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On 18 November the Banja Luka airport was formally opened with the BiH Department of Civil Aviation issuing a provisional Airport Opening Certificate which authorises the airport to conduct commercial air carrier services.

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On 24 November the BiH Presidency held a session in Sarajevo

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The OBN Governing Council (GC) was held on the 23 October in Vienna.

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Border situation at Gradiska and Bosanski Brod improved.

Looking Ahead

Calendar of Scheduled Meetings and Events.

Please consult our Bulletin Category List for related information

Please note: this Bulletin is longer than usual due to the length of time since its last publication. Future issues will be released on a two weekly basis.

Republika Srpska National Assembly Elections

On 22-23 November, the Republika Srpska (RS) National Assembly Elections were held. They took place in a peaceful and efficient atmosphere and, though initial estimates on the voter turnout were disappointing, by the second day of voting figures in excess of 60-65% turnout were estimated. According to OSCE assessments the final results are unlikely to be released before 10 December. A total of 1,434 election supervisors had been secured by the Organization for Security and Cooperation in Europe (OSCE) to monitor the elections in BiH, Croatia and rump Yugoslavia.

On 24 November, speaking at a joint press conference with Deputy High Representative Ambassador Hanns Schumacher at the Coalition Press Centre, Ambassador Frowick, Head of OSCE Mission in BiH, commended those people who had voted in the RS National Assembly elections, and who had done so without resorting to violence. Ambassador Frowick said it had been established that perhaps as many as 70% of the population had cast their ballots, and that the elections could reasonably be considered to have been free, fair and democratic. This was particularly commendable in light of numerous complications that had been present resulting from the internal crisis in the RS in recent months. Ambassador Frowick called on all concerned to honour the peoples decisions and implement the election results in a timely manner. OSCE would be coordinating closely with the OHR in this regard. Both Ambassador Frowick and Ambassador Schumacher emphasised their appreciation for the assistance of SFOR and IPTF for providing support and for maintaining the continuing overall secure environment.

Ambassador Schumacher endorsed Ambassador Frowick's remarks, adding that Ambassador Frowick and the OSCE deserved congratulations for a job extremely well done. The Elections had been well organised and extremely smoothly conducted. Cross IEBL movement had been good and this spoke much for the improving Freedom of Movement across the whole country.

Ambassador Schumacher also congratulated the professional work of the RS police. The atmosphere throughout the election had been peaceful and orderly, despite a couple of minor incidents which may or may not have been related. One in Brcko and one in Trebinje, where for some extraordinary reason, a grenade had been thrown under a parked ECMM vehicle. There were no injuries. Such incidents were futile and it was to the credit of both the RS police and the people of the RS that this had not marred the democratic process, said Schumacher.

Ambassador Schumacher said that it was now hoped that the results could be confirmed as soon as possible as it would be important to have some form of confirmation before the PIC in Bonn next month. "Thereafter we exhort the authorities in the RS to reconstitute the new National Assembly according to the results of these elections and remind them that in accordance with the constitutional process the National Assembly remains dissolved", said Schumacher.

With regard to the implementation of the election results, the OHR would be considerably engaged in this process, and consultations with Ambassador Ellerkmann, Chairman of the National Election Results Implementation Council

were currently underway.

Responding to a question as to whether the elections would solve the internal dispute in the RS, Ambassador Schumacher said that the major hope was that the election results would provide the international community with a constructive counterpart with whom they could cooperate in the implementation of the Peace Agreement. “We maintain the hope that the electorate has used their vote to take them out of the present doldrums and not further into the impasse”, Schumacher said.

On 21 November, three candidates in the elections were stricken from the SDS candidate list by the OSCE Election Appeals Sub-Commission (EASC) for the blatant display of posters of Radovan Karadzic throughout RS. An earlier letter from the EASC Chief Judge, Finn Lynghjem, to Mr. Aleksa Buha had warned that action would be taken if the posters were not removed immediately: “These actions are a clear and flagrant violation of the General Framework Agreement for Peace in BiH and the PEC Rules and Regulations for the 1997 Elections to the National Assembly of the Republika Srpska”, said Judge Lynghjem.

Radovan Karadzic, who has been indicted for war crimes and continues to exert influence on the SDS Pale hard-liners, was banned by the PEC Rules and Regulations from appearing in public, this included representation in posters or in the media. An EASC Judges meeting convened on 21 November took the decision to strike the three names off the SDS candidates list, with an additional candidate being stricken for each day of non-compliance with the order.

Dayton: Second Anniversary

On 21 November the Principals of the major international implementing organisations: the High Representative (HR), Carlos Westendorp, Special Representative of the UN Secretary General, Ambassador Kai Eide, DCOMSFOR Lieutenant General Philippe Mansuy, and Special Envoy of the UN High Commissioner for Refugees, Mr. Carrol Faubert held a press conference at the Coalition Press Information Centre in Marshall Tito Barracks, Sarajevo.

