

INFORMATION OF THE RS GOVERNMENT ON THE CURRENT POLITICAL-SECURITY SITUATION REGARDING EVENTS IN TREBINJE AND BANJA LUKA WITH PROPOSED MEASURES

INTRODUCTORY REMARKS

With the intention to improve cooperation and communication between the religious communities, the RS Government and its responsible ministries began with direct and frequent contacts with the representatives of the religious communities seated in Banja Luka, which included the several meetings between the RS Prime Minister and responsible ministers with the Banja Luka Bishop Franjo Komarica and Banja Luka Mufti Ethem Camdzic.

During these meetings, speaking about the problems of religious communities, it was clearly stated that the Government and its bodies would respect human rights and freedom for this area, and work on the creation of a legal framework and atmosphere for normal work in the area of education (religious classes), reconstruction of destroyed buildings and repossession of property which is currently being illegally used.

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It was also clearly stated that the Government will not object nor in any way obstruct requests for reconstruction of buildings, which is best illustrated by issuing of urban consent for reconstruction of Ferhadija mosque in Banja Luka, unimpeded construction of mosques in Kozarac and Gradiska, and final phase preparations for reconstruction of buildings in other places (Novi Grad, Dubica, Mrkonjic Grad, etc).

An unavoidable consequence of these talks was the also the means of reconstructing these facilities without impeding normalization of work for these communities, safety of property and peoples, respect for legal regulations in the area of property issues and preservation of political-security situation.

All talks of the RS Prime Minister and responsible ministers with the representatives of religious communities clearly stressed the same intentions and positions, which were presented in the media, and which not for one moment applied double standards in their approach.

In accordance with these positions, the Ministry of Religions suggested more modest ceremonies marking the beginning of works on these buildings, because it was evident that in places where there was not too much media exploitation, even in cases where legal procedures were not respected, the process of reconstruction of buildings encountered no problems. The example of Kozarac best proves this.

It was suggested during the talks that normalization is gradual, step by step, in order to avoid unwanted situations, which was not the case with the Ferhadija reconstruction. Regarding the events in Trebinje, the Ministry of Religions only received an invitation, and minister was unable to attend, but he sent a telegram of congratulations for beginning of works.

The leaders of the Islamic Community were not patient enough to wait for urban permits, but they ignored the legal procedure and hurried with laying of corner-stones, which is not in accordance with the procedures that need to be fulfilled to commence construction by the investor, if one wanted to be legal in these cases, thus contributing to rising tensions and creating a negative atmosphere conducive to excesses.

With the intention of creating a more normal climate and satisfying the religious needs the Islamic Community, it was suggested during talks that before the project of Ferhadija, one could begin with the construction of another building (Stupnicka dzamija), which was rejected because, as they said, for the Islamic Community, Ferhadija is the priority regardless

In the end, when the decision was made to lay the corner stone for Ferhadija on May 7th, invitations were sent with a verbal announcement that they expected numerous diplomats rous diplomats as guests and brief program of activities, which implied that it was probably agreed among the organizer and competent services.

We thought that the presence of Ministers Antelj, Turalic and Novakovic would contribute to the ceremony of laying corner stone, and adequately represent the Government at the same time. Unfortunately this fact, as well as the presence of the delegation of the RS National Assembly, which for more than six hours shared the destiny of Moslem believers who gathered at the site, inside the building of Banja Luka Mufti house, was deliberately ignored, apart from the verbal statement of Banja Luka Mufti Camdzic, while the media, especially the ones from the Federation, deliberately omitted this fact because it probably did not fit in the image of the RS which was satanized to such extent with an orchestrated campaign to call it a "creation of genocide" which should be abolished, "Serb fascism", "the last bastion of fascism and nationalism in Europe", "raging hordes of Chetniks", and all other nasty things.

On top of all this, the statement of the political parties were not much different from the above mentioned statements, and it culminated with the statements of Reis-ul-Ulema Mr. Cerić in his interview given to RTRS, for which the IC representatives said that it cannot be broadcast then as such. It is indicative that none of the above mentioned were even warned for their statements, regardless of the clearly proclaimed position on stopping inflammatory speech, which could be heard in Sarajevo, Sanski Most, Ključ and other places.

INFORMATION ON THE COURSE OF EVENTS IN TREBINJE AND BANJA LUKA

The events which took place in Trebinje on May 5th and Banja Luka on May 7th, 2001 during the laying of corner-stone for mosques, organized by the Islamic Religious Community, have caused a series of unfavorable events, which damaged the overall situation in the RS. The schools were not spared.

