

CROATIA

Commission on Human Rights Rapporteurs

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Annex I

Letter dated 22 January 1993 from the chairperson of the Committee on the Elimination of Discrimination against Women to the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of the Former Yugoslavia

The Committee on the Elimination of Discrimination against Women, at its twelfth session (214th meeting), expressed its deep concern about the situation of women in former Yugoslavia, namely in Bosnia and Herzegovina.

The Committee was established for the purpose of monitoring, *inter alia*, respect for the human rights of women. It has noted with regret the prevalence of mass violence against women and the violation of their fundamental human rights in different parts of the world, especially during civil strife and armed conflict.

The Committee emphasized that rape and other attacks on women's physical and mental integrity and security of person violate international human rights guarantees, including the norms stated in the Convention on the Elimination of All Forms of Discrimination against Women. In its general recommendation 19, on violence against women, the Committee stated that violence against women is a form of discrimination prohibited by the Convention and that such violence breaches the duty to ensure equal protection according to humanitarian norms in time of international or internal armed conflict.

Rape, other violent acts or attacks on women's dignity constitute grave breaches of the Fourth Geneva Convention and of customary humanitarian law. Measures taken to bring to justice those responsible for grave breaches of humanitarian law must therefore include prosecution of rape, other violent acts or attacks on the dignity of women.

Various sources of information on the human rights situation in the former Yugoslavia suggest that abuses have been targeted particularly against women, as a means of furthering political objectives in the conflict. Reports indicate that women, regardless of their religious or ethnic origin, have been subjected to systematic rapes, resulting in some instance in death, and to forced pregnancies.

Therefore, the Committee has decided to invite you, in your capacity as Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia, to investigate all allegations concerning sexual and other violations, as well as measures to bring to justice those responsible for these abuses.

The Committee would appreciate being informed of your findings.

On behalf of the Committee, I should like to thank you for your esteemed cooperation.

(Signed) Ivanka CORTI

Chairperson,

Committee on the Elimination of Discrimination against Women

Annex II

Letter dated 1 February 1993 from the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of the Former Yugoslavia to the chairperson of the Committee on the Elimination of Discrimination against Women

I should like to thank you for your letter of 22 January 1993 in which you expressed the deep concern of the Committee on the Elimination of Discrimination against Women about the situation of women in former Yugoslavia.

I wish to assure you that I share the Committee's preoccupation over the reported occurrence of massive rape and other attacks on the physical and mental integrity of women in the conflict prevailing in part of the territory of the former Yugoslavia, in particular Bosnia and Herzegovina.

Since it was very difficult to obtain credible and sufficiently concrete information, I have dispatched on 12 January 1993 to the area, a special mission, composed of four medical experts and accompanied by experienced female staff from the Centre for Human Rights as well as the Director of the Division for the Advancement of Women, to investigate allegations into rape and other abuses of women. On the basis of the data collected and analyzed by the medical experts, there is strong evidence that rape has been committed on a large scale during this conflict. The crime of rape has been committed by combatants on all sides of the conflict in the former Yugoslavia. Solid evidence was found that Croatian, Muslim and Serbian women have been detained for extended periods of time and repeatedly raped. However, the majority of the rapes documented have been committed against Muslim women of Bosnia and Herzegovina. In Bosnia and Herzegovina, rape has been used as an instrument of ethnic cleansing.

I shall include the findings of the experts in more detail in my own report to the Commission on Human Rights at its forty-ninth session, which has started today. I shall not fail to make available to the Committee on the Elimination of Discrimination against Women a copy of my report.

(Signed) Tadeusz MAZOWIECKI
Special Rapporteur
Commission on Human Rights