

seeking to travel to/from and communicate with one entity or the other; the absence of telephone links between the two entities; continuing instances of inflammatory statements and biased comments on all side;

- ♦ protection of children, referring to continuing failure to address the needs and situation of children as a priority;
- ♦ human rights education, noting failure to include in current curricula human rights education programmes and revise curricula or textbooks to reflect human rights principles; and
- ♦ missing persons, stating that authorities, especially on the Republika Srpska side, have shown resistance to cooperating with organizations involved in this issue and that urgent action still needs to be taken to redress this grave situation.

General report on the former Yugoslavia

Section I of the general report prepared (E/CN.4/1998/63) deals with Bosnia and Herzegovina and includes information on the situation in 1995/1996, progress made, and the challenges ahead.

The remaining challenges are identified as: the return of refugees and displaced persons to their places of origin to reverse the effects of the war; housing and property laws which serve to block returns and lack of resources for reconstruction projects; democratic local police forces serving all the citizens of Bosnia and Herzegovina and restructuring and training of local police forces — including specialized training, monitoring of local police forces to verify their compliance with international standards and human rights violations by law enforcement officials, a functional system of internal police investigations for police forces in both entities; and the need for a justice system that ensure an impartial and independent judiciary. A number of elements must be addressed, including: the process of judicial appointments; monitoring of sensitive trials and inter-entity cooperation; legislative reform, especially in the criminal justice area, bearing in mind ongoing violations and discrimination in all areas of life — including access to housing, employment and education; systematic human rights monitoring and reporting; and greater promotion of economic, social and cultural rights to ensure respect for the fundamental principle of equal rights for all people. Efforts must continue to support the developing NGO community through, *inter alia*, facilitating contacts with NGOs from outside the region and offering advice in creating programmes of action. The report states that the authorities must improve their cooperation with the international community to resolve the fate of the nearly 20,000 persons estimated to be missing and, further, that those guilty of war crimes must be brought to justice and 1998 must be the year when all those indicted are brought to The Hague.

Resolution of the Commission on Human Rights

At the 1998 session the Commission adopted by roll call vote an omnibus resolution on the situation of human rights in the territory of the former Yugoslavia (1998/79). Text relevant to Bosnia and Herzegovina included the following:

In Section I of a general nature, the Commission stressed the need to focus international human rights efforts on the lack of full respect for the human rights of all individuals without distinction. It also discussed the return of refugees and displaced persons; capacity-building in the areas of rule of law and the administration of justice; the freedom and independence of the media; inadequate cooperation with the International Criminal Tribunal; and missing persons.

Section II on Bosnia and Herzegovina: welcomed progress in the implementation of the Dayton Accord and the work of the Commission on Human Rights — Office of the Ombudsman and the Human Rights Chamber; noted that municipal elections were successfully held in September 1997 and that elections for the Assembly in the Republika Srpska were held in December 1997; reiterated its call to the government to bring legislation into full compliance with the human rights provisions of the Constitution, and to amend immediately the law to provide amnesty to those who avoided conscription or deserted; reiterated its call for full cooperation with the Bosnian Commission on Human Rights, for an end to beatings, unlawful evictions and other forms of harassment, and for the prosecution of those responsible for such acts; called for the immediate establishment of institutions to protect human rights in the Republika Srpska; called on the authorities to complete the reform and restructuring of the local police force, to reverse the effects of “ethnic cleansing”, to allow freedom of movement and return, to repeal legislation that infringes on the right to return and, without delay, to bring legislation on property and housing into line with recommendations of the High Representative; called on the authorities to repeal laws related to “abandoned property”, to end illegal evictions and to reinstate persons evicted from their homes in violation of their rights; called on the authorities to ensure the necessary conditions for free and fair elections to be held in 1998 under the supervision of the OSCE; called on the authorities to work towards reform of criminal law in both entities; and, reiterated its call to the international community to support all aspects of the work of the International Police Task Force, the return in safety of persons who have left the territory, and the Constitutional Court.

Section V on the International Criminal Tribunal: called on all states to cooperate fully with the Tribunal; welcomed the decision of the Prime Minister of the Republika Srpska to allow the Tribunal to open an office in Banja Luka; welcomed the decision of the four persons in the Republika Srpska to surrender voluntarily to the Tribunal and called on other indicted persons to do likewise; noted that authorities in Bosnia and Herzegovina had