In marking the 2nd anniversary of the initialling of the Peace Agreement in Dayton, Ohio, HR Westendorp said that it was fitting that the anniversary should be marked by the third round of elections in BiH in less than a year. “Free and fair elections lay the basis for legitimate, democratic government. The municipal elections held in September were a very positive step towards real democracy. We are confident that this weekend’s elections in Republika Srpska will reinforce the trend towards pluralism in Bosnia”, said Mr. Westendorp, emphasising that it was of crucial importance that all the citizens of the RS should vote in the elections. Violence had no place in the democratic process and recent incidents of harassment in Bijeljina were a cause of serious concern. Mr. Westendorp wanted to emphasise strongly to the RS authorities that both campaigning and voting must be conducted without threats, inflammatory propaganda or harassment of any kind.

In taking stock of the achievements in the two years since Dayton, Mr. Westendorp underlined that there had been real progress in implementing peace and stability. Fundamental institutional and legal reforms were underway, in particular the creation and functioning of the Common Institutions. The BiH economy was growing stronger, however, the already adopted Quick Start Package (QSP) of measures dealing with essential economic reforms had not yet been implemented.

Mr. Westendorp said that the list of achievements could have been much longer. Reluctance by the BiH authorities to cooperate fully had prevented progress on many aspects of the construction of a civil and democratic society. The run up to the December Peace Implementation Council (PIC) meeting in Bonn was an important crossroads of the Peace Agreement. There were serious blockages in the implementation of Dayton and the Bonn meeting must provide guidance on how these could be overcome. Mr. Westendorp said that the functions and resources of the OHR would be looked at closely during the Bonn meeting to ensure backing for full interpretation of the powers accorded to the him under the Peace Agreement. Other crucial issues to be debated in Bonn would include: efficient management of the economy; a clamp down on corruption; restructuring of the media landscape of BiH; and development of a new impetus for the refugee return issue. Mr. Westendorp pointed out that there was much to be done in the forthcoming months, adding, “any talk of partition or secession in Bosnia must be disregarded. The Dayton Agreement is the basis of our work, and Dayton is the only way forward.”

Steering Board

The Steering Board (SB) of the Peace Implementation Council (PIC) held a meeting in Sarajevo on 6 November. The SB members continued to be concerned about the slow pace of implementation of the obligations under the Peace Agreement. Legislation, essential for the future of BiH and the benefit of its citizens, were not being adopted or implemented. The common institutions had made no progress in more efficiently dealing with the increasing workload. Also the Entity governments had not lived up to their obligations regarding a number of compliance issues. The HR had recently presented an 18 point list of items which should be resolved in time for the PIC meeting in Bonn in December. Other issues covered:

The SB stressed the crucial importance of a peaceful and orderly RS National Assembly election campaign, and fully supported the OSCE in this regard.

Concerning the fact that the vast majority of municipalities had held their inaugural session, the SB welcomed the progress to date and stressed the obligation of the parties to see to the full implementation of the election results in the remaining municipalities. The SB concurred with the OSCE that, once elected, a councillor was free to change political affiliation according to democratic principles. The SB deplored threats to arrest elected councillors and reiterated the obligations of the authorities according to the Rules of the Road.

The HR also briefed on the situation in Brcko and expressed confidence that the competent authorities would fully comply with the Supervisor's orders. This compliance would reflect considerably on the Arbitration procedure.

The SB discussed the situation in Mostar, and emphasised the need for full implementation of the pre-election agreement. Concern was also raised regarding the editorial standards of the HTV Mostar and their news programs. The SB also considered the current situation with SRT and the restoration of the signal to the whole of the RS following the sabotage of the Veliki Zep transmitter. The HR noted with pleasure the decision of SRT in Banja Luka to subscribe to the new Statues and Editorial Charter which were based on the International Federation of Journalists (IFJ) and international model and proposed by the OHR. And he also informed the SB that President Plavsic had pledged her support and that she was insisting upon equitable access for all political parties and opinion on all media through out the election campaign.

The SB was disappointed that SRT based in Pale had so far not been able to agree to the adoption of these standards despite the diplomatic efforts of the OHR. They supported the continuing of these diplomatic efforts in order to establish a reunified RS network consistent with international standards of broadcasting. In the meantime they endorsed the continuance of broadcasting from Banja Luka under the assurance that both the OSCE and the OHR would ensure that all political parties and candidates in the RS National Assembly elections gained equitable access to the network regardless of the point of transmission.

The SB also discussed the plans for the restructuring of the whole media landscape of BiH and endorsed in principle the proposal for an Intermediate Media Standards and Licensing Commission (IMSLC). The detail on how this commission should be constructed will be presented to the PIC in Bonn in December.

The SB discussed in detail progress regarding the different Sintra issues. They noted in particular the blockages on Citizenship and Passport Laws and the unified car registration plates. It expected these and a number of other issues, including adoption of property legislation, the solution to the Usora issue and establishment of the multi-ethnic administration in Brcko, to be resolved before the Bonn meeting next month. Such a message had also been delivered to the Presidency and the Council of Ministers. The issue of non-compliance, and possible ways and means to redress this non-compliance was discussed in detail.

