

# **OHR Bulletin 63 - 22 October 1997**

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## **Republika Srpska - SRT Media**

On 18 October, SFOR mounted an operation to inspect the transmitter site at Veliki Zep, near Han Pjesak in Republika Srpska (RS). The operation was launched at the request of the OHR following the 16 October action by Srpska Radio Televizija (SRT) Pale to circumvent the ban on broadcasting by airing their pre-recorded programmes from Bijeljina Studio. The ban was imposed by the international community (IC) and will remain in force subject to acceptance of a series of restructuring criteria for the SRT. These criteria were outlined in a 7 October letter from High Representative (HR) Carlos Westendorp to Mr. Momcilo Krajisnik.

On arrival at the Veliki Zep site and following a technical inspection, SFOR discovered that the transmitter had been tampered with and vital parts removed. This act of sabotage has resulted in the complete disruption of the SRT signal leaving blank screens on the SRT channel for 30% of the RS population.

The OHR released a statement condemning in the strongest possible terms this "act of outrageous vindictiveness" which resulted in the people of the RS being deprived of their television programmes. "SRT as a public television network is owned by the people and as such this politically inspired sabotage is an assault on ordinary men women and children. Yet again the ordinary people of the RS are having to pay the price for their self destructive leadership", the statement said. The OHR added that in addition to the criteria laid down in the letter to Mr. Krajisnik, the missing parts from the transmitter must be returned before any discussion of SRT Pale being allowed to broadcast again would begin.

In the early hours of 20 October another act of terrorism took place in which one local Radio/TV

transmitter on top of a nine-storey building was blown up in down town Bijeljina. Since it had been established that the SRT pirate signal most probably came from Bijeljina, it seems that this transmitter was used to broadcast the recent unauthorised Pale news programmes. In view of the fact that a timing device was discovered to have been used to activate the explosive device, representatives of the IC believe it likely that SRT Pale carried out the explosion upon leaving the transmitter site. OHR officials described the attack as "another piece of naive vindictiveness".

## Contact Group

The Contact Group (CG) met on 17 October in Rome at the level of Political Directors. Chairman's Conclusions released following the meeting said that the CG were continuing to work for the implementation of the Peace Agreement under the guidance of the decisions taken by Ministers of the Peace Implementation Council (PIC) Steering Board Countries at Sintra. The CG looked to the High Representative to implement agreed policy on the ground and supported him in carrying out this responsibility.

On the question of the regulation of the media in BiH, the CG was working urgently for a BiH wide system which met normal European democratic standards. In the short term, the CG required a number of immediate steps in RS:

- the SRT governing board must be restructured, with a new General Manager;
- during the campaign for the RS Assembly elections, there should be fair, regulated access to the media by RS political parties supervised by the OHR to ensure proper practice;
- rules of conduct should be drawn up for journalists and for the management of the media in BiH. To this end, the CG strongly encouraged the authorities in RS to respond constructively to the HR's letter of 7 October.

Moreover, the CG welcomed the holding of RS Assembly elections on November 23 under OSCE supervision and called on all parties to cooperate with the international community to ensure a peaceful and democratic environment for these elections. The CG also requested the OSCE to undertake the supervision of other elections to be held in RS at a later date, in accordance with constitutional provisions.

The CG also considered the 14 October joint letter of the HR, the Special Representative of the UN Secretary-General and the UN IPTF Commissioner to the Federation President and Vice President regarding police issues in the Central Bosnia Canton. The CG expressed its concern that the restructured police was not yet fully established in the Canton, even though there had been agreement on its establishment by the end of August. The CG welcomed the solutions submitted in the Principals' letter and called upon the Federation authorities to implement these solutions without further delay.

## Brcko

The Supervisor for Brcko, Ambassador Robert Farrand, issued a Supervisory Order on multi-ethnic police in the RS Municipality of Brcko, in accordance with his authority under the Award on the Interim International Supervision in the Brcko Area of 14 February 1997:

The establishment of this police force by 31 December 1997 will be guided by the following principles and provisions (summary):

