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**REPORT OF CSCE MISSION
TO INSPECT PLACES OF DETENTION
IN BOSNIA – HERCEGOVINA**

29 AUGUST–4 SEPTEMBER 1992



CONTENTS

	<u>Page</u>
1. Summary of recommendations	1
2. Report of the Mission	2
3. Recommendations	15
ANNEXES	
A. Map	19
B. Lists of Alleged Detention Places	20
C. Memorandum on Trnopolje	25
D. 22 May Document	27
E. List of Detention Places visited by the Mission	32
F. Notes on Detention Places visited by the Mission	34
G. List of Mission Members	61

CSCE MISSION TO BOSNIA-HERCEGOVINA

Summary of Recommendations

1. The interests of the prisoners should be the first consideration.
2. Support for the efforts of Lord Owen and Mr Vance and for the implementation of the London agreements.
3. The CSCE should denounce "ethnic cleansing", insist on the right of all citizens essentially to return to their homes and should declare that forcible sales or donations of property are null and void.
4. Within the foregoing framework there should be a one-off operation to evacuate the "open centre" at Trnopolje. This has been agreed orally by the parties and should be implemented by 12 September.
5. All prisoners should be unilaterally released simultaneously, provided that their subsequent safety is assured. At present almost none of them wishes to go home: alternatives must be found elsewhere in Bosnia-Herzegovina or abroad.
6. A Quadripartite Commission should be formed with one representative each of the Bosnia Government, of the Croat Bosnian and the Serb Bosnian communities. It should be chaired by an international personality and its main task would be to superintend the release of prisoners and to investigate allegations of abuses.
7. Governments and responsible individuals should be held accountable for abuses such as continued forcible detention and damage to property.
8. Various measures proposed to increase transparency in order to reduce mistrust.
9. The shelling of Sarajevo is prejudicing the interests of Serb prisoners and should cease at once.
10. The request from both sides to investigate allegations that Bosnian Moslem prisoners are held in Serbia should be met.
11. The foregoing recommendations, especially 4, 5, 6 and 9 should be implemented as a matter of urgency.
12. The Mission should remain in being.

**REPORT OF THE CSCE MISSION TO BOSNIA-HERCEGOVINA
29 AUGUST TO 4 SEPTEMBER**

INTRODUCTION

The terms of reference for this Mission were developed under the guidance of the Committee of Senior Officials of the Conference on Security and Cooperation in Europe (CSCE). Alarmed by continuing reports from various sources concerning the brutal mistreatment of persons in the state of Bosnia-Herzegovina (hereafter referred to as B-H), the Committee of Senior Officials directed that a delegation of experts be dispatched immediately to investigate the humanitarian and human rights situation in B-H, and to determine, to the extent feasible in the shortest period of time, the status and treatment of the people and detention centres in B-H.

This humanitarian Mission was headed by Sir John Thomson of the United Kingdom who was assisted by Ambassador Kenneth Blackwell of the United States and a distinguished group of international legal, medical, and political experts. A full list of the Mission is attached at Appendix G.

The main task of the Mission was to survey the human rights situation in B-H through direct observation of the detention camps and centres throughout the country in so far as it could in the one week duration of the mission. The team saw places of detention where thousands are held, often under conditions of severe hardship and sometimes of terror. The Mission was also tasked to offer concrete proposals and to take appropriate steps during its operation, which support fulfillment of the vital humanitarian tasks of the International Committee of the Red Cross (hereafter the ICRC), the United Nations High Commissioner for Refugees (hereafter cited as UNHCR), and other international and local bodies concerned with the alleviation of the suffering caused by the present military conflict in the former Yugoslavia.

The leader of the Mission, Sir John Thomson, attended the London Conference and in the course of it talked with the leaders of several of the factions in Bosnia-Herzegovina and with other relevant personalities. The Mission was thus able to set out with some assurance of local support. Nevertheless, it was apparent that the supposed support owed more to political than to humanitarian considerations.

Method of work -- The delegation was divided into two self-contained groups and assigned to cover places of detention and related facilities throughout B-H. The Southern Group, chaired by Ambassador Blackwell, had as its mission the investigation of target locations in southern regions of the country from West to East, largely under the control of Moslem and Croatian forces. The Northern Group, chaired by Sir John Thomson, was given the task of investigating locations in northern B.H, also from West to East, including Sarajevo.

The teams departed London on Saturday August 29 on board a Royal Air Force transport and arrived in Zagreb, Croatia that afternoon. From August 30 until September 4, the delegation visited 19 detention camps, prisons and suspected locations in some 13 cities and towns in B-H and one suspected camp in Serbia.

Acknowledgements -- The Mission as a whole gives its heartfelt thanks to a number of individuals and organizations who made vital contributions to its success. In particular, we are indebted to the Royal Air Force for its travel assistance to and in the region including a flight under UNHCR auspices to Sarajevo. The officials and staff of the European Community Monitor Mission to Yugoslavia (hereafter the ECMM) provided guidance, transportation, and invaluable assistance in making the political contacts necessary for the delegation to travel across the conflict lines and to establish contact with the individuals and groups with whom we had to speak. It was clear that through dedicated work they had acquired a remarkable degree of local expertise and respect. The brave and tireless officials of the International Committee of the Red Cross and the United Nations High Commissioner for Refugees also offered their wisdom and advice on matters directly related to our mission. Ambassadors and diplomats from member states of the CSCE served as the essential links between ourselves and the host government officials and local authorities with whom we dealt. To the other individuals who provided help, but especially to our Mission consultant, Mr. Leon Davico, we offer our sincerest thanks and deepest appreciation.

Plan of the Report -- This report opens with a short background passage designed to stress the peculiar nature of the conflict and hence of the way in which prisoners tend to be regarded. It continues in Part I with a discussion of the crucial issues as we see them. The detailed evidence on which we base our views is in Annex F. We conclude in Part II with specific recommendations.

BACKGROUND

The tragic story of the disintegration of the Yugoslav state and the outbreak of war and violence is well known to the world community and needs no reiteration in this report. Yet it would be wrong not to record that seasoned international observers who have witnessed many a conflict were impressed by the degree of bitterness involved. They heard that people who had lived comfortably together as neighbours for years suddenly denounced each other and enviously expropriated the property of the weaker group. There was much anecdotal evidence that mixed marriages were disrupted and that in such cases divorce was a common occurrence. The barbarism that occurred on a large scale, especially given the small size of the population of B-H, some 4.4 million, was frequently inflicted by people who knew their victims. This is not an impersonal war: it is a civil war between communities for territorial expansion and ethnic supremacy. The first casualty has been good neighbourliness and compassion, the second truth. The victims are shocked not only by brutal treatment of a particularly venomous kind but also by the surprise of it. We found decent people who disagreed with the extremists on their own side but who nevertheless believed they had no option but to strike the other side hip and thigh. The Mission was witnessing the laceration of the concept of a common European civilisation. So much so, that the emotional question inevitably arises as to whether the CSCE should continue to accept all the countries and factions involved as legitimately sheltering under its umbrella. This is a matter for others to decide, but the question can only be ducked by those who suffer from moral myopia.

The virulent nationalistic waves now sweeping across the former Yugoslavia have produced death and destruction on a huge scale. Thousands of homes have been destroyed. An estimated 1.9 million people have become refugees or displaced persons.

Vast areas of the economy have been devastated. It has been debated whether economic, political or psychological factors are at the roots of the Yugoslav crisis. It is likely that there are elements of each at play, and one may look to the long and often sanguinary history of the Balkans to find all the "justification" needed to explain the events now occurring in 1992. Deep seated hatreds alive and active a generation or two ago combined with economic grievances, including some opposition between town and country have led otherwise decent people to do things they would have abhorred a few months ago. There is a settling of old scores which, however

understandable from the long perspective of history, is totally deplorable if people are to live decently together. We face an already accomplished return to an earlier barbarism. The issue is how do we react? The CSCE in concert with the international community has important choices to make.

PART I

There is no doubt that massive violations of basic human rights have occurred in the former Yugoslavia. The evidence of refugee reports, press and television stories, and the credible statements of hundreds of eyewitnesses testify to anguish and tragedy to a degree that is almost unbearable for those who have seen it. The Republic of Bosnia-Herzegovina, once an impressive oasis of ethnic cooperation and co-habitation has been caught up in the Yugoslav madness and is now torn by savagery. The passions engaged in this once peaceful republic have produced a situation in which the facts and the truth have become enmeshed in partisan distortion. And this is possibly an unduly gentle way of expressing the reality.

Our team was given ten days to organize itself, travel to Bosnia-Herzegovina, with stops in Zagreb and Belgrade, and return to London and complete its report. It would not be fair to the Chairman in office of the CSCE or to the heads of delegation of the member states to claim that we were able to conduct an exhaustive investigation within this extremely limited timeframe. On the contrary, we are unanimous that we saw only part of the picture. But we did see a lot and spoke with many people, including some hundreds of prisoners. We are aware that the picture as we saw it is subject to fluctuation. Climatic, political, and military developments are constantly influencing the situation. Moreover, geographical conditions are changing rapidly with camps being closed and prisoners exchanged or moved to new locations. Military conditions on the ground, the constant shelling of Sarajevo, Mostar and other cities, rivalry among groups and factions, the need to consult and meet with so many individuals involved in the conflict, as well as the sheer distances involved in getting to the camps and reported detention centers preclude any claim that this report is the "last word" on the situation in Bosnia-Herzegovina. It should be viewed as the first in a series.

Detention and Notification -- We take special note of the pathfinding efforts of Special Rapporteur Mr Tadeusz Mazowiecki and members of the ICRC and UNHCR who provided the precedents for visits and inspections of the detention facilities upon which we drew. Together with the media coverage much useful work has been done, but more coordination is needed.

