

# **OHR Bulletin 71 - 1 June 1998**

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## **BiH Passport**

The first two citizens of Bosnia and Herzegovina to receive the new BiH passport attended a presentation ceremony on 28 May. The three versions of the passport, the Entity and the diplomatic versions, were displayed to the public by the German Bundesdruckerei Company which undertook production. 50 000 passports have been so far printed and delivered, and the installation of the first fully equipped passport offices in Sarajevo and Banja Luka, and the training of staff, is enabling the immediate distribution of the passports to take place.

The OHR, having supplied the actual passport covers, is providing further logistical support in terms of computers to process applications, and training to the personnel who will be involved.

The BiH Ministry of Civil Affairs and Communications, which was tasked with implementation of the Law on Travel Documents, is planning the opening of 21 field offices throughout BiH. This will enable distribution to take place throughout the month of June.

*'Presentation of a new passport is an important step forward in the establishment of the Bosnian state, and presents a clear signal to its citizens that the International Community supports implementation of the Dayton agreement',* said Senior deputy of the High Representative, Hanns Schumacher, at the presentation ceremony.

## **BiH Symbols**

### **The Coat of Arms**

When the BiH Parliament Houses failed to agree on which of three coat-of-arms designs should represent BiH, the High Representative chose the shield which secured the greatest number of delegates' votes. This shield carries the device of the new BiH flag, and was produced by the same commission that designed the BiH flag. It was

passed by the HR as a temporary solution, in the same manner as the flag, until the parliament should become able to confirm it, or to agree on another device. As of 20 May, this coat-of-arms became obligatory for display in offices of, or on official documents of, the state of BiH.

### **Anthem**

The independent Commission which worked on the flag and Coat of Arms has been asked to coordinate proposals for the BiH national anthem. It will be responsible for launching a public competition, for BiH composers to produce their own solutions.

## **NATO Declaration**

At the Ministerial Meeting of the North Atlantic Council, (held in Luxembourg on 28 May), the following statement on Bosnia and Herzegovina was issued:

1. The Alliance has made a decisive contribution to stability and peace in Bosnia and Herzegovina. Encouraging progress has been made recently in the implementation of many aspects of the Peace Agreement of 1995. But much remains to be done. Today, we endorsed the operational planning for the continuation of SFOR beyond June 1998, following consultations with the non-NATO contributing nations, to assist in the further implementation of the Peace Agreement. The creation within SFOR of a Multinational Specialized Unit, with the same mandate as other SFOR elements, will enhance SFOR's ability to support the local authorities in responding to civil disorder, without engaging in police functions, so as to assist the return of refugees and displaced persons and the installation of elected officials.
2. While the prime responsibility for implementing the Peace Agreement lies with the parties, SFOR will continue, within its means and capabilities, to provide broad support for civil implementation. This will include assisting and coordinating closely and efficiently with:
  - the High Representative in the implementation of the civil aspects of the Peace Agreement;
  - the UN High Commissioner for Refugees, as a matter of high priority, with the phased and orderly return of refugees;
  - the UN International Police Task Force in the reform and re-structuring of the local police;
  - the OSCE in the context of the September elections; and
  - the UN International Criminal Tribunal for the former Yugoslavia by transferring persons indicted for war crimes to The Hague.

Detentions by SFOR over the past year of war crimes indictees have contributed to the peace process and underscored our commitment not to let this aspect of the Peace Agreement rest.

3. Progress in these areas will not only help to consolidate the peace within a single, democratic and multi-ethnic state, but will also help to create the conditions in which a NATO-led military presence is no longer needed. NATO has adopted a series of benchmarks to measure progress in the overall implementation of the Peace Agreement. This will allow progressive reductions in the size and profile of the force commensurate with its agreed tasks.
4. We strongly support the continuing implementation of confidence-building measures at the local and regional level. We look forward to the beginning of arms control negotiations, as provided for in the Peace Agreement, with the goal of establishing a regional balance in and around the former Yugoslavia, including appropriate verification arrangements. The Alliance has initiated a set of security cooperation activities with Bosnia and Herzegovina, with the aim of promoting confidence and cooperation among the armed forces of Bosnia and Herzegovina and encouraging the development of democratic practices and central defence mechanisms, such as the Standing Committee on Military Matters established by the Presidency of Bosnia and Herzegovina.

