-SDA members are very unlikely to seek remedies from the local police, and are even less likely to seek the assistance of international organizations for fear of reprisal.

General Harassment Due to Political Affiliation

Harassment of the political opposition by the SDA-dominated authorities has taken many forms. Abdić supporters and other members of the opposition have experienced discriminatory treatment with regard to access to employment, and the provision of medical and educational services. They have been denied access to the media and their right to free expression has been severely curbed. Politically active Abdić supporters have been excluded from the political process. In many cases, Abdić supporters and their families have been the target of violent attacks meant to intimidate them -- bombs have been thrown into their houses and front yards, their property has been vandalized, some of their businesses have been set on fire. The cantonal authorities have been using all means possible to send a clear signal to these individuals that if they fail to support SDA policies, they will be excluded from participation in all aspects of public life, will be limited in their access to necessary services, and may be the target of physical attack.

According to the OSCE, between June 1996 and March 1997, there were thirty-one bombs or hand grenades used in attacks against opposition members or former Abdić supporters in the Cazin municipality alone. SDA supporters are not known to have been targets of such attacks. With the exception of one case, the local police took no steps to penalize the individuals responsible. However, even in that case, according to the most recent information, the steps were largely symbolic; no one was arrested or punished for the attack.

¹⁸ Human Rights Watch/Helsinki interview with international monitors, Una Sana canton, Bosnia and Hercegovina, April 1997.

In early April 1997, two stores in a village in the Velika Kladuša municipality were attacked with hand grenades and gunshots. The stores are in an area known for its strong support for the DNZ, and upon investigation into the incident, police found "DNZ" written on a chair in one of the stores.¹⁹

On May 25, 1997, a man in Cazin reported to international monitors that an explosive device had been placed outside his house soon after his registration as a member of an opposition party.²⁰ On the night of June 18, 1997, the same individual's car was blown up outside his home. The OSCE and IPTF are following up on the case.²¹ Incidents such as this are commonplace and continue on an almost daily basis, especially in the Cazin municipality.

Other recent cases of politically motivated harassment and attacks include an incident on April 18, 1997, during which a well known opposition member's car was set on fire in Bihać. According to the OSCE, the fire department had been anonymously notified before the incident that it was about to occur and was therefore able to respond quickly. The opposition member is also a member of the cantonal assembly.

On May 7, 1997, a pro-Abdić resident of the Velika Kladuša municipality reported to IPTF that his stable and haystack were set on fire. According to IPTF, there was a picture of Fikret Abdić found near the site of the burnt property. This is typical of numerous reports received by Human Rights Watch/Helsinki.

¹⁹ International monitors were unable to confirm that the incidents were politically motivated.

²⁰ OHR Human Rights Report, May 29, 1997.

²¹ OHR Human Rights Report, June 20-22, 1997.

Abdić supporters are also frequently prevented from participating in the political process. For example, although six DNZ members were elected to the Una Sana Cantonal Assembly, they have not been able to participate in assembly sessions because of fears for their safety. According to A.B., a politically active Abdić supporter interviewed by Human Rights Watch/Helsinki representatives in April 1997, the OSCE had informed the six DNZ assembly members that their security could not be guaranteed.²² Of course it is not the role of the OSCE to provide security for individuals. However, the OSCE warning underscores that the six DNZ representatives cannot actively represent their constituency because there is no protection for them.

Yet cantonal Governor Mirsad Veležić continues to make public statements defending the policies of his government, claiming that election results have been respected and denying that anyone elected to public office has been prevented from carrying out his or her duties. Veležić announced on Una Sana cantonal television on April 29, 1997, that "If anywhere in Bosnia and Hercegovina there [is] said to be democracy, and if anywhere the Dayton Agreement is respected, it is here. In this canton the election results have absolute respect."²³

Other types of restrictions against oppositionists include charging higher fees from opposition members than from SDA members for official documents such as birth certificates and marriage licenses. Many individuals in the Cazin municipality who are not members of the SDA reported to Human Rights Watch/Helsinki that they are forced to pay exorbitant fees for such documents, whereas SDA members are exempt from such fees. This is especially true for Abdić supporters. In one extreme case, one Abdić supporter had returned to the Cazin municipality to obtain a copy of his birth certificate which he needed in order to marry. He was reportedly charged 6,000 DM to receive an official copy.²⁴ Selim Djurić, director of the post office and telephone company in Cazin, is also responsible for the preparation and authorization of all official documents in Cazin municipality, including drivers licenses. Djurić was on the SDA list of candidates in the September 1996 elections.

In addition, individuals have recently reported to international organizations in the Velika Kladuša municipality that the authorities refuse to provide transcripts and certificates of completion to students for the 1993-94 school year, when the region was under Abdić's control. This is a problem especially for graduates who are attempting to continue their studies at the university level, as they need transcripts and certificates for that year in order to qualify. Some students reportedly had to take their examinations again in order to receive the necessary documentation. This is, of course, not possible for students who are living in foreign countries.

²² Human Rights Watch/Helsinki interview, Cazin municipality, Bosnia and Hercegovina, April 16, 1997.

²³ Media Plan (Sarajevo) and Institute for War and Peace Reporting (London). Monitoring report No 16/II/The B&H Media Fortnight in Review: 26 May - 8 June '97. *The B&H Media in Review* [e-mail list]. Available E-mail: rebecca@iwpr.org.uk

²⁴ Human Rights Watch/Helsinki interview with individuals in the Una Sana canton, April 1997.

In most cases, persons responsible for ongoing harassment of Abdić supporters are not removed from their positions, even when their superiors have received numerous reports from victims of harassment. For this reason, victims are afraid to speak out against those who attack or harass them for fear of retaliation. Though victims may report these abuses to international organizations, especially to the IPTF, the perpetrators are rarely prosecuted or removed from their positions even when international monitors have raised specific cases of abuse with the local authorities. According to the IPTF in Velika Kladuša, a teacher in the local school has been harassing and intimidating students from families perceived as Abdić supporters since the beginning of 1996. Džeko Bibujica, the teacher, is accused of abusive treatment in particular of students who had been in the Kupljensko or Gasinci camps. Anonymous informants reported to IPTF that Bibujica segregated these students from those whose families have strong ties to SDA, and gave them poor grades regardless of their performance. International monitors reported that Bibujica's victims are afraid to speak out against his abuse because they fear reprisal and because Bibujica has close ties to the local police. IPTF reports that Bibujica has been seen at the Velika Kladuša police station and at the State Security Police in Velika Kladuša as well. IFOR personnel have also observed Bibujica at another police facility. Velika Kladuša deputy chief of police and commander of the main Velika Kladuša police station Bajro Pajazetović informed international observers that Bibujica is friendly with the police, though he apparently has no police training. IPTF has concluded that Bibujica is most likely a police informant, and requested this stop: despite this request, Bibujica was seen with various police officers and personnel from the intelligence police (Agencija za Istraživanje I Dojumentaciju (AID), or Investigation and Documentation Agency) in Velika Kladuša. To date, Bibujica still continues to teach in Velika Kladuša.²⁵

Human Rights Watch/Helsinki commends the OSCE's direct and proactive role in monitoring, reporting on, and protesting human rights abuses in the Una Sana canton.

Employment Discrimination

Human Rights Watch/Helsinki research in Velika Kladuša, Cazin, and Bihać has shown a pattern of employment discrimination against individuals based upon their political affiliation. Many individuals, especially in Velika Kladuša and Cazin, reported that they are denied employment due to their political beliefs. The current leadership, under the strong hand of SDA officials, often prevents members of Abdić's DNZ party, as well as members of other opposition parties, from competing for positions in companies, transportation, postal and telephone companies, medical and educational facilities, judicial and legal offices and local government. SDA control over the economy of Velika Kladuša, Cazin, and Bihać is thorough and exclusionary. In fact, some individuals stated that they have no political affiliations at all, but are nevertheless prevented from getting jobs due to their failure actively to support SDA policies.

Cases

Una Sana Canton

L.R. is a member of an opposition party in the Una Sana canton, who had been a public servant in his municipality. He informed Human Rights Watch/Helsinki that

After the elections in September 1996, I was thrown out of my office and my car was confiscated by the ruling SDA authorities. My experience was very normal after the elections; practically all non-SDA members who had jobs lost them. I am worried that the same thing might happen around the upcoming municipal elections. After the elections in September 1996 there were constant shootings, but the police failed to react. SDA abuses are very common in Bihać. Any cafe bar [in Cazin] which is not affiliated with the SDA mafia is unsafe after 7 or 8 p.m.²⁶

Bihać Municipality

²⁵ Information from a document provided to Human Rights Watch/Helsinki by an international monitor, Velika Kladuša, Bosnia and Hercegovina, April 15, 1997.

²⁶ Human Rights Watch/Helsinki interview, Cazin municipality, Bosnia and Hercegovina, March 10, 1997.

A municipal official speaking on condition of anonymity informed Human Rights Watch/Helsinki that the founder and director of the hospital in Bihać had been removed from his post sometime last year, and had been threatened with eviction and expulsion from Bihać due to his failure to support the SDA. The official, who is a credible witness due to his own position within the government, also said that a high-level judge in Bihać had been demoted due to his/her political affiliations.

Cazin Municipality

N.N. had been director of a primary school in the Cazin municipality for several years and a teacher in the school for several years thereafter, when he was fired because of his political affiliation. He told Human Rights Watch/Helsinki:

I've never been a soldier. I worked in the school during the whole war... I was fired because of being on the side of the aggressor. I never got it in writing. There were nine of us who were teachers before and don't teach now, none have jobs.... I was director of the school for nine years... as soon as they heard that my son left the Fifth Corps to join the "autonomy," [autonomous movement] they fired me. They turned my office into a mosque.²⁷

N.N. told Human Rights Watch/Helsinki representatives that nine teachers who taught in the school before the war were fired and have been unable to get their jobs back due to SDA control of the school. The president of a local SDA branch in the Cazin municipality served as director, although this source said he had had only eight years of schooling (the reappointment of this director was confirmed by Jasmin Mureskić, minister of education for the Cazin municipality.) According to several interviews conducted by Human Rights Watch/Helsinki in the area, the secretary of a school in the Cazin municipality was fired in 1994 due to her political affiliation with an opposition party, and the position is now held by an SDA member.²⁸ The above was confirmed to Human Rights Watch/Helsinki by two other former teachers from the municipality.

A.N. worked as a nurse in a medical clinic in the Cazin municipality throughout the war, treating wounded soldiers regardless of their political affiliation or ethnicity.

I worked for thirty years in the medical clinic. I worked the whole time, I did my job and never looked at who was who...I was head nurse in the hospital in [the village] [before the war]. When the hospital was destroyed, they put us in a clinic. When [the village] was surrounded I was left alone with only three assistants for eight days. No one died in my care.²⁹

In August 1994, A.N., along with her three assistants, was imprisoned by the Bosnian army's Fifth Corps for eight days in the basement of a house in abominable conditions. She was accused of having killed a Bosnian army commander who had arrived dead at the clinic. Upon her release, she was told that she had lost her job because she had not shown up for work on time (due, of course, to her detention). Since that time, A.N. has been unable to obtain employment in any medical facility in the Una Sana canton due to her son's involvement with Fikret Abdić's autonomous movement. Currently, only one doctor and one nurse work in the clinic, both of whom, according to A.N., are avid SDA members. A.N. reported that few people seek medical assistance in the clinic; most visit her at home, or seek the out-of-office care of another doctor from the clinic, who was also fired because of his political affiliation.

