**Mazowiecki Report on the Fall of Srebrenica (Sept. 1995)**

General Assembly Security Council

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18 September 1995

**On 27 July 1995 Mr. Tadeusz Mazowiecki, the Special Rapporteur of the Commission on Human Rights informed the Chairman of the Commission of his decision to resign his mandate.**

In the present report he gives his findings on events which took place up to the date of his resignation and it therefore concerns questions of violations of human rights and humanitarian law following the fall of Srebrenica.

The report also presents the Special Rapporteur’s analysis of the development and implementation of the concept of safe areas, and information submitted to him at a recent meeting with various human rights-oriented non-governmental organizations from the Federal Republic of Yugoslavia.

This report is based on the findings of a mission of the Special Rapporteur to Tuzla from 22 to 24 July 1995, as well as an investigation conducted by staff of the Centre for Human Rights in conjunction with the Civil Affairs component of the United Nations Peace Forces (UNPF). This investigation involved interviews with displaced persons and discussions with individuals from the Tuzla region, including representatives of cantonal and municipal authorities, local medical institutions and members of the Serb community. Numerous international organizations and local non-governmental organizations active in the area were also contacted, including the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross, Medecins sans frontieres (Belgium), the European Community Monitoring Mission, the Tuzla Citizens Forum, and the Helsinki Citizens Assembly. Information was received from a number of journalists. In addition, this report is based on information obtained from interviews with United Nations Protection Force (UNPROFOR) peacekeepers who were present in Potocari and Srebrenica at the time the events described in the report took place.

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The tragic odyssey of the Bosniak people of Srebrenica began with the fall of the enclave on Tuesday 11 July 1995. The expulsion of the entire Bosniak population, estimated at between 38,000 and 42,000 took the following forms…

Bombardment of the enclave of Srebrenica began in earnest on Thursday 6 July and by the following Tuesday, the Bosnian Serb forces had advanced into the town. By this time, thousands of women and children had arrived at the UNPROFOR compound seeking protection. There were few men in this crowd. The compound, which was swarming with people, was shelled in the afternoon. People were screaming and crying at the gate, and there were reports of casualties and at least one person killed.

An evacuation of these people took place whereby some were driven by UNPROFOR personnel to Potocari in five trucks and the rest followed on foot. Almost 95 per cent of this exodus was comprised of women, children and the elderly. The journey to Potocari was described as completely chaotic, with people handing onto the sides of the trucks and falling off from exhaustion due to the hot and difficult conditions. The wounded from the hospital were also evacuated to Potocari.

There were a number of reports of widespread looting of Bosniak homes by Bosnian Serb forces and Serb civilians following the evacuation. People reportedly came from nearby towns and villages to take goods and livestock. Homes were ransacked and the contents taken away in wheelbarrows. Some houses were also reported to have been burnt and mosques destroyed.

About 25,000 people fled from Srebrenica and the first groups began to arrive in Potocari on Tuesday 11 July. Some 5,000 women and children were housed in the UNPROFOR compound and the remaining 20,000 or so were placed in factory complexes.

On the morning of Wednesday 12 July, the Bosnian Serb forces arrived and surrounded the compound with artillery and tanks. In response, the UNPROFOR personnel took up positions encircling the displaced persons. The Bosnian Serb Army instituted an evacuation plan whereby women, children, the elderly and the wounded would be evacuated first. Man between the ages of 16 and 60 were to be separated from the other evacuees. Implementation of this plan for the evacuation of 25,000 people commenced on Wednesday 12 July and took one and a half days to complete, using 300 buses, each capable of transporting 70 persons at a time. A proposal to place one UNPROFOR peace-keeper on each bus was not implemented.

