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Donors Conference

The third Donor Pledging Conference in support of BiH began in Brussels on 23 July. The two-day Conference will be attended by representatives from 48 donor governments and 12 international organisations and is hoped to raise enough to meet the US$ 1.4 billion required for 1997 reconstruction needs in BiH. Scheduled to take place at the beginning of the year, the Conference had been postponed on several occasions due to the Parties' failure to meet the necessary conditions. These conditions included the adoption of a package of economic laws related to the Central Bank, State budget, external debt management and customs policies. The approval of these laws by the BiH Parliament on 20 June, as well as the agreement reached between the International Monetary Fund (IMF) and BiH authorities on almost all of the elements of an IMF stand-by arrangement, cleared the way for a final decision on the holding of the Conference to be made.

A joint statement released on 15 July by the European Commission (EC) and the World Bank (WB) confirmed their decision to hold the Donor Conference on 23-24 July. The statement by the Head of the Representation Office of the EC, Ambassador Donato Chiarini, and Acting Director of the WB Resident Mission, Saumya Mitra, said that, as co-hosts to the Conference, the EC and WB were convinced that there were "sufficient grounds to ensure that a pledging conference [would] provide renewed impetus to the reconstruction effort in BiH, while bringing additional incentives to implement other aspects of the Dayton Peace Agreement".

Addressing the participants of the Donors Conference, High Representative Carlos Westendorp expressed his satisfaction that, in spite of all the past difficulties, they had been able to assemble for the Conference. Pointing to the significant progress which had been made since the last Donors Conference on 13 April 1996, Mr. Westendorp reminded that major problems remained. Of particular concern was the current crisis in the RS and Mr. Westendorp called on the RS delegates to solve their differences in a manner compliant with the Peace Agreements. The recent acts of terrorism and abuse of police authority in the RS were a cause for great concern and would not be

tolerated: “We will hold those in power fully responsible for any such acts”, said Mr. Westendorp.

Mr. Westendorp shared his assessment of what had been achieved since the last Conference: people had started working, common institutions had been set up, freedom of movement had improved, goods were moving between Entities, some 88,000 refugees and 164,000 DPs had returned, and threats to fundamental human rights had diminished. The adoption of the Quick Start Package, coordination of the Entities economic policies and progress in economic reconstruction were further positive developments. However, there could be no doubt that the civilian implementation of the Peace Agreement had fallen short of expectations. “But what I want all of you to bear in mind is that the reconciliation between people emerging from a war takes time and can only happen with your support for economic reconstruction, enabling people to rebuild their lives” said Westendorp.

Addressing the issues of what needed to be done, Mr. Westendorp highlighted four points of particular relevance to the field of economic reconstruction:

1. strengthening of the Common Institutions;
2. transition to a market economy;
3. reconnection of vital networks – railways, telecommunications and power; and
4. creation of conditions for minority returns.

Mr. Westendorp called for support for his work in implementing the civilian aspects of the Peace Agreement. The key elements of such support would be:

1. an unambiguous reconfirmation of the Donor Community to the task of establishing a democratic BiH with an open market economy;
2. a clear conditioning of support on the beneficiary’s cooperation with the International Community (IC) in all civilian aspects of the Peace Accords, including apprehension of war crimes suspects;
3. a recognition that political conditionality on the disbursement of funds would be implemented by the Economic Task Force, chaired by the HR; and
4. pledges that in aggregate came close to the reconstruction needs as estimated by the WB.