S.N. owns a cafe bar in the Cazin municipality. He told Human Rights Watch/Helsinki:

²⁷ Human Rights Watch/Helsinki interview, Cazin, Bosnia and Hercegovina, April 18, 1997.

²⁸ Human Rights Watch/Helsinki interview, Cazin, Bosnia and Hercegovina, April 18, 1997.

²⁹ Human Rights Watch/Helsinki interview, Cazin, Bosnia and Hercegovina, April 18, 1997.

When I tried to reopen my cafe in September 1996, the mayor of Cazin, Sabid Lipović, sent a police inspector named Rifet Hajrlahović to close the cafe because I am not an SDA member. I have not been able to open it since. I tried to open it once again, and the same guy came and closed it again. I have no chance for employment.³⁰

H.H. is an Abdić supporter and recent returnee who told Human Rights Watch/Helsinki that he does not even attempt to seek employment because it is impossible for non-SDA members to get jobs.³¹ He reported that he frequently receives threatening phone calls, and that people often slow down as they drive by and verbally harass him and his family. According to H.H., students and teachers, often ask his son, a primary school student, "how can you be so smart, and be part of the 'autonomy'?" H.H.'s brother's haystacks were burned in February 1997, which international monitors in the region described as politically motivated vandalism.³²

A.B., a recent returnee and Abdić supporter, reported to Human Rights Watch/Helsinki that he has been visited twice by the Bosnian intelligence service (AID) or security police since he returned to the region in February 1997. A.B. was a school teacher in the Cazin municipality for twenty-one years, but now is unable to get his job back due to his membership in Abdić's DNZ party. A UNHCR protection officer informed Human Rights Watch/Helsinki on March 11, 1997, that the deputy chief of police in Cazin had said there would be "no problem" with A.B.'s return, and that they would do what they could to provide security. Initially after his return, A.B. was not physically targeted. However, on April 3, 1997, between 1:00 a.m. and 2:00 a.m., automatic rifle shots were fired at A.B.'s home. The shots were fired into two upstairs rooms of his house and one downstairs room. Shots were simultaneously fired into the house of A.B.'s neighbor, and a third neighbor had a grenade thrown into his house. Miraculously, no one was injured in these attacks. A.B. lives in an area populated almost exclusively by DNZ members and their families. A.B. told Human Rights Watch/Helsinki that the IPTF were present after the incident and that, as far as he knows, there will be a police investigation. IPTF confirmed to Human Rights Watch/Helsinki that they are following the investigation of the incident.

A.B.'s daughter informed Human Rights Watch/Helsinki that a mathematics teacher in her secondary school was fired because of his political affiliation, and that as a result there is no one teaching mathematics in the secondary school. She also said that the students in the secondary school in Cazin are required to pay 20 DM (approximately \$15) tuition per month. Those whose parents are abroad are required to pay 30 DM (approximately \$22) per month, which would primarily affect Abdić supporters and their families, as they are the ones most likely to be based abroad. According to A.B., the funds are supposed to pay the teachers' salaries. According to the OSCE's information, this is the only school in Bihać, Cazin, or Velika Kladuša, where the students are required to pay tuition. The director of the secondary school is Enver Kičić, who is also the chairperson of the board of directors for the school and a member of the SDA.³³

³⁰ S.N. told Human Rights Watch/Helsinki that he had returned to Bosnia and Hercegovina from the Kupljensko refugee camp in December 1995. According to his accounts, in April 1996, seven men from the Bosnian army's Fifth Corps beat him severely in Velika Kladuša, and he had to be hospitalized due to his injuries. Fourteen days later, S.N. was interrogated by the security police from Bihać about his war-time activities. Since then, S.N. said he does not dare to go to Velika Kladuša. Human Rights Watch/Helsinki interview, Cazin, Bosnia and Hercegovina, April 18, 1997.

³¹ Human Rights Watch/Helsinki interview, Cazin municipality, Bosnia and Hercegovina, April 16, 1997.

³² Human Rights Watch/Helsinki interview, Cazin municipality, Bosnia and Hercegovina, April 16, 1997.

³³ Human Rights Watch/Helsinki interview, Cazin municipality, Bosnia and Hercegovina, April 16, 1997.

The OSCE and the federation ombudsmen told Human Rights Watch/Helsinki representatives that a teacher in the high school in Cazin had reported that ten of the thirty-seven teachers in the school were not invited to take the qualifying examination, which teachers must pass in order to be rehired. The teacher alleged that the ten uninvited teachers were not affiliated with the SDA.³⁴

D.F. informed Human Rights Watch/Helsinki representatives that his wife was fired from her job at the hospital on March 11, 1997, due to their non-SDA political affiliations.

Velika Kladuša Municipality

J.K. is a teacher in the Velika Kladuša secondary school and a member of an opposition party. J.K. told Human Rights Watch/Helsinki that he and another teacher—both of whom were qualified—submitted applications as soon as the position of school director was advertised for. Human Rights Watch/Helsinki representatives viewed J.K.'s letter of rejection from the board of directors, signed by the chairperson of the board of directors of the school, Ejup Alagić, who is both mayor of Velika Kladuša, and president of the Velika Kladuša SDA. The letter said that J.K.'s qualifications did not meet the board's standards. The board of directors appointed the vice president of the Velika Kladuša SDA, Izet Keserović, Alagić's deputy, to become director.³⁵

Medical Care

Many individuals in Bihać, Cazin, and Velika Kladuša told Human Rights Watch/Helsinki that they and their families are required to pay higher fees for medical care than SDA members because of their affiliation with opposition parties. Both N.N. and A.N. asserted that non-SDA members and their families had to pay higher fees for medical care in the hospital in Cazin than did SDA members and their families.³⁶ H.H. mentioned that non-SDA members "are afraid to go to the hospital" and that "people who are not SDA have worse treatment." He reported that the majority of doctors and nurses in Cazin are SDA members, and that those who are not members of the SDA hold lower level positions.³⁷ H.H. added that medical care is often denied to Abdić supporters, and that he had been charged 15 DM for a vaccination for his son, which he refused to pay because he had heard that the vaccination was free for non-Abdić supporters.³⁸ This was confirmed to Human Rights Watch/Helsinki by a local government official, who spoke on condition of complete anonymity. The director of the hospital in Cazin is Selim Toromanović, who is also the former president of the SDA in Cazin.

The Extortion Network

Harassment in the form of extortion was reported by opposition members and Abdić supporters in the Una Sana canton who attributed this to a network of individuals with no official positions in the local government, but allegedly working under the auspices of the SDA authorities. They described attempts to extort money from recent returnees, as well as demanding payment for housing or protection.

UNHCR in Bihać told Human Rights Watch/Helsinki representatives that there is an illegal housing network in the Una Sana canton, which is charging returnees (mostly Abdić supporters) between 1,000 and 3,000 DM to receive housing. Human Rights Watch/Helsinki was unable to obtain direct confirmation of this.

The same network was alleged to have demanded protection money from some returnees. H.H. reported to Human Rights Watch/Helsinki that upon his return from abroad to the Cazin municipality in November 1996, someone

³⁴ Human Rights Watch/Helsinki interview with the OSCE and federation ombudsmen, Bihać, Bosnia and Hercegovina, March 13, 1997.

³⁵ Human Rights Watch/Helsinki interview, Velika Kladuša, Bosnia and Hercegovina, April 15, 1997.

³⁶ Human Rights Watch/Helsinki interview, Cazin, Bosnia and Hercegovina, April 18, 1997.

³⁷ Human Rights Watch/Helsinki interview, Cazin municipality, Bosnia and Hercegovina, April 16, 1997.

³⁸ Human Rights Watch/Helsinki interview, Cazin municipality, Bosnia and Hercegovina, June 10, 1997.

visited his home and asked him for payment in order to ensure his security and that of his family. H.H. told this individual to send his superior to him, and the person left. No one ever returned.

Failure of Authorities to Cooperate with the Federation Ombudsmen

In violation of their own constitution, the authorities in Cazin, including Mayor Lipović, have consistently blocked the work of the federation ombudsmen, and their superiors in Sarajevo have done nothing to ensure their cooperation. The mandate of the federation ombudsmen is set out in the federation constitution, which states that the ombudsmen should:³⁹

examine the activities of any institution of the Federation, canton, or municipality, as well as of any institution or person by whom human dignity, rights, or liberties may be negated, including by accomplishing ethnic cleansing or preserving its effects.⁴⁰

The constitution also states:

An ombudsman is entitled to initiate proceedings in competent courts and to intervene in pending proceedings, including any in the Human Rights Court.⁴¹

In addition:

an ombudsman may examine all official documents, including secret ones, as well as judicial and administrative files and require any person (including any official) to cooperate, in particular by providing relevant information, documents, and files. Ombudsmen may also attend court and administrative hearings, as well as meetings of other organs, and may enter and inspect any place where persons deprived of their liberty are confined or work.⁴²

Working in close cooperation with the OSCE, the federation ombudsmen have become deeply involved in cases of human rights abuse in the Una Sana canton. The strengthening of the ombudsmen is seen as a priority by international monitors working in Bosnia and Hercegovina, primarily because their role in the defense of human rights in Bosnia will be long term, extending far beyond the mandates of any of the international Dayton-implementing organizations.

³⁹ Federation constitution, signed on March 18, 1994 by Alija Izetbegovic, Haris Silajdzic, Franjo Tudjman, and Kresimir Zubak. Section B: Initial Appointment and Functions of the Ombudsmen.

⁴⁰ Federation constitution, section B.2., article 5.

⁴¹ Federation constitution, section B.2., article 6 (1).

⁴² Federation constitution, section B.2., article 7 (1).

Despite the important role played by the ombudsmen, representatives of the OSCE, who have been working very closely with them on human rights issues in the canton, reported to Human Rights Watch/Helsinki that it took them three months to convince the mayor of Cazin to meet the federation ombudsmen. In Bihać itself, Hasan Pjanić, president of the Cantonal Court, has repeatedly denied the ombudsmen access to information necessary to their work. The ombudsmen have been actively working to protect and defend the rights of the men detained on charges of war crimes in Bihać.⁴³ Their efforts have been hindered by Pjanić's position that the ombudsmen can read court files but cannot make copies.⁴⁴

POLICE ABUSES

Law enforcement in the Una Sana canton in the post-Dayton period remained under firm SDA control, with police under the authority of cantonal Minister of the Interior Edhem Veladžić.⁴⁵ Abuses by police in Bihać, Cazin, and Velika Kladuša included the torture or ill-treatment of detainees held on suspicion of common criminal offenses as well as suspects arrested on charges of war crimes. Other abusive police behavior reported to Human Rights Watch/Helsinki included threats of violence against real or perceived opposition supporters, extortion, a failure to protect equally citizens who were not members of the ruling party, and the intimidation of the local staff of international organizations (including pressure to inform on their employers to the intelligence police).