The SB expressed deep concern that the Federation and the RS had not amended their property laws to make full implementation of Annex 7 of the Peace Agreement possible, as required by the Sintra declaration. The SB emphasised that amendment of existing property laws in a manner fully consistent with the Peace Agreement was of the utmost importance. Should these amendments not be made prior to the PIC meeting in Bonn, the SB would recommend that sanctions be imposed. The SB also noted that the Council of Europe was currently considering the application BiH for membership, and recommended in that regard that amendment of property laws to ensure conformity with the European Convention on Human Rights and Annex 7 of Peace Agreement should be a precondition for accession to the council. The SB expressed its dismay at the revisions made by the Federation government to two of the draft laws on property prepared by the OHR, and at the Federation's failure to disclose

its version of the third OHR draft law. The two laws which the Federation had put and proposed to the Parliament did not conform to Annex 7 of the Peace Agreement. The SB called upon the Federation government to modify both laws in accordance with the amendments suggested by the OHR, and to send a proposal regarding the third OHR draft law which conformed to Annex 7 to Parliament forthwith. The SB stressed that the law on Sale of Socially-Owned Apartments must not be applied until the Federation's property laws were brought into compliance with Annex 7 of the Peace Agreement.

Finally, on economic issues, the SB expressed its deep concern regarding the possibility of an economic crisis in BiH due to the inertia of the Common Institutions. The adoption of the QSP and its economic laws in June laid the basis for a reasonable economic policy and sound and stable economic reconstruction; however, these laws had only been partially implemented and progress had been insufficient to enable the IMF to finalize the Letter of Intent through which a stand-by arrangement was requested. The SB urged the Common Institutions to address and resolve these matters responsibly and with haste.

Federation Forum

On 12 November, Federation President Vladimir Soljic, Vice-President Ejup Ganic, and other Federation officials, together with members of the international community, met in Sarajevo to continue the Federation Forum (FF) session begun in Travnik on 30 October. The meeting was co-chaired by U.S. Ambassador Richard Kauzlarich and OHR Head of Political Department, Christian Clages. The following points were agreed: (summarised)

- **Municipalities:** Participants expressed concern over the fact that the Draft Law on Split and New Municipalities had still not been adopted by the Federation Parliament. They addressed the outstanding question of the boundaries of the Usora municipality, which was supposed to be resolved by 1 September 1997. They welcomed the readiness of the OHR to arbitrate on this disputed issue if President Izetbegovic and President Zubak were ready to jointly use their full authority to ensure the acceptance and implementation of any arbitration result.
- **Legal System Reform:** Participants welcomed the Agreement on the Judicial System for Cantons 6 and 7 of 10 October 1997, and called for both Cantons 6 and 7 to complete the establishment of their Cantonal judicial systems in accordance with that Agreement. Participants also called for Cantons 4, 7 and 10 to act expeditiously to delegate their authority to adopt a criminal code to the Federation.
- **Property Legislation:** Participants acknowledged that the commitment made at the last FF to amend existing property laws by adopting the three Draft Laws submitted by the OHR had not been met, and agreed that these essential legislative changes would be made before the PIC meeting in Bonn. They noted that the PIC Steering Board had stated that it would recommend that sanctions be imposed if the required changes were not made by that date.

  Participants agreed that Annex 7 must be implemented in full in both Entities and that legislation must apply the same standards in both the Federation and the RS. Participants acknowledged the commitment of OHR to have legislation adopted in the RS which meets the standards of the Federation and is fully consistent with Annex 7 of the Peace Agreement.

  Participants agreed that the version of the Law on the Cessation of the Application of the Law on Temporary Abandoned Real Property Owned by Citizens and the Law on Taking Over the Law on Housing Relations adopted by the Federation government would be amended. The Law on the Cessation of the Application of the Law on Abandoned Apartments would be revised in accordance with the amendments made to the preceding two laws. In addition, the Law on the Sale of Socially Owned Apartments would not be applied until the Federation's property and housing laws were brought into compliance with Annex 7 of the Peace Agreement.

  Participants welcomed the suggestion that a mechanism be created, with the participation of the Federation authorities, under the auspices of the Return and Reconstruction Task Force (RRTF) to address the potential effects of the proposed laws, and to formulate recommendations for alternatives for persons affected by the

return of pre-war occupants. At the same time, Participants noted that housing allocation problems also must be addressed urgently, and that improvements in the methods for allocating existing housing would reduce the impact of the proposed laws. To that end, they committed themselves to working with the RRTF to implement effective measures to address housing allocation issues, both in Sarajevo and elsewhere in the Federation. Participants took note of the remarks of the Federation Ombudsmen that many effects of these changes in law could be effectively countered when abuse due to existing housing allocation practices were revised to meet professional standards in accordance with the law. In this context, they also recognised the importance of concluding the overdue census on DPs in BiH.

