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Your fax of 8 March 1993

M. Cherif Bassiouni 1937-2017

Jacqueline Duachy

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OFFICE DES NATIONS UNIES A GENÈVE



UNITED NATIONS OFFICE AT GENEVA

Commission of Experts established pursuant to
Security Council Resolution 780 (1992)
Fax No (41.22) 917 00 97

TELEFAX TRANSMISSION

TO: Mr. Cherif Bassiouni
Member
Commission of Experts

DATE: 9.03.93

TELEFAX No: 312 362 56 49

FAX-OUT No: 167

FROM: Jacqueline Dauchy
Secretary
Commission of Experts

PAGE 1 OF: 15

SUBJECT: Your fax of 8 March 1993

AAA Attached please find:

- 1) a corrected version of the paper on applicable law (see end of para.2), which is being forwarded also to the Chairman and to Mr. Zacklin;
- 2) a corrected version of the Note on resources in which "Serbia, Croatia, Bosnia" has been systematically replaced by "Bosnia and Herzegovina and Croatia". Incidentally the correct designation in United Nations practice is Bosnia and Herzegovina in English and Bosnie-Herzégovine in French;
- 3) Mr. Mbaye's phone number is: 221 25 94 94 (home),
221 22 52 52 (office),
His fax number is: 221 25 60 77

BBB Many thanks for the excerpts from the database. I have transmitted them to Mr. Fenrick.

CCC Documentation

UNPROFOR and CIVPOL reports:

We shall continue excerpting from the UNPROFOR reports which are in our hands passages which may be of some value for corroborating purposes. In each case the relevant pages will be accompanied by the cover page of the report for easy tracing. Supporting documents, if any, will also be attached.

For as yet unavailable UNPROFOR reports and CIVPOL reports, see attached letter to Mr. Thornberry.

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European Monitors reports

The Geneva Liaison Office does not seem to be in a position to help us.

I am making arrangements so that Mr. Baez can go to Zagreb early April to consult the reports, photocopy whatever is useful and establish channels of communication for the future.

As regards point 3 of your fax, I confirm that Mr. Baez will meet with Mrs. Karen Kenny and Mr. Roman Wieruszewski to identify documents in their possession that may be of interest to the Commission. Copies of the said documents will be sent to you. As for point 5, please note that UNHCR documents are being sent to the Commission, albeit on an irregular basis. Mr. Makavowski, UNHCR, has assured Mr. Baez that he would continue to send to the Commission all pertinent documents in the possession of UNHCR.

Materials from the Croatian Group

We assume that you are referring to the documentation coming from the Society of Croatian Professional Women mentioned in Index No VII. Copies are being made and will be sent by express mail as soon as ready.

Many, many thanks for coping with the mounting documentation and best regards.

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Note prepared by the Commission of Experts on the
resources needed for the conduct
of selective in-depth investigations

INTRODUCTION

1. In the interim report which was submitted to the Secretary-General at the beginning of February 1993 and which was circulated as Annex I to document S/25274, the Commission indicated that it intended to engage in selective in-depth investigations in the following general areas:

- (a) Mass killings and destruction of property;
- (b) Treatment of prisoners and detainees;
- (c) Systematic sexual assaults;
- (d) "Ethnic cleansing".

The short-term objectives of the Commission are described in paragraph 67 of the interim report in the following terms:

"(a) To conduct further investigations into mass killings and destruction of property in the Vukovar area by expanding the scope of the various investigations conducted by forensic experts from Physicians for Human Rights and by deploying a team of military lawyers, police investigators and necessary support personnel to the Vukovar area;

(b) To conduct an on-site investigation into the treatment of prisoners and detainees at two or more camps or detention centres at places in Bosnia and Herzegovina yet to be specified;

(c) To study all available reports on systematic sexual assaults and determine as soon as possible the most effective way to approach the problem and whether on-site investigations should be undertaken;

(d) To study all available reports on "ethnic cleansing" and determine as soon as possible the most effective way to approach the problem and whether on-site investigations should be undertaken."

2. In paragraphs 69 and 70 of the report, the Commission noted that, to carry out its task, it required additional means, over and above those provided for in the regular budget (which cover the compensation, travel and subsistence of the members, the travel and subsistence of two United Nations staff members sent over from Headquarters and the salaries of two secretaries).

