

# **OHR Bulletin 44 - April 18, 1997**

No. 44, issued April 18, 1997

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## **Papal Visit**

In his first ever visit to Bosnia and Herzegovina Pope John Paul II visited Sarajevo on 12-13 April. The visit took place amid tight security, the arrangements for which were co-ordinated by the Federation Police in co-operation with the UN IPTF and SFOR. The visit was widely reported in both the local and international press, in a warm and positive fashion. All highlighted the message of reconciliation which characterised the visit.

At noon on 12 April, some six hours before the Popes arrival, the local police discovered an explosive device under a bridge on the route from the airport to the Cathedral. The bomb consisted of 23 anti-tank mines linked to a remote control detonation system. It had been placed on a bridge that had been checked the day before and which had then been clear. Although helicopters were made available it was decided to proceed with the motorcade which progressed along the 10 km route without further incident cheered on by applauding well-wishers

The protocol arrangements for the visit were organised by a State Committee set up by the Presidency. President Izetbegovic and President Zubak both met the Pope at the airport but, citing security concerns, President Krajisnik failed to attend the welcoming ceremony at which the Pope spoke of peace and reconciliation.

Large numbers of pilgrims arrived during the afternoon, mainly from Croatia. Many had travelled unimpeded through the Republika Srpska in accordance with the arrangements which had been worked out between the RS police and the UN IPTF. The threat to levy transit visa charges did not materialise.

The open air mass at Kosevo Stadium on Sunday morning 13 April took place amid alternate snow showers and sunshine. Some 40.000 people attended the mass, where the Pope, preceded by Cardinal Puljic, preached a sermon stressing the need for reconciliation between all the peoples of Bosnia and Herzegovina.

Following the mass the Pope met with other religious leaders including Reis ul-Ulema Ceric and Metropolitan Nikolai. Later he met again with the political leadership including, on this occasion, President Krajisnik

## **Report to the UN Secretary General**

This week the High Representative Carl Bildt submitted his fifth report to the Secretary General of the United Nations in accordance with Annex 10 of the Peace Agreement and the conclusions of the London Peace Implementation Conference of December 1995. The report covers the period from the beginning of December 1996 to the end of March this year. The report covers four broad areas as follows:

- Institutional Aspects
- Coordination of Civil Implementation
- Cooperation with SFOR.
- Looking Forward
- **Institutional Aspects.** This section of the report deals largely with the activities and organisation of the Office of the High Representative itself under the aegis of the Peace Implementation Council. It explains that the emphasis over the reporting period has been on the implementation of the civilian aspects of the operation *"these being essential for the normalisation of life in Bosnia Herzegovina."* It also outlines two priority tasks: economic reconstruction on the territory of BiH and the establishment of common institutions. It goes on to describe the main subjects discussed at the monthly meetings of the Steering Board of the Peace Implementation Council and of the Vienna Implementation Conference on Brcko.
- **Coordination of Civilian Implementation.** This section forms the bulk of the report. It deals in turn with all the major issues from progress with the Common Institutions through essential legislation, elections, individual entity issues, the return of refugees and DP's, Freedom of Movement, missing persons and the rule of law to economic reconstruction and regional stabilisation. It highlights a number of issues specifically:
  - The critical importance of the municipal elections and the need to devote adequate resources to running them and implementing the results.
  - The fact that the recent crisis in the Federation appears to have been overcome for the time being but that it will continue to need continued international attention and support.
  - Concerns over the continuing Republika Srpska *"pretence of statehood"* as exemplified by the continuation of a Ministry of Foreign Affairs and other activities such as the signing of the *"special parallel relationship"* with the FRY which like a similar agreement between the Federation and the Republic of Croatia is in certain respects contrary to the Peace Agreement.
  - The fact that the Republika Srpska economy is slipping into decay. The report mentions the need to redirect international aid to stem this tide and prevent the resultant social tensions whilst *"at the same time recognising that such aid must be conditioned to co-operation with the peace process."*
  - The high priority being given to *"entrenching and consolidating independent media in all parts of BiH."*
  - The need to press the governments in BiH to fulfil their obligations to create conditions favourable for the return of refugees and displaced persons.
  - The use of additional sanctions such as the denial of visas for those wishing to travel abroad against those who *"engage in substantial acts of noncompliance or human rights violations."*
  - The agreement by the Steering Board to implement concrete measures against municipalities, such as Prijedor and Bosanski Samac, in which persons indicted for war crimes hold office.
  - The requirement for both Entities to. *"without delay"* implement the Rome *"Rules of the Road"*
  - The significant but slow progress that has been made with respect to agreeing the minimum legal framework necessary for the development of the macro-economy and for reaching agreement with the IMF.
  - Progress on the implementation of the Agreement on Sub-Regional Arms Control.
- **Cooperation with SFOR.** This section of the report highlights the High Representative Carl Bildt's opinion that the presence of a credible military force continues to ensure that the Parties pursue their goals through peaceful political means. *"I envisage the need for this to continue for some considerable time to come."*

