

# **OHR Bulletin 56 - 31 July 1997**

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## **HR in New York**

The High Representative (HR), Carlos Westendorp briefed members of the UN Security Council (SC) on 28 July in New York. Issues on independent media within BiH, abuses of media at Entity level and also police issues were discussed, as was the failure of the RS police to realign and reorganize themselves in accordance with the Dayton Peace Agreement. In a separate meeting with UN Secretary General, Mr. Kofi Annan, the current situation in BiH was discussed in some detail. In their talks on conditionality it was agreed that the Economic Task Force, chaired by the HR, was the best way to deal with this issue. It was further agreed that blanket conditionality would achieve very little and that conditionality must be specific and aimed at conditions found on the ground.

At a press briefing held after the meetings Mr. Westendorp provided more information on what had been discussed in his meetings. He said that he had proposed two ideas to the SC. One was that an inter-agency unit to fight corruption in BiH, comprising international and local officials should be set up in the country. This was an idea that did not necessarily require a SC resolution. The concept of an inter-agency task force with full participation of local authorities would be an attempt to draw the attention of local authorities to the fact that transparency in governmental and international level financial dealings was the only way to assure a good reputation and sound working practice in line with internationally recognised standards.

Mr. Westendorp said it would also be useful to study the possibility of tracing the assets of alleged war criminals and other crooks in order possibly to freeze them through international action. He suggested that the SC reflect on that possibility and pass a resolution in order to enable the tracing of the assets worldwide.

Answering questions related to the recent spate of attacks against international personnel in the RS, Mr. Westendorp said that the situation was worrying. Those who had carried out the attacks had generally been careful in avoiding human casualties. Nevertheless, it had been made clear to local police that they would be held responsible for any action that might result in casualties, and that SFOR would act appropriately. Asked who had been carrying out the attacks, Mr. Westendorp replied that there were 3,000 members of the special police, some in civilian clothes, who controlled every municipality in the RS. It was easy for them to ensure that there were no victims. Evidently the Ministry of the Interior was responsible, and primarily it's Minister, Mr. Dragan Kijac.

## Finance Investigation Commission

Chairman of the BiH Presidency, Mr. Alija Izetbegovic released a press statement on 28 July regarding the recent statement by British Foreign Secretary, Mr. Robin Cook, and some articles in the press, especially British, on corruption by the Bosnian authorities. Mr. Izetbegovic said that he had decided to establish a Commission tasked with investigating the foundations for the accusations. The Commission would include representatives of international institutions with an involvement in international aid to BiH. A letter had been sent to the World Bank, the OHR and the Head of the EU Mission in Sarajevo, asking them to appoint one member each to this Commission. *"The Commission will have the right, when it comes to foreign aid and its use, to ask and receive all relevant information and documents from any official in the Bosnian Government, regardless of rank or function"*, Mr. Izetbegovic said. If the accusations proved to be based on facts, those responsible would be immediately arrested and brought to trial. If however, the accusations proved to be unjustified the foreign citizens who had been *"spreading such lies and information against the BiH Government"* would be asked to leave the country immediately. Mr. Izetbegovic said that the public would be informed regularly on the composition, work and findings of the Commission.

Mr. Izetbegovic's decision came after Mr. Robin Cook in an interview with a British Sunday newspaper said that the British Government was *"deeply concerned that sums of money [they had] put into Bosnia [had] not been used for the purposes intended"*. At a press briefing in Sarajevo during his two-day visit to BiH, Mr. Cook said on 29 July that Britain was willing to help with the Commission's investigation. *"I am glad that my remarks have prompted President Izetbegovic to announce a commission on the integrity of public finance,"* he said. Referring also to recent allegations of corruption in the RS made by RS President Plavsic, Mr. Cook said it was vital that an investigation into the integrity of public finances also extended to the RS. *"To call for normal, international standards of transparency in public systems of taxation and spending is not to attack the ordinary peoples of BiH but to defend their right to accountability"*, said Cook.