5. We call on all parties to the Peace Agreement to redouble their efforts to implement the Agreement in full and thus to create the conditions for a peaceful, stable and prosperous future for Bosnia and Herzegovina.

## **Presidency**

The Chair ( Izetbegovic ) and two members ( Zubak and Krajisnik ) took part in the 35th session of the BiH Presidency on 28 May.

The plan for liquidation of the BiH National Bank (Narodna Banka) was finally adopted. The Governor of the BiH Central Bank, Peter Nicholl, presented also the Presidency members with some bank notes of the new BiH KM. Initial delivery of these notes was announced by the Central Bank on 27 May.

The session also achieved the following :

- Agreement on the newly appointed Head of the Office of the European Commission in Sarajevo;
- Approval of the opening of the Office of the Austrian Embassy in Banja Luka;
- Ratification of the following Agreements:
  - Agreement on Establishment of the Inter - State Cooperation Council between BiH and Republic of Croatia;
  - Agreement between BiH and Kingdom of Belgium on financial assistance to the CoM;
  - Agreement on Economic and Commercial Cooperation between BiH and the Republic of Slovenia;
  - Agreement on International Road Traffic between BiH and the Republic of Slovenia;
  - Agreement on International Road traffic between BiH and the Republic of Turkey.

## **BiH Currency**

The inauguration of the Bosnian common currency, the Convertible Mark (KM), will take place in June throughout BiH.

The Convertible Mark is a real currency and enables the Bosnian Central Bank to issue coins in the upcoming few months. All official transactions at the level of the State and Entities will have to be performed in Convertible Marks.

## **Council of Ministers**

At its session on 28 May, the CoM adopted the state Draft Law on Privatisation of Enterprises and Banks. In addition, as part of the ongoing implementation of the Law on the CoM, the CoM announced that its next session, 17 June, would be held in its new location. This, the former Parliament building, has been renovated by the European Union and will house the Ministries and General Secretariat.

Details of the implementation of the Law on Travel Documents were discussed at the 28 May session, coinciding with the initial presentation of the BiH passport, which took place on the same day.

## **BiH Privatisation**

At its 28 May session the CoM adopted the Draft Framework Law on the Privatisation of Enterprises and Banks in BiH. This law was drafted in cooperation and consultation with the OHR.

The purpose of this law is to establish a secure legal environment for the privatisation process of enterprises and banks, and to enable this process to take place as transparently and speedily as possible.

In particular, the law ensures a non-discriminatory approach. It ensures that refugees and displaced persons will be included in the privatisation process in the Entity where they formerly resided and worked. It follows the injunctions of Annex 7 of the Dayton agreement on the rights of refugees and displaced persons.

All citizens will be able to claim vouchers on their bank savings, unpaid police and military salaries, and as part of the general claim process they will receive points for the number of years worked in a company or firm.

The law covers the privatisation of public facilities, ensuring that this will take place under the terms of the public corporations named under Annex 9 of the Dayton agreement.

The law specifies that the Entity governments must cooperate to address issues related to privatisation which cannot be resolved by the Entities in isolation. If necessary, the Entity privatisation agencies are to establish a joint mechanism for this purpose, to enable the exchange of data and the receipt of vouchers.

A commission will be established to monitor the entire privatisation process. Among other mechanisms to ensure transparency and public accountability, it will oversee the publication of company balance sheets in the local media.

USAID has brought in international specialists in privatisation, who will ensure that the highest standards already applied in Eastern European countries which have passed through transition, are present throughout BiH privatisation.

## Media

### **RTV BiH**

The OHR is pressing for the reorganisation of Radio Television BiH to ensure the network conforms to European public service broadcasting standards. The OHR and Steering Board governments have called for more transparent governance and an end to any direct political control of the network. The reform process is expected to begin within weeks, in time for the campaign for the September elections.

### **IMSLC**

The establishment of the Intermediate Media Standards and Licencing Commission continues, with the selection of a Director General and heads of departments currently taking place.