The riots in Trebinje occurred on Saturday when there are no school classes, therefore there was no organized release from schools and directing them towards the site of the ceremony marking the beginning of construction of Islamic religious object, and we received the information from the Ministry of Interior that there was a low number of school children present at the scene. Therefore, people employed in the education sector cannot be held accountable.

The Public Security Center in Trebinje was officially informed about the ceremony of laying corner-stone for Osman-Pasha mosque first time on April 30th, 2001 by the Head of OHR Trebinje Daniel Ruiz, who did not give more concrete information, except that representatives of entity governments, BH authorities, the International Community and religious groups were invited. In accordance with the plan, based on the available knowledge on possible danger to the public gathering, the Public Security Center Trebinje conducted the planned measures.

The police undertook standard security measures on the site planned for the ceremony already on May 4th, 2001. In the area of Old Town (Stari grad) in Trebinje, on May 5th, 2001 citizens started gathering around 12:30 and there was already about a thousand of them. The groups started expressing their discontent, whistled and used abusive language at a number of dignitaries who arrived. As tensions grew, Mr. Ruiz informed the security officers that the planned ceremony would take place in the premises of Medzlis of the Islamic Community due to the situation on the ground, which is about 200 meters away from the planned site.

Around 13:15 a larger group of citizens (150-200) who went towards the Medzlis of the Islamic Community were successfully stopped by the police. However, as the mob grew larger, the police was pushed back all the way to the entrance in the Medzlis building. In that moment, Daniel Ruiz was attacked, and with police intervention, he was removed from the mass and sheltered in the premises of Medzlis. After this incident, the police managed to calm down the gathered people, who then withdrew to the site planned for the ceremony. In the meantime, in the Medzlis building, secured by the police, the planned religious ceremony continued.

Between 13:30 and 14:00 on the site planned for the ceremony, violence again escalated where there was still a larger group of citizens who managed to push the police away. Then the Moslem flag was taken down. This attack in which groups of citizens were throwing stones and sand at the police lasted about 10-15 minutes.

After the ceremony in Medzlis finished, the police evacuated the representatives of the International Community and other dignitaries, and then the visitors who were escorted by the police to Mostar in buses. The dignitaries under special protection, the Member of the BH Presidency Beriz Belkic and the BH Federation President Karlo Filipovic, safely left the town.

After this event, the security measures for the premises used by the International Organizations were increased in

Trebinje, and other places under the jurisdiction of this Police Center. The Public Security Center filed criminal charges to the Public Prosecutor against four persons on justified suspicion of committing criminal acts of violent behavior; and minor offense charges against ten persons to the Trebinje Minor Offense court. Due to failure to control the public gathering, the Minister of Interior dismissed the Chief of Public Security Center in Trebinje.

The Minor Offense court in Trebinje immediately ordered offense prosecution against ten persons: (A.P., V.D., D.D., C.Z., S.A., S.M., Dj.L., K.M., K.B., V.M.).

The Minor Offense court in Trebinje questioned all suspects, except the suspect V.M. who is out of reach for the court and prosecution bodies, and suspect C.Z. who has a record on mental illness, and in that respect will be questioned by medical expert – neuro-psychiatrist.

Based on the Report from the Republic Prosecutor regarding the events on May 5th, 2001 in Trebinje, it was established that the Public Security Center in Trebinje filed criminal charges against four persons. The Basic Public Prosecution office in Trebinje, based on the evidence pressed charges against C.Z., S.A, and V.D. for criminal act of violent behavior from the Article 372 Paragraph 2, Item 1 of the RS Criminal Code. The same office requested preparatory procedures for charges against the minor D.D. for same criminal act.

The RS Ministry of Education was not officially informed about the date, the preparations or organized arrival of Bosniacs in buses from the BH Federation to the ceremony laying the corner stone for Ferhat-Pasha mosque in Banja Luka, nor received any information or information from any side about organizing citizens to prevent this manifestation.

Based on the information from the Ministry of Interior and TV footage, it was evident that a significant number of school children participated in the riots. In the course of investigation, we requested the information from directors of all Banja Luka high schools on the possible organized release of school children from their classes to go to the scene of riots, as well as the names of all those who were absent that day from class. We established that:

- there was no organized release of school children from any of the schools, except for students from the School of Electrical Engineering at the request of their parents after the third class in the afternoon, which was around 17:00, when dangerous riots had calmed down.

