

care, among others; called for the continuing implementation of the general amnesty law, enacted in September 1996 and intended in part to promote confidence on the part of the local Serb population; welcomed the signing of cross-border agreements between the Federal Republic of Yugoslavia (FRY) and Croatia and the easing of border crossing between Bosnia and Herzegovina and Croatia; strongly urged the government to resolve in the framework of the rule of law, in conformity with international standards, the issue of property rights; called on the government to investigate and arrest those responsible for acts of violence and intimidation aimed at driving people away; welcomed the measures taken to facilitate the voluntary return of ten persons indicted by the International Tribunal and the increased cooperation with the Tribunal by the government; and, welcomed Croatia's adherence to and firm and formal commitment to abide by the European Convention on Human Rights, its additional protocols, and other European instruments.

### SECURITY COUNCIL

The reports of the Secretary-General (S/1997/487, June 1997; S/1997/767, October 1997) provides an overview of the activities of the UN Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) and describe the humanitarian and human rights situation in Croatia. The reports include commentary on political aspects, displaced persons, civilian aspects, reintegration of institutions, economic activities, police and military aspects, UN military observers and the border regime.

In terms of the humanitarian and human rights situation the reports note, *inter alia*: continuous reports of harassment, intimidation, killings and physical assault of Serbs and continuous looting, particularly in areas where ethnic Croats have resettled; the restrictive conditions imposed on the return of Croatian Serbs who have a valid Croatian citizenship certificate; problems associated with acquiring travel documents; continuing problems related to questions of property; uncertainties and widespread concern arising from the application of the amnesty law; limited cooperation with the International Tribunal and increasing signs that Croatian implementing legislation will restrict the Prosecutor's activities rather than facilitate them; and, reports that the Croatian press had produced a number of articles, often carrying statements from official sources, designed to damage the credibility of the Tribunal; outbursts of ethnic violence against Serbs in Kostajnica and elsewhere in Croatia; increased harassment and intimidation of Serbs inside the region by Croat extremists who abuse the transit procedures and more liberal access regime; continued hostile propaganda in the Croatian media; and, an increase in the number of abusive and threatening telephone calls telling Serbs to leave; unfair trial procedures in war crimes cases; prolonged pre-trial detention; discrimination against Serbs in areas such as education, employment, pensions and health care; the lack of an attempt by the government to lead and support a national programme of reconciliation and confidence-building; the failure of the political leadership to prepare the population, at a minimum, to coexist peacefully and to begin to rebuild functioning multi-ethnic communities in the region; and, the need for such a programme to avoid ethnic harassment in the region and throughout Croatia as displaced persons return home.

In resolutions and a statement by the President (S/RES/1120, 14 July 1997; S/PRST/1997/48, 20 October 1997; S/RES/1145, 19 December 1997 the Council, *inter alia*: emphasized the importance of the obligation of the government to allow all refugees and displaced persons to return safely to their homes throughout the country and the importance of the two-way return of all displaced persons in the country; expressed concern over continuing human rights violations, including the rights of persons belonging to minorities, and deplored incidents of ethnically-motivated violence; called on the government to create the necessary conditions of security, safety, and social and economic opportunity for those returning to their homes in Croatia, including the prompt payment of pensions; urged the government to eliminate ambiguities in implementation of the Amnesty Law; noted positively actions by the government including agreements relating to education, progress on the reintegration of the judiciary, the law on convalidation, moves towards recognition of pensioner service, assistance to local governments and municipalities, and provision of documentation to the UNTAES on 25 war crimes cases and, the increased cooperation with the International Tribunal; called on the government to curb media attacks on ethnic groups; underlined the importance of the removal of all legal and administrative barriers to allow the accelerated voluntary two-way return of displaced persons; and established, with effect from 16 January 1998, a support group of 180 civilian police monitors, for a period of up to nine months, to continue to monitor the performance of the Croatian police in the Danube region, particularly in connection with the return of displaced persons.

### FIELD OPERATIONS

The Human rights field operations in the former Yugoslavia (HRFOFY) of the Office of the High Commissioner for Human Rights has headquarters in Sarajevo and field offices in Banja Luka (Bosnia and Herzegovina), Zagreb and Vukovar (Republic of Croatia) and Belgrade (Federal Republic of Yugoslavia).

The Field Operation reports for 1997 (January, April, May, August, October, November, December) contain commentary related to, *inter alia*: looting of abandoned properties of the former South Sector; interference in the operation of independent media; the sanctioning of the President of the Supreme Court by the State Judicial Council and dismissal because of questions raised about the propriety of the procedure initiated against him; denial of citizenship; instances of ethnic tensions which escalated into violence; misconduct by officers of the Transitional Police Force (TPF); re-arrest of persons benefiting from the Amnesty Law; inconsistencies and discrimination in the handling of applications for Croatian citizenship by applicants of non-Croat background; cases of evictions, beatings, threats, harassment and damage to Croatian Serb property; graffiti inciting hatred with messages such as "Death to the Serbs" and "Serbs out"; lapses in the procedures for voter registration prior to the mid-1997 elections; the desecration of a Jewish cemetery with fascist graffiti; continuation of the practice of verbal denials and rejections of passport applications without explanation; indictments against and arrest of persons wanted by the International Tribunal; cases of prolonged detention without trial