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WEEKLY UPDATE SERVICE 63/93

Contained in this weekly update is an external item on Croatia and an internal (for verbal response only) item on NGO exclusion at World Conference

**\*\*PLEASE NOTE:** Two Urgent Actions on former-Yugoslavia, focusing on Vuk Draskovic, President of the Serbian Renewal Movement (SPO), his wife and more than 30 others arrested and ill-treated. These UAs may be highlighted by the AI team in Vienna and there is a lot of media interest in their cases. UA Indexes are: EUR 70/10/93 (2 June) and EUR 70/11/93 (14 June).

NEWS INITIATIVES

INTERNATIONAL NEWS RELEASES

UN WORLD CONFERENCE-RELATED NEWS INITIATIVES ONLY THROUGHOUT JUNE

**\*\*WORLD CONFERENCE ON HUMAN RIGHTS NEWS\*\***(New Information)

**Update on the Dalai Lama:**

The Dalai Lama spoke at 1730 hrs yesterday at the Austria Centre in a small room organized by the Austrian government. He then went at 1800 hrs to the AI Tent along with the other Nobel Peace Prize-winners. He was introduced by Ross Daniels and an NGO spokesperson, and talked for around half an hour to about 1000 people, who were standing in the rain outside. The speech was apparently very well received.

PLEASE NOTE: The following numbers are now working in the Vienna Press Office: Tel: +43 222 219 3574/3573/3572, Fax: +43 222 219 357221.

Amnesty International's press office in Vienna will be based at AI's tent outside the Austria Centre and will be open for 24 hours each day. AI's press team will be staying at Pension Dr Geissler, Postgasse 14, 1010 Vienna. Telephone: +43 1 533 2803.

The strategy team in Vienna will report developments to sections via the IS press office to section press officers. Can press officers ensure that this information is circulated to the relevant people in their section.

General enquiries from press officers should go to Paula and James at the IS Press Office, on Tel: +44 71 413 5562/5810.

The second and third ENRs for the World Conference; Challenge to Governments, (Ref: 1838) and AI Activities Compilation, (Ref: 1840) are ready. Please order copies and refer journalists for copies from:

Dubbs Copying House, giving the correct video reference number (as above) on Tel: +44 71 629 0055 or Fax: +44 71 287 8796.

Annual Report - 0600 hrs gmt, 8 July

PLEASE NOTE: It is VERY important that the annual report news release does not get leaked to the media over the next two weeks - in view of the pessimistic reference to the UN World Conference. Please be careful not to let it be seen by too many people until after the World Conference is over.

Annual Report Summaries, Regional Updates, ENR and news release have all been sent to you.

Indonesia (Aceh) - 28 July

Document and news release to go with action on massive numbers of political killings.

TARGETED AND LIMITED NEWS RELEASES

Saudi Arabia - 1 July

A weekly update item is being written to go with the document: Saudi Arabia: An Upsurge in Public Executions, AI Index: MDE 23/04/93. The document and weekly update item will be embargoed for 1 July and will be sent out to selected international media by the IS Press Office. Please note that the document has been sent out in the weekly mailing.

Weekly Update NWS 11/63/93

2. EUR 48/WU 07/93 EXTERNAL

15 June 1993

INTERNAL

Please will you ensure that **refugee coordinators** and **country coordinators for former Yugoslavia** are informed of this item. Further details of the human rights abuses in northern Bosnia-Herzegovina to which this item refers can be found in weekly update item: Bosnia-Herzegovina: continued human right abuses, (EUR 63/WU 04/93, issued as part of NWS 11/41/93, on 29 April 1993). David Petrasek, from the IS Refugee Team, is in Vienna has already been speaking to media about this issue, so you may receive enquiries.

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EXTERNAL

### **EUROPE MUST OPEN ITS DOORS TO TAKE MORE BOSNIAN REFUGEES FROM CROATIA WHERE THEY ARE AT INCREASING RISK**

Amnesty International has called on European Governments to take effective steps to protect refugees fleeing Bosnia-Herzegovina into Croatia and to allow more of these refugees to move into their countries.