We have also obtained all records of students' attendance and absence from classes that day. Based on these records one can conclude that a small number of them were absent from school, but the number of those who went to the scene of riots after the morning shift class, instead of going home, is not recorded.

After these events, five directors of high schools held responsible were dismissed from their positions at Technical High School, Economic High School, Civil Engineering High School Grammar High School and the Vocational High School High School.

After the RS Ministry of Interior was informed from the Banja Luka Public Security Center by the telegraphic message number: 10-14/10 from May 3, 2001 about the public gathering, the Deputy Minister of Interior held a working meeting with the Deputy Chief of the Public Security Center and the Heads of Police Departments and Crime Police, and ordered appropriate measures to be taken. With the telegraphic message from the Ministry of Interior, number: K/B-28/01 from May 4th, 2001 it was ordered that the Banja Luka Public Security Center (CJB) forms Security HQ led by the Chief of the CJB, that measures be planned and conducted under the first (highest) degree, that the Special Police Unit be put on stand by and take over high coordinates, that the Crime Police Office cooperate with the HQ and support fully in preparations, development of the plan and during the action, that the HQ, competent offices and duty operational center in the Ministry of Interior are duly informed about these measures, and at the end write the analyses and submit the report. With the second telegraphic message from the Ministry of Interior, number: K/B-28/01 from May 4th, 2001 it was ordered that the Public Security Centers from Doboj, Mrkonjic Grad, Prijedor and Serb Sarajevo undertake special measures to secure the route for passage for buses and other vehicles which are moving in an organized manner, that police stations for security in traffic provide traffic patrols on the route of passengers movement in order to secure unimpeded arrival and departure to and from the gathering, then that the police stations for security in traffic in Banja Luka provides patrols at the entrance to the town, which would direct the participants of the gathering to the center of town and provide parking places.

Police stations controlling State Border crossings at Novi Grad, Kozarska Dubica and Gradiska were ordered to organize the service with sufficient number of officers to avoid crowds and blockages near the border crossings, and to take any other necessary measures to secure a successful and safe arrival of participants to the site.

The first official communication on laying of corner stone was sent to the Banja Luka Public Security Center on April 27th, 2001 from the Executive Board of the Banja Luka Islamic Community, which can be regarded as the official application for holding a public gathering, which was approved by the Public Security center in accordance with the law. In accordance with the orders from delivered telegraphic messages from the Ministry of Interior, the Banja Luka Public Security Center formed the Security HQ, made an assessment of the security situation and plan for security.

In the assessment of the security situation it was estimated that it was a public gathering with an increased safety risk, that consequences of the war are still present and can be expressed in the dissatisfaction of the families of killed soldiers, war invalids, veterans and refugees population, then that the overall political-security environment creates a climate of tensions, which can be used to manipulate the citizens, and therefore it was not excluded that there were possibilities that an individual or a group could to provoke excesses or incidents and endanger the participants of the public gathering and their property.

The plan included using 335 authorized police officers in providing direct security measures for the location, and it was also planned to have reserve police forces and special police forces, depending on the situation on the ground.

During the planning and development of activities, we considered the assessments and conclusions from the extraordinary session of the RS Government held on the occasion of events in Trebinje. With the act number 10-01-052.107/01 from May 6th, 2001 the Banja Luka Public Security Center sent the Security Plan to OHR and IPTF Banja Luka, informing them that the organizer never sent us the Plan for the gathering, and BH common institutions never informed us on the number of VIPs who would attend the gathering (except for Mr. Klein). The course of the preparations and planning was monitored by the IPTF Regional Commander Mr. Karl Heinz Schayen, who entirely agreed with the planned activities.

A few hours before the planned beginning of the ceremony, citizens started to gather around the site of the Islamic Community Center. At the arrival of about 400 Bosniacs, then the representatives of the Islamic Community, International Community, BH representatives and other high officials, whose participation was announced by the organizer only one hour prior to the ceremony, serious violation of public peace and order broke out. Groups and individuals resented the presence of the participants at the gathering and the cordon of police, especially at the moment of the arrival of the BH Foreign Minister, responding with verbal assault and throwing eggs, stones and other hard buildings, to which Bosniacs responded the same way. Provoked with such gestures, in the period between 10:30 and 11:15, on two occasions, a group tried to break the police cordon, but were stopped. In their third effort at 11:30 few demonstrators from the mass of over 6,000 citizens, including a significant number of school children, managed to break through the cordon and reach the front of the Islamic Community building where they broke several windows with stones, damaged the car of the BH Foreign Ministry, took down the religious flag and put up the Serb flag, and physically attacked the persons on the site. Just before that happened, the dignitaries of the the Islamic Community, the International Community and a number of Bosniacs found shelter in the Islamic Community building (around 350 persons).