There was only a small percentage of men (mostly of non-draft age) among the displaced persons who had fled to Potocari and they were separated from the rest of the group on an ad hoc basis during the course of Wednesday 12 and Thursday 13 July. Bosnian Serb soldiers reportedly came to the factory complexes where the displaced persons were housed and removed men in small groups. Other men, some as young as 15 or as old as 74, were separated from the main group as they tried to board buses with their families. One woman described how her father was beaten with rifle butts and separated from her as she was boarding the bus. She has not seen him since. An international observer described how a father carrying a child was torn away by Bosnian Serb soldiers, leaving the child alone with strangers. These separated men were then taken to a house guarded by Bosnian Serb soldiers.

Accounts were also received of young women being abducted. In one reported case, between 8 and 10 women were taken. However, no names of missing women have been made available.

Physical violence by the Bosnian Serb soldiers against the displaced persons occurred and in the most extreme cases resulted in death. An international observer described the execution of a civilian man near the place where the buses were standing. He watched as the victim was forcibly removed from a large group of people. A short time later he heard screams and on investigation saw a Bosnian Serb soldier shoot the man in the head. The same incident was seen by another international observer.

Other international witnesses recount how they saw and heard various events which led them to the conclusion that executions had taken place. One describes how he saw a man being beaten with rifle butts and then dragged into a house. He then heard one shot and concluded that the man had been killed. Another witness described the same chain of events on two other occasions. There were reports of the sound of shots and screams during the night, particularly from the vicinity of the cornfield behind the house where the men were detained.

Three international observers found 9 or 10 dead bodies near a stream. The bodies were all in civilian dress and were found lying face down with their heads almost in the water. There appeared to be gunshot wounds in the back and sides of the bodies. Another observer witnessed 10 men being taken back in the direction of the place where these bodies were later found. Two more international observers witnessed the same scene later in the day. A group of six to seven bodies in civilian clothes was reported to have been seen in another location, accounts varying as to whether death had occurred through the slitting of throats or gunshot wounds.

There were many reliable reports that the displaced persons were pushed, kicked and beaten by Bosnian Serb soldiers. Sometimes they were beaten if they did not move quickly enough. On one occasion, the Bosnian Serb soldiers reportedly came into a factory complex, and took away a few men at a time. None of these men came back, except one who returned covered in blood with very serious injuries to his face. Verbal abuse of civilians was also reported.

The general condition of the refugees was reportedly very bad. The Bosnian Serb forces brought them food and water on Wednesday 12 July, but according to reports there was not enough to go round. The general atmosphere was one of panic and one international observer present commented that she had never seen so much fear in a group of people.

The buses and trucks travelled from Potocari, to the edge of Bosnian Serb-held territory near Tisca. The drive was via Bratunac and Vlasenica and lasted two and a half hours. The displaced persons then walked a distance of approximately six kilometres from the barricades at the confrontation line to Bosnian Government-held territory at Kladanj.

At times, the conditions on the journey were extremely uncomfortable. The groups of women, children and the elderly were put on trucks which were covered with plastic. The temperature was very high and there was little ventilation in the trucks. An international observer asked the Bosnian Serb soldiers to lift the tarpaulin so that the people could breathe more easily, but they refused to do so. He commented that the people were herded together like cattle and showed great fear in their eyes.

More people were removed during the course of this journey. Most reports concern men being separated. It was reported that three men of about 60 years of age were taken off one bus when a stop was made at Kravica. Still more men were removed at the barricades at the confrontation line. According to one account, a number of men were actually allowed to board the bus at Nova Kasaba. There was also a report that nine women, mainly between the ages of 15 and 20, were taken off a bus at Bratunac.

There were many reports that the buses were stopped on the journey by Bosnian Serb soldiers demanding money and jewellery. These demands were usually accompanied by threats of violence. In one case it was alleged that a knife was held to the throat of a baby.

The buses were also stoned on the way by Bosnian Serb civilians. In one incident, it was reported that a child was injured on the head by a stone thrown at the bus he was travelling on.

Some of those travelling on the buses, report seeing captured men through the window. An international observer and a displaced person saw between 300 and 500 men in a football field at Nova Kasaba. Many were wearing uniforms. One witness saw more than 10 men, naked to the waist, with their hands behind their heads. Another saw a group of about 100 men near Kravica and Konjevic Polje, and one woman reproted seeing her brother among a group of 20 to 30 captured men.