This follows the return of an Amnesty International delegation from a seven-day visit to Croatia which found that the situation of the estimated 270,000 Bosnian refugees there, the overwhelming majority of them Muslims, could rapidly deteriorate unless positive steps are taken by European governments.

The fighting between the largely Muslim Bosnian Government army and Bosnian Croat forces in central Bosnia-Herzegovina, and the lack of effective legal protection for the refugees in Croatia, suggest that Croatia can no longer be considered a safe country of asylum for these people. There is a real risk that in the near future they could face restrictions of their rights in Croatia and that they might be forced to return to areas of Bosnia-Herzegovina where their lives or freedom are threatened.

Moreover, tens of thousands of non-Serbs remain trapped inside areas of Bosnia-Herzegovina under the control of Bosnian-Serb authorities amid a climate of fear and intimidation, and they too face numerous obstacles to exercising their right to seek asylum by crossing into Croatia.

European Governments, led by member states of the European Community (EC), have taken the position that people fleeing Bosnia-Herzegovina should remain in safe areas as close to their homes as possible. As a means of implementing this policy most European Governments have imposed visa requirements on people from former Yugoslavia, including nationals of Bosnia-Herzegovina, which in practice make it extremely difficult for most Bosnian Muslim refugees to leave Croatia for other European countries.

This policy was confirmed at a recent meeting of EC immigration ministers. Moreover, the few countries in Europe, including Denmark and Sweden, which have not imposed visas on nationals of Bosnia-Herzegovina and which thus continue to provide a lifeline out of former Yugoslavia, are now threatening to do so. Amnesty International believes that the European governments should remove these visa requirements to allow Bosnian Muslim refugees to move on from Croatia.

Since July 1992 the Croatian Government has imposed its own restrictions on access to its territory for people fleeing Bosnia. At that time Croatia claimed that this action was undertaken because Croatia was unable to host an ever-increasing refugee population, and pointed to the reluctance of other European governments to share the responsibility. Even before the conflict erupted in Bosnia-Herzegovina, Croatia was already trying to accommodate and care for over 200,000 Croatian citizens displaced by the fighting in Croatia.

It has been suggested that the most appropriate protection for those fleeing Bosnia-Herzegovina is by the establishment of some form of so-called safe zones in or adjacent to the areas of conflict. (For example, the UN Security Council recently established so-called "safe areas" within Bosnia-Herzegovina.) Amnesty International believes that, with any such proposal, steps must be taken to ensure that the protection in those zones is effective. In any case, the existence of any so-called safe zones must not preclude opportunities to flee abroad, nor must it be used by potential asylum countries as a reason to refuse protection to those who ask for it. The individual right to seek asylum abroad, set out in Article 14 of the Universal Declaration of Human Rights, must not be undermined.

### **Obstacles to seeking asylum in Croatia**

Amnesty International continues to receive reports that non-Serbs living in Serbian-controlled territory in northern Bosnia-Herzegovina face harassment, intimidation and physical attacks. Moreover, the delegation found that people face numerous obstacles when they try to flee northern Bosnia-Herzegovina for Croatia.

These obstacles are imposed both by the local Bosnian-Serb authorities in the form of bureaucratic formalities which amount in many cases to outright blackmail, and by the Croatian authorities in the form of entry or transit visas which in turn are dependent on being "sponsored" by people abroad. Entry to Croatia is limited to people who have letters of guarantee which show that either in Croatia or some third country they have relatives or friends who undertake to "sponsor" them, ensuring that they will be provided with accommodation and means of support. With such letters, which must be endorsed by the local authorities in Croatia or the third country, people are able to obtain either an entry visa to Croatia or a transit visa to a third country as the case may be.