- **Looking Forward.** Having reviewed the progress of the peace implementation process over the reporting period this section of the preport seeks to recommend what must now be done to ensure that this progress is sustained. The key points are as follows:
  - That only by establishing and making the common institutions of BiH operational is there any possibility of taking the Peace Process forward. *“With the common institutions functioning there is hope of overcoming the bitter divisions of the country and addressing the pressing economic and social issues. Without these institutions, there is a risk that the partition of BiH could become permanent, thus endangering peace and stability in the country and the region in the years ahead.”*
  - The hope that it will be possible to hold the donors conference towards the end of May with the aim of mobilising funds, in the order of \$ 1.4 bn.
  - The need to overcome the trend towards ethnic separation caused by the continuing refusal of the authorities in both Entities to allow any major attempt at minority return to succeed, with resistance by methods that range from the *“violent to the bureaucratic.”*
  - The intention to recommend to the international community that they should cease all contact with the municipalities of Bosanska Samac and Foca for allowing persons indicted by the ICTY for war crimes to hold public office.
  - The concern that Mr Karadzic continues to influence the political process in the RS and that *“he remains a force of evil and intrigue which can only taint those personalities and institutions of the RS which continue to tolerate his activities.”* This applies according to Mr Bildt to the member of the Presidency, Mr Krajisnik. *“I would also recommend that contacts with him are limited to essential business related to his function as a member of the Presidency.”*
  - The need to concentrate on preventing the political development of the country from moving away from that envisaged in the Peace Agreement. This means in particular the prevention of three specific courses of action. The first is the removal of the military option by ensuring that a clear message continues to be sent that the international community will not tolerate any attempt to resort to armed force. The second is secession, particularly the threat of the creeping secession of Serb and Croat areas through such things as unconstitutional *“Special Parallel Relationships.”* The third is the domination of the existing political institutions by one group, namely the Bosniacs, with only lip service being paid to the concept of power sharing.

The report ends with Mr Bildt's view that despite the difficulties *“if there is the right international commitment to BiH and the region in the years ahead I remain convinced that peace in the country will strengthen, as the simultaneous forces of European integration and cooperation create an increasingly strong web of stability and security for the region as a whole.”*

## Brcko

On 11 April the High Representative Mr Carl Bildt and his Deputy High Representative for Brcko Ambassador Robert Farrand opened the new OHR (North) offices in Brcko. In his introductory speech Ambassador Farrand echoed RS president Mrs Plavsic's remarks on SRTV the night before when she likened the decision on Brcko and its implementation to a mini and accelerated Dayton. He emphasised the right of return for refugees and displaced persons saying that this was *“not a point for debate”* while reassuring the current residents of the town that they would not be *“cast out onto the streets to make room for others.”* He went on to say that the town now had a great opportunity with the prospect of economic reconstruction and job creation on a scale not seen anywhere else in the RS. But this would only come in the event of total compliance with Dayton. He finished by emphasising the prerequisites for democracy: *“Freedom of speech, freedom of association and freedom of movement.”*

## **BiH Presidency**

The Presidency held its 17th session at the School for Electrical Engineering in Lukavica on 8 April. Agreement was reached on basic solutions for the Law on the Central Bank and members of the Governing Board were assigned to prepare a draft law for the next session basing their work on what had been agreed. It was also agreed to establish a single currency based on the German Mark. The currency will be called the Marka and interim bank notes called coupons will be issued pending agreement on the development of a permanent design. All coupons issued will denote that they are issued by the Central Bank of BiH.