Torture or Ill-treatment In Cases Involving War Crimes

Most of the prisoners now in detention in the region on war crimes charges appear to have been severely beaten at the time of their arrests and tortured in detention. The detainees interviewed by Human Rights Watch/Helsinki, seven of the eleven now facing war crimes charges in Una Sana canton, described having been tortured or ill-treated by the police in Cazin, Velika Kladuša or Sanski Most, and/or in the cantonal interior ministry in Bihać, before being transferred to the prison. This treatment was at the hands of inspectors and officers under the authority of Edhem Veladžić, cantonal minister of the interior.⁴⁶

Ill-treatment at the Ministry of the Interior

Human Rights Watch/Helsinki representatives and international monitors received numerous reports of beatings and ill-treatment by those detained at the headquarters of the cantonal Ministry of the Interior in Bihać. Cantonal Minister of the Interior Edhem Veladžić is the top official in charge of the police in the Una Sana canton, and is therefore responsible not only for the police abuses which took place in his headquarters, but also those that took place under his command in Velika Kladuša, Cazin, Sanski Most, and other local police stations and jurisdictions. The

⁴³ See section on Arrests on Charges of War Crimes.

⁴⁴ Human Rights Watch/Helsinki interview with federation ombudsmen, Bihać, Bosnia and Hercegovina, March 7, 1997.

⁴⁵ The cantonal director of the criminal investigations unit is Halid Velagić; the director of the AID is Hazim Felić.

⁴⁶ Article 7 of the ICCPR states that "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." According to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, "torture" is defined as

any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain is or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.

Ministry of the Interior and the Cantonal Criminal Investigations headquarters are in the same building in Bihać. The chief of the criminal investigations unit is Halid Velagić.⁴⁷

⁴⁷ For this reason, persons abused in this facility, in their interviews with Human Rights Watch/Helsinki, referred to it either as the Ministry of the Interior or the Criminal Investigations Unit.

- Zuhdija Rizvić, who is accused of having committed war crimes against POWs, reported to Human Rights Watch/Helsinki that he was transferred on August 22, 1995 to the cantonal Ministry of the Interior in Bihać after having been ill-treated for two days in the Velika Kladuša police station. According to his account, he was handcuffed to a closet at the ministry building, and beaten by a short balding man wearing a camouflage vest, who also reportedly put his pistol against Rizvić's forehead and asked him, "Are you afraid?" When Rizvić failed to answer, the man pushed the pistol into Rizvić's side and hit him with his fist, and then left the room. Thereafter, different men came into the room, interrogated him about his involvement in Abdić's "autonomy", but did not beat him. After a while, the police forced him to sign a statement that was completely different from what he had told the police both in Velika Kladuša and in Bihać.⁴⁸
- Sedžad Kajetović, also charged with war crimes, was arrested on April 14, 1996, in Cazin, and then transferred to Bihać, where he said he was held in the Ministry of the Interior's headquarters for eleven days. He told Human Rights Watch/Helsinki that he was severely beaten each day during that time by inspectors he identified as Inspector Asmir Bakrač⁴⁹ and someone named Mičić. A third man who was a witness to the beatings but who, according to Kajetović, did not beat him upon arrest, was named Bešim Dervišević.⁵⁰ According to his account, Kajetović was beaten with pistols and bare hands; as a result, his front teeth were broken. He was taken to the ministry building in Bihać and held for eight days and nights in a garage in the back yard of the ministry where he was handcuffed to a radiator (Human Rights Watch/Helsinki observed the scars which remain on his wrist.) He was beaten repeatedly during that time, interrogated, and pressured to sign a confession. He was not provided with a lawyer. After eight days, Dervišević came to him and told him that if he would sign the testimony the ministry had prepared for him, he would be released. If not, he would be beaten. When he refused to sign, he was interrogated and beaten by Dervišević on his bare feet with a baton. According to Kajetović, he was bleeding, and in pain, and ultimately signed the confession because he feared more beatings.

Kajetović told Human Rights Watch/Helsinki that he was transferred to Luka prison in Bihać on May 13, 1996. On August 20, 1996, Kajetović was released with no charges pending. The explanation given was that there was not enough evidence to charge him with war crimes.

Fifteen days before Kajetović's release, grenades were thrown into his family's house. His older sister was slightly wounded with shrapnel, and his younger sister was severely wounded in the legs and almost died. She spent time in the hospital in Croatia and Austria, and is still unable to walk. Kajetović was a member of Fikret Abdić's autonomy movement.

Kajetović told Human Rights Watch/Helsinki that he was arrested again on November 25, 1996, by police officers from Bihać, who insisted that he go with them to Bihać, even after reviewing his release forms. He was again imprisoned in the garage behind the Ministry of the Interior and beaten for two days and one night. According to Kajetović, he was brought to the jail in Bihać on November 27, 1996 (the IPTF list of prisoners dates his reimprisonment to October 26.) He was told he was being held for the same charges—of war crimes—for which he had already been detained and released.

- Zuhdija Dizdarević, an Abdić supporter who is accused of having shot two wounded soldiers and one civilian during the war, was arrested on November 6, 1996, in Croatia. He was transferred to Velika Kladuša and then to Bihać, where, as international monitors told Human Rights Watch/Helsinki, he was beaten at the Ministry of

⁴⁸ Human Rights Watch/Helsinki interview, Luka Cantonal Prison, Bihać, Bosnia and Hercegovina, March 8, 1997.

⁴⁹ Bakrač was allegedly responsible for repeated beatings of another prisoner, and of another individual interviewed by Human Rights Watch/Helsinki representatives in Cazin. Human Rights Watch/Helsinki provided his name to the IPTF district commander in Bihać in an effort to ensure that Bakrač is carefully investigated by IPTF during its screening and vetting process.

⁵⁰ Also implicated in participation in the ill-treatment of another individual interviewed by Human Rights Watch/Helsinki representatives in the Una Sana canton.

the Interior for five days. IPTF reports having photographs of the injuries reportedly incurred during the beatings. One of the police officers alleged to have beaten Dizdarević is Asmir Bakrač, the same inspector who allegedly beat Kajetović, and is reported to have beaten others at the ministry during their arrest and detention. Dizdarević was transferred to the Luka Cantonal Prison on November 11, 1996. Dizdarević has been charged with murder.

- Almir Šabančević was arrested on March 29, 1996. He reported being beaten for six days in the ministry building in Bihać and forced to sign a confession. On December 27, 1996, Šabančević was convicted on war crimes charges, and sentenced to fourteen years imprisonment. Arrested on March 15, 1996 in Velika Kladuša, Sead Huskić also reported being beaten at the ministry in Bihać for several days. Huskić was charged with murder, but in a one day trial on August 21, 1996, he was tried and convicted of war crimes, and sentenced to eleven years imprisonment. Both men are Abdić supporters.⁵¹

Ill-treatment by the Police in Velika Kladuša, Cazın, and Sanski Most

- Rizvić told Human Rights Watch/Helsinki representatives that on August 20, 1995, a yellow Volkswagen pulled up to his house with three men, and they took him away with them.

They took me 400 or 500 meters from my house in Velika Kladuša, where they put a gun in my mouth and ordered me to tell them everything I know. I told them I will tell you everything I know, and then two of the three started to beat me in the car. After that, they took me to the police station in Velika Kladuša and handcuffed me to a closet. I was sitting on a chair. Cops came in randomly and asked me which unit of the army I was in, and about other men in my unit [Abdić's forces].⁵²

Rizvić reported that the police accused him of shooting a man in Velika Kladuša during the war whom Rizvić claims was killed by other members of his unit. According to Rizvić, two women residing in Velika Kladuša accused him of murdering the individual. Rizvić reported that during the two days and two nights he spent in the police station at Velika Kladuša, he was beaten by the police during the interrogations. After those two days, he was transferred to the Ministry of the Interior in Bihać where he suffered further ill-treatment. On August 24, 1995, Rizvić was transferred to the cantonal prison in Bihać, and was charged in September 1996 with war crimes.

⁵¹ For more details of the cases, see section on Arrests on Charges of War Crimes.

⁵² Human Rights Watch/Helsinki interview March 8, 1997, Luka Cantonal Prison, Bihać, Bosnia and Hercegovina.

- At the end of September 1996, according to Kajtezović's statement to Human Rights Watch/Helsinki, three uniformed police officers from the Cazin police department, one of whom was Sanel Osmančević, came to Kajtezović's house at midnight, put a rifle in his mother's mouth, and screamed at her, asking why her son had not shown up for court when summoned. Kajtezović maintains that he came out of the house and asked the police men not to beat him in front of his mother. Osmančević reportedly responded that "you cannot tell me I cannot beat you, I can kill you if I want."⁵³ Kajtezović was tied down inside the police car, and taken to a restaurant, where Osmančević forced him to stand up with handcuffs on, and introduced him to the man who himself admitted that he was the one who had thrown the grenades into Kajtezović's house, permanently injuring his little sister (the name of the alleged perpetrator is Sedžad Čoralići.) Kajtezović paid for drinks for Osmančević and two other Cazin police officers. Kajtezović was then taken to the Cazin police station where he was locked up in one small room, and reportedly subjected to questioning and beatings all night by various police officers. He was released the next day at noon.
- Aleksandar Bajrić, a Serb resident of Prijedor (Republika Srpska), was arrested on May 22, 1996, while crossing the Inter-Entity Boundary Line (IEBL) to visit Sanski Most. He was detained in Sanski Most on charges of weapons possession, and reported being severely beaten over the course of the next sixteen days and nights. According to a report by IPTF in Prijedor, Bajrić was "beaten up very heavily" initially in the Sanski Most police station for three days. According to the report, other Serbs who were imprisoned in Sanski Most in cells next to that of Bajrić confirmed to IPTF "the heav[y] beating and mistreating...They said that [Bajrić] constantly was beaten by several and different local police officers. The worst of them all was the local police attorney, Mr. Rizvan Edin, called Edo...who hit and kicked [Bajrić] in the head, the chest and between the legs."⁵⁴ IPTF Prijedor reportedly has the names of other police officers involved in the beatings of Bajrić.

According to Bajrić's testimony, provided to Human Rights Watch/Helsinki by an international organization, Edin Rizvan pressed Bajrić against the wall and spread his legs, and

started to hit and kick on the upper part of [Bajrić's] body at the ribs and between the legs. [Bajrić] fell down to the floor and Edo kicked [Bajrić] twice in the back of the head. Another police man called Sarajlić (blond, young, about twenty-three years old) did also mistreat [Bajrić] with hitting and kicking. A third police man called Bešić (from Kozarac) and two other police men from same area was also participating this mistreating on several occasions. The Chief of Staff Mr. Aliskovic has been present at several occasions at the beatings but did only make questions. Another police man called Čirkić Muhamed who [Bajrić] knew from Prijedor was present at several occasions of the beatings, but [Bajrić] did not see if he participated in this beating, because if he turned his head they just started beating him harder.⁵⁵

Bajrić's family and representatives from international organizations were unaware of Bajrić's whereabouts until he was transferred to Bihać. IPTF searched for Bajrić, and even visited the detention facilities at the Sanski Most police headquarters, but found nothing, as the Sanski Most police hid Bajrić in another location during IPTF visits. Bajrić told Human Rights Watch/Helsinki that if the IPTF had not shown an interest in his case, he believes the Sanski Most police would have killed him.