Recognizing that the protections afforded to pre-war occupants under the proposed law were designed primarily to ensure the right to return, participants agreed that persons who reclaim their socially-owned apartments under the proposed laws should occupy those homes, and that restrictions on the resale of apartments reclaimed under the proposed law were appropriate for an interim period. Participants agreed that the proposed Law on the Cessation of the Application of the Law on Abandoned Apartments would be amended to include a provision which would address these concerns.

- **Privatisation:** Participants agreed that privatisation was a very important step for the economic progress of Bosnia. Participants agreed to move forward quickly on the Bank privatisation and Opening Balance Sheet laws. Participants agreed to seek technical assistance from USAID, WB, IMF and U.S. Treasury. Participants agreed that the institutions with privatisation authority as specified in the law would present to the government by the end of November, a program of privatisation implementation with specific deadlines. Participants were aware that for privatisation to be successful there must be a context of political and macro-economic stability and an adequate institutional framework.

  Participants agreed that the Bank Privatisation should be conducted by the Ministry of Finance and other institutions in accordance with the law. Bank Privatisation and Opening Balance Sheet laws would be submitted to the Government not later than 21 November and would be submitted to the Parliament not later than 28 November and would be scheduled for fast track consideration and passage by Parliament not later than 5 December. The Law on Opening Balance Sheets should include a formulation to address the ownership of state-owned immovables which had been recorded into the Court Registers in favor of the respective enterprises and banks.

- **Education:** Participants noted the decision of the Federation Minister of Education to revoke the instructions issued on 22 January 1997 and 15 July 1997 on “The Use of the Curricula and Two Education Plans on the Whole Territory of the Federation of BiH,” and agreed that discrimination resulting from implementation of the Instructions should be rectified with appropriate remedies provided.

  Participants emphasised that an essential purpose of education should be to promote understanding and reconciliation among the ethnic, religious and cultural groups of Bosnia and Herzegovina, while recognising that parents have a right to see their children educated in conformity with their convictions. They pledged to work together to ensure that all persons in the Federation were educated according to their needs, in a manner which also contributes to tolerance and stability within the multi-ethnic state of BiH, and in full accordance with the relevant provisions of the BiH Constitution, the Federation Constitution, and the human rights agreements set forth in Annex 1 thereto.

Fight Against Corruption

The Office of the High Representative (OHR) and the European Commission (EC) reaffirmed their commitment against corruption and called for vigilance in the use of donors’ money in a joint press release on 28 October.

The High Representative (HR), Carlos Westendorp, and Security Policy EU (CFSP), Hans van den Broek both agreed that there was no evidence of corruption related to donors’ funds or donors’ money going missing, but agreed that

there was a need for more transparency in the accounting and use of international funds. They stated that there was a need to remain vigilant to ensure the donors' funds did not end up in the wrong pockets.

The HR recalled that he had recently submitted a report on this matter to the Steering Board of the PIC. The European Commissioner stressed that customs evasion represented a loss of revenue for the government and a financial punishment to the citizens who must pay more for the goods in order to offset the loss of revenue.

With a view to keeping vigilance high, the EC contributed to the establishment of a Customs and Fiscal Assistance Office (CAFAO), an institution that was playing a critical role in the restatement of confidence in the customs administration in both entities in BiH. Aimed at helping the Government of BiH with establishing a correctly functioning customs service in the entities, the CAFAO was now implementing a modernisation and development programme. A report from the CAFAO to the BiH Government concerning fraud was submitted soon.

With regard to RS in particular, the joint statement recalled that the EC decided on 10 July to suspend non-humanitarian aid to the RS mainly to avoid that aid should end up in the pockets of the Pale faction.

Mr. Van den Broek said that where there was a risk of corruption, the IC donors and investors alike, were discouraged from putting funds into BiH. Funds which should create jobs or repair damages were lost. As a consequence, the aid was restricted. The EU was thus funding CAFAO, which was working well in helping to identify and tackle problem areas. Mr. Van den Broek said that work was being carried out in close cooperation with the OHR, and full support had been given to Mr. Westendorp in his efforts. Mr. Westendorp welcomed the CAFAO's excellent work in auditing the activities of the customs administrations and anticipated a satisfactory response from the BiH authorities.

On 13 November the Federation Government endorsed the two reports by the CAFAO at a session in Sarajevo, and defined activities that the responsible institutions and bodies needed to undertake in line with the reports. The Government concluded to continue cooperation with CAFAO and said it would carry out full control and revision of business transactions of companies mentioned in the CAFAO report.

HR Westendorp welcomed this response from the Federation authorities and said he looked forward to seeing that the measures they said they would take were demonstrably carried through.

