

Bosnia-Herzegovina: Srebrenica must not become another statistic of war

The victims of Srebrenica must obtain justice, said Amnesty International as it launched its report *Bosnia-Herzegovina: Waiting on the doorstep, minority returns to eastern Republika Srpska* on the eve of the fifth anniversary of the fall of the United Nations protected enclave on 11 July 1995.

Describing the scale of the atrocities, the UN Secretary General's report (November 1999) said; "... not since the horrors of World War II had Europe witnessed massacres on this scale... " The organization admitted, for the first time, that it had made errors of judgment and was partially responsible for failing to protect those remaining in the enclave against human rights abuses.

"As relatives of the thousands of "disappeared" from Srebrenica prepare to commemorate the fifth anniversary of the town's fall, the Bosnian Serb authorities and the international community must ensure that Srebrenica will not become another statistic of war," Amnesty International urged. "Those who suffered and survived the atrocities should not become forgotten victims."

To date 7,414 people continue to be officially unaccounted for. Their relatives have few prospects of ever finding out the true fate of their loved ones, and may never have the opportunity to recover their remains or bury them with dignity.

Despite generous donations for the establishment of local DNA screening facilities to help identify remains of victims from Srebrenica, only 76 out of over 4,000 mortal remains exhumed and recovered in the last four years, have been positively identified. The daunting task that remains is likely to encounter further difficulties as international agencies phase out their activities -- planning to leave the thousands of remaining cases to a proposed national institute for missing persons.

The way ahead: end impunity

"The prosecution of those thought to be responsible for committing human rights abuses in Srebrenica is the only way in which the relatives of the missing may ever learn what happened to their loved ones and recover their remains," Amnesty International said.

So far, the International Criminal Tribunal for the Former Yugoslavia (Tribunal) has convicted only one soldier of participating in the Srebrenica killings. The only other ongoing trial at the Tribunal regarding Srebrenica, that of General Radislav Krstic, the commander of the Drina Corps of the Bosnian Serb army who stands accused of planning and ordering the killings, marks a very important step on the road to justice for the victims.

Despite having been charged with committing genocide and war crimes in Srebrenica, Bosnian Serb war-time leader Radovan Karadzic and then military commander Ratko Mladic both remain at liberty. The Stabilization Forces have failed to arrest them although they were publicly

indicted by the Tribunal in November 1995. Both men are now believed to have moved to the Federal Republic of Yugoslavia.

"Any state which harbours persons indicted by the Tribunal is under the unconditional obligation to surrender them immediately to the Tribunal's custody," Amnesty International said. "The Federal Republic of Yugoslavia is not exempt from this duty."

What happened to those expelled from Srebrenica?

The enclave's Bosniac inhabitants who were not killed - the majority of them women, children and elderly men - were expelled in massive numbers from the town in a matter of days. They have since become refugees abroad or displaced elsewhere in Bosnia-Herzegovina.

In the report *Bosnia-Herzegovina: Waiting on the doorstep, minority returns to eastern Republika Srpska*, Amnesty International highlights the plight of the thousands of displaced persons and refugees still unable to go home to Srebrenica and other parts of the Drina River valley.

"Those forced to leave their homes in the wake of appalling human rights violations must be allowed to return, as an effective remedy for the human rights violation of forced expulsion," Amnesty International urged.

Fewer than a handful of Srebrenica's Bosniac inhabitants have been able to return to the town itself since it has been largely impossible for them to regain entry to their houses. Amnesty International believes this shows the lack of political will by the authorities of the Republika Srpska to implement the right to return as enshrined in the Dayton Agreement.

Returning to Srebrenica also presents a security risk: at least five houses belonging to Bosniacs have reportedly been set on fire since mid-May. In addition, a Bosniac member of the town council was seriously assaulted in October 1999 (the case was never resolved) and he has reportedly received further threats this year.

Minority returns are reportedly on the rise throughout the country, including to areas where this was previously impossible. In many cases, however, people are returning to destroyed villages, setting up tent camps among the ruins of their pre-war homes and waiting for reconstruction and humanitarian aid to arrive. In a climate of ever-diminishing donor funding for reconstruction, it does not appear likely that many such "returns" will prove to be of more than a temporary nature.

Amnesty International is calling for:

- those responsible for the mass killings of thousands of Bosniac men and boys to be arrested or surrendered to the Tribunal;
- pre-war inhabitants of Srebrenica to be allowed to return home in safety and dignity;
- the authorities of Bosnia-Herzegovina to ensure that the envisaged national missing persons institute will pursue its enormous caseload in good faith, and with diligence and efficiency.

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