The ICRC has visited 19 places of detention in B-H, collecting the names of prisoners and constantly suggesting or demanding improvement with regard to conditions in the camps. The starting point for this humanitarian work is **notification**. Each "detaining power" is under a customary law obligation to notify the existence and location of places of detention under its control, thereby enabling free access to prisoners in all places. This principle was confirmed by the parties to the present conflict in their Geneva Agreement of 22 May, 1992 (see Annex D). However, the ICRC has not yet received proper and complete notification of all places of detention, or lists of all detained persons. Consequently, the ICRC has been unable to assess the conditions in several places of detention, including military camps, prisons and police stations. We found that all parties to the conflict in B-H were not fully diligent in providing up-to-date and accurate notification about the prisoners or detainees which they hold. In the reports which were available to us it is clear that Serb forces in B-H hold a disproportionate share of the prisoners. We can make no claim to know with indisputable accuracy the exact number of prisoners and hostages held by all sides. One may doubt whether anyone has a completely accurate tally sheet. Part of the difficulty in assessing numbers is that exchanges, swaps, trades and expulsions occur at a local level, not always with the knowledge of higher authorities.

There are also credible reports of so-called "private prisoners" held by individuals or groups within Bosnian cities whose names and places of detention never reach international humanitarian authorities. Many such reports relate to Sarajevo in particular. This is a very disturbing phenomenon and sadly indicative of the situation.

Our Mission also determined that there were instances when the parties to the conflict established places in which an entire village - segregated by ethnic background - functions as a detention camp. For example, 250 Serbs living in Rascani (near Tomislavgrad) and 60 Moslems in Ripac (a Serbian controlled area near Bihac) are guarded and harassed by the authorities and kept in complete isolation.

The Mission started its work on the basis of an ICRC public list of places of detention. This was supplemented by lists of places of detention provided by the Bosnian Moslems and Bosnian Serbs (Annex B). The Mission visited 19 alleged places (Annex E). Out of these 19 places, 11 were known and visited by the ICRC. Others were visited and found to be empty. One was discovered by the CSCE Mission. There, the Serbian guards told us lies about the 40 or so people incarcerated. No doubt we were told lies elsewhere but this

was a particularly blatant example. The universal proclivity toward distortion and misinformation affects the issue of credibility on virtually all important questions.

Mr Karadzic, the Bosnian Serb leader, explained to the Mission that Pale, the seat of his authority, had no camps or centres of detention. However, at approximately the same time his officials were notifying the ICRC of 50 prisoners in Pale. This is at least a fault in the preferable direction. In our opinion it is more common for places of detention to be denied. The authorities tend to deceive themselves into supposing that the truth is whatever they say it is. The international community should insist on the provisions of the Geneva Conventions relating to notification. It should refuse to accept objections based on quibbles over nomenclature, eg when is a camp not a camp or when is a detainee not a prisoner. There is no excuse after this lapse of time for incomplete notification. Some accepted authority whose approbation matters to the parties, the CSCE for example, should set a deadline in the very near future for complete notification. The responsibility for meeting this deadline lies with the "detaining powers" and the individuals who operate places of detention. A proposal is set out in Part II.

Lack of Respect for Civilian Population -- The mission determined that a complete range of individuals, both male and females, young and old, are now being held throughout B-H in various places of detention. We met with prisoners as young as seventeen or even less and as old as eighty-three. The crucial point is that thousands are being held against their will or under conditions which make their departure from the places of their confinement virtually impossible.

Legally speaking, the people held in places of detention of various natures fall into three categories:

(A) Prisoners of War (POWs). These prisoners have taken an active part in hostilities and can legally be detained as combatants under the Third Geneva Convention of 1949. The Mission saw very few of these. It was our impression that much of the fighting was to the death.

(B) People who allegedly had been hiding weapons in their homes and/or possessed information of potential military significance. Their civilian (non-combatant) status should have protected them from military detention, although they could arguably be subject to judicial proceedings. There were probably a significant number of these.

(C) People who were taken prisoner because they lived or worked in the zone of combat. These people were not taking part in hostilities but were seen as enemies due to their ethnic origin. Their civilian (non-combatant) status should have protected them from detention. This category was easily the largest.

Our experience suggests that a comparatively small percentage of prisoners are genuine POWs. The remainder **should never have been imprisoned**. We are not impressed by claims that they were incarcerated for their own safety or simply because they happened to be resident in a combat zone. It is impossible to escape the conclusion that most prisoners are innocent people who have been seized as hostages to promote "ethnic cleansing". They are pawns in vicious games played by nationalist politicians. These innocent people should be released forthwith.

The practice under which people are confined to live in designated villages renders these villages **de facto detention centres** where people are effectively being kept as potential hostages. In view of the conventional and customary rules of international humanitarian law which prohibit the taking of hostages, the parties to the conflict should immediately cease this practice.

The frequent and deliberate destruction of dwellings of the local population (of one or the other ethnic group) can never be justified as an action against "military targets", a claim that was made to the Mission. The ethnically selective torching of houses constitutes in all circumstances a grave violation of international humanitarian law; and military commanders or political authorities who were in a position to prevent such acts should be held legally responsible for them.

There is a dilemma which must be faced in any honest assessment of what kinds of prisoners we are dealing with in B-H. The nature of the war now occurring there is far from an organized struggle with uniformed armies serving recognized governments and observing traditional rules of war. We are fully aware that neither age nor gender are barriers to participation in the civil war now underway in B-H. There are all sorts of uniformed and non-uniformed armed groups and units participating in the conflict. Some are the creation of what can only be understood as local warlords, others represent some kind of community defence force, and still others are the armed part of a right wing political party. Moreover, individuals have been "mobilized" directly from their homes and fight in civilian clothes.

All authorities told us that the prisoners they held were legitimate prisoners of war. Serb authorities also insisted that they had the right to hold "individuals taken in the area of the conflict." This latter term is not one with which our international legal experts are familiar, and we believe that they do not have such a right. Moreover, in our discussions with hundreds of detainees in Serb, Moslem, and Croat places of detention we found an appalling number of individuals who we believe are, in fact, civilians with little if any direct connection with the conflict. We are also very disturbed by the assertions from the parties that many of the people they hold under these severe conditions are being held for their own "protection". Serb authorities in Prijedor, for example, insisted that they were protecting the Moslems from Moslem "extremists" who were fighting a guerrilla campaign from the former partisan stronghold of Koradze mountain.

We urge that a renewed effort be made to identify clearly those innocent civilians now being held and steps be taken forthwith to secure their immediate release and adequate protection after their release. Specific proposals are set out in Part II.

Security and the approach of winter -- We found security away from the fighting area to be a vastly more important issue than was originally expected. In certain areas of the country, dusk to dawn curfews were in place, reportedly because of continued military risks. While that step is not unusual, we were deeply disappointed to learn how little security was often provided during the daylight hours.

The Responsibility of Leaders -- Despite the existence of "warlords". the bulk of the evidence points to the responsibility of acknowledged leaders. The Mission believes that, in general, leaders exercise effective control over their military and civilian structures. Contrary to what is usually accepted, the so-called "uncontrolled elements" are marginal. They exist but their importance has been exaggerated by various leaders who find them a convenient explanation for numerous barbarities. The Mission have seen camps, well organised, with military personnel or policemen doing what they were told to do. There is no reason for the international community to condone implicitly or otherwise any departures from the agreements signed in London or Geneva. The existence of the 22 May 1992 agreement shows that all parties have, from an early stage, been aware of their obligations and have claimed to carry them out. At least some Serb authorities have stated that they observe the provisions

of Mr Karadzic's order of 19 August 1992 which set out additional obligations. However, the Mission is very conscious that on all sides there have been numerous breaches of the Geneva Conventions and that to a significant extent some of these continue. The most widespread breach by all parties is the long continued detention, in some cases of more than three months, of civilians who cannot possibly be classified as prisoners of war. The largest number of these appear to be in Serb places of detention, and therefore, while the international community should bear down heavily on all parties, it should do so particularly firmly on the Serbs.

The Lack of Transparency -- The Mission is very concerned about the lack of transparency in relation to prisoners. The leaders and the people we met work very much along the lines of the old communist system of suspicion and "opacity". This "opacity" perpetuates bitterness and leads to a situation in which virtually all stories about atrocities are believed. Naturally, it has its effect inside the camps as well as outside them. Thus nothing is readily verifiable except the terror to be observed in the eyes of the prisoners. The international community should take steps to make the whole situation more transparent. We make some suggestions in Part II.

The "ethnic cleansing" operations which are taking place with official connivance or direct support have left people virtually defenceless even in their homes. Murders, rapes, robberies, assaults and beatings are continuing. Those who carry out these activities are often personally known by their victims and by others in the community. Few have reportedly been brought to justice.

Local authorities who profess to be powerless to prevent such abuses and who claim lack of knowledge should not be allowed to continue such charades. At the same time, we cannot allow them to "close" their camps and push the unfortunate inmates into the danger-ridden regions where social predators remain at large. The authorities must be compelled to provide adequate security to all citizens equally. This demand was made to all sides at the highest levels by the Mission. Again our precise ideas are set out in Part II.

The "Open Centre" at Trnopolje -- We would like to call the Chairman's attention to the Trnopolje so-called "open centre" in the Serb conquered area around Prijedor. This dismal location no longer has barbed wire surrounding it, and Serb officials insisted that the inmates were "free" to come and go as they pleased. Our interviews with the persons within that

facility produced a vastly different perspective. Most of the two thousand or so Moslems were civilians driven from their homes in the region by Serb forces. Their residences have been burned, bombed, or occupied by immigrant Serb families leaving them no local place to go to should they wish to do so. Numbers of detainees who have left the camp have never returned and when night falls, the level of personal security reportedly drops precipitiously. We discussed this situation with controlling political authorities and as a result have developed a plan of action which is set out in Part II.

Treatment of Prisoners by Authorities -- With very few exceptions, camp authorities have little sympathy for detainees. We witnessed the results of beatings, wounds, fractures and other injuries in camps controlled by Serbian, Moslem, and Croatian authorities, and have reason to believe that innocent prisoners on all sides have been executed. The prisoners interviewed are reluctant in most cases to provide specific detail concerning atrocities, but many provided hints. We conclude that some camp authorities have treated the detainees with relative fairness, given the current circumstances, while others have been clearly abusive, or at least have tolerated mistreatment of detainees.