In the past few months approximately 3,000 people have fled Bosnia-Herzegovina each month in this way, but even this restricted means of getting out of Bosnia-Herzegovina is at risk of being curtailed as the fighting between Croats and Muslims continues. In contrast to the treatment of Bosnian Muslims, approximately 4,000 Bosnian Croats who fled the area around Travnik after an offensive by the largely Muslim Bosnian Government army in early June entered Croatia without being required to obtain entry or transit visas in advance.

People at risk of serious human rights violations have an internationally-recognized right to seek asylum in other countries. The restrictions placed on access to Croatian territory are an unacceptable infringement of this right, as are the visa policies of European governments which the Croatians cite to justify their own border restrictions.

### **Inadequate protection in Croatia**

The Croatian Government Office for Displaced Persons and Refugees (ODPR) undertook a registration exercise of all Bosnian refugees in Croatia in March 1993. According to preliminary estimates resulting from this registration, there are some 240,000 registered Bosnian refugees in Croatia of whom the vast majority are Muslim. Those who have registered are issued with a refugee identification document which should protect them against being returned during the validity period of their document.

However, a significant number of Bosnian Muslim refugees -- conservative estimates suggest at least 30,000 -- are not registered. These include men of military age who were afraid to come forward to register because they feared being forcibly returned to Bosnia-Herzegovina. Also, in many cases, people have been issued transit visas on the basis of letters of guarantee which were not genuine and so have not been able to move on to a third country; their transit visas specifically state that the holder may not apply for refugee status in Croatia. In a few other cases, people who have arrived after the 31 March registration deadline have done so without entry or transit visas and are "illegally" present in Croatia.

Even for those who are registered, the refugee identification document is issued only for a three-month period. The documents issued in the March registration exercise are therefore due to expire on 30 June, and the government has not yet given any firm public indication as to whether they will be renewed. While there is no reason to believe that the refugee status of the Bosnian refugees is about to be imminently withdrawn, Amnesty International is nevertheless concerned that to grant them protection for only three months, without any assurance that their identification documents will be renewed, is inadequate. This is because there is no immediate prospect that the situation in Bosnia-Herzegovina will allow for their genuinely safe and voluntary return in the near future.

The recent outbreak of fighting in Bosnia-Herzegovina between the largely Muslim Bosnian Government army and Bosnian Croat (HVO) forces could make the situation much worse. This fighting, which intensified in the week of 7 June, led several thousand Bosnian Croat refugees to flee to Croatia and prompted public speculation about the likelihood of an increasingly insecure position for the Bosnian Muslim refugees in Croatia.

On 9 June the Croatian Deputy Prime Minister Vladimir Šeks stated to the press that the government would review its treatment of the Muslim refugees in Croatia as a result of the offensive by the largely Muslim Bosnian Government forces against Croats. He reportedly said "It is unthinkable that while we take care of their families here, their brothers, fathers or husbands in Bosnia are committing crimes against our people". Moreover, the Muslim refugees themselves are increasingly anxious about their security in Croatia as a result of the fighting, fearing that the Croatian public will turn against them and that the police and government authorities will take measures to force them back to Bosnia-Herzegovina.

While there is no evidence at this stage to suggest that the Croatian Government has plans for the wholesale return of large numbers of Muslim refugees, Amnesty International fears that such a policy could well develop over the coming months. Already, Amnesty International has learned that in at least one recent instance government officials have been pointing to the fighting in central Bosnia-Herzegovina as justification for detaining unregistered Bosnian men in Croatia with a view to their expulsion. Also, if the fighting continues the Croatian Government is likely to feel pressure to undertake measures to restrict the movement of Bosnian Muslim refugees, particularly men of military age, so as to enable the government to control the flow of supplies and personnel to the largely Muslim Bosnian Government army in central Bosnia-Herzegovina.

### **Forcible returns**

Croatia is a party to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. Article 33 of the 1951 Convention obliges Croatia not to forcibly return any person to a country where they risk serious human rights violations.