3. In paragraph 70 of its interim report, the Commission expressed the intention to avail itself of the offers of services which some Governments have already made and noted that more would be needed in terms of financial and personnel resources. The Commission furthermore requested that the Secretary-General establish a trust fund to assist it in carrying out its mandate.

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4. Against this background, the Commission has prepared estimates of the personnel and financial resources required for each of the investigatory projects identified in the interim report. These estimates are to be found below.

I. Investigation of mass sexual assault

1. Description

The investigation is to focus on evidence of rape and allegations that it forms part of a "systematic" policy, as such a policy may be inferred from the facts or other sources.

While a number of organisations, groups and individuals have investigated and researched this abhorrent practice, there is a need to widen the Commission's contacts and enlist the assistance of those who have specific data, particularly evidence, for instance in the nature of affidavits. At the same time, teams of specialised investigators should go to the field to seek tangible evidence.

Even assuming that the number of victims (commonly reported to stand at 20,000 or more) is in fact as low as 1000, the gathering of evidence would still be labour-intensive. Once obtained, the evidence would be centralized in the hands of the Rapporteur on the Gathering and Analysis of Facts for document classification and inclusion in the database.

2. Personnel requirements

- Ten teams of two persons each (both women), one of whom would be a social worker, psychologist, medical doctor or lawyer (with the required training or sensitivity to the subject) and the other an interpreter

- One group leader

- Five support staff to service the ten teams, input the data or prepare the data-sheets for input

- Two lawyer-analysts to review the data

- Two computer clerks

3. Duration

Two months

4. Location

Bosnia and Herzegovina and Croatia

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5. Estimated costs

(a) Personnel costs

- Ten investigators (\$4000 per month each)	\$80,000
- Ten interpreters (locally recruited)	\$15,000
- One group leader	\$10,000
- Five support staff (\$2500 per month each)	\$25,000
- Two lawyer-analysts (\$3500 per month each)	\$14,000
- Two computer clerks (\$2000 per month each)	\$ 8,000
- One administrative coordinator	\$ 4,000

(b) International and local transportation, subsistence and local costs

Transportation (\$ 4,000 for each of the teams)	\$40,000
Subsistence for the entire personnel (on the basis of \$ 150 per day)	\$279,000
Telephone, faxes, etc.	\$10,000

(d) Administrative support	\$10,000

Total	\$495,000

This investigation should be coordinated, from the Commission's seat in Geneva, with Investigations III and IV.

II. Detention camps1. Description

Three camps are to be selected. The investigation is to focus on obtaining information about the camps' history and operators, interviewing former camp detainees and other witnesses and correlating data. The teams can operate simultaneously or successively. The first alternative would have the advantage of allowing for exchange of information in the field. Coordination should be ensured from the Commission's seat in Geneva. Investigations III and IV could provide corroborating elements.

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2. Personnel requirements

- One team per camp, consisting of four persons (a lawyer, a police investigator, an interpreter and an administrative assistant) i.e. a total of 12 persons
- One group leader
- Two administrative coordinators
- Two computer clerks

3. Duration

Two months

4. Location

Bosnia and Herzegovina and Croatia

5. Estimated costs

(a) Personnel costs

- | | |
|-----------------------------------|----------|
| - Three four-person teams | \$56,000 |
| - One group leader | \$ 8,000 |
| - Two administrative coordinators | \$12,000 |
| - Two computer clerks | \$10,000 |

- | | |
|---|-----------|
| (b) International and local transportation, subsistence (on the basis of \$150 per day) and local costs | \$180,000 |
|---|-----------|

- | | |
|----------------------------|----------|
| (c) Telephone, faxes, etc. | \$10,000 |
|----------------------------|----------|

- | | |
|----------------------------|----------|
| (d) Administrative support | \$10,000 |
|----------------------------|----------|

Total:	\$286,000
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III. "Ethnic cleansing"

1. Description

This investigation is to focus on official policy pronouncements by Government officials and organs of Government. It will be based on radio, television and press reports as well as public statements by Government officials. The sources of information include:

- (a) radio and television broadcasts;
- (b) the press;

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(c) contacts with local sources.

The material gathered will be mostly in Serbo-Croatian, even though some of it may be obtained in other languages from non-local sources.