## European Union

At a press conference on 25 July Donato Chiarini, the Head of the European Commission's Representation Office to BiH, clarified the EU's position on providing aid to the RS in light of recent statements made by Mr. Hans van den Broek who in his statement at the Donor Conference said *"that recent events in the RS [had] led the EC to the conclusion that it was not warranted at this point in time to start new reconstruction projects there"*. Mr. Van den Broek said that humanitarian assistance would continue but that *"the overall political and economic influence and power by people indicted for war crimes [was] such that it would be irresponsible to continue spending public funds for reconstruction purposes."*

Emphasising that the EC would continue with its humanitarian aid, Mr. Chiarini said that the EC would also continue to support a number of aid projects which supported a strengthening of ties between the RS and the Federation. This would include the project to rebuild the Entities' telephone networks, as well as programmes that would promote refugee return. Economic help to the RS would, however, depend on its support of the peace process, and in particular the handing over of war criminals.

On 21 July the Federation of BiH and the European Union (EU) signed a Memorandum of Understanding (MoU) for the rehabilitation of the telecommunications network in BiH. The MoU was signed by Federation Prime Minister, Edhem Bicakcic, and the Head of the European Commission's Representation Office to BiH, Donato Chiarini.

With the MoU the two sides agreed that the European Commission (EC), the executive body of the EU, would supply the Federation Ministry of Transport and Communications, on a grant basis, the equipment necessary for the re-establishment of telecommunications links throughout the territory of BiH, including inter-Entity connections between the Federation and the RS. The first disbursement will supply equipment worth 8 million ECU (approx. 16 million DEM), including an SDH Microwave Radio Relay Network, the inter-Entity connections, the basic RS Radio Relay Network, and the necessary cabling, local switches and access networks. The EC will also supply the necessary support and technical assistance for the training of telecoms operators.

SFOR will also provide assistance in implementing the MoU, in particular by: helping with the removal of debris from telecoms mast sites; constructing access roads; providing secure storage facilities for the equipment; and

providing local transport assistance.

## Donors Conference

In pledging US\$ 1.226 billion at the third Donor Conference for the reconstruction of BiH, held in Brussels on 23-24 July, representatives from 48 countries and 30 international organisations reaffirmed their commitment to reconstruction and peace implementation in BiH.

The Chairman's Conclusions released after the conference said, *"This level of assistance will permit substantial further progress in the implementation of the Priority Reconstruction Programme"*. Of the funds pledged, part had already been committed since the beginning of the year, financing priority reconstruction and peace implementation activities. Priority objectives include: programmes to facilitate refugee return (including housing, jobs and basic social services); continued reconstruction of the war devastated infrastructure (including energy, transport and telecommunications); rehabilitation of social sectors (including schools and health facilities); employment creation through private and financial development; institution building and policy reforms to facilitate BiH's transition to a market economy.

The international community expressed their readiness to continue strong support for the reconstruction of BiH in 1997 and beyond as long as there was adequate progress in the implementation of the Peace Agreement, including cooperation with the International Tribunal in the Hague, and in economic reforms. In this context, participants made it clear that reconstruction assistance would be directed towards those who were adhering to and implementing the Peace Agreement. In this respect the role of the Economic Task Force, chaired by the High Representative, was particularly welcomed.

The Chairman's Conclusions noted that the transition from emergency aid to reconstruction assistance in 1996, should be followed this year by a shift to sustainability. Policy and institutional reforms to support sustainability were set as an objective of and prerequisite for donor support. Participants were urged to rapidly implement their pledges and make continued efforts through the remainder of the year to raise pledges to the US\$1.4 billion needed to meet 1997's reconstruction requirements.

## Mostar

Senior Deputy High Representative Ambassador Gerd Wagner paid his first visit to Mostar on 23 July. The main objective of his visit was to hold talks with leading Hercegovina Neretva Canton (HNC) officials and acquaint himself with the local authorities and political situation in one of the most sensitive areas of the Federation. During the course of his visit he held meetings with: the SDA Cantonal Board, including HNC Governor Leho, the HDZ Cantonal Board, including Vice-Governor Markovic, President of the Cantonal Assembly, Bender, and President of the Cantonal Government Brajkovic, the HDZ Party President Rajic, the Mostar Mayor Prskalo and his Deputy Orucevic, and Cantonal Deputy Minister of the Interior Dziho. Addressing the press following the day's meetings, Ambassador Wagner stressed the need for the HNC authorities to adopt the cantonal budget and amendments to the HNC Constitution. Referring to the controversial formation of a *"Union of Mostar city municipalities with a Croat majority"*, he pointed out that this could be legal only if it were limited to services which did not conflict with the Agreed Principles for the Interim Statute for the City of Mostar. Ambassador Wagner had recently made this clear in a letter to Federation President Soljic and Vice-President Ganic, in which he pointed out that *"any decision (...) to melt three municipalities on either side of the Neretva into one would be a severe violation not only of the letter but also of the spirit of the agreement reached in Dayton"*.