There were also reports of dead bodies being seen ont he journey, particularly on the road between Bratunac, Konjevic Polje and Nova Kasaba. Some of the bodies were reported to be in civilian dress with slit throats or gunshot wounds. One woman reported seeing four dead bodies of civilians during the walk across no mans land to Kladanj.

On Wednesday 13 July approximately 65 wounded persons were taken from Potocari in a convoy of seven trucks accompanied by medical staff and UNPROFOR escorts. The convoy was halted at a Bosnian Serb checkpoint near the confrontation line, where Bosnian Serb soldiers demanded that the patients be removed. Some 30 men were removed from the vehicles and only the most seriously disabled were left on board. It was reported that the sick and wounded were beaten, kicked and pushed by the Bosnian Serb soldiers. At least one man was severely beaten with an automatic weapon and a man with a broken leg was made to walk without assistance. The group removed from the vehicles was forced to remain in a field overnight under very cold and uncomfortable conditions. It is alleged that a woman medical assistant with this group was taken away during the night and raped by Bosnian Serb soldiers… The group was made to walk towards the confrontation line at dawn.

The rest of the convoy was ordered back to Potocari but was stopped again at a Bosnian Serb checkpoint where it was forced to remain overnight. It was reported that medical staff were not allowed to treat patients and one died during the night, apparently as a result of lack of medical care. It was reported that Bosnian Serb soldiers took valuables and other possessions from the people in the convoy during the night. The following day the convoy was allowed to go to a local hospital in Bratunac. It was reported that more men were then separated from the group but it is unknown where these patients were taken.

The International Committee of the Red Cross was able to evacuate 88 wounded persons from Bratunac and Potocari on 17 and 18 July. when all the wounded were collected in Bratunac on the first day of evacuation, 23 of them were refused authorization to leave. ICRC considers them to be prisoners of war and is seeking permission to visit them.

The draft age men of Srebrenica assembled at a hill, Buljim Jaglic, very close to the town on Monday 10 July. They formed part of a very large column of about 15,000 persons which headed out of the town towards Bosnian Government territory. The column was predominantly composed of men. They were mostly civilians. Between 3,000 and 4,000 were reported to be armed and approximately 10,000 unarmed. There were a few women and children in the group.

This column, spanned two or three persons across and stretched back several kilometres. Reports state that it was arranged with armed men in front, then a group of wounded people, then the civilians, and finally a group of armed men. There were also some armed men scattered at the sides of the column [to protect civilians from the massacre].

In the course of the journey, this large column became split into many much smaller groups. Later in the journey these smaller groups joined with other groups and travelled together. It is difficult to establish a clear sequence of events since such a large number of people were involved in what amounted to a constant forming and reforming of groups. The witness accounts thus tend to give a piecemeal picture of what took place.

Survivors of this journey report attacks and ambushes by the Bosnian Serb forces on groups composed mainly of civilians. In one shelling incident at Konjevic Polje, the witness described how a shell landed in his group leading to countless dead and wounded. He described the general chaos and witnessing people with arms and legs blown away. He escaped by crossing the river Jadar which became dark with blood and dirt. Another account describes how it was necessary to pass through a heavily mined area which was made even more precarious by the unstable mental state of many of the displaced persons by this stage. The witness reported seeing 15 people killed or injured in this area.