Due to the obvious trend towards serious violations of public peace and order , the Chief of the Banja Luka Public Security Center, in accordance with the Article 13 of the Law on public gatherings, in the presence of IPTF representative, called Resad Salihovic, one of the organizers of the gathering, to stop the ceremony, which he decisively refused. Since the security situation was becoming more complicated, the Public Security Center added 250 more police officers, besides the 350 engaged already, who were successively brought to the scene into the direct security, as the tensions grew and the mob grew larger, and the members of the special police took over four high coordinates from which they observed the scene and informed about the movements of the groups, protected the building of the Islamic Community from which they gradually evacuated persons and partially were engaged with crowd control.

During the evacuation, six police vehicles were damaged, and two policemen were hurt. In the meantime, the groups of hooligans burned seven buses, a van and two international vehicles, damaged seven police and other vehicles and prevented the members of the fire-brigade from intervening.

The evacuation of the persons from the building of the Islamic Community was finished at 18:00, and half an hour

later the gathered mob dispersed. The Emergency Ward in the Banja Luka Clinic treated four policemen, twenty Bosniacs and seven demonstrators. Two persons severely hurt were kept for medical treatment (one was released on May 8th, 2001) and 28 persons with lighter injuries were released after medical treatment.

Eighty-four (84) policemen and technicians were engaged in the operational security, out of which eight (8) were operationally covering the limited urban area and the site for laying corner stone area the night before, fifteen (15) were on stand by in the Center building with the task to intervene if needed, and sixty-one (61) operational officers were divided into three groups for immediate ground operations. It was planned that 5 crime technicians tape the event with video cameras, and one team for anti-diversionary protection acts upon request.

The realization of the operational and anti-diversionary protection plan, as well as the fire protection plan began on May 6th, 2001 at 18:00 when the preliminary anti-diversionary plan and inspection of the location was conducted. The activities continued during the night with the operational covering of the ground. On the day of the ceremony, from 7:00-9:00 hours, another anti-diversionary and fire inspection plan of the locality and surrounding streets took place, and reported to the chief of security. The crime police took over the planned locations at 10:00. Already then, the situation evidently pointed out to the possible severe violation of public peace and order. The effort of withdrawing individuals from the mob of demonstrators who started violating public peace and order did not succeed because a large group of citizens prevented police from doing so. Soon after, uniformed police formed cordons and could not assist operative officers in isolating and withdrawing the individuals, hence none of the persons were apprehended during the riot. The whole event was recorded on a video-camera, and all available crime technical equipment was engaged in security measures.

During May 8th and 9th, 2001 in the presence of the investigative judge of the Banja Luka Basic court, the Crime Police conducted an investigation on the scene and other localities in town where some privately-owned shops were damaged. It is necessary to stress that the Mufti prevented entrance into the premises of Medzlis, and it was conducted the other day, with the insistence of IPTF. The participants of the operational security made official notes after the action, based on which, in cooperation with the police, more than 40 perpetrators were identified. The Crime Police has so far filed criminal charges against 11 people for criminal acts of violent behavior, and against one person for instigating criminal acts provoking danger. Banja Luka Minor Offense court so far received offense charges for 37 persons who violated public peace and order, for which evidence was collected. The investigation on other criminal acts and finding their perpetrators is ongoing. Banja Luka Minor Offense court received requests for starting the offense procedure against following persons:

1. A.M. and J.V. who were both sentenced to 20 days in prison each, after the offense procedure conducted on May 9th, 2001, and with immediate effect sent to serve the sentence
2. C.M. and S.Z. were fined with 150 KM and 100 KM, and S.Z. was also sentenced to 10 days in prison under parole to six months.
3. Minor Offense procedure against S.V. was dropped for lack of evidence.

The Minor Offense court apprehended P.G., M.S., P.B., T.V. and R.S.

The apprehended P.B. and M.S. are sentenced to 20 days in prison, and with immediate effect were sent to serve the sentence. The offense procedure against P.G., T.V. and R.S. are dropped for lack of evidence.