Republica Srpska – SRT Pale

Concerning the restructuring of Srpska Radio Televisija (SRT), OHR Spokesman and Head of Public Affairs, Simon Haselock, said in a press conference in Sarajevo that there had been no change in the position of SRT Pale. They had still not returned the Veliki Zep transmitter parts or agreed to the terms for restructuring. On 27 October, HR Westendorp had released a statement saying that even though Mr. Krajisnik had denied taking the stolen TV transmitter pieces from the Veliki Zep transmitter on 16 October, he had made clear in contacts with the International Community (IC) that he was in a position to hand them back if he so chose. Having declined thus far to do so, the whole of the Eastern RS was being deprived of SRT programming. Mr. Westendorp said that using stolen property against the RS population in this way was "utterly reprehensible", and he added that the IC was making every effort to restore full SRT transmission in time for the pre-election period. This restoration of SRT was completed using satellite links by SFOR by 30 October.

In the meantime, SRT Banja Luka had decided to accept internationally recognised standards of broadcasting and journalism and to restructure along the lines endorsed by the PIC Steering Board in Rome. These principles were the removal of direct political control the acceptance of binding journalistic and editorial standards and the institution of a system of editorial oversight and advice provided by international experts. Additionally, it was considered vital that the SRT studio in Banja Luka gave equitable access to all legitimate political opinion and argument during the period of the election. The management of the SRT studio in Banja Luka also agreed the need to relocate their premises from the Presidency building and a temporary location for election programming was identified and used in the Banja Luka theatre. A new permanent neutral site is being currently investigated.

Human Rights

The Committee of Ministers of the Council of Europe (CoE) appointed Ms. Michele Picard as President of the Human Rights Chamber for Bosnia and Herzegovina. The Human Rights Chamber is a judicial body created under Annex 6 of the Dayton Peace Agreement and, together with the Office of the Human Rights Ombudsperson, it forms the Commission on Human Rights of BiH. The Chamber rules on human rights violations in the entire territory of BiH. It has 14 members, 8 appointed by the Committee of Ministers of the CoE (including the President), 4 by the BiH Federation and 2 by the Republika Srpska. The judges were appointed for an initial period of 5 years. Ms. Picard, a French citizen, has been working as a judge in the Chamber since February 1996. The Chamber is financed by contributions from member states of the CoE and by the BiH government. Recently, the US also announced its intention to contribute US$ 1 million to the Chamber and to the Office of the Human Rights Ombudsperson.

On 10 November, Education Minister of the BiH Federation, Rizvanbegovic, issued a revocation of the controversial Instruction on the use of two curricula in public schools. The Minister's decision followed several weeks of public debate on the issue which included protest actions by local NGOs and extensive media coverage. In a letter, addressed to Minister Rizvanbegovic, the Federation Ombudsmen declared that the Instruction had no valid legal basis and asked for it to be suspended. In the circular announcing the revocation, addressed to all Cantonal Ministries of Education and all managers of institutes for educational research, the Minister pledged to establish a Commission for the Elaboration of a Uniform Curriculum. Such a curriculum, he said, would contain "integrative elements" and would "respect the multi-ethnic character of Bosnia and Herzegovina." The international community has asked that any measures which already have been taken to implement the Instruction be reversed and that any discrimination which may have resulted be remedied.

On 26 October, local police informed UN IPTF that a murder had occurred in the village of Nula. Subsequent reports indicated that three Bosnian Croat men were shot at, killing one and seriously wounding another. The third victim reportedly sustained only minor injuries. The motive for the crime is still unclear. IPTF will closely monitor the investigations by the Croat and Bosniak police of the Travnik municipality. UN IPTF officials said that the local police at the scene acted professionally by sealing off the area for investigation. They also requested, and were granted, permission from UN IPTF to establish roadblocks and carry long barrelled weapons in order to assist them in their search for suspects.

The incident occurred across the street from the scene of an earlier double murder of two Bosnian Croats that took place on 30 August. On 14 October, an IPTF team from Sarajevo visited Travnik to review the investigations in that case, and a report on their findings is currently being prepared.

The UN said it would continue to monitor the local police investigations into these murders and would refrain from making any judgement as to whether the crimes were ethnically or criminally motivated until the investigation was completed.

On 24 October, Zlatko Memovic, a Bosniak being held in Bijeljina prison on charges of war crimes, was released. The release took place following a letter of intervention sent on 16 October by the BiH Human Rights Ombudsperson to the RS authorities requesting his immediate release in accordance with Rule 16 of the Ombudsperson's Rules of Procedure. Mr. Memovic was arrested and detained in February 1994. On 23 December 1994, the Bijeljina Military Court's first instance ruling had found Mr. Memovic guilty of war crimes and sentenced him to 11 years imprisonment. The RS Military Supreme Court annulled this decision on 13 October 1995 and ordered a retrial. Mr. Memovic remained in detention pending this retrial. The International Community has consistently held that Mr. Memovic was illegally detained, given the failure of the RS judiciary to retry the case promptly. The lack of will to schedule his re-trial, as well as the length of time spent in detention without a valid legal basis, has been one of the main human rights concerns of the OHR Human Rights Coordination Centre (HRCC) in this field for the past 18 months.