Conditions at detainee centres vary widely but in virtually all cases they fail to meet minimum standards in one way or another and usually in several.

General Conditions in Centres -- Almost all centres visited have been improvised on short notice, utilizing existing public facilities such as schools (Livno, Trnopolje), gymnasias (Konjic Town), stables (Manjaca), storage sheds (Konjic-Celebici, Susica and Bjeljena Batkovic). At Trnopolje a large number of prisoners lived in very primitive self-made shelters. With few exceptions, none of these camps will be suitable for detainees this winter. We also visited detainees in buildings formerly used as jails or barracks, where detainees may be afforded better protection during winter. The vast majority of detainees on all sides are incarcerated in very close proximity to each other, and in some centres the degree of overcrowding is intolerable.

Water and Food -- A number of the centres visited have no local supply of safe water, and supplies are delivered on a regular basis in tanker trucks or large portable containers. Thus at Manjaca, detainees are provided with 5 only litres of water daily for drinking and bathing, whereas more suitable quantities are available from piped supplies in other locations.

In all centres visited, food rations are or have been inadequate. At Bileca and Trnopolje, detainees must rely to a great extent on food provided by friends and relatives.

Sanitation and Hygiene -- The majority of centres visited provide what must be termed very basic latrines, some of which are treated with lime and others regularly moved. Little privacy is available, with a few exceptions, except in centres located in former barracks or jails. In well organised centres the grounds are cleaned regularly by detainees and the solid wastes buried or otherwise removed.

Personal hygiene is seriously compromised for most detainees, with no or infrequent opportunities to bathe appropriately. Body lice were seen in one centre, and this infestation is probably widespread.

Health of Prisoners -- While many civilians in B-H are said to be short of nutritious food, there can be no doubt that a majority of prisoners are more seriously deprived. In Manjaca most prisoners exhibit signs of very serious malnourishment, including cachexia, hair loss, sunken eyes and muscle wasting, whilst detainees in other centres are generally less seriously threatened. Detainees in Manjaca admit to weight loss of 10 to 40 kilograms during 2-3 months of detention there and in other notorious centres such as the camp at Omarska which the prisoners believe is now closed. In Manjaca and in other locations, the foodstuffs provided have improved during the past 2 to 3 weeks, due, we believe, to visits by international delegations, the press and the ICRC.

Apart from malnutrition, our inspections did not permit the gathering of objective evidence of other serious physical disorders or infections, but we were told by authorities that a recent outbreak of salmonella infection had involved a large number of detainees, with two deaths of men under 45 years of age - malnutrition may have been a complicating factor in those cases.

Through many interviews of prisoners it was evident that a majority are living in fear for themselves and their families. They have very serious uncertainties about mistreatment by the authorities, about their future following release, concerning the whereabouts and well being of relations, and often they are totally unaware as to why they have been detained.

It is not too strong to say that the vast majority of prisoners are living in fear, and some in terror, of their

lives. This is reflected in their behaviour. They react immediately to commands to stand, sit, proceed to the eating places, and in many instances walk like humbled and degraded persons with stooped shoulders and their hands behind their backs - this was particularly evident in Manjaca and Konjic. Previous mistreatment by authorities has undoubtedly broken the spirits of many prisoners. Mental scars are likely to persist for a long time to come.

Medical Services -- Most better organised camps have a clinic, almost all very basic, staffed by civilian, military or detainee physicians or health workers of some sort. None of the detention centres in Croatian areas appeared to have medical facilities. Local hospitals are sometimes used for the very seriously ill or injured, but many of these hospitals are already overcrowded, with 60% or more beds occupied by casualties of war, and coping with major shortages of drugs and other supplies. The "hospital ward" at Manjaca is completely unacceptable, with the ill and injured accommodated on the floor of a small former stable, with only a single blanket each for their comfort. An inadequate supply of more commonly used antibiotics and sedatives was common to all centres visited. We encountered a number of physician detainees in at least one centre (Manjaca), and they staff the medical clinic in that location.

Physical Exercise and Work outside the Centres -- We were told in a number of Serbian controlled centres that detainees are "permitted" out of doors two or more times each day for periods ranging from 15 minutes to several hours. We were also told that in many cases, the detainees did not take full advantage of those opportunities. Overcrowding and lack of exercise were a serious problem in Bileca. At Bijeljina Batkovic Centre and in other locations detainees work in nearby agricultural and other enterprises. In general, the conditions at Bijeljina Batkovic seemed significantly better than in other Serbian controlled centres. The prisoners appeared to be allowed outside the sheds when they wished, there was a television set in working condition and meals could be taken at tables.

ICRC and Family Visits -- Of those detention centres known, a majority inspected has been visited by the ICRC, who are attempting to visit centres on a regular basis. However, the ICRC visits are too infrequent to monitor closely the changes in population and general conditions. With the exception of Trnopolje, and perhaps 1 or 2 other camps and centres, family and friends are not permitted to visit. The ICRC is no longer present in Sarajevo.

Violations of International Humanitarian Law -- Since most prisoners are civilians, their capture and treatment should in the first place be related to the Fourth Geneva Convention of 1949 (The Civilian Convention). Under this Convention, as well as under customary international law applicable in armed conflict, civilians may not be detained unless imperative reasons of security can be proven on an individual basis. This was never the case with regard to the prisoners with whom the members of the Mission spoke. Therefore an immediate, controlled release should be sought.

Although most prisoners were not combatants and consequently could not be regarded as POWs, their treatment should at least conform to the basic humanitarian standards of the POW Convention, i.e. the Third Geneva Convention of 1949. Since the detaining authorities frequently claimed that the prisoners were in fact POWs, it is also useful (as against the "detaining power") to relate their treatment to the standards of the POW Convention.

The preceding sections have shown that a number of violations of the humanitarian standards have occurred. For example, mistreatment of detainees violates Article 13 of the POW Convention and Article 32 of the Civilian Convention; malnutrition of detainees is a violation of Article 26 of the POW Convention and Article 89 of the Civilian Convention; inadequate hygiene and medical attention are a violation of Articles 20-30 of the POW Convention and Article 91 of the Civilian Convention. The clothing which the Mission observed on prisoners throughout Bosnia-Herzegovina will not be adequate for the upcoming winter. That failure to provide adequate clothing will produce a situation at odds with Article 27 of the POW Convention and Article 90 of the Civilian Convention. The CSCE Mission notes that persons who have committed or ordered any of these grave breaches of the Conventions should be held individually responsible.

PART II

RECOMMENDATIONS

In the light of the evidence at Annex F and of the analysis and conclusions in Part I the Mission offers the following recommendations for **immediate action**. Both the present condition of the prisoners and climatic conditions brook no delay. It is already getting chilly at night in the mountainous part of B-H. By early October, if not sooner, it is likely that severely undernourished prisoners will succumb to the weather. Rain, snow and fog will soon make it very difficult to move supplies by road in many parts of B-H or by air into Sarajevo. If the fighting continues there is no prospect of restoring before the winter the severely disrupted electricity supplies. Prompt action will make the difference between life and death for many people.

From the standpoint of the humanitarian character of our Mission we are sure it is right to insist that the interests of the prisoners and the civilian population must be the overriding priority. **We urge** the CSCE to adopt this principle.

In line with this, nothing would be more helpful than a cessation of the war. **We urge** support for the efforts of Lord Owen and Mr Vance, and for the implementation of the London agreements including, so far as possible, the programme of action on humanitarian issues.

A large degree of "ethnic cleansing" has already occurred throughout B-H. **We urge** the CSCE to express abhorrence of this practice and to insist that it should not of itself form a basis for the future constitutional arrangements in B-H. All citizens should eventually be able to return to their homes and all citizens should have equal rights.

The CSCE should **declare** that forcible sales or donations of property are null and void. Property must either be restored or adequate compensation paid including for properties destroyed.

We wish to state clearly that we have drawn the conclusion both from our discussions with prisoners and from our discussions with political authorities that declarations along the foregoing lines are an essential framework for a programme in which the interests of the prisoners are put first. We have reason to believe that declarations along the foregoing lines would not at this stage be publicly opposed by any responsible leader.

Within this framework, **we recommend** that immediate action should be taken to evacuate the "open centre" at Trnopolje as a "one-off" operation. We put proposals to this effect to Mr Sarinic, Prime Minister of Croatia, to President Izetbegovic of B-H and to Mr Karadzic, the Bosnian Serb leader. All explicitly agreed. We have informed ICRC and UNHCR authorities (but not yet ECMM or the UN). A memorandum which records our recommendations in writing is at Annex C. The operation will require careful coordination but there is no time to lose. **We recommend** that the parties should be asked to signify their agreement to the memorandum in writing no later than 12 September 1992.

As regards all other prisoners, **we recommend** that CSCE and other bodies should, within the framework set out above, insist on three linked propositions:

- a) all prisoners should be unilaterally released simultaneously;
- b) no prisoner should be released into a dangerous situation. There must be adequate and supervised protection so that the prisoners may go to any place within B-H of their choice; one of the greatest dangers is an uncontrolled release of prisoners; we suspect this could happen soon.
- c) complaints about prisoners whether of a civil or criminal nature should be registered with the ICRC if they so agree in order that justice may be pursued when circumstances allow for its unbiased exercise.

In order to facilitate the carrying out of all three points above, and also to investigate allegations of failure to notify places of detention or names of prisoners, **we recommend** that the CSCE should set up a four party commission consisting of one Moslem, one Serb, one Croat, all citizens of B-H and one international member, perhaps a representative of the Chairman in Office of the CSCE. The Commission should appoint similarly composed quadripartite teams to represent it in various areas of B-H. Amongst the advantages which the Commission may confer in addition to its basic tasks are a notable increase in "transparency" and an indication of a common will by the various communities to work together. It could also help to put prisoners and their families in touch with each other.

The question of where the prisoners should return is of cardinal importance. Their wishes, as already suggested, should as far as possible be respected. The options are:

- to their homes
- to places held by their respective community in Bosnia-Hercegovina
- to a UN controlled area
- to a third country

Systematic notification is critical to determine the actual situation of detainees in B-H. Permanent, regular access to all detention facilities must be ensured for all humanitarian organisations. **We urge** that continuing support should be given to the ICRC and the UNHCR.