The Banja Luka Minor Offense court sentenced a minor K.D. to seven days in prison and with immediate effect immediate effect was sent to serve the sentence.

After the completion of offense procedure, the court ruled that K.G. was guilty and sentenced him to seven days in prison and with immediate effect sent them to serve the sentence and T.Z. with sentence of ten days in prison, with immediate effect.

The Police Station I filed three charges to the Banja Luka Minor Offense court against Dj.P., B.m., G.D., M.M., M.N., and U.Z., and they are under the offense procedure, and hearings are scheduled for May 28th, 2001, because these persons are not apprehended.

The offense procedure is also underway for P.P., P.G., R.D. and B.Z. with scheduled hearings for June 7th, 2001.

The Banja Luka Public Security Center filed criminal charges to the Public Prosecutor in Banja Luka for conducting an investigation against P.G., M.S., P.B., J.V., S.Z., T.V., A.M., B.D., C.M., and S.V. for criminal act of provoking general danger from the Article 390 Paragraph 5 Item 1 and 3 and criminal act of instigating criminal activity of provoking general danger from the Article 390 Paragraph 5 Item 1 and 3 and all in accordance with the Article 24 of the RS Criminal Code.

We want to note also that IPTF, as the most competent member of the IC for surveillance and monitoring the work of the police, immediately after the events in Banja Luka, did not have any serious objections to the overall engagement of the police assessing that it was adequate for the situation and circumstances.

After the mentioned events on May 7th, 2001, the RS Minister of Interior resigned, as an act of moral and professionalism, and at the same time accepted the resignation of the Chief of the Banja Luka Public Security Center and initiated the procedure of establishing responsibility of a number of workers in this center. The Minister had also ordered the forming of the Working Group to analyze measures taken to secure the gathering in Banja Luka, as well as the assessment of responsibility of security officers.

Considering that the new situation objectively opens the possibility of complicating the security situation and endangering persons and property of the citizens, the Ministry of Interior undertook increased activities for the protection of citizens and their property, religious buildings, offices of the International Organizations, etc. It is important to stress that the possibilities of repeated incidents exist on the ground, unless wider political action of consolidation and stabilization of security situation takes place. Having that in mind, the RS public security centers are undertaking numerous and complicated tasks on the ground with high level of mobility and with increased dynamics. We certainly need material, technical, moral and general social assistance and support for that. We are convinced that in this joint task we would find help from all, starting with the International Community, political parties, media, and all citizens – because it is most in their interest.

The public gatherings on May 5th and 7th, 2001 held on the occasion of previously announced laying of corner stones for mosques in Trebinje and Banja Luka, attended by the dignitaries and representatives of the Islamic Community, representatives of the International Community and media, as well as some political figures from BH, and despite security measures, in both cases, there was a serious violation of public peace and order and violent behavior of groups and individuals. It left a number of persons lightly and severely injured and significant material damage. Having in mind the mentioned and announced similar events in the RS, as well as the fact that in the BH Federation there were several serious attacks and incidents on the Serb returnees and religious buildings, the current situation requires a comprehensive and objective assessment of the overall security situation and undertaking necessary measures in order to stabilize the security situation.

PROPOSED MEASURES

The escalation of violence against citizens and disturbing the public peace and order in both BH entities, after the events in Trebinje and Banja Luka, warns and worries the International Community, citizens, a progressive part of the public and especially the police. The deeper reasons for these occurrences are evident, and so is the necessity for comprehensive and coordinated measures and activities in order to decrease tensions and create conditions for full security of all citizens and their property.

With the purpose of overcoming the current situation, we suggest that the politicians, religious communities, IC representatives and media issue statements appealing for peace, tolerance and respect for law. The organizers of these and similar manifestations should in the future closely cooperate with local authorities and ministries in order to reach common agreement on plans for these events.

In order to avoid politicizing and creating tensions on these events, it is necessary to organize gatherings in cooperation with local administrative bodies, to agree on the choice of dates so as to avoid insulting of religious feelings of citizens and to maximally refrain from statements and comments which might lead to politicization of these manifestations.

The Government believes that these occurrences cannot be eliminated merely with repressive measures, but it is necessary to eliminate their causes so that all social structures must be involved.

It is necessary to increase preventive activities through working with young people in schools and free-time activities, aiming to create the atmosphere of religious and ethnic tolerance.

As a sign of good will, the RS Government accepted, at the same session while discussing this report, to assist financially in repairing the damage thus caused, within its possibilities.

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