⁵³ Sanel Osmančević reportedly took Kajtezović from his house to the police station in Cazin three times between November 1995 and April 1996. Each time Kajtezović reported being beaten. Kajtezović had been in the Kupljensko refugee camp and returned in November 1995.

⁵⁴ IPTF Prijedor report, summer 1996.

⁵⁵ June 1996 report shown to Human Rights Watch/Helsinki by an anonymous international organization.

An IPTF monitor reported that when he interviewed Bajrić on June 24, 1996, Bajrić “had scars over both eyes and was slightly swollen at the eyebrows after hitting and he had pain at the ribs in the left front side and therefore problems with taking a deep breath.”⁵⁶

Bajrić was released in April 1997 after the ICTY responded that insufficient evidence existed for him to be tried on war crimes charges.

⁵⁶ Human Rights Watch/Helsinki interview, Bosnia and Hercegovina, July 1996.

According to interviews conducted by Human Rights Watch/Helsinki representatives and confirmed by international monitors, Rizvić, Kajetović, Bjelić, Šabančević, and Beširević were forced to sign confessions after having been beaten, four in the Ministry of the Interior and one elsewhere. These confessions were then used in the court proceedings in violation of international standards.⁵⁷ [See section on Arrests on Charges of War Crimes for details of ensuing proceedings.]

The prisoners interviewed by Human Rights Watch/Helsinki representatives in the Luka Cantonal Prison all testified that they have not been ill-treated since their transfer to the prison, and that the conditions in the prison are adequate and satisfactory.

Other Cases of Ill-Treatment and Abusive Police Action

According to a UNHCR official, police abuses have decreased in Velika Kladuša and Cazin since the beginning of 1997, so that "an Abdić returnee would no longer be routinely beaten."⁵⁸ Such improvements are important to note, and reflect the positive effect that the pressure of international monitors in the area has had on the situation. A human rights training workshop, run by the IPTF, OSCE, and UNHCR, also contributed significantly to improvements in the region.⁵⁹ Unfortunately, however, serious abuses continue throughout Velika Kladuša and Cazin. Though, according to international monitors in the region, cases of beatings by police are less frequent and routine than in 1996, they continue to occur, targeting the non-SDA population and contributing to an atmosphere of intimidation and fear.⁶⁰ What is more, many victims of police abuses do not report them to international organizations due to fear of reprisal.

Ill-treatment and other abusive police action continues to be reported in the three municipalities, despite some improvement. Fikret Hadžić, the chief of police of Velika Kladuša, where beatings in police custody have frequently been reported, was alleged to have told an international monitoring group that it is "still legal" in Bosnia and Hercegovina to beat persons upon arrest, but "only on the palms and feet."⁶¹ Hadžić, who is an active SDA member, was alleged to have himself taken part in the beating of a detainee in early 1997.⁶²

The current chief of police of Cazin, Čazim Budimlić, who was mayor of Cazin from 1993 to 1994, was appointed to the position of mayor of Cazin by the SDA authorities. When the former chief of police of Cazin, Sead Kauković, was removed under pressure from international organizations (actually he was transferred to the Bihać police), Budimlić replaced him. Budimlić ran as number four on the SDA cantonal list for elections in September 1996 and was elected.

Recent reports of abusive treatment in Bihać, Cazin, and Velika Kladuša are outlined below.

Bihać Municipality

⁵⁷ The Convention Against Torture, article 15, states that:

Each State Party shall ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made.

⁵⁸ Human Rights Watch/Helsinki interview with UNHCR, Bihać, Bosnia and Hercegovina, March 11, 1997.

⁵⁹ See below for details about this program and its sudden suspension.

⁶⁰ Some of the most violent abuses were committed by the police against individuals who were being arrested on charges of war crimes. (For details of these abuses, please see the section on Arrests on Charges of War Crimes.)

⁶¹ Document of an international organization dated February 1997, shared with Human Rights Watch/Helsinki on condition of anonymity.

⁶² Hadžić was number nine on the SDA list for the September 1996 elections.

Two international organizations reported to Human Rights Watch/Helsinki that their interpreters have been interrogated by the secret police.⁶³ The interpreters were warned that they must share all information with the secret police.⁶⁴

- On May 30, 1997, while OSCE staff were assisting a Serb family to return with their farm equipment to their home in Croatia, they were stopped by the Bihać police. According to the OHR, the police verbally intimidated the OSCE staff and asked them to come to the police station in Bihać. The police refused to accept the family's proof of ownership of the equipment because it was authorized by the Republika Srpska authorities.

Cazin Municipality

Since the end of the war in Bosnia and Hercegovina, the Cazin police department has been allegedly responsible for numerous incidents of ill-treatment of detainees. Under pressure from the international organizations present in the Una Sana canton, Sead Kauković was removed as chief of police of Cazin in September 1996, but was transferred to his current job with the Bihać police department. The new chief of police of Cazin, Čazim Budimlić, is also a member of the SDA executive board, SDA delegate to the cantonal assembly, and the representative of the Una Sana Cantonal Assembly to the (National) House of Representatives in Sarajevo. International organizations in the region and local witnesses reported to Human Rights Watch/Helsinki that Cazin used to be plagued by random shootings and explosions throughout the nights, specifically near opposition members' homes. Though the daily random shootings and explosions had nearly ceased by the end of 1996, intimidation and harassment of Abdić supporters and police abuses have continued under Budimlić.

Individuals connected with the opposition in the Cazin municipality informed Human Rights Watch/Helsinki that the local police also do not respond promptly to crimes against them. That leaves only the international monitors to afford some degree of protection. IPTF has played a crucial role in the monitoring and thus curbing of police abuses in the region (see below). However, in April 1997, the IPTF station in Cazin was reduced from twenty-three to approximately six monitors due to the U.N.'s assessment that things had quieted down in the Cazin municipality, and that such a large presence was no longer necessary. Nevertheless, Human Rights Watch/Helsinki remains concerned that IPTF may be the only resource for victims of ongoing human rights abuses in Cazin and that the downsizing may have therefore been premature.

- On January 5, 1997, a police inspector from Cazin informed D.E.,⁶⁵ who is not affiliated with SDA or with any opposition party, that Minister of the Interior Edhem Veladžić would be waiting to see him at his headquarters in Bihać, and that he had come to arrest D.E. D.E. asked to see the inspector's identification card and the arrest warrant, but the inspector refused, saying it was enough to say that he is from the police department. At the criminal police department, he said he was told in a threatening voice "that I must pay all of my debts to the "Promet-tehno" company in Bihać, and then bring the receipt to the Ministry of the Interior in Bihać to see Mr. Bakrač, otherwise I will have a lot of problems."

He subsequently did as instructed and went to the Bihać ministry:

At the moment I stepped into Inspector Bakrač's office he started to yell at me calling me words like thief, criminal etc. When I said I had a right to legal representation, he slapped me. He brought handcuffs and cuffed me to the radiator, saying "Do you want me to shoot you?" After fifteen to twenty minutes he brought a testimony which wasn't mine but insisted that I sign it.

⁶³ The director of the AID for the Una Sana canton is Hazim Felić.

⁶⁴ Human Rights Watch/Helsinki interviews with international organizations, Una Sana canton, Bosnia and Hercegovina, March-April 1997.

⁶⁵ Human Rights Watch/Helsinki interview, Una Sana canton, Bosnia and Hercegovina, April 16, 1997.

D.E. recalled a similar incident involving the Lejla company from Bihać:

Inspector Bakrač, a tall blond guy, and a short brunette man came into my office in [village] on February 28, 1997. My wife was with me. They started to threaten me and ordered me to go into another room. In the other room they started to beat me with their fists and feet, but I ran through the door. But Bakrač caught me in front of the office and continued to beat me. My wife asked them why they were doing that and Bakrač answered her with very mean words. They picked me up and brought me to the first floor and continued to beat me. For one moment I lost consciousness. In that moment my wife started crying and begged them to stop beating me, the blond man pulled my wife forcefully down the stairs. Bakrač said if I didn't bring a bank receipt for payment of goods by 9:00 the next morning he would kill me.

D.E. went to the hospital and reported the case to the IPTF and the Cazin police station. D.E. stated that:

Inspector Bakrač extorted payment in the sum of 10,000 DM (in dinars) from me for the firm "Promet-techno" and forced me to sign a promise of another 8,547 DM to be paid by April 9, 1997. After a couple of days, Inspector Hamlet Alibegović announced, as a representative of the minister of interior for Bihać, on Bihać television, Cazin television, the local radio station of Una Sana canton and also *Večernje Novine*, that the police had brought charges against me. However, the court dismissed the charges due to lack of evidence. I was requested by telephone five times, without warrant, to appear at the police station.

On February 18, he was summoned to the inspector's office at 9:00 a.m.:

After a few minutes in the office, Inspector Bakrač arrived and slapped me twice, saying he would kill me if I didn't bring payment for the "Lejla" firm in Bihać by February 28. The blond man arrived, slapped me three times and repeated Bakrač's threat.

D.E. later informed Human Rights Watch/Helsinki representatives that the two other inspectors who arrived with Inspector Bakrač were Mujo Koričić and Izet Šahinović.

Human Rights Watch/Helsinki was informed by the federation ombudsmen and by international monitors in the Una Sana canton that the three inspectors who beat and abused D.E. were to be suspended for three months for their actions. However, in May 1997, Human Rights Watch/Helsinki learned that Bihać law enforcement authorities have assigned Inspector Bakrač to lead the police investigation into a recent case in the Velika Kladuša municipality, in which a former SFOR employee—whose family members are known as supporters of Fikret Abdić—was raped and murdered by two men, one of whom escaped and one of whom is in custody in the Bihać cantonal prison. Bakrač's assignment to this case is evidence of his ongoing role in the criminal investigations unit of the Una Sana cantonal police.

