

amnesty international

EXTERNAL

AI Index: EUR 63/26/96

Action Ref.: EERAN 22/96

Date: November 1996

Bosnia-Herzegovina **Samir Saračević and Stjepan Divković:** **Prisoners of Conscience**

Samir Saračević and Stjepan Divković have been detained without charge in Bijeljina military prison since February 1996 by the Bosnian Serb authorities of Republika Srpska in contravention of Republika Srpska law, international standards, and the terms of the General Framework Agreement for Peace in Bosnia and Herzegovina (the Peace Agreement). Amnesty International believes that the two men are being held solely because of their nationalities and thus considers them to be prisoners of conscience. The organization is further concerned that the two men are effectively hostages, as the Republika Srpska authorities have reportedly demanded the release of a Bosnian Serb detained by authorities in Sarajevo in exchange for the release of the two men held in Bijeljina. The organization calls for the immediate and unconditional release of Samir Saračević and Stjepan Divković.

Samir Saračević, a Bosnian Muslim or Bosniac, was detained on 26 February 1996 when he was crossing the Inter-Entity Boundary Line (IEBL) between the Federation of Bosnia and Herzegovina and the Republika Srpska at the towns of Čelić and Koraj. He was on his way to visit his sister, who lives in Koretasi village in the Republika Srpska.

Stjepan Divković, a Bosnian Croat who served with Croatian forces in Bosnia-Herzegovina between 1992 and 1995, but who has since been demobilized, was detained near Priboj in the Republika Srpska on 7 February 1996.

Neither man has been charged with any offence, although Stjepan Divković claims that he was forced to sign a blank piece of paper while he was initially held, which was later produced as a statement of confession to war crimes. The Republika Srpska authorities have ignored numerous complaints about the unlawful detention by international organizations working in Bosnia-Herzegovina, including the Office of the High Representative.

The Republika Srpska authorities have reportedly demanded the release of Drago Ilić, a Bosnian Serb from Republika Srpska who is under investigations for war crimes in Sarajevo by the

In another case, two men of mixed Bosnian Muslim-Arab background and a third man of Arab origin detained by the Bosnian Croat authorities near Kiseljak in February were quickly offered for exchange for three Bosnian Croats who had been convicted by courts in a Bosnian Government controlled area. A formal decision citing investigations into their alleged participation in war crimes as the justification for keeping them in custody was not issued until July, and they were released in September/October. Three Bosnian Muslim men who were detained in Republika Srpska near Sarajevo in March quickly were also offered for exchange, although formal charges or decisions on their custody on grounds of alleged war crimes were reportedly quickly issued. Two of them were released in September. Amnesty International is investigating the circumstances of the detention of the third.

A member of the Bosnian Party (*Bosanska Stranka*) was arrested by Federation authorities on suspicion of having engaged in illegal business transactions on 5 August 1996 shortly before a campaign event organized by his political party in Cazin, Bihač. He reported to international observers that the questions asked during his interrogation entirely pertained to his political activities. He was released on 12 September.

Samir Saračević and Stjepan Divković are regularly visited by officers of the IPTF, who report that they are treated more favourably than other prisoners.