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Bosnia-Herzegovina *All the way home update:* **Drvar, Derventa, and other recent cases of violence linked to minority return**

Recent violent incidents linked to the return of members of minorities to the communities from which they were expelled or fled during the armed conflict reinforce Amnesty International's concerns that "minority returns" are risky and should be wholly voluntary. While some recent violent incidents have been provoked by the return or visits of members of minorities to their pre-war communities, other incidents have been clearly in retaliation for violent attacks committed elsewhere in the country.

One cycle of retaliatory attacks was sparked by the killing of an elderly Bosnian Serb couple who returned in early April to their pre-war home village near Drvar, a Bosnian Croat controlled town in the Federation of Bosnia-Herzegovina (Federation) (see UA 120/98, AI Index: EUR 63/04/98, "Bosnia-Herzegovina: Fear for safety," 17 April 1998). The bodies of the couple, Vojin and Lela Trninić, were discovered by soldiers from the multinational Stabilization Force (SFOR) on 16 April. Both victims had reportedly been shot in the back and Vojin Trninić had also suffered stab wounds. The house in which they had been temporarily accommodated after finding their own house occupied by Bosnian Croats (themselves displaced persons from other parts of Bosnia-Herzegovina), had been set on fire. Although the international community responded to the killings by demanding the removal of local officials, including the (Bosnian Croat) chief of police and deputy mayor, on 23 April the United Nations reported that the two dismissed men were still acting in their functions.

On 23 April in Derventa (Republika Srpska), a Bosnian Serb-controlled town near the border with Croatia, hundreds of Bosnian Croat refugees from Croatia were prevented from attending a religious service at the Roman Catholic church by an angry mob of Bosnian Serbs, primarily displaced people from Drvar and Bosanski Petrovac (Federation). In the late morning, demonstrators prevented busses carrying Bosnian Croats from entering the town, and the crowd reportedly overturned several cars and one bus. Approximately 30 Bosnian Croats who had arrived previously, including Roman Catholic Cardinal Vinko Puljić, managed to enter the church. They remained trapped there for several hours because of the threat of violence outside. The trapped Bosnian Croats were eventually evacuated from the church by members of SFOR, but demonstrators threw stones

and Molotov cocktails at the departing busses. An aide to the cardinal, Ivo Tomašević, and five other Bosnian Croats were injured in the demonstrations. In response to the incidents, the Bosnian Serb leadership, including Momčilo Krajišnik, Bosnian Serb member of the three member Presidency of Bosnia-Herzegovina, and Republika Srpska President Biljana Plavšić have stated that incidents in Derventa and Doboj (see below) must be viewed in the context of the killing of the Trninić couple in Drvar.

On 24 April, violence erupted in Drvar shortly after the conclusion of a demonstration attended by hundreds of Bosnian Croats, who had reportedly been shouting "Derventa! Derventa!". In ensuing riots, at least five buildings were set ablaze in Drvar, including offices of international organizations. Fourteen people were injured in the demonstrations, two of whom were Bosnian Serbs, including the (Bosnian Serb) mayor of the town, Mile Marčeta. The rioters reportedly gathered in front of an apartment building used to house more than 100 Bosnian Serbs who had returned to Drvar. The homes of some Bosnian Serbs were reportedly ransacked and vandalized, and there are some reports that Bosnian Serb houses in outlying villages may have been deliberately burned. According to Bosnian television reports, hundreds of Bosnian Serbs, likely displaced people who had returned to their homes since 1996, have fled to the Republika Srpska. The Bosnian Croat leadership of Bosnia-Herzegovina, including Krešimir Zubak, the Bosnian Croat member of the three-member presidency of Bosnia-Herzegovina, and Vladimir Šoljić, Vice-President of the Federation, responded by appealing to the Bosnian Croats in Drvar to respect law and order, but Vladimir Šoljić inferred that the problems had been caused by the return of Bosnian Serbs to Drvar.

Busses carrying Bosnian Croats attempting to attend a mass in another church near Derventa on 25 April were also turned back when a crowd of displaced Serbs blocked the roads.

While the violence in Drvar and Derventa has captured attention, other recent attacks have also occurred elsewhere in the country. For example, on 21 April in Pješevac village near Stolac (Federation), a Bosnian Croat controlled town, at least five explosive devices were deliberately detonated in houses belonging to Bosniacs (Bosnian Muslims). Violence and house destruction intended to prevent the return of Bosniacs to Stolac has been a persistent problem since 1996. Stolac is one of the four towns chosen in the Dayton Peace Agreement as a pilot project for minority returns, but has experienced grave and continuous problems of Bosniac returnees being physically attacked and their houses being blown up or burned. At the beginning of February 1998, UNHCR stated that an "unbearable situation" had been created by incidents of violence against returnees over several days which

UNHCR believed were occurring with at least the tacit approval of the local (Bosnian-Croat) authorities. The following day, the Bosnian Croat police chief in Stolac was dismissed. In March 1998, after repeated pressure exerted by the High Representative for Bosnia-Herzegovina, Carlos Westendorp, the Bosnian Croat mayor of Stolac was also removed from his position. Nevertheless, on 7 April, a spokeswoman for the UN International Police Task Force (IPTF) stated that some 21 houses belonging to Bosniac refugees in Stolac municipality had been mined or burned in the previous two weeks alone. She further said that the failure of the local Bosnian Croat police adequately to investigate these incidents had prompted the IPTF to start supervising their investigations from now on.