- On June 21, 1997, a man reported to the IPTF in Cazin that he had been hit and thrown to the ground by a police officer who was off duty and his two brothers. According to reports, the police officer called the man an "Abdić supporter" during the attack.⁶⁶

Velika Kladuša Municipality

- B.C. was arrested in Velika Kladuša on January 27, 1997, on suspicion of counterfeiting. He was reportedly beaten all night long by four police officers in the Velika Kladuša police security station. B.C. identified Chief

⁶⁶ OHR Human Rights Report, June 23, 1997.

of Police of Velika Kladuša Fikret Hadžić, then deputy station commander, Bešir Rizvić (now a criminal inspector in Velika Kladuša), and another police officer named Jasmin Aldiz, who is now reportedly the deputy station commander in Velika Kladuša, as having beaten him. IPTF viewed the bruises remaining on B.C.'s body as a result of the beatings. The medical report stated that B.C. had been beaten on the kidneys, back and hands. The day after his arrest and beatings, B.C. was taken to Bihać and was imprisoned in the Luka prison in Bihać on January 29, 1997. B.C. was held in the prison in Bihać until March, when he was released without charge.⁶⁷

- The Velika Kladuša police on January 29, 1997, went to search for weapons in a private house, without a warrant. They arrested the man living in the house and took him to the police station, where he was reportedly beaten in the presence of ten police officers. IPTF reportedly has the names of the police officers involved with the incident.⁶⁸
- According to IPTF, in late January 1997, an eighteen year old boy was accused by his father of having stolen beans, and was subsequently reportedly badly beaten at the Velika Kladuša police station.⁶⁹

After receiving no response from Velika Kladuša Chief of Police Fikret Hadžić to inquiries about these three cases of police brutality, the IPTF, OSCE, and UNHCR met with Hadžić on February 5, 1997 to raise their concerns. The international representatives confronted Hadžić regarding his protracted failure to provide IPTF with information about the cases, including specifically the case of B. C. Hadžić claimed that all reports on the incidents had been provided to IPTF, although IPTF denied this. Hadžić then stated that the three cases were “not serious cases,” adding that “we [Velika Kladuša police] are doing the best police work in Bosnia and Hercegovina.” International personnel present asked Hadžić if the Velika Kladuša police had ever used excess physical force while making arrests, and Hadžić denied that any force had ever been used.⁷⁰

⁶⁷ Human Rights Watch/Helsinki interviews with the IPTF, UNHCR, OSCE, and U.N. Civil Affairs, Una Sana canton, Bosnia and Hercegovina, April 1997.

⁶⁸ Human Rights Watch/Helsinki interviews with IPTF and U.N. Civil Affairs, Una Sana canton, Bosnia and Hercegovina, April 1997.

⁶⁹ Ibid.

⁷⁰ Report of an international organization, shared with Human Rights Watch/Helsinki, April 1997.

When Hadžić was questioned directly about the beating of B.C., he admitted that B.C. had been beaten with a baton, “but only a few slaps in his face. This was necessary, because he did not talk. You don’t know our laws—they permit things like this.”⁷¹ Later in the meeting, Hadžić reportedly stated that “we had to push him - he wouldn’t walk or talk. He tried to contact his brother in Italy, and we were afraid he would escape. What about the human rights of the people that had received counterfeit DM...you must understand he is a bad person....” He continued, saying that “The local police had to pay its price many times because of the OSCE in Velika Kladuša reports. The IPTF and OSCE are sending reports only based on the criminals’ statements.”

When Hadžić was asked about the January 29, 1997 incident, he reported to the international organizations present at the meeting that the policeman responsible for the beatings was not acting under his authority, and that “he would now be removed from the police.”⁷² UNHCR confirmed to Human Rights Watch/Helsinki that indeed one police officer had been removed from his post for his ill-treatment of B.C. Regarding the third case, Hadžić reportedly stated that the force used was justified.⁷³ Fikret Hadžić was number nine on the SDA elections list of candidates for the September 1996 elections and currently holds a high-level SDA position in Velika Kladuša.

Human Rights Watch/Helsinki has received numerous reports of police abuse by the former deputy station commander of Velika Kladuša police, Bešir Rizvić. The OSCE in Velika Kladuša informed Human Rights Watch/Helsinki that Rizvić orders police beatings and takes part in them himself. When the OSCE in Velika Kladuša visited the court, they found five cases pending against police officers in Velika Kladuša, three of which were against Rizvić. IPTF sought information from the public prosecutor in Velika Kladuša on March 6, 1997, who informed IPTF that Rizvić holds “undue influence,” but that she was “powerless” to do anything. She stated that the police were not cooperating on the cases submitted to her, and that she had been threatened after the first case against Rizvić was filed. The public prosecutor requested the IPTF to ask Chief of Police Fikret Hadžić to put Rizvić on administrative leave until the cases are brought before the court.⁷⁴

The IPTF, OSCE, and UNHCR, have put pressure on Hadžić for the dismissal of Rizvić, but to no avail. According to the OSCE, Hadžić had tried to transfer Rizvić before, but had apparently not received any support from his superiors in Bihać. However, Hadžić confirmed that Rizvić had been transferred from deputy station commander to criminal investigations. The OSCE reportedly insisted that if any of the charges against Rizvić were found to be true, he be suspended immediately and brought to trial. The chief of police reportedly agreed with this suggestion. However, according to the OSCE, nothing has been done on this case and Rizvić remains in the criminal investigations unit of the police.

According to UNHCR, the IPTF district commander approached Chief of Uniformed Police (also Deputy Minister of the Interior) Jasmin Stambolija regarding Hadžić’s conduct, and regarding his defense of the physical abuse inflicted upon B.C. In response, Stambolija reportedly denied that Hadžić could have said what he said, stating that he “stands behind Hadžić 100 percent,” and that Hadžić is “one of his better guys.”⁷⁵

⁷¹ Ibid.

⁷² Human Rights Watch/Helsinki interview with OSCE personnel, Velika Kladuša, Bosnia and Hercegovina, April 15, 1997.

⁷³ Human Rights Watch/Helsinki meeting with various international organizations, Velika Kladuša, Bosnia and Hercegovina, March 11, 1997.

⁷⁴ Reports of two international organizations provided to Human Rights Watch/Helsinki, April 1997.

⁷⁵ Human Rights Watch/Helsinki interview with UNHCR, Velika Kladuša, Bosnia and Hercegovina, March 11, 1997.

In a positive step, IPTF informed Human Rights Watch/Helsinki that two police officers determined responsible for beating a suspect at the end of March or the beginning of April 1997 were dismissed for seven days from work without pay. In another case, a police officer came to IPTF to confess to having beaten an individual during the arrest. Though IPTF saw this as a good step, they informed Human Rights Watch/Helsinki that they planned to recommend to Stambolija that the officer be punished nonetheless.

Despite the numerous efforts by the IPTF, OSCE, and UNHCR to bring pressure on local police officials, police abuses have continued. In May 1997, two brothers complained to IPTF in Velika Kladuša about verbal harassment, expressing their fear of complaining to the local police. The men are supporters of Fikret Abdić. One IPTF monitor accompanied the men to the local police station where they filed their complaint in his presence. On their way home, the two were stopped by the local police who took them back to the police station in Velika Kladuša, where they were reportedly placed in separate rooms and severely beaten during interrogation. IPTF reported to OHR that they observed bruises on both men's bodies. Human Rights Watch/Helsinki representatives were unable to locate the two men, who are apparently in hiding.⁷⁶

On May 14, 1997, local police visited a woman in Velika Kladuša and insulted her for recent statements she had made to a Croatian journalist regarding her dissatisfaction with the current situation in Bosnia and Hercegovina. The woman reported to IPTF that the police had threatened that they would force her to flee to Croatia if she made any more such statements in interviews.

ARRESTS ON CHARGES OF WAR CRIMES

Violations of the "Rules of the Road"

Soon after the Dayton agreement was signed, the authorities in the federation and in the Republika Srpska began publicizing long lists of persons they considered to be responsible for war crimes. These lists, which were sometime based on questionable evidence of individual responsibility for war crimes, effectively serve to intimidate those who might have otherwise tried to move freely in Bosnia and Hercegovina or return to their homes in areas now under the control of another ethnic group. The Rome Agreement, otherwise known as the "rules of the road," was signed by President Tudjman, President Milošević, and President Izetbegović in Rome in February 1996 in order to "strengthen and advance the peace process." It was intended to curb the tendency of the parties to arrest persons on a reciprocal "tit-for-tat" basis, and to prevent arbitrary arrests and detention on war crimes charges that were solely intended to harass and intimidate former wartime enemies. Such politically or ethnically motivated misuse of the obligation to prosecute war crimes was seen as a major obstacle to the successful implementation of the Dayton agreement and to any efforts at reconciliation.

The Rome Agreement established that the evidentiary basis for all war crimes charges would be subject to an independent review process before any arrests were to be made. This would ensure that such arrests would not be used as political tools by the respective parties, and it would simultaneously ensure the parties' recognition of the ICTY as the superior authority on issues of war crimes.

The "rules of the road" reaffirm the obligations of the parties to cooperate fully with the ICTY, and state specifically that "Persons, other than those already indicted by the International Tribunal, may be arrested and detained for serious violations of international humanitarian law only pursuant to a previously issued order, warrant, or indictment that has been reviewed and deemed consistent with international legal standards by the International Tribunal." Thus, the parties are not permitted to arrest or detain individuals on charges of war crimes who have not yet been indicted by the ICTY or whose arrest has not been authorized by the ICTY.

⁷⁶ Human Rights Watch/Helsinki interview with an international monitor, Velika Kladuša, Bosnia and Hercegovina, June 11, 1997.

In the politically charged atmosphere in Bihać, Cazin, and Velika Kladuša, where the authorities have been engaging in a systematic effort to intimidate, harass, or physically attack political opponents, there is reason to be concerned that arrests in contradiction of the Rome Agreement could be used as yet another tool of repression against non-SDA members, and non-Bosniaks who attempt to cross into federation territory. Such arrests do more than violate the provisions of the rules of the road; they create an atmosphere of intimidation which blocks freedom of movement, restricts freedom of expression, and prevents progress towards lasting reconciliation. Human Rights Watch/Helsinki strongly supports efforts to hold individuals accountable for war crimes and other serious abuses committed during the conflict. However, we are troubled that the process of obtaining justice for such abuses will itself be irreparably tainted and compromised if local authorities are allowed to exact revenge in the guise of seeking justice.

In direct violation of the provisions of the Rome Agreement, the Una Sana cantonal authorities arrested and detained twelve individuals within the past two years on charges of war crimes without prior authorization from the ICTY. Once arrested, the cantonal authorities failed to forward the files on these individuals to the ICTY, in some cases for as long as nine months after arrest and imprisonment. Though some of those detained have been in prison in Bihać since before February 1996, none of the files were submitted to the ICTY until December 1996, ten months after the signing of the Rome Agreement.⁷⁷

Of the eleven files that were ultimately submitted to the ICTY by December 1997, the ICTY determined in eight of those cases that sufficient evidence existed to try the individuals on war crimes charges. In two cases, the ICTY requested more evidence, and in one case it determined that there was insufficient evidence and the suspect was released.

One international monitor, speaking on condition of anonymity, informed Human Rights Watch/Helsinki that the Ministry of the Interior in Bihać has a list of over 200 names of persons believed to be responsible for war crimes in the Una Sana canton, although files on these individuals are not known to have been submitted to the ICTY.

Violations of Due Process

The constitution of Bosnia and Hercegovina incorporates international human rights obligations, including due process guarantees, into domestic law. Article II.2 of the constitution states that "the rights and freedoms set forth in the European Convention for the Protection of Human Rights and Fundamental Freedoms [ECHR] and its Protocols shall apply directly in Bosnia and Hercegovina. These shall have priority over all other law."⁷⁸ The criminal procedural law of Bosnia and Hercegovina reflects this, and guarantees all defendants the right to due process.⁷⁹

Despite these commitments, serious violations of due process occurred in the cases of almost all of the prisoners held for war crimes in the Luka Cantonal Prison in Bihać. Among other due process violations, local officials failed to inform the defendants promptly of the charges against them, denied them prompt access to counsel of their

⁷⁷ Those being tried are charged under articles 141-151 of the (former) Federal Republic of Yugoslavia's laws on violations of humanitarian and international human rights law adopted by Bosnia and Hercegovina when it became a state. These laws deal with war crimes against civilians and are based on the provisions of the Geneva Conventions, the Convention on the Prevention and Punishment of the Crime of Genocide, and other international agreements. Under these laws, an individual found guilty of crimes such as genocide, torture and murder of civilians, war crimes against prisoners of war or unarmed combatants, or use of prohibited weaponry which results in deaths can receive the death penalty. Article 141 deals with genocide; article 142, war crimes against civilians; article 143, war crimes against wounded and sick; article 144, war crimes against prisoners of war; article 146, murder or injuring of unarmed enemies; article 148, use of prohibited weaponry.