The Quadripartite Commission will be entitled, on behalf of the CSCE, to negotiate a controlled temporary truce.

One consideration which is likely to hinder a significant number of prisoners and refugees from returning to their homes is that those who evaded or tried to evade conscription into the fighting forces of their community may be prosecuted. Accordingly, **we recommend** that a limited amnesty should be declared to render such people immune from prosecution. This would additionally go some way to meet the concerns of those who fear that released prisoners will join the fighting forces of their community.

We urge the CSCE to insist on the full responsibility of all authorities and parties participating in the conflict including those responsible for torching homes. All authorities and parties must make explicit their chain of command and the persons who are serving in that chain of command.

When the Quadripartite Commission has been established **we recommend** that the CSCE should set a deadline for the release of all prisoners. After that date governments, politicians, military commanders and other persons under whose authority and control people were illegally held in detention centres of various nature, including the villages which have, effectively, been used as places of detention, should be made subject to a mechanism of international legal proceedings.

If the actual establishment and operation of such a mechanism will take some time, **we recommend** that the CSCE should see to it that those governments and individuals who failed to abide by the deadline set would be subject to immediate publicity and widespread international censure and/or sanctions, as appropriate. The practice under which people are confined to live in designated villages should immediately cease. **We recommend** that the Quadripartite Commission should take steps to this end.

We recommend that The Quadripartite Commission, with appropriate assistance from the CSCE, should develop a comprehensive communications strategy to:

- a) explain the Commission's objectives and activities to all concerned parties both in and out of B-H with a view to attracting understanding and support.
- b) counteract continuing misinformation and mistrust so harmful to the attainment of a peaceful settlement to the dispute.

We urge that the shelling of Sarajevo should stop immediately. Apart from any other consideration, it is severely prejudicing the interests of the Serb prisoners in that city and contributes to the difficulty of the ICRC resuming a presence there.

President Izetbegovich asked the Mission to investigate a list of named places in Serbia where it was alleged Moslem prisoners were held. Mr Panic's government provided facilities to enable the Mission to investigate the place which was alleged to have the largest number of prisoners but there proved to be none. Mr Panic asked the Mission to investigate the other places and **we recommend** that we should do this in the near future.

Finally, it is recommended that the Mission should remain in being to continue work on its mandate and to help with the implementation of its recommendations.



ANNEX B

ALLEGED PLACES OF DETENTION IN BOSNIA-HERZEGOVINA

On several occasions Serbian and Muslim leaders questioned the impartiality of the Mission on the grounds that it was not properly investigating the camps on the other side. We reassured them that we and the ICRC were doing our best in the short time available and urged them to give us all the information at their disposal. Both Serbs and Bosnians supplied us with lists of alleged places of detention. We were able to visit only a few of them. The lists are clearly believed by their authors, but we have grave doubts as to whether they are wholly reliable. Nevertheless we think it right to reproduce below all the lists given to us. It will be noted that we received no lists from Croatian authorities.

1. The following list was given to the Mission by members of the staff of Mr Karadzic:

CONCENTRATION CAMPS FOR SERBS IN BOSIA AND HERZEGOVINA

BRADINA - the railway tunnel above the village of Bradina - about 3,000 Serbs

TARCIN - about 500 persons

LJUBUSKI - about 5000 persons

PAZARIC - about 500 persons (men)

BREZA - about 200 civilian persons

LIVNO (fortress old town) - about 600 Serbs

TOMISLAVGRAD (Secondary School Center) - about 500 Serbs

TOMISLAVGRAD (the village of Rascani, all Serbs captured in the village with no food supplies, nor health care)

BUGOJNO (house of the killed Serb Relja Lukic) - about 50 Serbs

BUGOJNO (the factory "Slavko Rodic") - about 700 Serbs

JAJCE (the old fortress) - about 500 Serbs

BIHAC (stadium of FC "Jedinstvo") - about 900 Serbs

ORASJE (stadium of a football club) - about 100 Serbs, Commander of the Concentration camp is Pero Vincetio from the village of Donja Mahala

ODZAK (primary school) - about 400 Serbs, Commander of the concentration camp is Mijo Barisic

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ODZAK (the firm "Stolit") - about 150 Serbs

ODZAK (the village of Novi Grad) - about 1,000-1,500 Serbs, mostly women and children

ODZAK (primary school in the village of Poljari) - 59 Serbs

ODZAK (the former military warehouse in the village of Rabici) - about 300 Serbs. (The Serbs were transported from the concentration camp in the village of Poljari and Rabici in the direction of Bosanski Brod on 1 July, 1992. The Serbs killed in the camp in Odzak are buried with a dredge near the Hospital in Odzak. Fuad Alijagic is in charge for that job.)

HADZICI (Cultural Center in the village of Pazalic) - about 150 Serbs

ILIDZA (the stadium of FC "Famos") - about 800 Serbs, mostly women and children (Pero Sutalo from Vojkovici-Croatia, Samir Lokvancic and Haris Ciko lead the investigation)

TUZIA (the stadium "Tusanj") - about 4,000 Serbs

BOSANSKI BROD (a suburb near River Sava) - about 400 Serbs

ZENICA (rooms of the House Correction) - about 2,000 Serbs. Many of them, so far, killed throwing into the blast furnace of the Ironworks "Senica"

LJUBUSKI - 5,000 persons

PAZARIC - about 500 persons (men)

BREZA - about 200 civilian persons

LIVNO (fortres, old town) - about 600 Serbs

JABLANICA (the village of Celbici near Jablanica Lake) - about 500 Serbs

PRISONS IN SARAJEVO WITH SERBS CAPTURED IN THEM

The Sport Center "FIS", JNA Street 3 (Confirmed)

The central Prison - about 600 Serbs (Confirmed)

The School for Retarded Children "Vladimir Nazor" - about 200 Serbs (not confirmed). Its Manager is Edin Bahtic.

The basement of the safety deposit box of the bank "Privredna Banka Sarajevo", Jovan Cvijiv Street, a certain Zlatko Lagumdziija is manager - about 170 Serbs

The barracks "Viktor Bubanj", District "Pavle Goranin" - about 250 Serbs

Stadium "Kosevo" connected with "Zetra" - about 500 Serbs captured

The tunnel "Velesici", Ciglane
 Dormitory "Mladen Stojanovic", Radiceva Street
 "Sipad" firm in Dzemal Bijedic Street
 The garage near "Privredna Banka Sarajevo", Dobrinja 4
 Atomic shelter in Dobrinja 3
 Prison in Stup - the object unknown
 The tunnel "Kosevo Hospital"
 Cafe "Stela"
 The heating plant at Alipasina Polje, "B" phase
 The school "Alaska Santic" - Dobrinja 5
 Stadium "Famos" in Hrasnica
 The House of Correction in Pofalici, near Tabacco factory
 The Meteorology Institute on Bjelave
 The police station in Bjelave
 The primary school "Pavle Goranin"
 The railway station - about 600 Serbs
 Kladanj (the village of Stupari) - about 50 Serbs, every day one of them is hung)
 SARAJEVO Sport Hall "Zetra", Women's Prison, nursery school "25. maj" in the district "Pavle Goranin".

Beside the mentioned ones in Sarajevo, there are several other concentration camps. One of them is the former JNA barracks "Viktor Bubanj", where there are 250 Serbs. They live in the incredible conditions. The rooms planned for one person are crowded with 10-20 persons. The chief investigator is Mile Davidovic, the former basketball referee. Among others there are 20 Arab guards. About 170 Serbs are located in the safe-deposit boxes of the bank "Privredna Banka Sarajevo". members of a HVO Croatian Defence Council unit called "Kvadrant", guarding this camp, call this concentration camp "Torture Room for Serbs". Commander of the HVO "Kvadrant" is Zlatko Lagumdžija. Commander of the concentration camp is Dragoslav Bojcinovic, a Karate expert. About 200 Serbs are incanted in the School for Retarded Children "Vladimir Nazor". A number of Serbs is confined in the skyscraper No 2 in the square "Pero Kosoric". Commander of this camp is Edin Bahtic, a former soccer player. The mass murders are committed at the cantilever brigade on the River Miljacka. Twenty seven Serbs were killed during one night. The major mass murders are: Edin Bahtic, Safet Klepo, Omar Razbje, Safet Kenic, Haris Terzic and Uzeir Saric. There are about 600 Serbs captured in the Central Prison in Sarajevo. Commander of the camp is a well-known singer Safet Isovic. He is a SDA (Democratic

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Action Party) representative in the Assembly of the former BH. There are also concentration camps in the primary schools "Andrija Raso" and "Prvi Maj" in Akuoasubi Polje, in the rooms of the local community "alipasino Polje" (buildings in the "B" and "C" phase). About 6000 Serbs were killed. Up to now the concentration camps established by the Croatian-Moslem coalition, and the number is increased every day. Most of the captured are women and children.

