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Amnesty International
Human Rights Watch
Institute for War and Peace Reporting

At last, SFOR has shown that it has the means of arresting those indicted by the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague when it "encounters" them in the course of its activities in Bosnia-Herzegovina. While recent arrests of those under "sealed", or secret, indictments is certainly a welcome shift from the previous policy of avoidance, 66 publicly indicted war crimes suspects remain at large, and they too must be apprehended.

Today is the second anniversary of the capture of Srebrenica, the so-called "safe area" which has become a symbol not only of the atrocities committed in Bosnia-Herzegovina but also of the inaction of the international community. Today, relatives of some of the more than 7,000 people who are still missing from Srebrenica are attempting to visit the site of one of the numerous mass graves which were the likely destinations of their loved ones two years ago. The day after NATO-led troops in Bosnia-Herzegovina for the first time acted when they "encountered" secretly indicted Simo Drljaca and Milan Kovačević near Prijedor, it cannot be forgotten that those who have been publicly indicted by the ICTY for organizing and planning the Srebrenica and other massacres are not only still at large, but continue to play a significant role in the politics of the region. Their liberty puts the whole international community to shame.

Some, as we have seen in the past two weeks, continue to exercise substantial economic and political power; their continued presence obstructs the return of refugees and displaced persons, and their suppression of dissent and control of the media poisons the peace process. As long as they remain free to carry out those activities national reconciliation is being seriously jeopardised, the enormous investment the international community has made in rebuilding peace in the region could be in vain, and the entire peace process risks unravelling again into a repetition of the horrors that shocked the world. If peace is to endure beyond the planned withdrawal of SFOR in June 1998, all those indicted by the Tribunal must be apprehended.

The main responsibility for arresting people indicted by the ICTY lies with the region's governments which signed the General Framework Agreement for Peace in Bosnia and Herzegovina in December 1995. But most of these governments have consistently flouted their commitments by defying the repeated demands of the international community. Of the 66 publicly known indictees still at large in Bosnia-Herzegovina, 51 are thought to be in the Republika Srpska, which has brazenly refused to cooperate with the Tribunal, and reportedly employs at least 10 of those publicly indicted in its police forces.

All states participating in SFOR are legally obliged under Security Council Resolutions to give effect to the international arrest warrants issued by the Tribunal. Moreover, as parties to the Geneva Conventions, each SFOR state is obliged to search for persons alleged to have committed or ordered war crimes and bring such persons, regardless of their nationality, before its own courts, the courts of another state, or an international criminal court. By only arresting when they "encounter" the indicted, states contributing to SFOR are in clear breach of their obligations under international law. Yesterday's actions and the detention of Slavko Dokmanović by the UN Transitional Administration for Eastern Slavonia on 27 June 1997 in Croatia proves that arrests can be made when the international community has the will to do so.

Simple arithmetic speaks volumes: there would have to be more than one arrest every week -- at least one every five and a half days -- to ensure merely that the current publicized indictees were in custody by the end of the SFOR mandate in June 1998. There is little time. With a single voice Amnesty International, Human Rights Watch, the Institute of War and Peace Reporting and others around the world hope to penetrate the deaf ears of those who until now have offered only feeble and indefensible excuses. We are asking those states contributing to SFOR to respond with action instead of words: Arrest now!