The International Community roundly condemned an attack on 27 October on an Orthodox Church in Brcko which was under construction. An explosion in the early morning hours caused damage to the foundations of the Church.

Central Bank

The International Monetary Fund (IMF) on 1 November appointed Peter Nicholl to succeed Serge Robert as Governor of the BiH Central Bank. Mr. Nicholl recently served as an Executive Director at the World Bank and prior to that had been Deputy Governor of the Reserve Bank of New Zealand. Under the Peace Agreement, IMF has the authority to appoint the Central Bank's Governor for the first six years. The Governor, who under the Agreement cannot be a citizen of BiH or any neighbouring country, may cast tie-breaking votes on the Central Bank Governing Board.

Brcko

Representatives of 13 nations and 12 international organisations gathered in Brcko on 4-5 November for a Brcko Donor's Conference, hosted by Brcko Supervisor Ambassador Robert Farrand, which was aimed at developing ideas and committing resources for economic revitalisation in Brcko.

The Supervisor, with local political leaders and the major international agencies involved, provided an overview of the progress made in the economic reconstruction of Brcko, and discussed further funding needs and commitments for the Brcko area. The Conference concentrated on 3 specific areas:

- **Reconstruction of municipal infrastructure:** the IC has made significant contributions already to the water and power supply but much remains to be done.
- **Small business development and micro-credit:** to release the talents, skills and energies of private enterprises.
- **Second destination housing:** as persons return to their homes of origin in Brcko, the need to provide alternative housing for Serb DP's currently occupying such homes remains paramount. The Supervisor has made clear that Serb DP's will not be put out onto the street.

**Full details of the outcome of the Conference are presented in the OHR Brcko Bulletin (Issue No. 4) which can be obtained by contacting the OHR Public Affairs.*

BiH Parliamentary Assembly

The 5th Sessions of both Houses of the Parliamentary Assembly of Bosnia and Herzegovina were held on 18 November. Items on the agenda included the initiatives launched by the by the SDA club of Delegates and Sejfudin Tokic of the UBSD for the recall of Velibor Ostojic as the Chair of the working Committee on Constitutional and Legal Affairs. SDS representatives were opposed to the cancelling of Velibor Ostojic's post, saying that the House of Representatives had legally elected him. The agreement concerning debt payment to the London Club was also approved. Delegates were informed that the debt to the London Club amounted to US$ 404 million. The new Minister for Economy and Foreign Trade, Mirsad Kurtovic, was elected, replacing Mr. Muratovic who has been re-posted as BiH Ambassador to Croatia.

The House of Peoples held its session later in the day and had a similar agenda to the House of Representatives and confirmed the decisions of the lower House.

The fifth session of the Parliamentary Assembly will resume on 27 November, where draft laws on the Council of Ministers, Citizenship and Travel Documents are expected to be considered. In addition, the BiH Presidency and Council of Ministers will present to the both Houses a political platform for the upcoming Bonn PIC meeting.

On the occasion of the fifth session of the BiH Parliamentary Assembly, Senior Deputy HR Hans Schumacher, took the opportunity to address the Assembly. In particular, Ambassador Schumacher focused on the three important laws (to be considered at the next session) and the importance of making progress in the work of the Common Institutions, and the Parliamentary Assembly in particular. Ambassador Schumacher said that a number of areas seemed to be blocked and though the country still lay in shambles the two Houses of the Assembly had met only

four times since their election. A clear signal of readiness to play a full and active role in the peace implementation process was needed. “There is no reason to lean back in satisfaction. The pace of implementation has been much too slow this year.” A concerted and intense effort was now required to regulate location and staffing issues – to turn the Common Institutions into effective bodies to adopt and implement important legislation which would serve as the basis for the recovery of BiH and its two Entities.

Ambassador Schumacher welcomed the initiative to submit the Draft Laws on Citizenship and Travel Documents. He urged the Parliamentary representatives to “take up the baton” of these two important laws – to kick start the process of unlocking the door for BiH to enter the world beyond its borders. A clear sign of commitment to the Peace Agreement was needed in advance of the PIC meeting in Bonn. If these signals were not given, OHR would be forced to consider other steps to overcome the blockages. “Let us make progress in the weeks ahead to give a clear signal to the Steering Board [of the PIC] when they meet in Bonn in a few weeks time and to the citizens of this country – that they may enter the new year with hope and belief that better times lie ahead for them and their children”, Schumacher said.

Banja Luka Airport Opens

On 18 November the Banja Luka airport was formally opened with the BiH Department of Civil Aviation (BiH DCA) issuing a provisional Airport Opening Certificate which authorises the airport to conduct commercial air carrier services. Banja Luka is the first of the regional airports in BiH to be opened for commercial air traffic under a civil co-operative agreement with SFOR. International airlines have already expressed interest in operating services to Banja Luka, and it is hoped that a regular scheduled commercial service will begin in the near future. Tuzla and Mostar Airports are expected to open under the same terms shortly. Present at the opening ceremony in Banja Luka were senior RS officials, including RS President Plavsic, and international officials including HR Westendorp and Principal Deputy HR, Ambassador Jacques Klein.