⁷⁸ European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), article 5.(2-5), article 6. ICCPR, article 14. Bosnia and Hercegovina is a party to the ECHR as of the signing of its constitution (part of the Dayton agreement).

⁷⁹ Zakon o Krivičnom Postupku Republike Bosne i Hercegovine (Bosnian Criminal Procedural Law), adopted by Bosnia and Hercegovina in 1992 from the Zakon o Krivičnom Postupku (Criminal Procedural Law) of the Socialist Federal Republic of Yugoslavia, Official Gazette, 1988, articles 190-205.

choice, repeatedly interfered with the defendants' ability to prepare a defense, and failed to comply with domestic law regarding the length of detention without charge or judicial review.

It is perhaps understandable that it will take some time for all institutions of Bosnia and Hercegovina to attain a level of functioning and efficiency that fully abides by international standards. However, taken in the context of the current situation in Bihać, Cazin, and Velika Kladuša, and the ongoing abuses which are part of daily life in the region, violations of the right of due process call into question the validity of the results of the legal proceedings against these war crimes suspects. Due process guarantees are procedural rights that underpin the integrity of judicial proceedings. Human Rights Watch/Helsinki is concerned that the judicial process surrounding these cases may be politically biased. The denial of these individuals' right of due process—combined with the fact that they were initially arrested in violation of the Rome Agreement and that most of them suffered torture or ill-treatment in custody—does nothing to dispel claims that these cases represent an attempt by the cantonal authorities to persecute and punish political opponents of the SDA-controlled “system.” Even though some among these individuals may indeed be responsible for some or all of the crimes of which the cantonal authorities accuse them, the quality of justice in these cases is impaired by the lack of adherence to fair procedures, which undermines confidence in whatever verdicts are rendered.

The OSCE, in cooperation with the federation ombudsmen, has been pressuring the authorities, and specifically Court President Hasan Pjanić, to guarantee due process and ensure compliance with other human rights standards, and to follow the “rules of the road.” However, the judicial authorities continue to violate the rights of the accused. As stated earlier, the ombudsmen, who have been particularly involved in legal efforts to assist the accused, reported to Human Rights Watch/Helsinki that they are regularly denied access to court documents and files on the accused, which has created an insurmountable obstacle to their efforts to provide legal support for the defendants.

Right to be Tried Without Undue Delay

International standards require that an individual be brought before a judicial officer “promptly” and be brought to trial within a reasonable time or released pending trial. This requirement serves to ensure that the lawfulness of detention is established as soon as possible, to minimize any opportunity for potential ill-treatment of the detainee, and to foreclose abuses such as delays in the legal process or extended pre-trial detention for political reasons.⁸⁰ According to Bosnian criminal procedural law, a detainee can be held for up to seventy-two hours at the closest police station before he must be transferred to a prison.⁸¹ Domestic law also specifies that there is a six month maximum time to conduct the investigation from the time the suspect is taken into custody until the start of the trial.⁸²

⁸⁰ Article 5(3) of the ECHR states that defendants shall “be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release pending trial. Release may be conditioned by guarantees to appear for trial.” See also article 14(3) of the ICCPR.

⁸¹ Bosnian Criminal Procedural Law, article 194.

⁸² Bosnian Criminal Procedural Law, articles 197, 199.

Most of the individuals currently detained on charges of war crimes were held in police detention for longer than the time permitted under domestic law before being transferred to the cantonal prison. During their police detention many reported being severely beaten⁸³ and forced to sign confessions, some of which were later used in court proceedings. Most of the prisoners were held for longer than six months before the beginning of their trial. Most were held for long periods of time before being charged. Many were held for weeks or months before being brought before a judge. Most of the detainees have had their detention repeatedly extended without judicial review.

Although domestic law provides that an investigation must not last longer than six months from the time the suspect is detained to the beginning of the trial, once the trial has begun, there are no guidelines for exactly how long someone can be detained between trial sessions. In many of these cases, several months passed between the arrest and when the detainee first appeared before a judge, was provided legal counsel, or was charged with a crime. There have also been long delays between hearings.

For example, Rizvić was arrested and detained in the Velika Kladuša police station for two days, where he was severely beaten. The police then transferred him to the Ministry of the Interior in Bihać, where he was tortured and forced to sign a confession.⁸⁴ After two days at the ministry, he was finally brought before a judge, but thereafter was in prison without proceedings for a year before the second time he appeared before a judge. The court's excuse for the delay was that the witnesses were out of the country and could not appear in court (many of them were in Kupljensko refugee camp).

Sefić also reported to Human Rights Watch/Helsinki that he was brought before a judge for the first time on November 16, 1995, after having been severely beaten in the Ministry of the Interior in Bihać for seventeen days. During this hearing he gave his first testimony. Sefić informed Human Rights Watch/Helsinki that an additional nine months passed after this hearing before he was brought before a judge on August 28, 1996. After that, Sefić appeared before the judge again on December 6, 1996.

Žerić was a prisoner in the Omarska concentration camp near Prijedor. After his escape to federation territory in September 1994 with his wife and five children, Žerić was arrested by the Bosnian authorities. After spending one month in a military prison, he was transferred to the prison in Zenica in October 1994. His trial, however, did not start until July 1995, nine months after his transfer. Žerić was then transferred to Luka prison in Bihać in March 1996, and subsequently spent one year in the Bihać prison without any court proceedings. During that year, he was summoned twice to the court, but each court appearance was canceled by the court before the date. Žerić was finally brought before the court in March 1997 for a brief court appearance, after which he was sent back to the prison with no notification as to when his next hearing would be scheduled.

In four other cases known to Human Rights Watch/Helsinki, the cantonal authorities held the individuals undue periods of time before judicial proceedings; in one case for sixteen months.

Right to Counsel

Criminal defendants may choose to defend themselves, but they also have the right to be informed of their right to counsel, to retain counsel of their choice, and to receive free legal assistance if they cannot afford counsel. Each of these are aspects of the right of a criminally accused person to present a defense.⁸⁵

⁸³ See section on Police Ill-treatment in Detention.

⁸⁴ See above.

⁸⁵ Article 6(3) of the ECHR states that every defendant has the right "to defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require." See also article 14(3)(b) of the ICCPR.

Some of those detained on charges of war crimes were not granted lawyers for long periods of time — in at least one instance, for over nine months. At least one was not informed of his right to be assigned a lawyer if he could not afford to pay for one. Some of the prisoners were denied representation of their choice. Other prisoners were denied the lawyers of their choice for a period of time and, when granted lawyers of choice from the Republika Srpska, were unable to meet their lawyers to prepare a defense before the first hearing.

In cases where a lawyer from Republika Srpska was defending an individual in the Bihać courts, the lawyers were only able to defend their clients with the assistance of international organizations, in particular the IPTF, in transporting them safely from the Republika Srpska to Bihać. For this reason alone, in these cases, there was frequently inadequate time for the defense to prepare its case. Often the lawyer did not even meet with his or her client prior to their appearance in court.

Right to a Fair Trial, with Witnesses for the Defense

Criminal defendants have the right to obtain the attendance and examination of witnesses on their behalf under the same conditions as the prosecution's witnesses, and to examine or have examined the prosecution's witnesses. These measures are designed to ensure that trials are fair, with the defense having an equal opportunity to present its side as the prosecution.⁸⁶ In the case of Bosnia and Hercegovina, summoning defense witnesses to the court is not always possible. Firstly, the postal system is inefficient and lethargic. Secondly, many persons who might testify as witnesses may still be living as refugees in foreign countries, and may not have the opportunity to return to testify on behalf of the defendant. Witnesses for the defense may live in a different entity than that in which the trial is taking place, and due to restrictions on freedom of movement, would not feel that they could travel in safety to the court to testify. If geographic location is a problem, this would also hinder any possibility of counsel travelling to where the witnesses live to take written testimony. For all these reasons, it can often be impossible for the court to compel witnesses to testify on behalf of the defendants. The political situation in Bosnia and Hercegovina thus severely limits the rights of defendants to a fair trial. For example, Sefić told Human Rights Watch/Helsinki that very few witnesses were heard at his day-long trial. The trial resulted in Sefić being charged with nine counts of murder and sentenced to fifteen years in prison. International monitors of the trial expressed concern to Human Rights Watch/Helsinki representatives about the lack of access to witnesses for the defense. They also stated that considering the severity and number of charges against Sefić, the trial had been unusually brief.

The results of proceedings in which statements taken under duress were admitted as evidence are highly questionable. For example, Kajtezović, Žerić and Suvčić reported to Human Rights Watch/Helsinki, and international monitors confirmed, that their statements, which had been introduced into evidence during the court proceedings, had been obtained from them under duress during beatings at the Ministry of the Interior.

Right of the Defendant to be Informed Promptly of the Charges Against Him or Herself

The right of an accused to be promptly informed of the charges against him or her pertains both before trial and at the moment of arrest. It is an essential check on arbitrary deprivation of liberty because it enables criminally accused persons to challenge the legality of their detention and to prepare a defense.⁸⁷ In direct violation of both domestic and international legal standards, the Bosnian judicial authorities detained most of these individuals for long periods of time without informing them of the charges against them. Some of the detainees have been in jail for more than a year without being formally charged.

In one example, Bajrić was arrested and held in secret detention for three months without being informed of the charges against him. He was subsequently transferred to Luka prison in Bihać, but was still not officially charged

⁸⁶ Article 6(3)(d) of the ECHR states that anyone charged with a criminal offence has the rights "to examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him." See also article 14(3)(e) of the ICCPR.

⁸⁷ Article 5(2) of the ECHR states that "Everyone who is arrested shall be informed promptly, in a language which he understands, of the reasons for his arrest and of any charge against him." See also ICCPR arts 9(2) and 14(3)(a) and ECHR 6(3)(a).

until six months later. Eight other suspects also reported to Human Rights Watch/Helsinki that they had not been informed of the charges against them for extended periods of time ranging from five to thirteen months after arrest.

Other Violations

Failure to Inform Family of the Arrest

Under the Bosnian Criminal Procedural Law, the family of a person who has been detained must be informed of this within twenty-four hours.⁸⁸ Failure to inform family members of a person's arrest increases the likelihood that abuses will occur without anyone knowing about them, and of course causes unnecessary trauma to the family.⁸⁹

Several of the prisoners' families were not informed of their detention for periods significantly exceeding the twenty-four hours allowed by domestic law, in one case for as long as one month.

Treatment of Juvenile Detainees

International standards on the administration of juvenile justice distinguish the treatment of accused juveniles from the treatment of accused adults. These provisions are meant to protect the child and to encourage judicial authorities to focus on the rehabilitation of the child during the entire judicial process.