1. Welcoming the proposal of the RS authorities, the police force within the Supervision area shall commence restructuring on 23-24 October 1997, in accordance with the "Principles of Police Restructuring in the Republika Srpska, dated 16 September 1997."
2. The Supervisor, in consultation with UN IPTF, shall specify the total number of police that may operate within the Supervision area, bearing in mind that this Order and the restructuring process shall apply to all personnel operating within the Supervision area who carry out police functions, or who have law enforcement powers, irrespective of whether they are called police, in accordance with paragraph 4 of the "Principles of Police Restructuring in the Republika Srpska" of 16 September 1997. Special Police forces, subject to controls imposed by SFOR in accordance with Annex 1A of the GFAP and COMSFOR supplemental instructions to Special Police, dated 15 August 1997, shall cease to be based within the Supervision area, and to operate therein, as of 31 December 1997, unless authorized to do so on a case-by-case basis by SFOR. Furthermore, Reservist Police shall cease to function in the Supervision area as of the

date of issuance of this Order.

3. The Police Chief of the Brcko Municipality shall have two Deputy Police Chiefs. All three police officials shall be of different nationalities. The Police Chief shall be chosen from among the nationality which has the greatest number of citizens physically residing within the Supervision area. The Police Chief and his/her Deputies shall be elected by a two-thirds majority of the total number of councillors in the Municipal Assembly, in its constituent session no later than 30 days after the technical certification of the September municipal elections. If the Municipal Assembly fails to elect the Police Chief and his/her Deputies within the given time frame, the Supervisor shall, after consultation with UN IPTF, make the appointments.
4. The composition of the police force, as defined in paragraph 2 above, shall reflect the composition of the population based on the voters' registry and as reflected in the results of the September municipal elections.
5. UN IPTF shall complete the certification of police personnel in the Supervision area no later than 31 December 1997. All police personnel, as defined in paragraph 2 above, who have not been certified shall be considered as unauthorized police and shall be dealt with by SFOR according to its mandate. The Supervisor, in consultation with UN IPTF, shall monitor and evaluate the restructuring of the police in the Supervision area and report accordingly to the Brcko Arbitral Tribunal on its effectiveness and progress.
6. With immediate effect, the Brcko police should undertake the necessary measures to accommodate UN IPTF in the Brcko police stations. By 23 October, the Brcko police shall accommodate UN IPTF in the Brcko police stations in accordance with the UN IPTF co-location plan.

## **OSCE - RS National Assembly Elections**

On 13 October, OSCE announced that Ambassador Robert Frowick, Head of the OSCE Mission to BiH, gave the Election Department the authority to open political party, coalition and independent candidate registration for the RS National Assembly elections, with immediate effect.

Political parties, coalitions and independent candidates with an interest in participating in the RS National Assembly elections were encouraged to contact their nearest OSCE elections office for the necessary forms. The registration period ended on 20 October.

## **Human Rights**

On Saturday 11 October Senior Principal Deputy HR Ambassador, Jacques Klein, visited the scene of the early morning bomb attack against the Catholic High School in Sarajevo. Following his visit Ambassador Klein condemned the incident in the strongest possible terms, saying that it was an "attack on all civilised values". To bomb a school was an assault on children and as such was an attack on the future, he said, adding that the school was an ecumenical institution that accepted not just Catholic children but also those from the Orthodox, Jewish and Muslim faiths, as well as pupils from the international community. The bombing was therefore also a direct attack on the peace process. "Those who carried out this attack are sick people with sick minds whose deliberate aim was to inflame tensions. They are the enemies of peace and reconciliation," he said.

Ambassador Klein was also keen to emphasise that the Sarajevo Cantonal police were investigating the attack and that everything must be done to bring the perpetrators to justice. Every assistance must be given to the Police to help them do this. He also confirmed that immediate funds from both the OHR and UNESCO had been made available to repair the damage to the school.

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On 11 October Brcko Supervisor Robert Farrand condemned the attack on the Roman Catholic Church in Brcko in

which an unknown person through a tear gas canister at the front door of the Church during the Saturday afternoon mass. Around 200 people who were in the church were evacuated from the building. There were no physical injuries and the service resumed approx. 90 minutes later. In condemning the attack, Ambassador Farrand reminded that the right to practice religion freely was enshrined in Annex 6, Article 1 of the Dayton Peace Agreement.

## **Standing Committee on Military Matters**

The second Standing Committee on Military Matters (SCMM) met on 15 October in Lukavica under the chairmanship of BiH Presidency Chairman Izetbegovic. Presidency Members Zubak and Krajisnik also attended, as well as the Defence Ministers and senior Military Commanders of the two entities. SFOR and OSCE were also represented.