In his speech to mark the occasion, HR Westendorp thanked those who had made the airport opening a possibility, including SFOR, for control of the airspace, MND SW for undertaking the renovation work, the British Government, which had provided significant funding, and the US Government for its support and willingness to contribute to long-term funding plans for the regeneration of airports. Mr. Westendorp also thanked the many other nations which had offered aviation support. “We have here, in the field of aviation, an answer to the gloomsters and the doomsters. To those who write Dayton off, who assure us that it will never work, I say: look at this. Here is a joint institution which works”, said Mr. Westendorp.

The newly formed DCA, with its HQ in Sarajevo, was developing rapidly, Mr. Westendorp said. Its financial and management plans were being drawn up and its International Secretariat was being established. The three Directors had recently been in Brussels and reached agreement with Eurocontrol on overflight charges. Income was expected to start flowing in from 1 January 1998. “Airports mean jobs. They bring people, and people bring money and business. They put the towns and regions they serve firmly on the map. The opening of this airport today puts Banja Luka on that map; it will bring much needed employment to the region, and pour money into the public purse”. said Westendorp.

Mr. Westendorp wished the airport management great success and underlined that the opening of the airport was the principle of cooperation and work between the entities: “In short, a story of success and cooperation, working to international standardsÖ implemented by the Entities: a classic example of what Dayton is all about”.

In her address, Mrs. Plavsic said the opening of the airport showed there was “significant support for the healthy policies of opening the RS to the world. Our people desire to communicate with the world”. She also gave thanks to the governments of the US and the UK for their assistance and thanked Mr. Westendorp for his personal engagement on activities concerning the opening of the airport.

Standing Committee for Military Matters

On 24 November, the Standing Committee for Military Matters (SCMM) met for its third session. The Presidency,

Defence Ministers and Army Chiefs of Staffs attended along with SFOR, OSCE and OHR. The meeting, under the chairmanship of President Krajisnik, successfully completed discussion of all agenda items. Of particular note, the SCMM approved a statement committing the SCMM to facilitate the articles of the Ottawa De-mining Treaty (see Demining Issues in this Bulletin) while SFOR introduced their proposal for a general weapons amnesty. Also, representatives from NATO gave the Committee a short presentation on the BiH Security Coooperation Courses run by the Alliance at their training school in Germany. Finally, SCMM was also briefed on progress on arms control by OSCE.

The next SCMM meeting will be on 17 December in Lukavica under the chairmanship of President Zubak.

During the month, OHR continued to chair the SCMM Secretariat meetings. The Secretariat is currently working on proposals for the Military Representation of BiH overseas.

Demining Issues

In accordance with the London Conference Conclusions of December 1996, the management of the Mine Action Centre (MAC), the co-ordinating body for civilian demining in BiH, will be transferred from the United Nations to the Authorities of BiH. The OHR and UN co-chair a body of key international donors and SFOR called the Board of Donors. This has worked with the BiH Commission for Demining to design a structure which will sustain and enhance efficient demining in BH after the transfer.

The Entities will receive resources to carry out extensive civilian mine clearance operations, while some functions will be centralised at BiH level. Donors will still be able to pursue bilateral arrangements with Entity governments, in accordance with national standards. The Board of Donors will remain in existence for the time being to offer guidance and represent donor interests.

On 30 October 1997, the Council of Ministers signed a Memorandum of Understanding and Agreed Principles setting out this structure after a joint presentation by OHR, the UN and the BiH Demining Commission. Work is now be undertaken by the BH Demining Commission with the assistance from the Board of Donors to realise the CoM wishes. At a time when the award of the Nobel Peace Prize to the International Campaign to Ban Landmines has added impetus to the international efforts in mine clearance and mine awareness, this event is a significant contribution to solving the tragic problems which mines have brought to this country.

OHR worked with the SCMM Secretariat to compose a statement which commits the SCMM to implementing the Articles of the Ottowa Treaty once it is signed by BiH. This statement, approved by the SCMM on 24 November, states that “the SCMM is determined to support any policy which will put an end to the suffering caused by anti-personnel mines in BiH and recognises the great potential which the Committee has to effect this”. The statement continues: “Öthe Committee endorses the Presidency decision on the signing of BiH of the Ottowa Treaty, prohibiting the use, stockpiling, production and transfer and anti-personnel mines and on their destruction. The Committee will, within the defines of its Rules of Procedure, encourage and coordinate the implementation of the appropriate Articles of the Treaty”.

ICTY

On 17 November five new judges to the International Criminal Tribunal for Former Yugoslavia (ICTY) made a solemn declaration before taking up their mandates. Outgoing Tribunal President, Antonio Cassese, who has served as President since 1993, called for better international cooperation for “the final end to an immoral practice that allows the victims’ sufferings to be forgotten.”