Both Sefić and Kajtezović were under eighteen years old at the time of the alleged crimes, of which they are accused, which carry the death penalty under Bosnian law. If convicted of the crimes of which they are accused, they could be sentenced to life imprisonment or the death penalty, both of which are prohibited by international law.

Article 14(4) of the ICCPR states that "In the case of juvenile persons, the procedure shall be such as will take account of their age and the desirability of promoting their rehabilitation." In addition, ICCPR article 10(3) provides that a "sentence of death shall not be imposed for crimes committed by persons below eighteen years of age."

The U.N. Convention on the Rights of the Child,⁹⁰ article 37, declares that "States parties shall ensure that (a) neither capital punishment nor life imprisonment without the possibility of release shall be imposed for offenses committed by persons below eighteen years of age." Furthermore, the U.N. Standard Minimum Rules for the Administration of Juvenile Justice, otherwise known as the "Beijing Rules,"⁹¹ part three, 17.2. holds that "capital punishment shall not be imposed for any crime committed by juveniles."

The fact that Sefić and Kajtezović were under eighteen at the time of the commission of the alleged crime must be taken into consideration in all the judicial procedures to which they are subjected. The procedures should be expedited, and any sentences should be appropriately reduced.

Failure to Cooperate with International and Federation Monitors

The cantonal judicial authorities have repeatedly failed to cooperate with the international organizations present in the region. International monitors in the region play a crucial role in observing the judicial proceedings, monitoring

⁸⁸ Bosnian Criminal Procedural Law, article 200.

⁸⁹ Principle 16 of the United Nations Body of Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment (adopted by the United Nations General Assembly on December 9, 1988 in resolution 43/173) states that: promptly after arrest and after each transfer from one place of detention or imprisonment to another, a detained or imprisoned person shall be entitled to notify or to require the competent authority to notify members of his family or other appropriate persons of his choice of his arrest, detention, or imprisonment or of the transfer and of the place where he is kept in custody.

⁹⁰ General Assembly resolution 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989).

⁹¹ U.N. Standard Minimum Rules For the Administration of Juvenile Justice, "The Beijing Rules," General Assembly resolution 40/33, annex, 40 U.N. GAOR Supp. (No. 53) at 207, U.N. Doc. A/40/53 (1985).

the conditions of detainees, and defending their rights when violated. Furthermore, all parties to the Dayton agreement are required to cooperate with the organizations involved in the implementation of the provisions of the Dayton agreement; failure to do so constitutes a violation of the agreement.

The cantonal judicial authorities refused to provide information to the IPTF, OSCE, and the federation ombudsmen regarding Žerić's case. Human Rights Watch/Helsinki representatives observed a session of the trial of Žerić in March 1997. Following the proceedings, the judge refused to respond to IPTF's inquiries, and left the courtroom angrily and dismissively. Another judge refused to provide his name to the IPTF monitor who was present. Furthermore, the judge later informed the IPTF and OSCE monitors that a closed hearing had taken place in February 1997 without their knowledge. Though the OSCE informed the president of the court that closed hearings were not permissible, the judge did not respond. Closed hearings are in violation of ICCPR article 14(1), except in exceptional, narrowly defined circumstances, which states that "everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law."

LOOKING AHEAD: ISSUES OF IMMEDIATE CONCERN

Refugees

The only two official border crossings into Bosnia and Hercegovina that are not controlled by Bosnian Serb or Bosnian Croat authorities are in the Una Sana canton. Because of its geographical location, many Bosniak refugees currently residing in Western Europe are expected to be returned to the canton in the upcoming months. The expected influx of approximately 20,000 refugees into the Bihać area,⁹² and of an even larger number into the canton as a whole, will likely be cause for increased tensions, as housing is scarce and the region is politically unstable. Due to complete SDA control over all aspects of the infrastructure, including police and housing, Human Rights Watch/Helsinki is concerned that Abdić supporters and other opposition members may increasingly become the targets of harassment and abuse.

The Croatian government has offered residents in the Una Sana canton Croatian passports. According to some reports, there have been between 20,000 and 40,000 applications in the canton for Croatian passports. One Bosniak woman told the *Washington Post's* Jonathan Randal that "If you have a Bosnian passport, you are treated like a leper and feel trapped because visas are hard to come by, whereas as Croats we can travel throughout Europe without them."⁹³ The Croatian government has been sheltering Fikret Abdić since his exile in 1995, when the Bosnian army took the Bihać pocket for the last time. It was also the Croatian authorities who have provided shelter to Abdić's supporters in exile. The number of applications for Croatian passports is testimony to the insecurity experienced by Abdić returnees and other non-SDA supporters under the current cantonal authorities. During the war, many Abdić supporters hoped ultimately to return to their homes in Bosnia. However, after they returned only to face harassment and physical attacks, many have subsequently applied to emigrate.

Elections

⁹² Numbers provided to Human Rights Watch/Helsinki representatives by U.N. Civil Affairs, Bihać, Bosnia and Hercegovina, March 5, 1997.

⁹³ Jonathan Randal, "In Bosnia, an Ethnic Exception: It's Muslim vs. Muslim in Bihać," *Washington Post*, June 13, 1997.
Human Rights Watch/Helsinki

Prior to the national elections in September 1996, SDA nationalist authorities in the Una Sana canton—the same authorities who retain power today—were severely criticized by international monitors for ongoing attacks against opposition parties. During an August 23, 1996 visit by (now former) High Representative Carl Bildt to the canton, an official from Bildt's office stated that "We think they and their bosses in Sarajevo will get the message from our visit today, that selective state terrorism cannot be tolerated if we are to build democracy in Bosnia."⁹⁴ In the two weeks prior to Bildt's visit, more than twenty-four bombings and physical attacks had been reported against non-SDA supporters in the Cazin area. According to Reuters, Edhem Veladžić, cantonal minister of the interior failed to take responsibility for the attacks, and "claimed that people in the Bihać region enjoyed full freedom of speech and assembly and that 50 percent of IPTF reports on disturbances were inaccurate."⁹⁵ Veladžić did take credit for having removed the chief of police of Cazin, Sead Kauković, and claimed that this dismissal was the reason for a decrease in attacks. However, although the attacks are perhaps less frequent now than they were in the pre-election period last year, they continue with alarming frequency. What is more, Kauković was not removed from office, but only transferred to the Bihać police department.

Despite claims by Cantonal Governor Mirsad Veladžić on August 19, 1996, that "the SDA condemns all forms of violence and strives for fully democratic elections in September,"⁹⁶ active persecution of opposition members and especially Abdić supporters continued before and after the national elections. Nevertheless, Abdić's DNZ party won in the Velika Kladuša municipality. In response to this victory, Governor Veladžić stated on state-run television that "We know that the people who have been elected are war criminals, criminal proceedings have been launched against them, and we are happy to see them come back because they must be held responsible for what they did during the war."⁹⁷

Municipal elections are scheduled in Bosnia and Hercegovina for September 13-14, 1997. The current authorities in the Una Sana canton have consistently obstructed the provisions of the Dayton agreement, restricting freedom of expression, enforcing discriminatory employment practices, limiting access to educational and medical services, and, in some cases, physically attacking non-SDA supporters. Many of these officials may be candidates for the upcoming elections. If there is any hope for the implementation of the Dayton accords, those officials who have actively obstructed the Dayton Peace Agreement and have violated the human rights of the citizens in their canton must be prevented from running for office. The Election Appeals Sub-Commission (EASC) is charged with the mandate to strike any candidates or parties from the ballot who have violated the provisions especially of Annex III of the Dayton agreement, or the Rules and Regulations of the Provisional Election Commission (PEC). According to article 141 of the Rules and Regulations of the PEC, the EASC:

⁹⁴ "Bosnia: Moslems agree halt to Bosnia poll violence - Bildt," Reuters, August 23, 1997.

⁹⁵ Ibid.

⁹⁶ "Bosnia: Ruling Party Denies 'Persecution' Of Opposition in Bihać," Bosnia and Hercegovina Radio, BBC Monitoring Summary of World Broadcasts, August 21, 1996.

⁹⁷ "Bosnia: Rebel Muslim Leader's Election Results in Velika Kladuša Contested," Bosnia and Hercegovina Television, BBC Monitoring of World Broadcasts, September 27, 1996.

may prohibit a political party or coalition from running in the elections, decertify a political party or coalition already listed on the ballot, remove a candidate from a candidates list or an independent candidate from the ballot when it determines a violation of the principles established in the General Framework Agreement for Peace in Bosnia and Hercegovina or the Rules and Regulations established by the Provisional Election Commission has occurred.⁹⁸

Under this PEC provision, the EASC would have the mandate to strike candidates and parties from the ballot if they have violated the provisions of the Dayton agreement. OSCE staff in Bihać reported that there were many individuals in the Una Sana canton whom they believe violated the PEC criteria for candidacy, and indicated that it intends to submit evidence against specific individuals to the EASC. Given the systematic human rights abuses and obstruction of the Dayton agreement which are a daily reality in the Una Sana canton, it is incumbent upon the EASC to interpret its mandate in as wide a manner as possible, and to make every effort to strike obstructionist officials from the ballot, as it has been doing in other regions throughout Bosnia and Hercegovina.

Especially in rural areas, radio and television are the principal source of information. Though there have been major international efforts to support free media and much funding has been devoted to this effort, the ongoing control of radio and television by the SDA continues to limit access to objective and balanced information. Voters will rely on the media to provide them not only with information about candidates and parties, but also with instructions as to where and how to vote; yet the OSCE funding is much more limited for voter education for the municipal elections than it was for the presidential elections. Electoral procedures have changed; for example, this time voters have to register to vote, whereas during the last elections it was sufficient for their names to appear on the municipal population list. In order not to be excluded from the voting process, individuals are likely to rely solely on the information they receive through the media. Where the radio and television are controlled by the ruling party, there is a real danger that the media is likely to be partial and manipulative. It can also serve as a source of serious voter intimidation, which is likely to lead to voter registration abuses, as occurred in the months before the presidential elections.

The OSCE in Velika Kladuša expressed concern to Human Rights Watch/Helsinki representatives that the residents of Bužim, who did not have access until very recently even to state run radio due to their isolation and strict control by SDA authorities, will not have access to adequate voter information. OSCE Velika Kladuša is concerned that residents of isolated places such as Bužim could be limited in their access to balanced pre-election information.⁹⁹

Work of the International Community in the Una Sana Canton

At the initiative of the OSCE, representatives of political parties meet every two weeks in each municipality. Although these meetings are intended to foster dialogue, some opposition parties are hesitant to take part due to security concerns. The OSCE reported to Human Rights Watch/Helsinki that members of the DNZ party do not attend these meetings.

Vetting

⁹⁸ Provisional Election Commission 1997 Rules and Regulations, article 141.

⁹⁹ Meeting of international organizations, Velika Kladuša, Bosnia and Hercegovina, April 15, 1997.