2. The following list was received from the Mayor of Banja Luka.

LIVNO (fortress, old town) - about 600 Serbs

TOMISLAVORAD (high school centre) - about 500 Serbs

TOMISLAVORAD (the village of Rascani) - all Serbs have been blocked in this village with no food or medical care

BUGOJNO (the house of Lukic Relja, a Serb who was killed) - about 50 Serbs

BUGOJNO (the "Slavko Rodic" factory) - about 700 Serbs

JAJCE (old fortress) - about 500 Serbs

BIHAC (the soccer club stadium) - about 900 Serbs

ORASJE (the soccer club stadium) - about 100 Serbs

ODZAK - from 1,000-1,500 Serbs, women and children mostly who have been transported into concentration camps on the territory of Croatia

KONJIC (railway tunnel over the village of Bradina) - about 3000 Serbs

ILIDZA (the soccer club stadium) - the investigators are: Pero Sukalo from Vinkovci, Samir Tokvancic and Haris Ciko - about 200 Serbs, women and children mostly

HADZICI (culture center in the village of Pazaric) - about 150 Serbs

TUZLA (the Tusanj stadium) - about 4000 Serbs

BOSANSKI BROD (an area near river Suva) - about 400 Serbs

ZENICA (detention home) - about 2000 Serbs, many of them have been thrown over into the blast-furnace of the steel factor "Zenica"

JABLANICA (the village of Celebici near Jablanica Lake) - about 500 Serbs

KLADANJ (the village of Stupari) - about 50 Serbs

SARAJEVO (the Kosevo stadium, sport center Zetra, the railway station of Sarajevo, Women Prison, "Mladen Stojanovic student camp, "Pofalici" detant on home, a warehouse which belongs to

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the "Sipad" company [the ex-Army barracks "Viktor Bubanj" where 250 Serbs have been captured]. Vladimir Nazor School for retarded children where about 200 Serbs have been captured. Central Prison where 600 Serbs have been captured. A certain number of Serbs have been captured in sky-scraper No 2 on the Pero Kosoric Square, office, rooms of the Mojmiro community, office-rooms of the Alipasino Polje community, "Sarajevo bank" cash-boxes where about 200 Serbs have been captured, "25,maj"kindergarten in Svrakino Selo

BOSANSKI BROD (the "Tulek" prison) - about 90 Moslems who ran away from battlefields and 40 Serbs

SLAVONSKI BROD (in a cafe, before the brickyard, after the railway - 1500

BOSANSKI BROD (distributive center of the Beograd department store) - about 350 Serbs

6000 civilian Serbs were killed in concentration camps on the territory Bosnia-Herzegovina until now.

3. The following list was received from Colonel Milosevic, commander of Serbian forces at Trebinje.

BRADINA (tunnel)

KONJIC (sport center)

CELEBIC (south of Konjic)

BUTUROVICPOLJ (South of Konjic)

MOSTAR (Celovina)

MOSTAR - Bijeli brijeg

MOSTAR - Buna

CAPLJINA - Dretelj

CAPLJINA - Grabovina

LJUBUSKI

GRUDE

DUVNO - Livno

SPLIT - Lora

SIBENIK

DUBROVNIK

METKOVIC

ANNEX C

MEMORANDUM ON TRNOPOLJE

The following arrangements relate only to the "Open Centre" at Trnopolje in the vicinity of Prijedor, Bosnia-Herzegovina.

The number of inmates at the Centre, of whom the great majority, if not all, are of the Moslem faith, is currently thought to be in the neighbourhood of 2,000. These people are living in terror and the CSCE Mission believe they have substantial reasons for their fears. A preliminary assessment by the team from the CSCE Mission suggests that approaching a majority of the inmates have reason to suppose that they would be admitted into other CSCE countries. In some cases, they even have valid visas. A few persons believe they would be admitted into Croatia on grounds that they or their families hold jobs there. Of the remainder, all wish to go to Central Bosnia. In many cases their wives and children are already there. Whatever their longer term hopes, no-one wishes, in present circumstances, to return to their homes in Western Bosnia because the local administration cannot or will not guarantee their physical security.

With immediate effect a joint team, composed of ICRC, UNHCR and ECMM personnel, should go to the Open Detention Centre and on a 24 hour basis should perform the following tasks:

1) Register the names and details of all the inmates to the extent this has not already been done by the ICRC and arranging them into four lists -

- (a) those who have substantial reason to suppose they will be admitted into countries outside former Yugoslavia;
- (b) those who have substantial reason to believe they will be admitted into Croatia;
- (c) those who wish to go to central Bosnia;
- (d) those, if any, who have a convincing alternative plan.

2) Operate satellite telephonic equipment to facilitate communications between the inmates and their families, especially in countries outside former Yugoslavia in order to promote and substantiate claims to admittance to such countries. Early contact with receiving country immigration authorities is an additional requirement.

3) Ameliorate the inmates' food deficiencies and look after medical and sanitary needs;

4) Organise convoys with all parties concerned to proceed without delay to -

- (a) Croatia

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(b) Central Bosnia

Such convoys would be under the command and under the protection of ECMM, who would be able to summon assistance from UNPROFOR in case of need;

5) Register brief statements by those inmates who wish to do so about such matters as their treatment and their longer term hopes. For example, they might wish to say that they hoped to return home as soon as it was safe to do so.

The ICRC and UNHCR, by agreement between themselves, and with the Croatian Government, could open a transit camp in Croatia and would be responsible for operating it in such a way as to ensure that each of the inmates left for destinations outside Croatia within six weeks of their arrival.

The ICRC and UNHCR would facilitate the reception and rehabilitation in central Bosnia of inmates of Trnopolje, convoyed there by the ECMM. The Government of Bosnia-Herzegovina and the local authorities would give them every appropriate assistance in their power.

The CSCE authorities, together with individual CSCE governments, would have the option after consultation with ICRC, UNHCR and ECMM of proposing to NGOs that they should participate with money, resources and personnel in the foregoing operations. Apart from this, costs would be shared by agreement between ICRC, UNHCR and ECMM.

All the various authorities within Bosnia-Herzegovina and their representatives would assist all the foregoing to the best of their ability and in good faith. The Government of Croatia would similarly play a part in so far as it is relevant.

If it is agreeable to all parties, Mr Elia Wessel could be associated with any or all phases of the above, provided this did not cause any delay.

The CSCE Mission would not itself be involved in the administration of this operation, but offers its good offices. It intends to continue its mission and for that reason trusts that the parties will keep it informed.

ANNEX D

A G R E E M E N T

At the invitation of the International Committee of the Red Cross,

Mr K Trnka	Representative of Mr Alija Izetbegovic President of the Republic of Bosnia- Herzegovina
Mr D Kalinic	Representative of Mr Radovan Karadzic President of the Serbian Democratic Party
Mr J Djogo	Representative of Mr Radovan Karadzic President of the Serbian Democratic Party
Mr A Kurjak	Representative of Mr Alija Izetbegovic President of the Party of Democratic Action
Mr S Sito Coric	Representative of Mr Miljenko Brkic President of the Croatian Democratic Community

met in Geneva on 22 May 1992 to discuss different aspects of the application and of the implementation of international humanitarian law within the context of the conflict in Bosnia-Herzegovina, and to find solutions to the resulting humanitarian problems. Therefore:

- conscious of the humanitarian consequences of the hostilities in the region;
- taking into consideration The Hague statement of 5 November 1991;
- reiterating their commitment to respect and ensure respect for the rules of International Humanitarian Law;

the parties agree that, without any prejudice to the legal status of the parties to the conflict or to the international law of armed conflict in force, they will apply the following rules:

1. General Principles

The parties commit themselves to respect and to ensure respect for the Article 3 of the four Geneva Conventions of 12 August 1949, which states, in particular:

- 1) Persons taking no active part in the hostilities, members of armed groups who have laid down their arms and those placed "hors de combat" by sickness, wounds, detention, or any other cause, shall in all circumstances be treated

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humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts shall remain prohibited at any time and in any place whatsoever with respect to the above mentioned persons:

- a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
- b) taking of hostages;
- c) outrages upon personal dignity, in particular, humiliating and degrading treatment;
- d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognised as indispensable by civilised peoples.

2) The wounded and sick shall be collected and cared for.

An impartial body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

The Parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention.

The application of the preceding provisions shall not affect the legal status of the Parties to the conflict.

2. Special Agreement

In accordance with the Article 3 of the four Geneva Conventions of 12 August 1949, the Parties agree to bring into force the following provisions:

2.1. Wounded, sick and shipwrecked

The treatment provided to the wounded, sick and shipwrecked shall be in accordance with provisions of the First and Second Geneva Conventions of 12 August 1949, in particular:

- All the wounded, sick and shipwrecked, whether or not they have taken part in the armed conflict, shall be respected and protected.
- In all circumstances, they shall be treated humanely and shall receive, to the fullest extent practicable and with the least possible delay, the medical care and attention required by their condition. There shall be no distinction among them founded on any grounds other than medical ones.

2.2. Protection of hospitals and other medical units

Hospitals and other medical units, including medical transportation may in no circumstances be attacked, they shall at all times be respected and protected. They may not be used to shield combatants, military objectives or operations from attacks.

The protection shall not cease unless they are used to commit military acts. However, the protection may only cease after due warning and a reasonable time limit to cease military activities.

2.3 Civilian population

The civilians and the civilian population are protected by Articles 13 to 34 of the Fourth Geneva Convention of 12 August 1949. The civilian population and individual civilians shall enjoy general protection against the dangers arising from military operations. They shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.

All civilians shall be treated in accordance with Articles 72 to 79 of Additional Protocol I. Civilians who are in the power of an adverse party and who are deprived of their liberty for reasons related to the armed conflict shall benefit from the rules relating to the treatment of internees laid down in the Fourth Geneva Convention of 12 August 1949.

In the treatment of the civilian population there shall be no adverse distinction founded on race, religion or faith, or any other similar criteria.

The displacement of the civilian population shall not be ordered unless the security of the civilians involved or imperative military reasons so demand. Should such displacements have to be carried out, all possible measures shall be taken in order that the civilian population may be received under satisfactory conditions of shelter, hygiene, health, safety and nutrition.

The International Committee of the Red Cross (ICRC) shall have free access to civilians in all places, particularly in places of internment or detention, in order to fulfil its humanitarian mandate according to the Fourth Geneva Convention of 12 August 1949.

2.4 Captured combatants

Captured combatants shall enjoy the treatment provided for by the Third Geneva Convention.

The International Committee of the Red Cross (ICRC) shall have free access to all captured combatants in order to fulfil its humanitarian mandate according to the Third Geneva Convention of 12 August 1949.

2.5 Conduct of hostilities

Hostilities shall be conducted in the respect of the laws of armed conflict, particularly in accordance with Articles 35 to 42 and Articles 48 to 58 of Additional Protocol I, and the Protocol on the prohibition or Restriction on the Use of Mines, Booby Traps and other Devices annexed to the 1980 Weapons Convention. In order to promote the protection of the civilian population, combatants are obliged to distinguish themselves from the civilian population.

