



经济及社会理事会

Distr.
GENERAL

E/CN.4/1996/143
22 March 1996
CHINESE
Original: ENGLISH

人权委员会
第五十二届会议
临时议程项目 8

所有遭受任何形式拘留或监禁的人的人权问题,特别是:

被强迫或非自愿失踪问题

克罗地亚共和国常驻联合国日内瓦办事处代表
1996年3月20日致人权委员会主席的信

1996年3月1日,克罗地亚议会众议院通过一项宣言,内称失踪及被监禁的人、为武力劫持的人的问题对克罗地亚共和国而言,是无比重要的政治问题。宣言的副本列为本信的附件。* 上述人员特别是1991年失踪的人员的情况一直未能弄清楚,仍然是克罗地亚共和国极为关注的事项,对这些人员的家属尤其如此。

克罗地亚共和国外交部长和南斯拉夫联邦共和国(塞尔维亚和门的内哥罗)外交部长签订了《合作寻找失踪人员的协定》。然而一直没有获得任何有意义的成果,主要因为南斯拉夫联邦共和国(塞尔维亚和门的内哥罗)当局不让步的缘故。由于没有取得进展,克罗地亚共和国愿意今年再度把失踪人员问题提交人权委员会。尽管克罗地亚共和国与南斯拉夫联邦共和国(塞尔维亚和门的内哥罗)的关系有所改善,

* 附件只以收到时的原有语文重印。

但是关于失踪人员问题仅只双边的讨论一直未得到结果,因此为解决此一问题需要多边参加。

发现这些人的下落对于执行代顿和平协定、特别是《关于克罗地亚共和国东部斯拉沃尼亚、巴兰扎和西部塞尔密阿姆区域的基本协定》都十分重要。在这一特定区域,保证保护大众坟地象奥夫查勒的坟地以及开始掘墓的过程都是有助益的。

另一项会促进在克罗地亚寻找失踪人员的措施是在武科瓦尔为此目的设立区域中心。此外,被强迫或非自愿失踪问题工作组负责处理前南斯拉夫领土内失踪人员问题特别过程的专家成员 Manfred Nowak 先生建议,设立多边委员会以加快关于失踪人员信息的交换,也会大有帮助。

最后,有必要找到克罗地亚共和国失踪人员的下落,这不仅在于减轻他们家属和亲人的痛苦,而且有助于克罗地亚共和国和整个区域的和平进程。

如能惠予协助,将本信及其附件作为人权委员会第五十二届会议议程项目8(c) --所有遭受任何形式拘留或监禁的人的人权问题,特别是被强迫或非自愿失踪问题 --项下的文件予以分散,本人将甚为感谢。

常设代表

大使

Neven Madey(签名)

ANNEX

After the discussion of 28 February 1996 on the Croatian Government's Report on the Search for Croatian Soldiers and Civilians, Missing, Taken Away by Force or Imprisoned, conducted in 1994 and 1995, the House of Representatives of the Croatian Parliament adopted in its session of 1 March 1996 the following

DECLARATION

The issue of missing and imprisoned persons and persons taken away by force is the most painful humanitarian and the most important political issue in the Republic of Croatia. Since the Serbian aggression against Croatia, there are 2,792 missing persons, of whose fate nothing is known. Most of them disappeared during the barbarious destruction and occupation of Vukovar.

Despite great efforts by the Croatian Government, the Government's Commission for Imprisoned and Missing Persons and the associations of families of persons missing, imprisoned and taken away by force, the fate of these persons, particularly those who disappeared in 1991, has not yet been clarified. Many members of these families have fallen seriously ill, and the insecurity is directly damaging their health. This is the reason why the search for persons taken away by force and the clarification of the fate of missing persons was an issue of utmost concern for the Croatian delegation during the negotiations in Dayton and during the search for an overall peaceful solution for former Yugoslavia. It has also been raised during numerous bilateral talks.

These efforts have resulted in the signing of the Agreement on Cooperation in the Search for Missing Persons by the foreign ministers of the Republic of Croatia and the so-called Federal Republic of Yugoslavia. However, despite of its clear commitment within this Agreement, the Serbian side has not done anything to fulfil it.

The Croatian Parliament recalls that the Serbian side keeps suspending negotiations on the exchange of prisoners and missing persons in order to exert a political pressure and, by refusing to admit the presence of prisoners in prisons under its control, obstructs the process of prisoners exchange and opposes the main principles of the Dayton peace agreement. In order to solve this problem, support by the entire international community is necessary. The Croatian Parliament requested from the Transitional Administration for Eastern Slavonia, Baranja and Srijem to make the issue of imprisoned and missing persons of the utmost priority in the implementation of UNTAES mandate and suggested that a Regional Centre for the protection of human rights of persons imprisoned, missing and taken away by force - "Vukovarske majke" ("Vukovar Mothers") - to be established in Vukovar. The Croatian Parliament supports the proposal of the UN Special Envoy for Missing Persons, Mr. Manfred Nowak, to establish a multilateral commission to speed up the exchange of information on missing persons.

It is the position of the Republic of Croatia that all future negotiations with the so-called SRY must primarily solve the issue of persons who disappeared or were imprisoned during the recent war in the Republic of Croatia. Without a solution to that issue the peace process for former Yugoslavia is not possible.

The Croatian Parliament commits the Ministry of Foreign Affairs of the Republic of Croatia to approach the United Nations Secretary-General again and ask for assistance in solving the biggest humanitarian problem in the Republic of Croatia. When passing a document on human rights situation in Croatia, the United Nations should bear in mind and express an opinion on the human

rights of persons who disappeared during the aggression against Croatia and of thousands of people who are still looking for the truth as to their dearest.

The Croatian Parliament commits the Government to mark appropriately the sites of mass graves and the sites where bodies of Croatian soldiers and civilians were exhumed. It is essential to secure additional teams to identify the remains, and therefore the Parliament requests the provision of additional funds for the work of the Government's Commission for Imprisoned and Missing Persons. A representative of the Parliament should also participate in the work of the Commission. For the purpose of better public information, the Parliament commits the Government to inform the Parliament on the work of the Government's Commission within three months.

The Parliament of the Republic of Croatia calls upon the United Nations and all its human rights organizations, as well as the parliaments of all democratic countries, to raise their voice in the name of humanism and international humanitarian law for the protection of these people, whose fate is unknown, and to exert further pressure upon the so-called SRY to cooperate in solving these issues.

Class: 022-03/96-02/95

Zagreb, 1 March 1996

HOUSE OF REPRESENTATIVES
OF THE PARLIAMENT OF THE REPUBLIC OF CROATIA

CHAIRMAN
OF THE HOUSE OF REPRESENTATIVES

Vlatko Pavletić