The IPTF district commander informed Human Rights Watch/Helsinki that the vetting and screening process of the local police is already under way in the Una Sana canton. According to the IPTF, all officers have had their psychological exams as well as a written exam. The district commander pointed out that as of April 1997, one town in his area of responsibility had already vetted 50 percent of its police officers, and that Jasmin Stambolija, deputy minister of the interior and chief of uniformed police, had informed IPTF of his intention to downsize the police force in the whole canton. The IPTF district commander further stated to Human Rights Watch/Helsinki that, "There really aren't that many abuses in this area. You must take things with a grain of salt."¹⁰⁰

Human Rights Watch/Helsinki representatives provided IPTF in Bihać and Cazin with names of police officers who, according to our research, had allegedly participated in human rights abuses. According to IPTF's mandate, any police officers who have been accused of violating human rights may be prevented from reapplying for jobs as police officers in the police force. IPTF spokesperson Alexander Ivanko stated on June 3, 1997, that it was investigating recent reports of police abuses in Velika Kladuša, and that "These reports will be independently investigated and the IPTF will demand disciplinary action be taken against those found guilty of human rights abuses. The IPTF will not hesitate to publish the names of the officers involved and will ensure that they no longer serve as policemen. The practice of beating detainees is unacceptable and should not be tolerated."¹⁰¹ However, Human Rights Watch/Helsinki representatives were informed by IPTF officials that the vetting process was not yet complete in the Una Sana canton, and that therefore no police officers have thus far been removed from their posts as a result of their participation in human rights abuses. Though some officers have been suspended for brief periods of time, many of these nevertheless continue to work in their original capacities, as in the case of Inspector Bakrač.

Human Rights Workshop

The IPTF, UNHCR and OSCE developed a human rights and democratization training workshop for the local police in Cazin and Velika Kladuša. The program was intended to have several different phases. Some of the issues addressed were: the Dayton accords and the mandates of the various implementing organizations and their roles relating to monitoring human rights, the Universal Declaration of Human Rights and how it relates to Bosnia and Hercegovina, to the Una Sana canton, to democracy building, to economic development, to judicial powers and political freedom; police ethics; UNHCR's role and its relation to the work of the local police; and the Institution of the Federation Ombudsmen. The training program was an example of thorough cooperation between the IPTF, OSCE, and UNHCR and was extremely successful, reaching approximately 400 police officers, when it was abruptly stopped by an order from IPTF headquarters. Due perhaps to some sort of misunderstanding, IPTF headquarters issued a memo ordering the immediate "interruption of training to the local police in firearms and side handle batons procedures."¹⁰² The IPTF district commander interpreted this memo to mean that all training of local police must cease immediately; it did so, in the first week of March 1997.

¹⁰⁰ Human Rights Watch/Helsinki interview with IPTF District Commander Albert Vasquez, Bihać, Bosnia and Hercegovina, March 12, 1997.

¹⁰¹ ONASA news agency report, Sarajevo, Bosnia and Hercegovina, June 3, 1997.

¹⁰² Weekly report from March 1997 of an international organization, shared with Human Rights Watch/Helsinki, Bosnia and Hercegovina.

The OSCE in Velika Kladuša and UNHCR in Bihać told Human Rights Watch/Helsinki that the training program was just reaching a point where the police officers were beginning to speak openly about daily problems of police ethics, and that they were about to move into the fourth phase of the workshops in which the federation ombudsmen would become involved, when it was halted. In addition, SFOR was planning on becoming involved in the training programs as well. All three implementing organizations told Human Rights Watch/Helsinki that the police training had a strict aim of “seek[ing] a frank dialogue with the officers in all stations and sub-stations about human rights and democratization issues and police ethics,”¹⁰³ and that there was never any discussion or training in the use of firearms or batons. Though both SFOR and U.N. Civil Affairs intimated that the training program would resume, it has not, as of this writing. The OSCE headquarters expressed its wish to see the training continue, but IPTF command has not responded. Human Rights Watch/Helsinki representatives expressed their support for the training programs both directly to IPTF in the Una Sana canton, and in a press release published in the beginning of April 1997. The OSCE has informed Human Rights Watch/Helsinki that they will not resume the training without the involvement of the IPTF.¹⁰⁴

IPTF's Failure to Share Information

IPTF is to be commended for its efforts in the region, especially in Cazin, where police abuses have decreased since last year. Human Rights Watch/Helsinki believes that the decrease in police abuses in the Una Sana canton is due in part to the success of the human rights workshop. IPTF should also be commended for its role in monitoring the cases of those accused of war crimes, and for its monitoring of the conditions and treatment of prisoners in the Luka Cantonal Prison.

However, Human Rights Watch/Helsinki is concerned about IPTF's new guidelines for restricting access to information on human rights and police abuses in the Una Sana canton, even to other implementing partners such as the OSCE and the European Community Monitoring Mission (ECMM). The IPTF district commander in Bihać issued a directive to all IPTF operations personnel in the Bihać district (including Velika Kladuša and Cazin) that no information is to be shared with “non-United Nations personnel.” The letter, a copy of which Human Rights Watch/Helsinki has in its files, reads as follows:

I received information at the District Commander's meeting on Saturday, 29-03-97 [March 29, 1997] regarding the “sharing” of information with non-United Nations personnel. Some guidelines were established which are to be implemented immediately. We receive many requests to give our information to other agencies such as ECMM or OSCE. As of this writing, no Increps [incident reports] are to be given to any agency other than a UN Agency and certainly no copies are to be made. General information can be shared in a professional manner but human rights cases and those involving local police cannot be disseminated. If you have a question regarding this policy, err in favor of IPTF and do not release the information. If there is a problem with another agency, please have them contact me or the Deputy District Commander and we can explain the directive from the Special Representative to [sic] the Secretary General (SRSG).¹⁰⁵

As of June 1997, IPTF continued to refuse to share information with other international organizations. The representative of one international agency working in the Bihać region told Human Rights Watch/Helsinki that this new restriction is “seriously detrimental to the work at hand.”

Human Rights Watch/Helsinki is concerned that IPTF is now placing obstacles to cooperation between the international organizations involved in the Bihać region through actions such as the termination of the human rights

¹⁰³ OSCE report, dated March 3, 1997, shared with Human Rights Watch/Helsinki, Bosnia and Hercegovina, April 1997.

¹⁰⁴ Human Rights Watch/Helsinki interview with the OSCE, Velika Kladuša, Bosnia and Hercegovina, June 20, 1997.

¹⁰⁵ Document provided to Human Rights Watch/Helsinki representatives. Document dated April 1, 1997, and signed by IPTF Bihać District Commander Captain A. Vasquez.

workshop and its failure to share information. This will severely hinder the ability of these organizations to perform their crucial roles. Although the IPTF might legitimately restrict access to some incident reports due to their unconfirmed status, the sharing of incident reports with other organizations should assist the IPTF's own efforts to determine the veracity of the reports. Furthermore, such reports help all international organizations better protect vulnerable groups and provide early warnings of potential "hot spots." It is therefore crucial not to restrict access to "human rights cases and those involving local police" for those organizations with a mandate to investigate human rights abuses. In the Bihać region, where the local authorities use their control to persecute, harass and intimidate individuals based upon their political affiliations, to restrict freedom of the press, and to restrict access to housing, jobs, education, and medical services for opposition members and their families, close cooperation among those involved in combating these human rights abuses is of paramount importance. Especially in this period leading up to the municipal elections, the role of international monitors is critical. International organizations should not add obstacles to their work to the ones already placed in their way by local authorities.

Human Rights Watch/Helsinki applauds the individual efforts of IPTF monitors to observe and report on human rights abuses in the region, as well as their work in training the local police, regardless of the internal and external obstacles placed in their paths.

CONCLUSION

Bihać, Cazin, and Velika Kladuša, under the restrictive and thorough control of SDA authorities, are municipalities where one's political affiliation is a determining factor in everyday life. It is a place where non-SDA members may be denied employment, housing, humanitarian aid, or medical care solely because of their political beliefs. Worse yet, association with opposition parties may pose a real risk to one's family of physical attack by local police or SDA-supported thugs.

Under Cantonal Governor Mirsad Veladžić, the cantonal authorities have used the media to encourage anti-opposition sentiment. They have impeded the work of the federation ombudsmen. They have overseen and failed to prevent ongoing and systematic abuses by the police in their canton, and have failed to respect the right of due process for those detained on charges of war crimes. They have blocked the participation of Abdić's DNZ party in the cantonal assembly—positions to which the DNZ members were elected. They have repeatedly failed to cooperate with international organizations in the region, often refusing even to meet with international representatives. Though local officials have grown more cooperative, due largely to the persistence and patience of many international monitors in the region, the authorities continue to restrict freedom of expression and the creation of democratic institutions, while failing to create a secure environment for all living in the canton, thereby further hampering efforts toward reconciliation.

The Una Sana cantonal authorities arrested individuals in violation of the Rome Agreement and, in failing to submit the files to the ICTY before conducting the arrests, demonstrated a lack of willingness to cooperate with the ICTY and the international community. Public knowledge of a "black list" of names of persons wanted by the Bihać authorities for allegedly having committed war crimes infuses further fear and insecurity into the region.

The international organizations present in the Una Sana canton should continue their efforts to monitor and report on human rights abuses in the region. It is evident that the OSCE, IPTF, U.N. Civil Affairs, and UNHCR have significantly helped to improve the human rights situation in Bihać, Cazin and Velika Kladuša. The human rights workshop is just one example; its suspension is most likely one source of the increase in abusive police behavior in recent months. The proactive role of the IPTF and U.N. Civil Affairs, especially with regard to the Cazin municipality, has seen a reduction since late last year in the number of bombings and random attacks aimed at opposition members. A decrease in the number of IPTF monitors in Cazin, combined with the order from the IPTF district commander not to share information on human rights cases, could severely hinder the work of IPTF and other human rights monitors in the region and undermine these important accomplishments. Whereas individual proactivity on the part of some

international monitors has contributed to more awareness of human rights issues in the region, a coordinated effort could have an astoundingly positive effect.

Law enforcement personnel or officials who have participated in, authorized, or failed to prevent abuses must be screened out of the police force by the IPTF. Any police officers who are dismissed must be prevented from simply rejoining the police force in another region. Government officials who have authorized or participated in human rights abuses must be prevented from running for office in the September municipal elections.

Now is the time to act. The international community must use all means possible to ensure compliance with the Dayton Accords and with international human rights standards. If the current obstructionist authorities in Bihać, Cazin, and Velika Kladuša are permitted consistently to violate the Dayton agreement with impunity, and if they are permitted to run for office in the upcoming municipal elections, the international community will have again failed to use its leverage to defend individuals against abuse. If abusive police officers are permitted to retain their positions with impunity, they will continue to use selective force to persecute persons based upon their ethnic or political affiliations.

It is imperative that donor countries and international lending institutions make economic aid to the Bihać, Cazin, and Velika Kladuša municipalities, or to the Una Sana canton more generally, conditional on the municipal and cantonal authorities' compliance with the provisions of the Dayton agreement and international standards of human rights. Economic aid must be withheld from institutions, which fail to provide equal access to all persons regardless of their political affiliation including medical and educational facilities. Donor institutions and governments that have already granted funds to the region should investigate carefully how and by whom the funds are being used, to ensure that those responsible for human rights abuses and restrictive policies are not benefitting from international financial support.

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