A number of accounts describe physical assaults on men who had surrendered and thus had the status of prisoners of war. Such assaults sometimes led to their deaths. Various reports describe how the Bosnian Serb forces used megaphones to demand surrender. One man reported that he was in a group, at least one third of which was composed of civilian men, that was targeted on the road between Kravica and Konjevic Polje. His group surrendered and was put in a grassy area beside the road. He then described how the Bosnian Serb soldiers killed people at random, grabbing the hair of the victims and slitting their throats. This particular witness was released because he was under age and put on one of the buses travelling from Potocari. In another account a number of men were lined up against a wall in Nova Kasaba and shot…

Other information to emerge from these testimonies indicates that Bosnian Serb civilians joined the groups and gave misleading directions, leading the Bosniaks into traps. There were also allegations of Bosnian Serbs wearing UNPROFOR uniforms and travelling in UNPROFOR vehicles. One witness reported how Bosnian Serb soldiers wearing UNPROFOR uniforms and pretending to be local UNPROFOR staff urged his group to go to a particular location. He fled from them suspecting that they were imposters.

The journey was fraught with danger and took place under very difficult conditions. It lasted at least several days. The people had meagre food provisions to tide them through the journey and were forced to live off the apples and mushrooms they could find in the forest. They also had difficulty in finding drinking water. The great mental distress suffered by many on this journey has been widely reported. There are many accounts of suicide. In one particularly harrowing reports, a witness described how a man shot himself in the face but failed to kill himself and pleaded with others to finish the job.

Evidence indicating that summary executions took place has been given throughout the above narrative. In this section information is presented concerning reports that captured men were detained and then executed on a mass scale at various outdoor locations in the vicinity of Srebrenica…

An international source states that a prisoner of war assembly point was established by the Bosnian Serb army near the football ground at Nova Kasaba.

An international witness and a displaced person report seeing between 300 and 500 men in a football field at Nova Kasaba. They were mostly wearing uniforms [Serb soldiers]. The displaced person reported seeing a pile of dead bodies nearby.

One witness reported that he was in a group of some 2,000 men who surrendered in the village of Kravica (other accounts confirm the report of the capture of such a large number of men). He stated that after capture they were moved to various locations. He described the suffocating heat in the trucks and stated that they were deprived of water to the extent that people were forced to drink their own urine. He describes how they were beaten with sticks and machine guns and how some were shot while being held in detention facilities. Finally, they were taken to an outdoor location at night. Groups of 5 to 10 men were taken out of the trucks at a time, put in a line and then shot by a group of Bosnian Serb soldiers. The witness noticed that around 100 men had already been shot dead when his turn came. He reported that shots were fired and that a bullet grazed his leg. He lay still for a few hours, pretending to be dead, and then escaped.

Two other testimonies describe a similar chain of events to those set out above… Indeed, an initial analysis of the eye-witness accounts indicates that they took place at a location further north, in the vicinity of Zvornik.

An international source described how, on Saturday 15 July when he was being transferred from Simici to Bratunac, he passed a football ground near Nova Kasaba. On a section of the football pitch, he saw a row of the shoes and rucksacks of an estimated 100 men. Shortly afterwards he saw a tractor with a cart on which there were corpses. Approximately 500 metres further along he saw another row of the shoes and equipment of approximately 20 to 40 people. Here he saw a tip-up trucks carrying corpses on an excavator. Finally, he observed a body in the bend of the road.

The widely reported aerial photographs taken by the Government of the United States of America and presented to the Security Council show four large patches of freshly disturbed earth and lorry tracks in fields outside Nova Kasaba. Each patch is a 100 square yards in an area believed to be a mass grave. Other photographs apparently show the same field a few days earlier when the soil was undisturbed and there are also other photographs showing some 600 prisoners in the field.

As of 14 August 1995, the ICRC reported that it had received 10,000 tracing requests from relatives of those missing following the fall of Srebrenica…

A number of rape cases have been registered in Tuzla hospital. In one case a girl of 14 years of age committed suicide after being raped by Serbian soldiers. In another confirmed case, the 19-year-old victim was raped on her way to the confrontation line as part of a medical convoy. According to various accounts, while the convoy was waiting near the confrontation line, some Bosnian Serb soldiers came on board one of the vehicles looking for the sister of a particular Bosnian Government Army officer. One woman testified that she was taken off the bus and questioned about this matter and then returned to the bus unharmed. It was reported that another woman, who had been working as a medical assistant on the bus, was then taken off. She was absent for some hours and returned in a very distraught state, stating that she had been raped by three Bosnian Serb soldiers. There are other reports of cases of rape and abduction…

