

# AMNESTY INTERNATIONAL

## Public Statement

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## **Bosnia-Herzegovina: Amnesty International calls for new commitments on the International Day of the "Disappeared"**

Seven years after the ending of the war in Bosnia-Herzegovina, Amnesty International called on the authorities in Bosnia-Herzegovina to make a commitment to the introduction of new legislation to criminalize acts of "disappearances", recognizing the severity of this human rights violation. Specifically, the organization recommends that such provisions are added to the new State Criminal Code to enable prosecutions for violations of international humanitarian law by a special division of the new State Court.

"Despite real progress in the exhumation and identification of the victims of "disappearances" and abductions throughout Bosnia-Herzegovina there has been pitiful little progress in bringing those responsible for these human rights violations and abuses to justice," Amnesty International stated. "Indeed the authorities -- especially, (but not exclusively), those in the Republika Srpska -- have shown almost a wilful refusal to end impunity for those suspected of "disappearances", abductions and other human rights violations carried out in the war in Bosnia-Herzegovina".

Amnesty International supports the ongoing process of reform of the judicial system and welcomes initiatives to establish mechanisms to prosecute violations of international humanitarian law, but the organization warned that without the political will by the authorities to investigate and prosecute the perpetrators, the law will be a dead letter, and the culture of impunity will continue.

To date, criminal investigations have only been initiated in a handful of "disappearance" cases, and only after overwhelming pressure and involvement by the international community. Amnesty International fears that with the end of the mandate of the IPTF (International Police Task Force) -- which has actively supported and supervised these investigations -- Bosnian police and judicial officials will receive little encouragement to initiate such investigations.

Amnesty International believes that without justice for the survivors of war crimes, the possibility of restoring respect for human rights and the rule of law, and of enabling ethnic and political reconciliation, remains a remote possibility for Bosnia-Herzegovina.

The human rights organization also urged the authorities to recognize that "disappearance" is an ongoing violation of the rights of the relatives of the "disappeared" who continue to be obstructed or ignored by the authorities in their continuing search for the truth, and for justice and redress. The pain and suffering of tens of thousands of relatives amounts to a violation of their right not to be subjected to torture and ill-treatment, a view also held by the Human Rights Chamber for Bosnia-Herzegovina.

The organization also urged the governments of Bosnia-Herzegovina to address the special, and so far neglected, needs of the relatives of the "disappeared" -- many of whom are still living as internally displaced persons. "The authorities need to address the current needs of many of the relatives, especially women and their children, now living as displaced persons -- often in poverty -- with no prospect of return to their homes in the foreseeable future," the organization commented.

Finally, Amnesty International again urged the Stabilization Force (SFOR) to honour the terms of their mandate, and to actively seek out and arrest those -- like Radovan Karadzic and Ratko Mladic -- indicted for war crimes by the International Criminal Tribunal for the former Yugoslavia. "After a year of public relations exercises, it is time for some real action," the organization concluded.

## **Background**

Amnesty International will be represented today at a ceremony in Sarajevo to mark the International Day of the "Disappeared" in Sarajevo today, organized by the International Commission for Missing Persons, and attended by representatives of the family associations who continue to search for the truth about their loved ones.

Amnesty International campaigns throughout the world against impunity for the perpetrators of "disappearances" and abductions, and for the rights of the relatives of the "disappeared". In Bosnia-Herzegovina, the organization has worked continuously on behalf of the families of those who "disappeared" and were abducted in the war in Bosnia-Herzegovina, and continues to raise the issue with the authorities in Bosnia-Herzegovina and at an international level.

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