The SCMM approved the minutes of the last meeting and the Presidents signed the amended SCMM Rules of Procedure. The meeting then ran through the entire agenda successfully with useful and stimulating debate. The participants adopted the operational plan for the following six months and reviewed activities of the SCMM Secretariat within the Committee. Concerning the issue of BiH Defence Attaches, it was agreed that all proposals on this issue must be referred to the Presidency for approval. Preparatory work by the SCMM Secretariat had established that the initial tranche of postings should be to the OSCE HQ in Vienna, NATO HQ in Brussels and Washington.

The next meeting of this body is scheduled for late November, until which time expert teams are expected to elaborate on the mechanisms for BiH representation abroad. NATO are also expected to make a presentation on their training courses for BiH Military Officers. President Krajisnik will chair the next SCMM meeting at the Museum in Sarajevo.

## **HR Meets Trade Unions Representatives**

At the invitation of HR Carlos Westendorp, the presidents of the Trade Unions in BiH, Mr. Sulejman Hrle, President of the Confederation of Trade Unions BiH, and Mr. Cedo Volas, President of the Confederation of Trade Unions RS, met with Mr. Westendorp on 14 October in Sarajevo. This second meeting of its kind followed a first one of both Trade Union presidents with the then Deputy HR, Michael Steiner, on 7 June, at which the need for cooperation between both Trade Unions and of a good working relationship with OHR had been stressed.

HR Westendorp took the opportunity at this meeting to again congratulate both presidents on their recent re-election to their offices, adding that the renewed legitimacy given to both of them in the respective first post-war congresses in the RS and in the Federation was a signal, not only to the working people in BiH, to recognize the democratic legitimacy of their leaders in the process of peaceful reconstruction in BiH.

The possible establishment of a cooperative body to address the rights and interest of the workers of BiH was discussed as a means to bring together Trade Unions throughout BiH into a common body that would work for the betterment of the social situation in BiH and the implementation of European social standards in the country. Both the Trade Unions and HR Westendorp agreed on a standing mutual consultation on the social status in BH. The HR asked both Trade Unions to support OHR's own efforts by presenting to him regular reports on the social status of the people in BiH.

## **Right to Return**

On 14 October 1997, Federation President Soljic, Vice-President Ganic, Federation Prime Minister Bicakcic and his Deputy Bilandzija, Deputy Minister for Refugees Ljubic and Assistant Minister Garib, Minister of Interior Zilic and his Deputy Leutar, Governor Saric of the Central Bosnia Canton (CBC) and his Deputy Terzic and other Canton officials met to discuss the situation in the Canton. The meeting was chaired by Principal Deputy High Representative

Ambassador Klein, UNHCR Chief of Mission Pirlot, SRSG Ambassador Eide, UN IPTF Commissioner Seitner, COSSFOR General Widder and OSCE Deputy Head of Mission Jenness also attended.

Recalling the conclusions of the Second Federation Meeting on Central Bosnia on 27 August, the participants reviewed progress in the area of returns and in the establishment of the Joint Cantonal Police. They particularly remembered late Ambassador Wagner's efforts to facilitate return in the CBC.

The Canton Minister for Social Welfare, Displaced Persons and Refugees introduced the CBC Programme which has been approved by the Canton Government and submitted to the Canton Assembly. The participants welcomed the programme and an operational plan for the first phase of returns drafted by the co-ordinating body consisting of the competent Canton Ministries. The participants particularly welcomed the Minister's statement that villages where immediate return could take place had been identified, and called on the police to take necessary measures to provide a secure environment for returnees and on donors for reconstruction support.

The only municipality that had not submitted a jointly agreed plan for returns in the first phase was Gornji Vakuf/Uskoplje. The participants opposed any linkages between the implementation of Annex 7 of the Peace Agreement and unresolved political questions and called on Gornji Vakuf/Uskoplje authorities, particularly the Bosniak side, to submit a plan within three days. The Federation President and Vice President as well as the Federation Prime Minister stated they would personally ensure that this municipality would comply with the three day time span.

The Federation Prime Minister announced a further allocation of 500.000 DEM from the Federation budget to support returns in the Canton. The participants were informed about a meeting of donors that had been convened by UNHCR, OHR and the Federation Presidency in Sarajevo on 5 September to provide information about return planning in Central Bosnia. In order to update donors about developments, the participants agreed that the finalised return programme would be submitted to donors by the Cantonal Ministry for Refugees. The Canton co-ordinating body would call a meeting in Travnik of the international actors in the Canton within the next week with the support of UNHCR. A further meeting of major donors would be called by the Office of the High Representative within a week from this at which priorities for reconstruction would be presented.

