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FORMER YUGOSLAVIA: INTERNATIONAL COMMUNITY SHOULD ADDRESS PLIGHT OF "DISAPPEARED" AND "MISSING"

The international community should provide the resources necessary to ensure that the thousands of cases of "disappeared" and "missing" persons in the former Yugoslavia are documented and resolved, Amnesty International said as its members around the world start a major campaign.

"The "disappeared" and "missing" and their families should not be forgotten in the wake of later human rights disasters," the human rights organization said.

"Those responsible for the "disappearances" should urgently be brought to justice. As long as the perpetrators remain free, there is nothing to prevent them from repeating their crime," Amnesty International said.

Amnesty International is calling on all parties to the conflict to cooperate with the United Nations (UN) to trace the "missing" people, make records available and permit access to territories under their control. The International Committee of the Red Cross (ICRC) should also be granted unrestricted access to all places of detention to register prisoners of war and civilian detainees.

Since the war began in 1991, an estimated 20,000 people are believed to have been "disappeared" or gone "missing". Mass "disappearances" have been a feature of the wars in Croatia and Bosnia-Herzegovina. In May 1992 thousands of non-Serbs were detained in camps in northwest Bosnia; thousands were tortured or ill-treated. The majority were later released, but the fate of many remains unknown.

Of the 2,864 that the Croatian government is still treating as missing, over one thousand "disappeared" in November 1991, when the Croatian town of Vukovar fell to the Yugoslav National Army (JNA) after a three-month siege.

In July and August 1995 an Amnesty International delegation visited Tuzla, Bosnia-Herzegovina, to interview and gather the testimony of refugees from the Srebrenica area following the fall of the town in July 1995. The testimonies reveal that grave human rights abuses were committed by Bosnian Serb Army (BSA) forces during and following the fall of Srebrenica. The aspect which causes gravest concern is that some 4,000 people, mostly men of military age, but also boys as young as 13 years old and elderly men, still remain unaccounted for.

In a recent visit to the Krajina region of Croatia, Amnesty International found compelling evidence of "disappearances" in the wake of the Croatian military offensive in August which recaptured a previously Serb-held territory. In the brief time that the delegation was in Croatia, it received names of scores of people who went missing under unknown circumstances. It also received information on the apparent "disappearance" of two men who were taken out of an apartment building in Knin on 5 August by two Croatian Army soldiers, and have not been seen since.

The Croatian authorities have not confirmed to relatives that the men are among the detained or dead. More than 120 of more than 200 newly dug graves in the Knin cemetery are unidentified, and the delegation saw other decaying corpses and graves in more remote locations, as well as reports that bodies were burned inside houses. Amnesty International fears that the number of similar cases may grow as investigations into activities during and after the military action become more complete.

People have "disappeared" or gone "missing" as a result of actions carried out by parties on all sides of the conflict -- crimes which are generally perpetrated by armed forces under the command of a government or *de facto* authority in the region, or by members of paramilitary units. However, the political authorities on all sides of the conflict have done very little to trace the thousands of cases of "disappearances" or "missing" persons.

The identities of those responsible for "disappearances" are often known but cases have rarely been investigated or suspected perpetrators disciplined. The parties involved in the conflict rarely investigate cases in which their forces are implicated and any attempts to obtain information from the authorities are further undermined by the lack of cooperation between governments. As a result, relatives are increasingly looking to the international community for help.

"The authorities should recognise that the families need to obtain redress for the injuries they have suffered as a result of the 'disappearances'," Amnesty International said. "The tragedy won't stop until the families have truth and justice."

One of the most urgent and essential steps towards resolving many cases of "disappeared" and "missing" persons is the exhumation of mass graves. By May 1994 the UN had received information on 143 mass grave sites in Bosnia and 44 in Croatia. Efforts to exhume mass graves by international investigators have been hampered by difficulties in gaining access and obtaining guarantees for the safety of the investigators. Amnesty International is urging member governments of the UN to address this matter urgently and to make available all resources necessary to set up an effective forensic enterprise in Croatia and Bosnia.

Amnesty International is calling on the international community to ensure that adequate resources are provided to UN agencies involved in clarifying the fate of the "disappeared" and "missing" persons, particularly the "special process on missing people in the former Yugoslavia" set up by the UN Working Group on Disappearances in 1994. The organization believes that the current level of resources made available by the UN is clearly inadequate to the task at hand.

The UN has taken steps towards bringing to justice the perpetrators of human rights abuses: an ad hoc international tribunal was established by the Security Council to try serious human rights violations. However, crimes against humanity in the statute does not include "disappearances".

"The clarification of cases of 'disappeared' or 'missing' persons is a crucial step towards justice for the victims and their families," Amnesty International said. "Only when the protagonists are willing to account for the past will society heal."

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