From about 13 July 1995 the displaced persons started arriving in Tuzla. Even though 11,000 places had been allocated for them in collective centres around Tuzla, the Bosnian Government authorities insisted that all displaced persons be transported to the airbase area. The airbase is dotted with mines and had no shelter, sanitation facilities or water sources for the newly displaced. Although international agencies erected tents and other facilities at the airbase, they could not keep up with the flow of displaced persons. On 14 July, the government authorities agreed to placing the newly displaced in available shelters, and transported those displaced persons who were already at the airbase to the collective centres. By 17 July, it was estimated that some 17,200 displaced had been placed in collective centres while some 5,800 remained at Tuzla airbase.

Many of the displaced are people who had already been displaced once or even twice before and had been living in Srebrenica as displaced persons at the time it fell. They are a rural people accustomed to a stable, static lifestyle and the constant uprooting therefore has a particularly traumatic effect. They are disappointed and feel betrayed that the international community failed to protect them despite all the assurances concerning “safe havens.”

The local authorities are therefore considering the means by which permanent settlements comprising family dwellings can be established in order to give the displaced population some sense of security. This is a means by which community ties and the traditional lifestyle can be re-established.

The fate of the menfolk is a cause of great anguish for their relatives and friends. The disappearance of such a huge number of men poses particular practical problems in a male-dominated society where the women are almost wholly dependent on men for their livelihoods. One woman was reported to have committed suicide by jumping into a lake with her two children because her husband was missing…

The Concept of “Safe Areas”

The Special Rapporteur submitted to the Commission on Human Rights his first report on the situation of human rights in the territory of the former Yugoslavia on 28 August 1992 (E/CN.4/1992/S-1/10). In it, he focused strongly on the policy of ethnic cleansing being carried out mainly against Bosniaks and ethnic Croats in the territories of Bosnia and Herzegovina under the control of the Bosnian Serbs…

The objective of the original “security zones”, as proposed by the Special Rapporteur, was clearly to provide a temporary solution to the refugee dilemma. However, the Security Council in its resolution 819 (1993) of 16 April 1993, chose to establish a safe area in Srebrenica because of the constant attacks by Bosnian Serb paramilitary units against the civilians of the area. The safe area was to be “free from any armed attack or any other hostile act” (para. 12).

The Secretary-General… mentioned in his report of 1 December 1994 pursuant to Security Council resolution 959 (1994) that “the concept of safe area has been applied more effectively at Zepa and Srebrenica than in other areas. In these two areas, the parties to the conflict agreed upon a cease-fire, deployment of UNPROFOR troops, ad hoc demilitarization and other measures including, in particular, a clear delimitation of the safe area” (S/1994/1389, para. 3)…

The concept of safe areas thus developed in the understanding of the Security Council from being mere unprotected havens for refugees to being real refuges, where displaced persons and other civilians were supposed to be protected, by force if necessary, against the effects of the ongoing war. Unfortunately for the inhabitants of the safe areas, the mere definition of these areas failed to protect them from the state of siege imposed by the continued attacks of the Bosnian Serb forces.

The Special Rapporteur’s recommendations concerning the establishment of safe areas within the territory of Bosnia and Herzegovina, were followed up in his sixth periodic report (E/CN.4/1994/110 of 21 February 1994).. In that report he concluded:

“The first safe area was not authorized until April 1993, almost six months after the Special Rapporteur had made his recommendation. The safe areas in Bosnia and Herzegovina, Sarajevo in particular, are for the most part drastically overcrowded, short of basic food and medical resources and subject to indiscriminate shelling and military attacks. To a large extent they have become ‘safe’ only on paper [because of Serb attacks].”…

The Secretary-General has constantly emphasized the need to reach a negotiated agreement in relation to the safe areas. However, it is obvious that for the Bosnian Serb forces such an agreement was unacceptable since one of their strategic goals was to overrun the eastern enclaves of Srebrenica, Zepa and Gorazde. It has to be noted that negotiations concerning the respect of the safe areas that have been carried out by UNPROFOR with the parties on the ground have not been very successful. Significantly enough, an agreement was reached in relation to Srebrenica and Zepa. International observers never confirmed allegations that governmental forces conducted military activities from those two enclaves. And it was precisely Srebrenica and Zepa that became the victims of the Bosnian Serb forces. This proves that only a consistent enforcement approach could provide the inhabitants of those areas with the necessary protection.