2.6 Assistance to the civilian population

The parties shall allow the free passage of all consignments of medicines and medical supplies, essential foodstuffs and clothing which are destined exclusively to the civilian population.

They shall consent to and co-operate with operations to provide the civilian population with exclusively humanitarian, impartial and non-discriminatory assistance. All facilities will be given in particular to the ICRC.

3. Red Cross Emblem

The Red Cross emblem shall be respected. The Parties undertake to use the emblem only to identify medical units and personnel and to comply with the other rules of international humanitarian law relating to the use of the Red Cross emblem and shall repress any misuse of the emblem or attacks on persons or property under its protection.

4. Dissemination

The Parties undertake to spread knowledge of and promote respect for the principles and rules of international humanitarian law and the terms of the present agreement, especially among combatants. This shall be done in particular:

- by providing appropriate instruction on the rules of international humanitarian law to all units under their command, control or political influence;
- by facilitating the dissemination of ICRC appeals urging respect for international humanitarian law;
- by distributing ICRC publications.

5. Implementation

Each party undertakes to designate liaison officers to the ICRC who will be permanently present in meeting places determined by the ICRC to assist the ICRC in its operations with all the necessary means of communication to enter in contact with all the armed groups they represent. Those liaison officers shall have the capacity to engage those

groups and to provide guarantees to the ICRC on the safety of its operations. Each party will allow the free passage of those liaison officers to the meeting places designated by the ICRC.

Each party undertakes, when it is informed, in particular by the ICRC, of any allegation of violations of international humanitarian law, to open an enquiry promptly and pursue it conscientiously, and to take the necessary steps to put an end to the alleged violations or prevent their recurrence and to punish those responsible in accordance with the law in force.

6. General Implementation

The parties undertake to respect and to ensure respect for the present agreement in all circumstances.

The present agreement will enter in force on 26 May at 24h00 if all parties have transmitted to the ICRC their formal acceptance of the agreement by 26 May 1992 at 18h00.

Geneva, 2 May 1992

(Signed)

Mr K Trnka

Mr D Kalinic

Mr J Djogo

Mr A Kurjak

Mr S Sito Coric

ANNEX E

Places of Detention (Actual and Alleged) Inspected, by
CSCE Mission to Bosnia-Herzegovina
30 August to 3 September 1992

<u>Name of Centre and Location</u>	<u>Nationality of Detainees</u>	<u>No. Detainees Located</u>	<u>Detaining Authority</u>	<u>Date Visited</u>
1. Moslem part of Ripac Village (10 km from Bihac)	Moslem	60	Serbian	30 Aug 92
2. Bihac	Serbian	30	Moslem	30 Aug 92
3. Menjaca Centre	Moslem	3,640	Serbian	30 Aug 92
4. Trnopolje Centre	Moslem	1,800	Serbian	31 Aug 92
5. Livno Police Station	Serbian	40	Croatian	1 Sept 92
6. Livno School Centre	Serbian	39	Croatian	1 Sept 92
7. Rascani Village (5 km from Tomislavgrad)	Serbian	250	Croatian	1 Sept 92
8. Mostar Prison	Serbian	75	Croatian	1 Sept 92
9. Viktor Bubanj Centre (Sarajevo)	Serbian	127	Moslem	1 Sept 92
10. Trebinje	(Closed)	0	Serbian	2 Sept 92
11. Bileca (student dormitory)	Moslem	74	Serbian	2 Sept 92
12. Bileca (a second site)	(Closed)	0	Serbian	2 Sept 92
13. Pale (Sports Hall, former cinema)	No evidence of detainees	0	Serbian	2 Sept 92
14. Susica Centre (near Vlasenica)	Moslem	40	Serbian	2 Sept 92

15. Karakaj Glinica (Factory at Zvornik)	No evidence of detainees	0	Serbian	2 Sept 92
16. Stadion Divic (at Zvornik)	No evidence of detainees (20 Serbian Refugees)	0	Serbian	2 Sept 92
17. Stepa Stepanovic Casern (Barracks at Bijeljina)	No evidence of detainees	0	Serbian	2 Sept 92
18. Bijeljina Batkovic Detention Centre	Moslem	1,280	Serbian	2 Sept 92
19. Konjic Sports Hall	Serbian	167	Moslem	3 Sept 92
20. Konjic- Celebici (Petrol Storage)	Serbian	109	Moslem	3 Sept 92
21. Aleksinacki Rudnik (Coal Mine at Aleksinac in Serbia)	No evidence of detainees	0	Serbian	3 Sept 92

SUMMARY

<u>Total Centres Visited</u>	<u>Total Detainees Located</u>			<u>Total Alleged Centres Inspected with no evidence of detainees</u>
	<u>Moslem</u>	<u>Serbian</u>	<u>Croatian</u>	
21	6,894	837	Very Few	7

ANNEX F

PLACES OF DETENTION VISITED BY THE MISSION

1. Sports Hall (former cinema) in Pale:

Visited on 2 September 1992 by the CSCE Mission. Our investigation did not find any evidence of past or present use of this gymnasium as a detention centre. It is located in an urban area, adjacent to apartment buildings and shops, and is apparently being prepared to accommodate Serbian refugees. One hundred or so thin mattresses were stacked near the entry door.

2. Aluminium Industrial Complex (Karakaj Jvornica Glinicae) at Zvornik in Eastern Bosnia-Herzegovina

It would have been impossible to inspect every building on this huge industrial complex. However, the CSCE Mission drove very slowly amongst the maze of factory buildings, and saw absolutely no evidence to suggest that detainees have been incarcerated here. But there were several factories in the neighbourhood which we did not have an opportunity to interpret.

This alleged centre of detention was inspected by CSCE Mission - Group B on 2 September 1992.

3. Sports Stadium (Stadion Divic) at Zvornik (Eastern Bosnia-Herzegovina)

Visited by CSCE Mission - Group B on 2 September 1992.

We located no evidence to suggest that persons have been detained here. We did locate a small group of Serbian refugees living for the past two days in an adjacent building, who had fled their homes from a nearby mountain village to escape very recent fighting in which several members of their community had been killed, so they said.

4. Stepa Stepanovic Casern (Military Barracks) at Bijeljina, in North-Eastern Bosnia-Herzegovina

On arrival in Bijeljina, the CSCE Mission proceeded directly to this army barracks, and walked through the grounds, en route to a meeting with the Commanding officer. The authorities here have responsibility for the Batkovic Detention Centre, which we later inspected, but there was no evidence of detainees being held in the army barracks in Bijeljina.

This site was visited by CSCE on 2 September 1992.

5. Aleksinac Cki Rudnik (coalmine), located in the town of Aleksinac, approximately 100 miles south-east of Belgrade

Three members of the CSCE Mission travelled by helicopter to Aleksinac on 3 September 1992, in response to a request by the Bosnian Government authorities. It must be noted that the Belgrade authorities provided every cooperation in arranging this visit on very short notice. We met with the mine manager and technical director, who explained to us the details of the complex with the aid of a site map. They explained that the mine had one near vertical pit and three openings, all three of which were capped with concrete following a disaster several years ago. We drove through the surface of the complex, stopping to inspect vacant buildings and view a concrete cap on one of the three mine openings.

We also visited the employee housing located nearby, and found no-one other than local residents and a group of Serbian refugees.

We found absolutely no evidence to suggest that approximately 12,000 Bosnian Moslems are incarcerated here, as had been alleged.

On departure from this site we circled the local military base several times, and there was no obvious place of detention in that location.

Susica "Transit" Centre

Location: In a small village near Vlasenica in Eastern Bosnia-Herzegovina.

Facility: Detainees are quartered in a large concrete shed which was formerly used for storage of some sort, possibly agriculture-related. The grounds are fenced, and a smaller shed adjacent to detainee quarters is currently used to store crates of small arms, old shoes and boots and other items of military apparel. Empty ammunition boxes are piled outside across the front of the smaller shed. Guards are armed with automatic rifles, and a guard dog (Doberman) is on site.

Number of detainees and description: Approximately 40 detainees were accounted for during the CSCE visit, the vast majority if not all of them Moslem - all are males, a majority over 35 years of age. We were told that this centre is used to hold and document prisoners as well as Serbian refugees, for periods of several days, but we determined that at least several of these detainees have been held here for 2 months or more. It is our impression that these are innocent civilians who have not borne arms against the Serbian captors and that several of them were local residents. We are not confident that the prisoners we saw were all those on the site.

General conditions in Susica: There is no doubt that these

Moslem detainees are fearful of their captors and were very reluctant to speak candidly in front of the guards. Their mattresses and blankets are laid at one end of the large shed behind a semi-wall of empty wooden crates, occupying less than 25% of available floor space. The remainder of the shed was totally empty at the time of this CSCE visit.

Health-related conditions: Tap water is provided through a single faucet in the grounds and water from this source appears to be clean and plentiful. We were unable to determine how readily detainees have access to water, nor do we know with any certainty how often they are permitted out of doors. A primitive latrine, obviously poorly maintained and emitting a terrible odour, is used by detainees and guards.

Food is allegedly prepared in the village and delivered to this centre. We were unable to ascertain the quantity, quality and frequency of meals. Detainees appeared to be haggard, pale and thin, but we were less able to assess their state of nourishment as they were dressed in heavier clothing. There can be little doubt that most are hungry. We were told that medical care is provided by a civilian physician when required. No clinic was in evidence in the centre.

The detainees here were very frightened individuals, afraid of authority and plagued by all of the uncertainties common to the vast majority of Moslem and Serbian detainees we have seen. Many will never fully recover from this terrible

experience.

ICRC and other assistance: To our knowledge the ICRC has not as yet learned of the existence of this centre, possibly because the Serbian authorities have categorized the centre as a transfer site rather than a place of detention.

CSCE visit on 2 September 1992.

Bijeljina Batkovic Detention Centre

Location: Approximately seven and a half miles from Bjeljina in North Eastern Bosnia-Herzegovina.