**Public Service Information Campaign** A campaign of this kind has for a long time been perceived to be a vital component of international activity in BiH. The launch of the Public Service Information campaign took place on 18 May, and was introduced locally by the following release:

It is clear if you talk to the ordinary people of Bosnia that there is much ignorance about the Dayton/Paris agreement in particular and the Peace Process in general. Many of the key issues, from the relatively straightforward, like the new number plates, to the more complex, like the Property laws and Privatisation, have either been misrepresented to the public or explained in an insufficiently clear manner.

The Public Service Information Campaign (PSIC) is intended to redress this imbalance, by providing clear, transparent information on the Peace Process to the whole population of BiH. It is hoped that this will encourage them to think positively about the realities and implications of cooperation and reconciliation.

The campaign theme is "RAZMISLITE!" or "Think!" It consists of two strands of activity:

- Public service advertising slots: To create the idea of thinking of the future.
- TV programming: designed to reinforce the idea with hard information about the Dayton Peace Process and related issues.

This will involve up to three 10 minute TV programmes per week to be broadcast on all TV networks during prime

time viewing.

The first ad and the first TV information program (on the new number plates) were shown at the PSIC launch.

The PSIC is a fundamental element of the OHR's overall strategy which is hoped to ensure that the issues rather than dogma are explored fully during the election campaign. It also aims to ensure that the electorate are provided with as much information as possible upon which they can make their own informed judgements.

All the principal international agencies in BiH are being asked to contribute to the programming strands so that as many important issues as possible are covered as fully as possible.

The campaign is being co-ordinated across all media, involving radio and print in addition to TV.

## Returns

Christian Schwartz-Schilling, International Mediator for the Federation and Republika Srpska, brokered several local return agreements during his latest visit to Bosnia and Herzegovina. In cooperation with the OHR and other Reconstruction and Return Task Force (RRTF) members, return agreements were drafted and signed between Slavonski Brod and Bosanski Brod, for Travnik, for Derventa, and for Stolac.

The agreements add important impetus to efforts by the RRTF to promote minority returns throughout the country, and to the Republika Srpska in particular, as the Brod Declaration suggests.

Below follow excerpts of the Brod Declaration of 23 May:

- All present welcomed the improvements that have taken place in the last few months in this area, in terms of freedom of movement.
- All present welcomed the first "Plan of return to Bosanski Brod" which has been presented by the authorities of Republika Srpska. This is a first step and a sign of good will. The signatories will call on the international community to support this.
- Priority villages to which return could start immediately should be chosen in close cooperation with the authorities and the organisations of displaced persons as well as the members of the RRTF, in particular OHR and UNHCR.
- The signatories recognised that the International Community must also give full consideration to the plight of displaced persons and refugees presently in this municipality.
- Efforts should be made to help them to also benefit from any economic support to this area, and to bring their problems to a permanent solution in accordance with Annex 7.
- Just as the local authorities accept all obligations of the Dayton agreement, the signatories demand that the returnees will accept and respect the constitution of Republika Srpska in accordance with Dayton.
- The Mediator will use his influence to make sure that these concrete positive steps are recognised by the international community and by donors.

### The Travnik Declaration

Signed on 21 May, this, like the Bosanski Brod Declaration, acknowledged the improvements made in the local situation. It also acknowledged the number of successful minority returns made.

However, obstacles remain. These concern, in particular, the failure of the authorities to execute lawful evictions according to the new Federation property legislation. This is in spite of the widespread multiple occupancy of accommodation.

In the text of the Declaration, the members of the Reconstruction and Return Task Force (RRTF) call upon the implementing agencies and local authorities to work together to identify cases of double occupancy. These cases should be resolved without delay in accordance with the relevant laws. The International Community expects significant progress by the end of this June.

The International Community, led by the RRTF and the UNHCR, will continue to work closely with displaced persons and their associations in Travnik, representing the displaced from other parts of BiH. The organisation of assessment visits will be continued, by local authorities and international agencies, and Travnik will be promoted as an open city in the media of both Entities.

The International Community will continue to press for the establishment of Municipal Return Offices (MROs) in all municipalities of BiH.

## Human Rights

### **Bosnian Serb Indictee Transferred to the Hague**

On 28 May, SFOR troops detained Bosnian Serb Milojica Kos, who was indicted on 13 February 1995 for atrocities allegedly committed at the Omarska camp near Prijedor. Kos was one of three deputy commanders at the Omarska camp. Last month, three Bosnian Serb indictees were transferred to the Hague, including the other two deputy commanders, Miroslav Kvocka and Mladen Radic.