As a result, the safe areas have been “safe” to a large extent only on paper. Throughout their existence, the “safe areas” have been targeted with varying intensity, which has inevitably produced suffering among the civilian [Bosniak] population. Convoys with humanitarian aid have been blocked [by Serbs] and medical evacuations have been carried out only with great difficulty.

**Letter Dated 27 July 1995 Addressed by Mr. Tadeusz Mazowiecki to the Chairman of the Commission on Human Rights**

Dear Mr. Chairman,

Events in recent weeks in Bosnia-Herzegovina, and above all the fact that the United Nations has allowed Srebrenica and Zepa to fall, along with the horrendous tragedy which has beset the population of those “safe havens” guaranteed by international agreements, oblige me to state that I do not see any possibility of continuing the mandate of Special Rapporteur entrusted to me by the Commission on Human Rights.

On accepting the mandate which was given to me for the first time in August 1992, I declared unequivocally that my goal would not simply be writing reports but helping the people themselves. The creation of “safe havens” was from the very beginning a central recommendation in my reports. The recent decisions of the London conference which accepted the fall of Srebrenica and resigned itself to the fate of Zepa are unacceptable to me. Those decisions did not create the conditions necessary for the defence of all “safe havens.”

These events constitute a turning point in the development of the situation in Bosnia. At one and the same time, we are dealing with the struggle of a State, a member of the United Nations, for its survival and multi-ethnic character, and with the endeavour to protect principles of international order. One cannot speak about the protection of human rights with credibility when one is confronted with the lack of consistency and courage displayed by the international community and its leaders. The reality of the human rights situation today is illustrated by the tragedy of the people of Srebrenica and Zepa.

Human rights violations continue blatantly. There are constant blockades of the delivery of humanitarian aid. The civilian population is shelled remorselessly and the “blue helmets” and representatives of humanitarian organizations are dying. Crimes have been committed with swiftness and brutality and by contrast the response of the international community has been slow and ineffectual.

The character of my mandate only allows me to further describe crimes and violations of human rights. But the present critical moment forces us to realize the true character of those crimes and the responsibility of Europe and the international community for their own helplessness in addressing them. We have been fighting in Poland against a totalitarian system with a vision for the Europe of tomorrow. How can we believe in a Europe of tomorrow created by children of people who are abandoned today?

I would like to believe that the present moment will be a turning point in the relationship between Europe and the world towards Bosnia. The very stability of international order and the principle of civilization is at stake over the question of Bosnia. I am not convinced that the turning point hoped for will happen and cannot continue to participate in the pretence of the protection of human rights.

Mr. Chairman, please understand the motives behind my decision and convey them to the members of the Commission on Human Rights. I will submit my final eighteenth report based on my recent mission to Tuzla to the Commission in the near future. Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

Tadeusz Mazowiecki

Special Rapporteur on the situation

of human rights in the territory

of the former Yugoslavia.

After the Fall of Srebrenia and Zepa 'I cannot continue to participate in the pretence of the protection of Human Rights'

**Tadeusz Mazowiecki's Letter of Resignation**

United Nations Office at Geneva

Centre for Human Rights

Palais des Nations

CH 1211 Geneve 10

27 July 1995

His Excellency

Tan Sri Dato' Musa Hitam

Chairman of the Commission on Human Rights of the United Nations

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Special Rapporteur on the Situation of Human Rights

in the Territory of the Former Yugoslavia