

legislation and have transferred indictees to the Tribunal; called for an immediate end to illegal and/or hidden detention by all parties, and requested that the Special Rapporteur investigate allegations of hidden detainees; and, reaffirmed that major reconstruction aid must be made conditional on demonstrated respect for human rights, and emphasized in that context the necessity of cooperation with the International Tribunal.

### SECURITY COUNCIL

On 11 March 1997 the President of the Security Council made a statement (S/PRST/1997/12) in which the Council, *inter alia*: referred to the violent assault, in February 1997, against a group of civilians attempting to visit a graveyard in West Mostar in the presence of the International Police Task Force (IPTF), in which one person died and others were wounded; condemned the failure of the local police to provide protection to civilians subject to inter-ethnic attacks which occurred throughout Mostar both before and after the incident; noted the announced suspension of some of the police officers identified in the IPTF report but expressed continuing deep concern over the failure of the responsible authorities to take all the necessary steps to implement the conclusions drawn from that report; condemned attempts by authorities to place conditions upon the arrest and prosecution of the police officers identified in the IPTF report; and, demanded that the responsible authorities, notably in West Mostar, immediately implement the conclusions drawn from the IPTF report, and in particular suspend all relevant police officers and arrest and prosecute them without further delay.

The reports of the Secretary-General (S/1997/224, 14 March 1997; S/1997/966, 10 December 1997) contain commentary on the IPTF and its activities related to: monitoring the activities of the police throughout the country; the return of refugees to villages in the Zone of Separation; the restructuring of the police in the Federation; establishment of an integrated Federation Ministry of the Interior involving the merger of the former separate Bosniac and Croat ministries; improvements and restructuring of police in the Republika Srpska; and, the holding of a course on executive (VIP) protection for the benefit of a multi-ethnic group of police officers from the Federation and the Republika Srpska responsible for protecting members of the Presidency of Bosnia and Herzegovina. Commentary is also included on the activities of the Civil Affairs officers of the UN Mission in Bosnia and Herzegovina (UNMIBH) as well as a summary on the Mine Action Centre, related to the organization of civilian mine clearance operations.

The report refers to activities carried out by various agencies in the UN system related to, *inter alia*: health, education, employment, agriculture; the judiciary; discrimination based on religious, ethnic and political grounds; missing persons; trial-monitoring, institution-building, repatriation and return of refugees and displaced persons; financing to rebuild hospitals, establish new small businesses, revitalize the forest sector and wood-processing industry, reconstruction of schools, housing, water and electric power infrastructure and small-scale farming.

The reports state that the two principal threats to peace were the continued friction between the Federation partners

and the friction between the entities within the joint institutions. Reference is made to: persisting tensions between the different ethnic communities, as reflected in the violence that had erupted when displaced persons attempted to return to their homes; failure of the authorities in four of the five affected jurisdictions to cooperate with the International Tribunal; and the failure of authorities to implement agreements on freedom of movement, the return of refugees and the restructuring of the police.

### UN FIELD OPERATIONS

The reports of the Human Rights field operation in the former Yugoslavia (HRFOFY) for 1997 (January, April, May, July, August, October, November, December) refer to: the establishment of the Commission on Human Rights, key political institutions, and the Office of the Federation Ombudsmen; the fact that important legal reforms remained to be implemented; the need for new legislation in areas including property rights, criminal justice and citizenship; lack of improvements in freedom of movement in the country; an agreement to regulate detentions based on war crimes and common crimes and to eliminate the problem of so-called "hidden detention"; lack of progress on the return of refugees and displaced persons to their homes; trial monitoring; public information, education and other democratization initiatives; strengthening the rule of law; use of excessive and lethal force by police against civilians; the need to continue demining; the absence of judicial cooperation between the Federation and the Republika Srpska, including the failure of authorities in one Entity to recognize decisions rendered by legal bodies in the other; the lack of a functioning telecommunications system and postal service between the Federation and the Republika Srpska; the continuing predominance of an "exchange mentality" in which prisoners are viewed as media of exchange, reflecting a view that wrongs done in one entity form a justification to abuse rights in the other; the situation of minorities, including denial of humanitarian assistance, intimidation, harassment and beatings committed frequently by members of the so-called "Civil Protection Units" and failure of the local police to react; a pattern of discrimination and harassment of ethnic minorities throughout the country and the complacency of responsible authorities in the face of such abuses.

The reports note that in an effort to ensure freedom of expression and access to the media, new rules were adopted according to which: no journalist would be required to have police permission to work; journalists should be protected from police harassment, equipment confiscation, and being forced to divulge sources of information; and journalists should have the right to take photos, film or interview people without prior permission. Note is also made, however, of the absence of freedom of information and abuses by the official media in Republika Srpska.

On other issues, the reports refer to: the right to personal security-related to terrorist attacks on Catholic targets in Sarajevo and assaults by private citizens against each other; freedom of information-related in part to distortions in broadcasts by Serb Radio and Television in the eastern part of the Republika Srpska; the right to education-related to the fact