### **Zvornik 7 Retrial Update**

On 19 May, the retrial of the Zvornik 7 defendants commenced at the Municipal Court in Bijeljina (RS). The first hearing date had originally been set for 26 March, postponed to 23 April and again postponed to 19 May, in each case because of the failure of one of the seven defendants to appear in court. This same defendant again failed to appear on 19 May, but the court proceeded with the trial proceedings against all defendants (the missing defendant being tried in absentia). The trial session comprised testimony of the six present defendants. The next session is scheduled for 10 June and will be devoted to testimony of witnesses.

## Brcko

### **Supervisor Returns**

Brcko Supervisor Robert W. Farrand, following his return in mid-May from hospital treatment abroad, said he was very satisfied with the progress achieved on behalf of re-organising the multi-ethnic administration, police and judiciary. He expressed appreciation for the work of Ian McLeod, Acting Supervisor, during the Supervisor's absence from Brcko.

"In the future period, we will base ourselves on implementation of the Supplemental Arbitration Award, which gives clear guidelines on what should be done in this area", Farrand said. He emphasised the need for rebuilding the Brcko economy, which he stressed during his participation at the Donors Conference in Brussels.

*"The economic recovery of this area will depend on the cooperation between the local and Entity authorities and the IC", Farrand said.*

### **Multi-Ethnic Administration**

Supervisor Robert W. Farrand met on 27 May with the presidents of the RS Trade Union Federation, the Trade Unions of Brcko, and the Brcko Municipal Organization Bodies. In accordance with the 1 June deadline for compliance with the Supervisory Order on reconstructing the municipal administration staff, they discussed the new multi-ethnic staffing plan.

The trade union leaders and the Supervisor and his colleagues agreed on the text of a Memorandum of Understanding, containing a core agreement. This will protect the rights of the municipal workers who will be asked to vacate their jobs as part of the reconstruction process.

The agreement offers displaced Serb employees continued salaries (indefinitely until they find other employment), continued benefits and possible re-training. Further, the RS government will establish a special commission to find new jobs for employees as soon as possible.

RS President Biljana Plavsic and RS Prime Minister Milorad Dodik contributed their signatures to assure RS government support.

The Supervisor reminds all participants — the trade unions, the RS government and the Brcko municipal government and all in leadership positions — of their responsibilities to work toward bringing a better quality of life to all residents of the Brcko municipality.

## Freedom of Movement

### Licence Plates

A reminder concerning the common licence plate was publicised on 30 May. This warned all citizens of BiH that they will need to be in possession of the new common license plate issued together with the common vehicle registration document in order to be able to leave Bosnia and Herzegovina by road, and to cross international frontiers, from 0001 hours on 1 June 1998. Vehicles which are not in possession of the correct license plates and documentation will not be allowed to do so thereafter.

## Inter-Entity Links

Inter-Entity Judicial Cooperation Memorandum This document, the Memorandum of Understanding on Legal Assistance between Institutions of the Federation of BiH and the RS was signed on 20 May by the Ministers of Justice of the two Entities. Present were the Senior Deputy HR and the RS Deputy Prime Minister.

The Memorandum is an important “Interim Measure” to address the most urgent issues regarding inter-Entity legal cooperation, such as

- tracing witnesses and serving subpoenas on them,
- harmonization of the Entities’ Laws on the Bar (admissibility of lawyers from the other Entity),
- protection of witnesses when testifying in the other Entity,
- establishment of an inventory of real estate and cadastres,
- serving court documents to the other Entity.

The Memorandum provides a working basis for the newly established Inter-Entity Legal Cooperation-Commission (founded by the BiH Presidency).

## Diary

### 9 June:

Steering Board Ministerial Meeting

### 17 June:

CoM Session

### PLEASE NOTE:

- THERE WILL BE NO OHR BULLETIN FOR THE SECOND HALF OF JUNE.
- THE BULLETIN WILL NEXT BE ISSUED IN THE FIRST HALF OF JULY.

Apologies for this interruption.

The OHR Bulletin is produced by the Public Affairs Department of the Office of the High Representative in Sarajevo and aims to give an overview of what is happening on the ground in the civilian implementation of the Dayton Agreement.

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