Concerning the issue of conditionality, Mr. Westendorp said: “We should avoid generalisations which do not take into account specific circumstances and requirements on the ground. It goes without saying that assistance cannot be unconditional, but is bound to compliance with agreed obligations. When applying conditionality, it has to be ensured that only those who are willing to cooperate in good faith with the international community should be rewarded. We must not get into a situation where those who do not cooperate take others hostage”. This required from donors to distinguish and use assistance in a selective way. As deadlines for new implementation steps from Sintra approached, Mr. Westendorp said his office would identify shortcomings and propose solutions. “I am ready to apply political conditionality to the disbursement of funds through the Economic Task Force”, he said

In concluding, Mr. Westendorp assured participants that peace implementation was making progress and that their support for reconstruction had been an essential part in achievements made to date. A critical juncture had been reached where it was of utmost importance that the IC reconfirm its willingness to support the reconstruction and market oriented development of BiH. “It is also crucial that the IC be capable of rewarding cooperation in the implementation of the Peace Accords, and to withhold support from those obstructing the process”, said Westendorp.

Peace Implementation Council

The Steering Board (SB) of the Peace Implementation Council (PIC) met at the level of political directors in Sarajevo on 18 July to assess the general situation with regard to the peace implementation process in BiH.

In a press briefing following the meeting, HR Carlos Westendorp outlined the main topics of discussion at the PIC meeting. The SB had reaffirmed the Sintra conclusions, noting that the general level of compliance with the Peace Agreement was still inadequate and that deadlines established in Sintra had not been properly met. It was clear

that those who did not comply with the Peace Agreement would have to suffer the consequences of their actions. The SB had stressed that economic conditionality would be fully applied through the Economic Task Force, which was presided over by the HR. Those who complied would receive international support, those who did not, would not. This was particularly important in view of the forthcoming Donors Conference.

Mr. Westendorp said that the SB had expressed great concern about the situation in RS, where an increasingly anti-democratic atmosphere prevailed. They firmly condemned all acts of terrorism and violence in the RS which were clearly designed to intimidate the international community and its implementation of the Peace Agreement. The international community would hold those in power and in positions of responsibility fully responsible for any such act.

The stagnation of the peace process in both Entities was also assessed to be worrying. In particular, the failure of RS representatives to attend meetings of the common institutions was a clear breach of the Peace Agreement. It was demanded that the RS representatives comply urgently with the Peace Agreement. Urging that political differences within the RS be solved peacefully and through dialogue, in a manner consistent with the rule of law and the democratic principles of the Peace Agreement, the SB said that support would be given to those whose actions were in accordance with the Peace Agreement.

The SB also deplored campaigns against the international community, not only through acts of terrorism, but also including recent incidents of media manipulation. The control and manipulation of the media by RS authorities and the intimidation activities by the RS police were considered to be large obstacles to impartial presentation of the current political crisis in the RS. Mr. Westendorp said that the SB had seriously considered the possibilities for future action by the High Representative if public media did not comply with the Peace Agreement. Also deplored were the recent display of posters of Radovan Karadzic in contravention of the commitments accepted by RS in July 1996.

Concerning Brcko, the SB noted two primary difficulties. One was the refusal by the Federation to accept the ID cards issued by RS local authorities, and the other was the lack of security and misconduct of the RS police vis-ŕ-vis those who wanted to return. The SB had stated very clearly that those actions which were not in compliance with the Peace Agreement would have a negative impact on the final decision of the Brcko arbitrator.

Mostar was also an important issue where cases of non-compliance were evident. This was mainly due to the presence and influence of Croat extremists. The SB noted, that there had, however, been a certain positive evolution in recent weeks, especially after the arrest of those involved in the criminal events of February. It was agreed that the influence of the Croatian authorities had to be exercised. Mr. Westendorp said that the SB agreed on asking the Croat authorities to extend their influence on the extremists in west Mostar and in general.

With regard to the municipal elections the SB expressed confidence that, with the Parties' cooperation and with some extra funding from the international community for implementation of the election results, the elections would be of a higher standard than those which had taken place last year.

Constitutional Crisis in RS

On 19 July the Main board of the RS ruling Serbian Democratic Party (SDS) decided to expel RS President and member of the Board, Biljana Plavsic, from the party. The Main Board also called on Plavsic to resign from her post as RS President and transfer her duties over to the RS Vice-President Dragoljub Mirjanic. In their explanation the Main Board said that Plavsic had distanced herself from the SDS, its policy and party organs, as well as from state organs and that her work of late had been "incorrect" and, "damaging". Representatives of the IC, including OHR, made clear that they saw no constitutional implications in the Board's decision, and said they saw no reason why Mrs. Plavsic would not continue in her post as RS President.