Facility: The Centre is sited in an agricultural area, with detainees held in two separate but adjacent, fenced camps. Both parts of the Centre includes a very large concrete shed, each housing approximately 640 detainees and yet there is space to spare Long canvas shelters with walls erected in both sites, are equipped with portable tables and chairs used by detainees for meals. Food source is located at one end of the temporary structure, where the plastic dishes are also cleaned. The courtyards are covered by gravel. Three manned watchtowers surround the camp.

Number of Detainees and Description: We were told that 1,280 detainees are held in the Centre, all males between the ages of 16-18 to 60 years and older. The authority indicated that two thirds of them were caught fighting and the balance were rounded up in the war zone, virtually all of them Moslem. One group of young, uniformed men are said to be from a JNA unit, who preferred incarceration to continue fighting when the Bosnian units in the JNA were "demobilized". Most have been held in this Centre for 2 to 3 months and have lived in relatively nearby villages and towns. The "demobilization" parody left intact virtually complete units, bases, weapons,

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heavy armaments, supplies, and other military facilities for the use of SDS-Serb-forces.

General Conditions in Batkovic: The Centre is highly organized along military lines, with prisoner representatives having been appointed or elected. It is obvious that discipline is firmly maintained, by armed guards. The detainees sleep on thin mattresses and blankets, approximately 640 per shed, in relatively uncrowded conditions. A television set is available in both sides of the Centre. The authority here appears to have taken a more humane approach to detainees than was witnessed in the Manjaca Centre.

Health Related Conditions: Both sides of this Centre are equipped with piped tap water, which appeared to be cold, clean and plentiful, and located at waist level in the courtyards. Two showers are attached to the piped units in one of the two sites, but privacy is completely lacking for those wishing to bathe. A long pit latrine, closed on 3 sides is available in both sides of the centre - they appear to be reasonably well-maintained given the very basic design.

Meals are prepared in the military headquarters in Bijeljina and delivered to the centre at least two times daily. The meal consists of beans, pasta and bread, to a large extent, with other vegetables provided as available. Here too the detainees appear to be thin, but less evidence of serious

malnourishment was observed during a hurried visit - hurried at the authorities insistence.

A medical clinic is staffed by a military physician and 2 female assistants. There is a great shortage of drugs and supplies (a shortage of oral antibiotics and sedatives was noted in particular), and an ambulance is available to carry the more seriously ill or injured to the local hospital in town. Approximately 15 detainees were served in the clinic on the day of our visit, and one was taken to hospital with an undiagnosed intestinal complaint.

Approximately one third of the detainees are taken outside each day to work in nearby agricultural enterprises, and we were told that the others were relatively free to remain out of hours in the grounds for long periods. The many deeply tanned faces suggest that most take advantage of this opportunity.

ICRC and Other Assistance: The ICRC and foreign journalists have visited this Centre and we were told all ICRC recommendations have been followed.

CSCE Visits on 2 September 1992

Viktor Bubanj Detention Centre

Location: Sarajevo, Bosnia-Herzegovina

Facility: This centre is sited in a centrally-located former army barracks, with the majority of detainees quartered in 4 sq metre cells, 8 per room, and others in larger rooms with 4 or 5 bunk beds. Detainees in the cells sleep on a thin mattress, and all have blankets. The centre has a proper kitchen, washing and toilet facilities, and a small fenced courtyard is available albeit with a certain exposure to sniper fire.

Number of detainees and description: There are approximately 127 Serbian detainees in this Moslem-controlled centre, 8 of whom are young to middle-aged women. The men range in age from early 20s to well over 60 years, the average being middle aged in our estimation. A majority claimed to be innocent civilians, including a dental surgeon, who had been arrested as an alleged threat to Bosnian peace and security. Almost all are residents of Sarajevo and environs. Two detainees said they were members of Karadjic's SDS (Serbian Democratic Party). Six others in one cell said they were members of no political party.

Period of detention: Most detainees had been incarcerated here

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for 2-3 months.

General conditions in this centre: Detainees were reluctant to talk about treatment they receive at the hands of the authority, but gave the impression that beatings for little reason do occur. Fear rather than respect for the armed guards was obvious, and in one instance the authority spoke harshly to an English speaking Serbian medical professional whom we had interviewed. One detainee was observed to have a healing fracture in his hand, allegedly the result of being struck by a baton. The detainees live in overcrowded conditions, and the mattresses cover the entire floor space where the detainees sleep. One Muslim guard had his mother and aunt and uncle in a Serb camp in Foca. Serbian snipers reportedly shoot at the guards in the prison. Two bullet-shattered windows are visible in front of cells.

Health-related conditions: The running water supply to this centre is still maintained, and detainees have access to sinks for washing in the room designed for that purpose. A cold water shower is also available, used by detainees and guards, and two electric clothes washing machines were seen in the same room - they appeared to be functional. Flushing toilets offering privacy were in use. These facilities were clean and relatively well maintained. Despite the potential for safeguarding personal hygiene, a majority of the detainees are infested with body lice, necessitating regular use of DDT and

other means to decontaminate bodies, clothing and mattresses.

Meals for the authority and detainees are prepared in a proper kitchen, and the diet consists of macaroni, some beans and perhaps small quantities of other vegetables when they can be located. A regular supply of bread appears to be available, and detainees are given 1/4 loaf on 2 separate occasions each day. While many of the detainees appear to be haggard and thin, no serious evidence of malnourishment was seen.

A poorly-stocked medical clinic is in the centre, a service provided by an elderly civilian physician who sleeps on the examining couch. A small supply of medication for injection was observed but virtually no oral antibiotics nor sedatives are available. We were unable to determine the degree to which detainees are served in this clinic.

The psychic trauma and uncertainties about the future undoubtedly plague these detainees, but to a lesser degree than we witnessed in most other centres. Having said that, great fear of authority was in evidence.

The small fenced courtyard in the complex is open to detainees for two short periods each day, We were told that a number of detainees work outside in nearby enterprises.

ICRC and other assistance: The ICRC has visited this facility.

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CSCE Visit by mission Group B on 1 September 1992.

Trnopolje "Open" Centre

Location: In the village of Trnopolje near Prijedor, northern part of west-central Bosnia-Herzegovina.

Facility: this place of detention is in and around a two storey structure formerly used as a school. The fencing was recently removed, and the periphery is irregularly patrolled by a uniformed authority armed with automatic rifles. A number of detainees are housed in the school, but a large number are sheltered in makeshift tents, produced from scraps of wood and wire fencing covered with pieces of cloth or other material, with little waterproofing in evidence. A number have made an empty truck their home in detention.

Number of detainees and description: We have estimated that 1,600 to 2,000 Moslem males are quartered in this centre. They range in age from teenagers to 60 years or older, and virtually all are believed to be victims of "ethnic cleansing", arrested in their homes in nearby towns and villages. Some have been relocated to this centre more recently, after having experienced the horrors of the Omarska Detention Centre which was very recently closed. With a few exceptions their families have been removed from the area and their homes destroyed or occupied by Serbs.

Period of detention: A majority has been held in this centre

for 2-3 months, whereas a smaller number has been moved here more recently from other places of detention in the area.

General conditions in Trnopolje: We have been led to believe that the authority is relatively relaxed during the mornings and until 3pm each afternoon, when the Major in charge completes his on-site duties. Until that time the detainees are permitted to leave the centre to purchase (a minority) or scrounge for food, without fear of reprisal. However, after dusk the unsupervised guards often harass and mistreat the detainees with no apparent provocation. Beatings are apparently common, and there is good reason to believe that some detainees are removed and executed, or at least never to be seen nor heard from again. This centre appears to have no real organisation, and is undoubtedly "a disaster ready to happen".

Health-related conditions: Water for consumption and washing of self and clothing is brought to the centre in a tanker-truck most days, and remains while the detainees fill whatever containers they have available - plastic bottles, pots and pans, etc. It is impossible to maintain personal hygiene under such circumstances. The 2 person pit latrine is not maintained and is completely contrary to basic, accepted norms. The grounds are relatively free of litter but the single waste container was overflowing onto the surrounding mud courtyard. There was an extensive waste disposal area in

one corner of the camp which was also used as a latrine.

Even though no meals are provided by the authority, there is less evidence of malnourished detainees in this centre than in most other places of detention. They have been permitted to leave the centre to search for food and relatives or friends have brought in what food they could spare. During the past week or so the ICRC has delivered prepared meals, one for each detainee. Several detainees are seriously malnourished; they are usually persons who have arrived recently from Omarska or other more inhumane places of detention.

We were unable to assess accurately the general physical health of detainees, but the fact that they live out of doors in a gypsy-like existence has probably been to their advantage, and will continue to be so until the colder and damper weather arrives several weeks hence. At that time these individuals will be placed at particularly great risk.

There is obvious evidence to suggest that detainees in the centre, as in other locations, have been subjected to terrible psychic stress prior to and during incarceration. However, they have maintained some contact with the outside world which appears to have provided a protective effect. There can be no doubt that they share most of the fears and uncertainties of detainees in Manjaca and others centres, but they walk about the centre relatively freely, play chess and

engage in more lively conversations with their fellows.

A medical clinic has been set up in one of the school rooms, staffed by two medical students who appear to be relatively sensitive to clients' concerns. They have very little to offer in treatment since the supply of drugs and other materials is very limited. Seriously ill or injured have been transferred to a local hospital, but very infrequently as it appears.

To our knowledge, detainees here are not frequently permitted to work, except to keep the grounds "neat and tidy" but there is currently unlimited opportunity to remain out of doors in the sunshine.

ICRC and other assistance: The ICRC has been able to visit Trnopolje during the past 2 or 3 weeks, and has documented detainee details in addition to arranging for the delivery of pre-prepared meals. Relatives and friends are permitted to visit freely, at least during daytime hours. We were told that bread is delivered to the camp periodically by the local Red Cross, who sometimes charge detainees who may be able to pay.

CSCE visit B on 31 August 1992.

Manjaca Military Detention Centre

Location: northern part of central Bosnia-Herzegovina in Banja Luka area.