Despite this obligation, the Croatian authorities have continued to forcibly return Bosnian Muslim men to Bosnia-Herzegovina. These returns were widely publicized in September and October 1992 when, pursuant to an agreement with the Government of Bosnia-Herzegovina, the Croatian authorities returned men of military age to Bosnia-Herzegovina despite the protests and intervention of the United Nations High Commissioner for Refugees (UNHCR).

Apparently, the government made undertakings to UNHCR not to continue with this policy. However, Amnesty International received reports that as recently as the week of 7 June Bosnian Muslim men in Croatia had been ordered expelled to Bosnia-Herzegovina. With the recent hostilities between the largely Muslim Bosnian Government army and Bosnian Croat (HVO) forces in central and southern Bosnia-Herzegovina, it is not clear what may happen in the future. However, Amnesty International has received reports that Bosnian Muslim men expelled from Croatia have been handed over to the HVO in southern Bosnia-Herzegovina.

There have been numerous instances over the past few months where Bosnian Muslim men have been

detained by Croatian police and, after an examination before a magistrate, ordered expelled to Bosnia-Herzegovina. Usually, those detained are arrested after random identity checks on the street or at workplaces or hostels where Bosnians are known to work or reside. In other cases, their detention arises from alleged offences -- for example, cases known to Amnesty International include allegedly insulting members of the Croatian army and petty criminal offences. The men in question are usually not registered as refugees and so have not been issued with refugee identification cards. Some of them arrived in Croatia before the fighting began in Bosnia-Herzegovina on work permits which have now expired, and are considered "illegally" present in Croatia and are unable to register as refugees. Others have been afraid to register for fear of being sent back. They have been detained at detention centres in Rijeka and Zagreb. The UNHCR has been able to obtain access to these detention centres and in most of the recent cases has intervened successfully to prevent the return of the men to Bosnia-Herzegovina. However, there have been other cases where detained Bosnians were forcibly returned from Croatia to Bosnia-Herzegovina.

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Because of the lack of effective legal protection for Bosnian Muslim refugees in Croatia, and the restrictive measures taken by the Croatian authorities which obstruct Bosnian Muslims who try to flee to Croatia, Amnesty International believes it is inappropriate for European governments to regard Croatia as a safe country of asylum for Bosnian Muslim refugees. Its concern on this point is heightened in view of the recent fighting between the largely Muslim Bosnian Government army and Croat forces in central and southern Bosnia-Herzegovina.

Amnesty International calls on European governments to take positive steps, including removal of their visa requirements on people fleeing Bosnia-Herzegovina, to enable the refugees to find effective protection, as part of a truly regional response to the refugee crisis arising from the situation in the former Yugoslavia.

Weekly Update NWS 11/63/93

3. IOR 41/WU 12/93 INTERNAL FOR VERBAL RESPONSE ONLY  
15 June 1993

This should not to be given out as statement and may be amended as further information comes in.

NOTE ON NGO EXCLUSION FROM THE UNITED NATIONS DRAFTING COMMITTEE

The Chair of the UN drafting committee said at the start of this morning's meeting that it was an informal meeting and all non-governmental delegations were going to be excluded from the drafting committee.

Between 20 to 30 governments spoke on the question. Some governments (USA, Pakistan, Chile, Costa Rica, Jordan) spoke in favour of NGO access. Some governments (Bangladesh, China, Syria) spoke out against NGO access. No government raised a formal objection to the chairman's suggestion. At the end of the interventions, the chairman (Brazil - Ambassador Sabaio) confirmed his decision to exclude NGOs from the informal meetings.

NGOs would be allowed to attend the formal meetings. It was unclear when the formal meetings would be held, but one will probably be held on Friday.

The NGOs left the meeting, did some interviews outside the room (IPS; AP; AFP; others). They are issuing an NGO statement and holding a press conference next to the NGO Fair Tent at 3:30. No AI statement has been issued, although Pierre apparently raised the issue at the Nobel Laureates press conference.