At a rally of support organized in Doboj on 20 July Plavsic said that she was not surprised by the SDS Main Board decision to expel her from the party. "I can breathe easier now", she said

On 22 July The Supreme Court of the RS rejected as "illicit" a petition submitted by the RS Government against RS President Plavsic for her decision to dissolve the parliament and call new elections. "Since the RS President made the decision to dissolve the parliament based on her constitutional authorization, the petition is rejected", the

Supreme Court explained. A final decision on the constitutionality of Plavsic's decision, not expected before mid-August, will be made by the RS Constitutional Court.

Joint Police Forces Established

The Herzegovina Neretva Cantonal police attained official status on the orders of Cantonal Minister of Interior Coric and Deputy Minister Dziho, effective 1800hours on 21 July. Describing the event as "an important first step" UN IPTF officials said that the important element now was to "capitalise on the real and tangible sense of momentum generated by the establishment of the police force in Mostar and to translate this into equal progress on the formation of the Cantonal police in the outlying municipalities".

The cantonal police for the BiH Federation town of Gorazde was implemented on 15 July, representing the second cantonal police force to be implemented under the supervision of the UN International Police Task Force (IPTF).

Council of Ministers

On 17 June a scheduled session of the BiH Council of Ministers (CoM) was cancelled after Serb representatives boycotted the meeting. In a letter to HR Westendorp on 17 July, Mr Bosic, Co-Chairman of the CoM had cited recent SFOR action and feelings of insecurity as reasons for the Bosnian Serb representatives' recent non-attendance in the work of the joint institutions. OHR officials commented saying the fears were unfounded. Only those who knew they had done something wrong had legitimate reason to fear detention by SFOR. Senior Deputy High Representative Ambassador Wagner expressed his regret that the session had been cancelled as there were many important issues which the CoM needed to resolve and deadlines which had to be reached.

The CoM reconvened a session on 21 July at which all CoM members were present, with the exception of Mr. Bozanic and Mr. Krizanovic.

The CoM discussion focused on preparations for the Donors Conference. Ambassador Wagner, who also attended the session, emphasized that those that obstructed the implementation of the Peace Agreement would not receive economic aid. CoM Co-Chairman Haris Silajdzic, said after the meeting that there was complete agreement among CoM members concerning the basic stands for the Conference. It was further confirmed that the delegations of the two Entities would travel separately to Brussels. Agreement on the approval of a Military Attaché from Hungary was also reached at the session. It was decided that other agenda items, such as the important issues of CoM, Citizenship and Passport Laws would be discussed at the next session.

Presidency

The Presidency of BiH continued its 20th session in the National Museum on 17 July. Mr. Krajisnik, who refused to come to Sarajevo for *"security reasons"*, was represented by his Legal Adviser Nenad Radovic. An OHR proposal concerning the distribution of ambassadorial posts, which had been handed over in a meeting under the chairmanship of Senior Deputy HR Wagner earlier in the day and according to which there would be 28 embassies and four missions, was considered. It was decided that each member of the Presidency would send comments on the proposal by the next session. Concerning the establishment of diplomatic relations between BiH and FRY the Presidency instructed the Ministry of Foreign Affairs to draft a reply to Milutinovic's letter of April 1997 within 7 days.