The judges who were sworn in are: George May, UK; Florence Ndepele Mumba, Zambia; Rafael Nieto Navia, Colombia; Almiro Simoes Rodrigues, Portugal; and Wang Tieya, China. Judge Mohamed Shanabuddeen of Guyana who is also newly-elected, had already joined the tribunal. Five judges were re-elected at the UN General Assembly session on May 20 1996 for a new four-year term of office. They are: Antonio Cassese, Italy; Claude Jorda, France; Gabrielle Kirk McDonald, U.S.; Fouad Abdel-Moneim Riad, Egypt; and Lal Chand Vohrah, Malaysia.

On November 19, the judges held their first Plenary Session at which a new President and Vice-President were elected. U.S. Judge Gabrielle Kirk McDonald will replace Antonio Cassese as President. McDonald will serve as President for the next two years. Judge Mohamed Shahabuddeen of Guyana was elected vice-president for the same period.

Arrival of New Senior Deputy HR

Ambassador Dr. Hanns H. Schumacher arrived in Sarajevo on 12 November to carry out his duties as Senior Deputy High Representative in succession to the late Ambassador Gerd Wagner, who was killed in a helicopter crash in September. Ambassador Schumacher most recently served as German Ambassador in Namibia, and was previously Spokesman of the German Foreign Office.

Council of Ministers

The Council of Ministers held a session in Lukavica on 20 November chaired by Co-Chair Bosic. Mirsad Kurtovic, the new Minister of Foreign Trade and Economic Relations, attended this CoM session for the first time in his new capacity. The CoM succeeded in adopting a draft law covering its own functions – the Law on the Council of Ministers – which was forwarded as a proposal to the BiH Parliamentary Assembly. The draft Laws on Citizenship and Passports were discussed but with no conclusive results.

UNHCR

United Nations High Commissioner for Refugees Sadako Ogata paid a three-day visit to BiH and Croatia from 19-21 November to discuss refugee return issues with top Federation and RS officials. Mrs. Ogata met with the Chairman of the Joint Presidency, Alija Izetbegovic, RS President Biljana Plavsic, and Federation President Vladimir Soljic. Among the issues discussed were: return of refugees to areas where they would be a minority, refugee security and the open cities initiative.

Presidency

On 24 November, the BiH Presidency held a session in Sarajevo. In an attempt to harmonise the different standpoints, they discussed the special parallel relationships (SPR) between BiH and Croatia, bearing in mind the question of the establishment of SPR with the FRY. The results of the discussion were inconclusive.

At its 28 October session the BiH Presidency verified 28 out of BiH's 33 ambassadorial appointments. The Presidency adopted a proposal on the distribution of ambassadorial posts in September, according to which the Presidency acting collectively appoints 33 Ambassadors, with the three Members each suggesting candidates (Izetbegovic: 13, Krajisnik 11, Zubak: 9). The five remaining posts should be filled within the next few weeks. Discussions are now taking place on the draft Policy paper for BiH prepared by an internal Working group of the Foreign Ministry. Training for the staff of the restructured foreign ministry is to begin soon.

RS Member of the Presidency, Momcilo Krajisnik opened up the question of BiH charges against FRY and requested that the Presidency state its position in this regard. It was decided that this issue would be discussed at one of the next sessions when all the relevant documents were compiled.

Open Broadcast Network

The OBN Governing Council (GC) was held on the 23 October in Vienna. The budget implications of the expansion of the transmission network to RS were discussed which further highlighted the continuing cash flow problems of the project in relation to the disbursement of pledges which had caused the project some problems recently. The outline figures for a possible stage three funding round were presented and the details of the new business plan will be revealed at the next GC in December. The new OBN TV Chief Executive Officer, Mr. Ramiz Mehakovic presented his vision for the future of the television project which was warmly welcomed by the members of the Council.

The MOU between the OHR and the BiH authorities concerning the positioning of the 10K transmitter on Vlasic Mountain was signed in early November. The installation and connection of this transmitter is now ongoing with completion anticipated by the end of November. Optimisation of the signal, however, will take further fine tuning.

Freedom of Movement

CAFAO officials recently visited border crossing points at Gradiska and Bosanksi Brod and met with both BiH/RS and Croat customs officers. It was noted that the situation had improved considerably with commercial traffic moving at Gradiska and private car traffic movement in both directions at Bosanski Brod.

OHR will address outstanding issues, such as high-duty goods, insurance problems and visa-waiver for residents from RS.

Looking Ahead

30 November:
Federation Forum, Travnik
9-10 December:
Steering Board of the Peace Implementation Council meets in Bonn
9-11 December:
Plenary meeting on Succession Issues for the Former Yugoslavia, Brussels
17 December:
Standing Committee on Military Matters meeting, Lukavica

See our Chronology for a full list of activities

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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