## **Federation Forum**

On 14 April Bosniac and Croat representatives of the Federation met at a session of the Federation Forum. The meeting was chaired by Ambassador John Kornblum, US. Assistant Secretary of State, and Ambassador Michael Steiner, Principal Deputy High Representative. Key points of the meeting were as follows:

- The participants confirmed their commitment to the full implementation of the Protocol of 25 October 1996 and the Agreement on Sarajevo of 27 March 1997. The Federation partners decided to submit the agreed constitutional amendments to the next session of the Federation Parliament, the Sarajevo Canton Assembly and the Herzegovina-Neretva Canton Assembly for adoption by urgent procedure by 22 April. Once this has been achieved the City Council of Sarajevo will be established.
- It was confirmed that most of the outstanding issues concerning the Law on Split and New Municipalities have been resolved.
- The participants welcomed the completion of the restructuring of the Sarajevo Canton Police and the progress that had been achieved in forming the new police forces in Mostar and Travnik.

At the end of the meeting all participants expressed their gratitude to Ambassador Kornblum for his efforts and personal commitment to the building of the Federation. They also welcomed Ambassador Robert Gelbard, who will co-chair future Federation Forums.

## **Human Rights**

The trial of seven Bosniak men held on murder and weapons charges for some months by the RS authorities in Zvornik began on 17 April with the court denying a motion by lawyers from the Federation seeking to represent six of the seven defendants. The Court's ruling effectively denied the defendants' right to counsel of their choice, violating Article 6(3)(c) of the European Convention on Human Rights which is directly incorporated into BiH law through Article II(2) of the BiH Constitution. The trial continued on 18 April with RS lawyers representing all seven defendants, despite the fact that three of the defendants were represented by an RS lawyer appointed only ten days before, and that the same lawyer was assigned to represent a fourth defendant only three days before the trial. These breaches led the Principal Deputy High Representative, Michael Steiner, to condemn publicly the proceedings and to call for the trial to be recommenced with full respect for the defendants' right to effective legal representation of their own choosing. In a letter to RS Prime Minister Klinkovic on 15 April, Ambassador Steiner had called for the RS Ministry of Justice to respect the commitment made on 17 March for the Federation lawyers to be able to appear as co-counsel, with the same standing as the RS lawyers. The trial was subsequently postponed until Tuesday, 22 April, for "technical reasons," leaving open the possibility that the decision not to permit the Federation lawyers to act as co-counsel might be reconsidered.

A Donors' Meeting for the Open Broadcast Network took place at OHR Brussels on 15 April 1997. The project Operations Director, Mike Challenger, gave donors an overview on financial, organisational and technical questions. An update on ATV, the Banja Luka affiliate of the OBN, was given by Alberto Herskovitz, the member of the Project Assistance Team responsible in Banja Luka. The Open Society Institute confirmed in a communication to the meeting their decision no longer to participate as a donor to the project. However, the OSI stated that they were prepared *"to supplement the commitments of other donors to assist ATV's development as an independent station"*.

Other donors confirmed their commitment to the project and approved proposals for the search and selection of a Chief Executive and Programming Director for the network.

## Looking Ahead

### 22 April

High Representative, Carl Bildt, to address opening ceremony of PROMO international business fair in Tuzla

### 23 April

Humanitarian Issues Working Group meets in Geneva ; Mr Bildt to attend

### 24 April

BiH Presidency to meet, National Museum

### 29 April

EU General Affairs Council, Luxembourg

### 30 April

Mr Bildt to visit UN Security Council, New York BiH Parliamentary Assembly to meet

### 1-2 May

Mr Bildt in Washington for talks with US

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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