The Presidency continued its 20th session on 22 July at the electro-technical faculty in Lukavica. Mr. Krajisnik participated in this session, which was also attended by Mr. Zubak, while Mr. Izetbegovic was represented by Co-Chair of the CoM, Haris Siladzic. Discussion on the distribution of diplomatic posts did not result in a final decision due to positions difficult to reconcile so far. The item will be addressed again at the next session. The Presidency agreed in principle to the funding of the three commissions created under Annexes 6 and 7 of the Peace Agreement (the Commission on Human Rights, encompassing the Ombudsperson's office and the Human Rights

Chamber, as well as the Commisson for Real Property Claims of DPs and Refugees and the Demining Commission). A BiH contribution of 200,000 DEM will go to each commission. Despite the Chair's insistence that the situation in the Serb Entity be addressed, Mr. Krajisnik objected to any discussion of internal RS matters.

Attacks and Intimidation

A number of attacks, threats and intimidation against international organisations in the RS Entity of BiH have occurred over the past week with representatives from OSCE, UNMIBH/UN IPTF and SFOR reporting a number of explosions and bomb threats against officials from their organisations. These include: on 15 July an explosion in Banja Luka outside the ground floor apartment used by an OSCE official; on 16 July an explosion in Prijedor which damaged a vehicle belonging to a UN IPTF officer and three stun grenades detonated outside a British base in Banja Luka; on 18 July an explosion in Bosanska Gradiska which damaged the house of a UN IPTF officer; and on 20 July a bomb blast near the OHR/UN offices in Brcko. Vandalism and bomb threats have also been reported.

Declining to categorise the attacks as "orchestrated", representatives of the international organisations have nevertheless expressed concern and urged their officials to take necessary security precautions. Reacting to reports in the RS media that the attacks were "spontaneous acts" by the RS population in response to the 10 July SFOR actions in Prijedor, international officials said that they held the RS authorities entirely responsible for any attacks which had, or might, occur against their representatives.

OSCE

The Election Appeals Sub-Commission (EASC) met on 17 July 1997 to consider allegations of registration irregularities in the municipalities of Jajce, Zepce, Bosanski Brod, Stolac and Zenica. A summary of the judgments issued on that date follows:

Jajce

The EASC investigated allegations that DPs registering to vote in Jajce were not in fact residents of Jajce as of 31 July 1996. It was found that local authorities including the police, had participated in the creation and distribution of false documentation needed for DPs to vote in Jajce. The governing HDZ party was found to be responsible for the registration irregularities, and for violating Annex 3 of the Peace Agreement (PA) and PEC Rules and Regulations (PECRR). Accordingly, EASC struck the first, second, and third names off the HDZ party list in Jajce.

Zepce

In Zepce, the EASC investigated allegations against the HDZ and SDA for irregularities in the registration of DPs. It was found that irregularities occurring at the Golubinja registration center reflected a concerted plan to improperly register DPs. The well organized plan was coordinated by the SDA and involved at least 350 citizens who arrived at the registration center on buses from Maglaj and Doboj. Lunches, drinks and seating had been provided for those waiting to register. Local authorities had falsified records to support the attempted registrations. OSCE did not register the people involved. Since SDA's plan violated Annex 3 of the PA and the PECRR, the second and third names of SDA members on the coalition list for municipal elections in Zepce were struck.

Stolac

The EASC investigated allegations that Certificates of Citizenship bearing the official seal of the municipality of Stolac were distributed to citizens of Croatia in order to enable them to register to vote in the Stolac municipal

elections. Such Certificates had been created and distributed throughout Croatia to former residents of Stolac and the municipal authorities were found to be part of the scheme. The HDZ, as the ruling party in Stolac, was held accountable by the EASC for the conduct of the municipal authorities involved in the falsification of the Citizenship documents. The HDZ in Stolac was found to be in violation of Annex 3 of the PA and the PECRR. The EASC struck the second and third candidates off the HDZ party list in Stolac and denied all registration applications submitted to registration centers in Croatia to vote in the Stolac municipality.

Bosanski Brod

The EASC investigated allegations that on June 24, 25 and 26, the SDS participated in a plan to register DPs who were not residents of Bosanski Brod on or before 31 July 1996. The investigation found that the DP documentation presented on June 24-26 were falsified. It was found that the SDS had participated in the creation and distribution of false DP cards and/or residency receipts and therefore violated Annex 3 of the PA and the PECRR. The first and second names on the SDS party list in Bosanski Brod were struck.