## Brcko

A public statement released on 25 July by senior officials of the main political parties in BiH (SDA President Izetbegovic, President of the Party for BiH, Silajdzic, President of SDPBH, Lagumdžija, President of UBSD Beslagic, President of HSS Sliskovic, President of LS Kadic, President of GDS Spahic, and HDZ representative Anic) as well as

the President of the Commission for Brcko Ganic, Brcko Mayor, Jusufovic and his Deputy Dzapo, announced that following a meeting to discuss the present situation in Brcko they had agreed to accept Supervisor Farrand's proposal and recommend that, pending a final decision of the Arbitration Tribunal, citizens returning to the Brcko area accept the interim identification documents (ID cards) in the form proposed by Mr. Farrand. The statement said that the recommendation came in light of a recent letter from Supervisor Farrand in which it is explicitly stated that the acceptance of these documents would not and may not in any way affect the final solution of the destiny of the town of Brcko. The signatories opined that the ID cards would contribute to a faster and more efficient process of refugee return, eliminating the risks of incidents and increasing the degree of security for the returnees and their families.

Signatories' expectations of Supervisor Farrand included: the adoption of a City Statute to ensure Brcko's multi-ethnicity following the elections; the acceleration of returns to Brcko; the security and safety of all citizens in cooperation with IPTF and SFOR, and freedom of speech through media and political activities; a ban on the privatisation of houses, apartments and enterprises in Brcko until the final Arbitration decision; in cooperation with the CoM and assistance of IPTF and SFOR the establishment of customs services of Bosnia at the border crossings from the direction of Croatia on the territory of Brcko, specifically and immediately on the right bank of the Sava bridge; and, the taking of necessary steps with a view to the gradual reopening of Brcko harbour.

The signatories reconfirmed their determination to do everything in their power, including to support the citizens of Brcko, the Supervisor, and other international players, to return the town of Brcko to the people of Brcko.

## **Right To Return**

UNHCR announced on 30 July the spontaneous return on the weekend of 26-27 July of some 200 Bosniacs to the Bosnian Croat controlled area of Jajce in the Federation. UNHCR officials said that in many cases, the people had moved into what were essentially bare structures, houses with even the window frames ripped out. Nonetheless, they were determined to stay there, and UNHCR and other agencies were looking into ways of helping them make those places habitable.

The returns occurred without incident and the local police were reportedly patrolling the area. In fact, local policemen had been observed helping people move into their homes. The returnees were mainly DPs from around the Zenica area

## **Mine Issues**

The United Nations Mine Action Centre (UNMAC) recently reported progression through a phase of high activity with new staff and equipment continuing to arrive and deminers' training courses approaching completion. The UNMAC now has regional offices in Banja Luka, Bihac, Mostar and Tuzla with a liaison office in Pale. Demining programmes funded by the World Bank and European Union have been taking place in the RS and Federation, and so far more than 80,000 square metres of mine-free land had been returned to the population this month.

A Danish Government donation of US\$ 1 million enabled UN MAC to set-up a demining NGO in Bihac which will be run by French charity Humanitarian International. The UNMAC reported spending US\$ 870,000 on emergency demining contracts which were carried out in cooperation with local demining companies monitored by technical advisors from the South African company SARACEN. In the Federation, working with the local company AMPHIBIA, this initiative is expected to provide mine-free areas in Bihac, Donji Vakuf, Gorazde, Sarajevo and Tuzla. In the RS a plan is in progress with the local company UNIPAK, to clear an access road in the village of Vjerica in preparation for refugee return. A transformer station near Srednje will also be demined to allow for repairs to the station. UNMAC also reported that the UK company Defence Systems Limited (DSL) had completed a second training course for local deminers in Busovaca. These teams would work in Dobrinja, Vitez and Orasje. Unexploded ordnance (UXO) disposal teams trained by the UK company BACTEC working in Bihac, Busovaca, Mostar and Sarajevo since May '97 had so far cleared almost 2,000 pieces of UXO.