In Velika Bukovica village near Travnik (Federation), a Bosniac controlled town, on 22 April a deliberately placed explosive device reportedly seriously injured two Bosnian Croats who were visiting their pre-war homes.

Most recently, in Svjetliča village near Doboj (Republika Srpska) on 26 April, five Bosnian Serbs were wounded, reportedly by a hand grenade thrown during an altercation with Bosniacs who had returned to the village several days earlier. One required hospitalization for injuries sustained to his head and shoulders. Since 1996, Bosniacs have been frustrated by the slow pace of returns to Svjetliča village, which is situated on a hill deemed by some Bosnian Serbs as being militarily strategic for the Bosniacs. To prevent further traffic between the Republika Srpska and the Federation near Doboj, both sides set up roadblocks at the inter-entity boundary line near the village.

Although in these cases a pattern of retaliation has not been as clear as in Drvar and Derventa, Amnesty International remains concerned that authorities on all sides continue to justify violent acts committed by members of their own nationality by referring to other incidents where the victims were members of their or a sympathetic nationality. Amnesty International urges the authorities to respond to acts of violence appropriately, and to publicly condemn, investigate, and prosecute those found responsible.

The Bosnian Serb leadership has also responded to recent acts of violence by suggesting that instead of promoting minority return, the international community devote its efforts to systematizing procedures whereby displaced people can be compensated for property lost during the war. It is true that some people, because of the trauma they suffered due to the war or for other reasons, will not want to return to their home communities. However, the right under the Peace Agreement to obtain compensation for property should not be used as an excuse for failing to improve the human rights situation so that people, regardless of their nationality, can return to their own homes in safety if they so choose.

Context and implications for the international community

Enabling the voluntary return of members of minorities to their pre-war homes is an important component necessary to remedy the human rights violation of mass expulsion, employed during the 1992-1995 armed conflict in Bosnia-Herzegovina in an attempt to create areas inhabited by a single nationality. The examples above illustrate that the security and practical situation on the ground has not improved sufficiently to allow these so-called "minority returns" to be safe, but the authorities inside the country are not taking the necessary steps to bring about real improvements. Throughout Bosnia-Herzegovina, local police have failed adequately to protect members of national minorities from acts of violence, and in the process, the authorities have failed properly to investigate and bring to justice those responsible for such violent attacks. One of the main reasons for this failure of the police to carry out their duties is the lack of will to cooperate effectively with police forces of other nationalities throughout the country.

As an additional element in the equation, some countries hosting refugees from Bosnia-Herzegovina are rushing to end protection. Most of the more than one million people who remain refugees from Bosnia-Herzegovina, however, originate from areas where they would now be in a minority as compared to the authorities who currently administer the area. The international community has therefore been encouraging minority returns to take place in Bosnia-Herzegovina, declaring 1998 the year of minority return. Violent acts such as the ones enumerated above should indicate to countries hosting refugees from Bosnia-Herzegovina that enabling safe "minority return" will be a difficult and slow procedure that must begin within the region with the return of displaced persons within Bosnia-Herzegovina. As long as minorities remain unsafe and administrative obstacles to their return are placed in their way, the process of encouraging minority return should

not be hurried. The international community and, in particular, countries impatient to end protection for refugees from Bosnia-Herzegovina should accept the responsibility to ensure that return of minorities takes place in a manner which ensures their safety.

Nevertheless, some countries continue to insist that refugees who are not able to return to their own homes can relocate -- to establish a residence in an area of the country where their nationality now comprises the majority. Returning refugees at a time when it is not likely they will be able to return to their homes, or if their repatriation prevents the return of other people to their own homes, gives effect to the intent of the forced mass expulsion which was the tool in a conflict designed to divide a state according to differences in nationality. Countries hosting refugees from Bosnia-Herzegovina should ensure that their repatriation plans and policies will not lead to relocation. For practical reasons, this means they should not repatriate or promote the repatriation of any refugee who is unable to return in safety to their pre-war home if they so choose.

For a full discussion of safe "minority returns" as a just remedy to mass expulsion and for a secure future for Bosnia-Herzegovina, please consult the Amnesty International document *Bosnia-Herzegovina: All the way home* (AI Index: EUR 63/02/98), February 1998.