Zenica

Allegations that managers of state-run enterprises in Zenica were intimidating their employees into registering to vote were investigated. It was noted that the managers in question promptly complied with an OSCE directive to cease such conduct early in the registration process and that their conduct had had no detrimental effect upon the registration process in Zenica. The EASC, however, noted its concern that such conduct could in other instances, seriously affect the prospect for fair and free elections and cautioned ruling parties from participating in such tactics. Before closing the case the EASC reminded the ruling parties that it was incumbent on them to seek out, punish and discourage acts of intimidation

The EASC met again on 21 July to consider 3,688 individual appeals to register in the Brcko municipality and to consider allegations of irregularities during the re-registration period in the Brcko municipality:

Brcko

Of the 3,688 individual appeals that the EASC adjudicated:

- 181 were allowed to register in the Brcko municipality;
- 3,270 were denied registration in Brcko because those appellants did not have valid documentation that was issued on or before 31 July 1996. The EASC held that the 3,270 appellants whose appeals to register in Brcko were denied would be registered to vote in the municipality where they resided in 1991.
- The remaining 237 appeals raised questions of citizenship and were referred to the Citizenship Verification Sub-Commission for determination.

It was found that the SDS, local police and municipal authorities had actively participated in the creation and dissemination of invalid documentation needed by DPs to register in the municipality of Brcko. The Brcko Red Cross Center, run by the local authorities, was also found to be conditioning humanitarian assistance upon proof of registration. At least two announcements in the local media suggested that residents who did not register were “traitors” and would suffer unspecified negative repercussions. One such announcement was made by the President of the Local Election Commission. The SDS, as the ruling party in Brcko, was found to be responsible for the irregularities that had occurred and as a consequence the first, second and third candidates were struck off the SDS party list in Brcko. The LEC President was also fined one month’s salary for his statement on 22 June 1997 on SRT TV.

On 21 July OSCE announced the beginning of the Claims period. In the next two weeks 150 Claims Centres will be

open 7 days a week, with hours set by the Local Election Commissions. According to the PEC Rules and Regulations, the purpose of this period is to enable voters who signed up during the registration period to verify the accuracy of the preliminary voter's register.

USAID

On 16 July U.S. Agency for International Development (USAID) signed a Memorandum of Understanding with the mayors of six municipalities in the Middle Bosnia Canton (Busovaca, Novi Travnik, Donji Vakuf, Fojnica, Kiseljak and Gornji Vakuf). The MOUs formalise USAID's commitment of US$1.6 million for the rehabilitation of municipal infrastructure and guarantee the municipalities' commitment to abide by the principles of the Peace Agreement.. USAID Mission Director, Craig Buck said "USAID is firmly committed to supporting the principles of the Dayton Peace Accords as a condition for providing assistance. By signing MOUs with the mayors of these six municipalities, we are assured that there can be no misunderstandings about USAID's expectations regarding freedom of movement and the right of DPs to return home, regardless of their religion or ethnic origin".

NATO

NATO SACEUR (Supreme Allied Commander Europe), U.S. General Wesley Clark, visited Sarajevo on 18 July for talks with members of the BiH joint Presidency. General Clark also met with the COMSFOR General William Crouch and Principals of the major international organisations including HR Carlos Westendorp, Senior Deputy HR, Gerd Wagner, UN SRSG Kai Eide, UN IPTF Deputy Commissioner, Col. Werner Schumm, OSCE Head of BiH Mission, Robert Frowick, and UNHCR Special Envoy Carrol Faubert and UNHCR Chief of Mission Pierre Francois Pirlot.

Looking Ahead

22-23 July:
Donors Conference, Brussels
25 July:
Joint Presidency Session, Sarajevo
29 July:
Joint Presidency Session, Sarajevo

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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