## SFOR - Change Of Command

In a formal ceremony at SFOR Headquarters in Ilidza on 30 July, the Stabilization Force Commander (COMSFOR) General William Crouch handed over his duties to General Eric Shinseki. The ceremony was attended by the Secretary General of NATO, Dr. Javier Solana and the Supreme Allied Commander Europe (SACEUR), General Wesley Clark as well as other high officials from various civilian organisations, including HR Carlos Westendorp.

## ICTY

A statement by the International Criminal Tribunal for the former Yugoslavia (ICTY) on 29 July said that a forensic team from the Office of the Prosecutor (OTP) had commenced its 1997 exhumation programme at a site in Brcko. Members of the OTP forensic team had been present at the site for four weeks carrying out preliminary tasks which included survey of the site for the presence of mines and unexploded ordnance and removal of rubble. Human remains were now being removed, however, for reasons of security at the site, and not to prejudice ongoing investigations, no further details concerning the remains could be released at this time.

The statement said that the site, photographs of which first appeared in Time Magazine on 29 January 1996, was related to the indictment issued on 21 July 1995 against Goran Jelusic and Ranko Cesic, in connection with the confinement and systematic killing of hundreds of Muslims and Croat men from Brcko at the Luka camp. Goran Jelusic was allegedly the commander of the Luka Camp and is charged with genocide, crimes against humanity, violations of the laws and customs of war and grave breaches of the Geneva Conventions. It is believed that exhumation of the site will provide corroborative evidence of the crimes alleged in the indictment. The exhumation and the subsequent post mortem examinations will enable the OTP to establish the manner and cause of death of the victims interred.

ICTY said that the funding requirements of the OTP for its 1997 exhumations programme totalled US\$ 2,200,000. To date, 50% of this sum had been raised through generous contributions from Austria, Canada, Malaysia, the Netherlands, Sweden, Switzerland and the United States. Funding to complete the exhumations programme for 1997 was urgently needed and still being sought from donors.

The initial appearance of Milan Kovacevic, captured by SFOR forces and transported to the Hague on 10 July, took place on 30 July. Kovacevic pleaded not guilty to the charge of genocide. The initial hearing had been delayed due to Mr. Kovacevic's ill health.

## Media Issues

The Media Experts Sub-Commission in Mostar issued a press release on 28 July which said that despite very clear statements by Croat authorities confirming there was no Union of Municipalities with Croat majority in Mostar (but only a declarative decision of the Croat Councillor's Clubs in the three municipalities expressing the political will to form such a Union), many media reports continued to give the impression that such an illegal structure existed. Condemning the misinformation, the statement said that media creating this impression and failing to inform about the real situation were in violation of Article 130 of the PEC Rules and Regulations for media which reads: *"Media and journalists shall not engage in distortion, suppression, falsification, misrepresentation, and censorship, including systematic omission of information."*

SFOR announced that, as of 28 July, the ability of Radio MIR (Radio Peace) to reach the people in and around Sarajevo, the most populous area of BiH, had been improved. SFOR had moved the transmitter from Zetra to a hilltop 5km north-east of its old location. The added height now permitted the signal to reach beyond Pale. This improved reception represents a first step in improving the availability of more independent information to the public.

Radio Mir broadcasts 18 hours a day, from 6:00 a.m. until midnight and can be found by tuning in to 106.2 FM or 1017 AM.

# Looking Ahead

**1 August:**

BiH Presidency continues its 22nd session

**1 August:**

Council of Ministers session, Lukavica

**6 August:**

Chairman of BiH Presidency Izetbegovic and President of Croatia Tudjman scheduled to meet in Split, Croatia

**6 August:**

Richard Holbrooke scheduled to begin his visit to the Balkans

*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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