The participants further agreed on the following: Municipalities, in co-ordination with Cantonal authorities, would maximally support immediate returns to empty houses under the first part of the first phase of the Return Programme, and make operational plans for further phases of the programme. To this end, municipalities would complete surveys of all types of housing, including houses inhabited by displaced persons and socially owned apartments, by 14 November. All municipalities are to establish returnee information centres, as regulated by Federation legislation and as defined in the Return Programme.

Regarding the safety of returnees, the participants deplored further mine incidents in the Jajce area, one of which resulted in a fatality, as well as murders in the Travnik area. They supported measures taken by the government with regard to police authorities.

They reiterated their commitment to establish a fully operational Joint Cantonal Police in all municipalities of the Canton without any further delay, and expressed their concern that in some municipalities the slow introduction of the Canton Police endangers progress achieved in the field of the Cantonal Return Programme for refugees and displaced persons.

On outstanding police issues, the OHR and the UN IPTF Commissioner would, by 18 October, submit solutions to the participants which would contain binding provisions for the full introduction of the restructured Cantonal police, to be implemented by 25 October. (these were submitted on 15 October).

The participants finally welcomed the official opening of the Federation Ombudsmen's office in Travnik on 9 October.

The participants decided to meet again on 18 November to review progress.

# Joint Border Commission

On 16 October, the Joint Border Commission established under the March 1996 Agreement on the Determining of Border Crossings between the Republic of Croatia and BiH held its first session at the OHR. The meeting was prepared and chaired by OHR at the request of the BiH Ministry of Foreign Affairs. Apart from the three Commission Members from each country, the European Commission Customs and Fiscal Assistance Office to Bosnia and Herzegovina (CAFAO), SFOR, UN IPTF, the World Bank and the European Commission participated.

The participants welcomed the opening of four additional border crossings under the Annex to the 1996 Agreement signed at Gradiska on 26 September by BiH Minister for Civil Affairs and Communications Albijanovic and Croatian Minister of Transport Luzavec, in the presence of Principal Deputy HR Ambassador Klein. They committed themselves to remove all obstacles which continue to hamper full freedom of movement of persons, goods and services. For this purpose, they discussed a range of measures to facilitate and increase the flow of people and goods between both countries.

CAFAO made a presentation on customs issues and requested a number of concrete measures to be undertaken by the customs authorities of both countries. The meeting agreed that the crossing points at Gradiska and Brod should be opened as soon as possible to facilitate the clearance of all commercial goods with the exception of special category items, i.e. fuel, oil, chemicals, explosives to be determined by the working group on customs. The Commission Members committed themselves, in addition to Brcko, to have customs posts manned within the next few days in Brod and Gradiska and to have them fully functioning on Monday, 27 October.

The OHR presented a Working Paper to the Commission in which it pointed out that unresolved issues regarding passports of BiH citizens and certain practices by BiH/RS authorities regarding visa requirements and road tolls which the OHR regards as unlawful continue to impede freedom of movement. In this context, the Commission Members took note of the legal situation as outlined by the OHR.

The participants discussed the reconstruction and reopening of railways, bridges and roads linking the two countries and agreed that funds should be allocated to corresponding infrastructure projects with priority. In order to address these and other issues in greater detail, the Commission decided to establish two working groups on customs and infrastructure. The participants agreed that these working groups should be established by the end of October.

With a view to enabling a smooth flow of goods and people across the bridges at Brod and Gradiska, SFOR will submit operational procedures for the bridge crossings to the OHR for distribution to the Members of the Commission. The Croatian Commission Members issued an invitation to the Commission to hold its second meeting in Zagreb which will take place within three weeks.

## Looking Ahead

### **29 October:**

BiH Federation Parliament House of Representatives 7th session

### **18 November:**

4th Federation Meeting on Central Bosnia

### **23 November:**

RS National Assembly elections scheduled

### **31 November:**

Federation Forum, Sarajevo

### **Late November:**

Standing Committee on Military Matters meeting, Sarajevo

### **9-10 December:**

Steering Board of the Peace Implementation Council meets in Bonn

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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