Facility: Detainees are housed in part of the former JNA tank training facility, formerly used as stables. A high roof shelters the food preparation/serving and eating area. Detainees occupy a blanket covered concrete or earth floor space, approximately 6'6" x 30", in 6 long rows of approximately 80 persons per row. There is a walkway approximately 2 feet wide between the rows. Total occupancy per stable is estimated at 500 persons. German Shepherd guard dogs were seen patrolling the periphery of the centre. Manned watchtowers were located at different points in the camp and mines surrounded the camp and separated internal areas of the grounds.

Number of detainees and description: Approximately 3,640 males are detained here, between the ages of mid teens to over 60 years, We were told that "96.5%" are Moslem, "3.4%" Croatian, and "0.01%" Serbian. The vast majority claim to be civilians who were arrested in their homes for no apparent reason except as an integral part of "ethnic cleansing" operations. With few exceptions, the detainees had resided in towns and villages around Manjaca.

Period of Detention: Detainees interviewed by the CSCE Mission said they had been incarcerated for 2-3 months, most since late May 1992. Many had been moved to Manjaca from other centres, especially Omarska, where conditions of detention had been even worse. They were of the opinion that Omarska, the most notorious camp, had been closed.

General Conditions in Manjaca: We are convinced that the authority has little sympathy for the detainees, and that discipline in the centre has been maintained by extreme and unlawful measures. We witnessed the results of beatings with blunt instruments, and have good reason to believe that people who appear to have been innocent detainees were executed since late May 1992. Detainees were reluctant to provide specific detail concerning atrocities, but hints were offered to that effect. There is also reason to believe that conditions are relatively improved since international delegations, the ICRC and the press have had ready access to this centre. The centre's military commandant stresses "order, work and discipline", and he undoubtedly does so very forcefully.

Health-related Conditions: There is no local water supply in the Centre, and portable containers are trucked here regularly, permitting only "5 litres of water per day" for each person. This ration is used for consumption, washing person and clothing, except that a "portable shower, with privacy curtain, is brought to the centre every 15 days".

Personal hygiene is seriously compromised. Pit latrines have been constructed in several locations, closed on 3 sides, and appear to be periodically treated with a sprinkling of lime and regularly relocated - the odour is offensive.

A major concern in this centre involves the lack of proper nourishment provided to detainees until 2-3 weeks ago, which has resulted in seriously malnourished states. A majority of detainees exhibit obvious signs of cachexia, alopecia (hair loss), gross muscle wasting and "sunken eyes", and all have lost 10 to 40 kilos in weight during 2-3 months of detention. A meal was served during our visit, a thick bean soup and bread, and the authority and detainees all told us that more nourishing meals have been available during the past 2 weeks than formerly.

During this visit, time did not permit an accurate assessment of physical disorders, other than malnutrition which was very obvious. We were told, however, that a recent outbreak of salmonellosis (food poisoning) had affected many, with 2 deaths of detainees under 45 years of age. There is no formal assessment of health on admission to the centre, where detainees live in very close proximity, and in an area of Bosnia-Herzegovina where pulmonary tuberculosis is relatively common.

There can be no doubt that the great majority of detainees

have experienced severe psychic trauma prior to and during their incarceration. Arrest without cause, mistreatment by the Serbian authority, uncertainties about the whereabouts and well-being of family, and grave concerns about the immediate and more distant future are common to the vast majority. They behave like cowed individuals, walk with shoulders stooped and hands behind their backs, and are obviously fearful, humbled and degraded individuals. We are concerned that many will never fully recover from their present mental states.

Medical services are very basic, provided in a clinic by detainee physicians, who have little with which to work. Drugs and other medical supplies are very limited, whereas medical records of visits are scrupulously maintained. The "hospital ward" is housed in a small stable, accommodating approximately 15 ill or injured detainees on a concrete floor, with only a blanket each for comfort. We were told that the more seriously ill and injured are taken to the Banja Luka hospital for treatment.

We were advised by the Centre commandant that detainees are permitted out of doors for up to several hours each day, and that some agree to various types of outside work, "all according to the Geneva Conventions". We were also told that not all detainees take advantage of these opportunities.

ICRC and other assistance: ICRC employees now regularly visit Manjaca, and together with an increasing international attention to the centre, have wrought a considerable improvement in conditions for detainees. A nutritionist with ICRC had arrived at the centre in late August 1992, and will remain there for 10 days or more to improve and monitor the quality of meals provided. Relatives and friends are not awarded visiting privileges, but the exchange of letters and arrival of personal food parcels has accelerated since very recent ICRC involvement.

Places of detention visited by the CSCE Mission

31.8.92

- Moslem part of the village of Ripac (Bosnian Serbian held area), 10 km from Bihac, approximately 60 inhabitants, mostly women and children, without freedom of movement and unable to join family members living on the other side of the front line. The mosque has been destroyed, houses were burnt. About 1,000 Moslems have fled from Ripac prior to June. There are reports about another such isolated village nearby.

Authorities: Stevo Beslac, SOS (Serbian party) president of the region, and Col Mladen Skenderija, representative of the 2nd Krajinian corps.

- Bihac (chief town of a Moslem enclave). About 30 Serbian prisoners are held in the area. Time pressure prevented site visit but UN and ICRC had carried out visits a few days prior.

1.9.92

- Livno police station (Bosnian Croatian held), 40 Serb prisoners, obviously civilians, average age 55. Most of them have been held for several months. The houses of some have been destroyed. They are kept in total isolation and consider

themselves as "ethnic prisoners" and "hostages". The three rooms are overcrowded and have no heating. Reports about and signs of beating.

- Livno school, military interrogation centre, 39 Serb men and one elderly woman. 27 of them have not yet been registered by ICRC since its last visit one month earlier. Many have been arrested recently. None of the Livno prisoners has been formally charged. According to the prisoners in the police station, the conditions in Livno school are severe.

Authorities: M Bakovic, maire

- Village of Rascani, 5 km from Tomislavgrad (Bosnian Croatian held). 250 Serb inhabitants, mostly women and children. About 100 of them had been brought here after their homes had been burnt or blown up. The village is guarded by police. No communication whatsoever, no freedom of movement. None of the inhabitants wishes to return home or to stay, but all wish to go to a Serbian controlled area. They do not feel safe, and provocations (shooting, intimidation) are frequent. ECMM has visited this site.

Authorities: M Tokic, Mayor

- Mostar town prison (Bosnian Croatian held). 75 Serbian inmates, of whom 37 are women considered as "political prisoners" by the director. Fairly good conditions of detainment. No charges. Given the size of the town - 130,000 inhabitants - and the conditions of war, the Mission thinks it reasonable to believe that there may be other places of detention in Mostar. All prisoners seen have an ICRC identity card.

Authorities: M Topic, military commander and HDZ (Croatian party) chief.

2.9.92

- Trebinje (Bosnian Serbian controlled area). A place of detention has existed there until recently, but all information (ECMM, ICRC, authorities) confirmed that this facility had been closed as a result of recent exchanges of prisoners. The authorities seem ready to have other agreements on exchanges concluded with the Croatian side.

Authorities: Col Milosevic, Herzegovian corps, in charge of exchange of prisoners

M Kucurevic, president of the community of Trebinje.

Bileca (Bosnian Serb held). Former students' dormitory.

74 inmates, all but one are Moslems from the town and surrounding villages. 10 of them are over 60. The food must be provided by relatives. The facility is overcrowded, there are reports about mistreatment and one prisoner appeared severely injured. 10 prisoners are apparently held in the hospital after having been mistreated. A second place of detention was visited, but the police officer claimed that all prisoners had already left. All prisoners seen have an ICRC identity card.

Authorities: M Buturovic, Mayor.

3.9.92

- Konjic - sport hall. 167 Serbian prisoners, men of all ages, assembled in the gymnasium, but obviously not living there. Most of them are from the surrounding villages, they consider themselves as innocent civilians held as hostages. The military commander of the region actually sees in the Serbian prisoners a "burden" and expresses the wish that they be exchanged as soon as possible. The hygienic conditions seem to be normal, with washing facilities, although we could not see the cells where the prisoners actually live. Most of them are registered by ICRC.

- Konjic-Celebici. Former army petrol storage complex. 109 Serbian prisoners, most of them were inhabitants of the two villages of Bradina and Donje Selo where the families are kept in isolation. The prisoners, although civilians, consider themselves as POWs, as do the authorities. They appear to be very intimidated. Neutral sources report executions in Konjic, and a wooden wall at the entrance with extensive bullet holes suggests a sinister purpose. A small dispensary with a display of medication appeared to have been especially arranged for the purpose of our visit.

All prisoners seen have an ICRC Identification Card.

It is not clear which local authority actually is in control of the two facilities (Croatian Defence Council or Moslem Armed Forces), however, they are guarded by Moslem military personnel.

Authorities:

- M Dinko Zebic, commander of Bosnian Croatian military headquarters
- M Belalic, responsible for detainees (was "not available" that day)
- M Esed Ramic, commander of Bosnian Moslem military headquarter
- M Pavo Mucic, director of the Celebici prison.

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ANNEX

MEMBERS OF MISSION

UNITED KINGDOM	<p>Sir John Thomson GCMG President, United Kingdom Minority Rights Group</p> <p>Mr J R Setterfield First Secretary Human Rights Policy Unit Foreign and Commonwealth Office</p> <p>M. Serge Telle First Secretary, French Foreign Ministry Attached to Human Rights Policy Unit Foreign and Commonwealth Office</p>
CANADA	<p>Mr J T Boehm Minister, Department of External Affairs</p> <p>Dr Alan Elliott Zone Director, Europe, Mediterranean and Africa Department of Health and Welfare</p>
SWEDEN	<p>Dr Ove Bring Special Legal Adviser Ministry of Foreign Affairs</p>
SWITZERLAND	<p>Dr L Amberg Programme Officer for Eastern Europe Humanitarian Aid Section Ministry of Foreign Affairs</p>
TURKEY	<p>Professor Rona Aybay Human Rights Adviser to Ministry of Foreign Affairs</p>
UNITED STATES	<p>Ambassador Kenneth Blackwell Representative to the UN Committee on Human Rights</p> <p>Mr John Zerolis Deputy Principal Officer US Embassy, Zagreb</p>

Mr L Davico
Consultant and Interpreter