2. Personnel requirements

- One group leader (lawyer or political scientist familiar with the region)
- Three Serbo-Croatian/English translators
- One computer clerk/administrative assistant

3. Duration

2 months

4. Location

One, among other options, could be the International Human Rights Law Institute at DePaul University (supervision being provided by the Rapporteur on the Gathering and Analysis of Facts).

5. Estimated costs

(a) Personnel

- | | |
|---|----------|
| - One group leader | \$ 6,600 |
| - Three translators | \$15,600 |
| - One Computer clerk/administrative assistant | \$ 4,800 |

(b) Acquisition of tapes and recordings

\$10,000

(c) Rental of computer and printer

\$ 800

(d) Telephone, faxes, etc.

\$ 4,000

(e) Travel

\$ 5,000

(f) Administrative support

\$ 3,200

Total	\$50,000

Government assistance on this project would be most useful.

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IV. Collection of video-broadcasted investigative reporting on rape, torture, detention camps and killing of innocent civilians

1. Description

Investigative reporting on violations of the type mentioned above, providing information about "ethnic cleansing", has taken place in different countries, including France, Italy, Germany, Austria, the United Kingdom, the United States of America, Canada, Yugoslavia (Serbia), Bosnia and Herzegovina, Croatia. The tapes to be obtained will, whenever possible, be the uncut versions. The tapes will be edited and pieced together by subject. Further information gathered from investigative reporters will be added to the database and the edited taped versions kept for future reference.

2. Personnel requirements

- One reporter/principal investigator
- One computer clerk/administrative assistant

3. Duration

2 months

4. Location of work

One option, among others, would be the International Human Rights Law Institute at DePaul University (supervision being provided by the Rapporteur on the Gathering and Analysis of Facts).

5. Estimated costs

(a) Personnel

One reporter/principal investigator	\$10,000
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One computer clerk/administrative assistant	\$ 6,000
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(b) Acquisition of tapes	\$ 5,000
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(c) Telephone, faxes	\$ 4,000
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(d) Travel	\$ 5,000
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(e) Editing of tapes	\$10,000
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(f) Administrative support	\$ 3,000
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Total	----- \$43,000
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This particular investigation would contribute to the implementation of other parts of the plan.

V. Investigation into mass killing and destruction of property

1. Description

Three major theaters of operation which might be investigated in-depth are those of Vukovar, Dubrovnik and Sarajevo. The Commission has already accepted an offer from the Canadian Government to deploy a team of military lawyers and investigators to investigate mass killing and destruction of property during a major battle which occurred in one of the conflicts in the territory of the former Yugoslavia. The projected Canadian team operation is described below.

The Commission would wish to deploy a second team similar to the Canadian team.

2. Personnel requirements

The Canadian team consists of seven military personnel (three lawyers and four investigators headed by a Lieutenant-Colonel). A descriptive note on the team is attached.

3. Duration

2 months

4. Location

Bosnia and Herzegovina and Croatia

5. Estimated costs

(a) Personnel	\$ 75,000
(b) International and local transportation	\$ 20,000
(c) Subsistence (based on \$ 150 per day)	\$ 63,000
(d) Preparatory work	\$ 10,000

	\$168,000

The costs for a second team would be comparable.

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VI. Investigation of mass grave sites1. Description

The Commission has already accepted an offer from the non-governmental organization "Physicians for Human Rights" to provide a forensic team at PHR expense to investigate the mass grave near Vukovar. The Commission would be interested in deploying a second team to investigate other mass grave sites. As the costs of the first investigation are entirely borne by PHR, the Commission does not have accurate information on the personnel and resources needed. The assessment below is therefore tentative.

2. Personnel

Six specialists

3. Duration

2 months

4. Location

Bosnia and Herzegovina and Croatia

5. Estimated costs

(a) Personnel	\$ 75,000
(b) International and local transportation	\$ 17,000
(c) Subsistence (on the basis of \$ 150 per day)	\$ 54,000
(d) Administrative support	\$ 14,000

	\$160,000

The global cost for the implementation of the plan of action described above amounts to 1,395,000 dollars, to which 20% should be added to cover planning and preparation costs.

The overall total thus amounts to 1,674,000 dollars, to be financed from the trust fund.

This figure does not include the costs of the PHR investigation mission to Vukovar (160,000 dollars) nor the remuneration of the Canadian team (75,000 dollars), which have already been covered by way of donations.