

OHR Bulletin 39 - March 6, 1997

No. 40, issued March 13, 1997

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ICTY

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The High Representative (HR), Carl Bildt, presided over the first meeting of the Brcko Implementation Conference in Vienna on 7 March. It was attended by BiH State and Entity Government officials, representatives of the Federal Republic of Yugoslavia (FRY) and Croatia, as signatories to the Peace Agreement, as well as representatives from the Steering Board of the Peace Implementation Council (PIC), and key implementation agencies such as the UN, OSCE, UNHCR, SFOR and the World Bank.

Mr. Bildt appointed Mr. Robert W Farrand of the US to be his Deputy and to serve as Supervisor for Brcko. A nominee from the Russian Federation and Mr. Ian McLeod of the UK will serve as Deputies to the Supervisor. The period of supervision, to be announced by the HR and Supervisor, will start on or about 22 March.

The conference underlined the need for full implementation of the Peace Agreement in the Brcko area and Chairman's Conclusions were adopted which included the following elements:

Overall International Coordination The already strong cooperation between the OHR, SFOR, UN IPTF and other key implementing agencies would be a cornerstone of success in the Brcko area.

Economic Revitalisation

The link between economic reconstruction and revitalisation of the severely war-damaged Brcko area with reconciliation and successful implementation of the arbitral decision was underlined. The international community would devote significant financial and material resources toward sustained reconstruction and development in the area. Targeted economic assistance would be provided only if local authorities demonstrated sustained cooperation with the OHR supervision. The importance of de-mining to economic revitalisation and achievement of other important objectives in the area was underscored. Representatives of the European Commission, the and the World Bank gave their assessment of the needs and commitment of resources.

International Police

A robust international police presence was considered necessary to promote freedom of movement questions and allow for the orderly and phased return of refugees and DPs. The High Representative would ask the Secretary General of the UN immediately to request the Security Council to increase the number of UN IPTF monitors by 200. RS pledged full cooperation with the UN IPTF in the restructuring and reduction of the RS police force.

Freedom of Movement

The announcement by BiH and Croatia of their intention to start immediate discussions on the rapid opening of their common border was welcomed. As part of the economic rehabilitation, major investments would be made by the European Commission, the World Bank, and US AID in improving the road and rail structures of the area.

Return of Refugees and DPs

Particular importance would be attached to the orderly and phased return of refugees and DPs to their former homes in accordance with a programme and procedure to be coordinated with the UNHCR and the Real Property Claims Commission. The right of all refugees and DPs to freely return to their homes of origin was reaffirmed.

Local Elections

The installation of a new multi-ethnic administration, including the police, based on election results, would be an important part of the supervision period. Ways of ensuring voter access to independent media prior to the elections should be sought.

It was agreed that the PIC Steering Board would keep developments under review through reports from the HR and his Deputy for Brcko, the first report on the status of implementation to be presented in May.

1. Following the meeting, in a joint press conference with US Assistant Secretary John Kornblum, HR Carl Bildt gave his opinion of the conference conclusions: *"We think that what is in this document is achievable. In spite of all the difficulties that we are facing in different parts of Bosnia and Herzegovina we believe this is achievable during the course of this year."* Acknowledging that the Steering Board alone had already committed more than half the number of IPTF monitors required for the Brcko area, Mr. Bildt said he hoped the decision from the Security Council would mean the increased force would be on the ground as soon as possible. It was also decided that part of the Donor's Conference on Economic Reconstruction, scheduled to take place in the next few months, would be devoted to specific needs foreseen for the Brcko area, said Bildt.

Right To Return

Principal Deputy High Representative, Ambassador Michael Steiner, was received by the Mayor of Slavonski Brod, Mate Vukelic and County Head Antun Pitlovic on 12 March. The situation of the refugees from BiH was explained to him and the Mayor emphasised the efforts made from both sides to make this involuntary cohabitation bearable, but problems remain. This is illustrated by the fact that the mortality rate among the refugee population is three to four times higher than that of the ordinary inhabitants. The main meeting with the Bosanska Posavina refugee community took place in the local theatre, which was jam packed with an excited audience of refugees from both BiH Entities. The meeting was addressed by President of the Refugee Committee, Ivo Krizanovic, as well as by Fra. Ivan Curic, Efendije Rasim Zahirovic and Mr. Ivo Komsic' former Presidency member and President of the Croatian Peasant Party.

Ambassador Steiner emphasised that the problems concerning return were not so much created by the people but by the leaders of the people, and that the refugee and DP population, considering the fact that they numbered more than 2 million, must realise their political potential to force the leaders to take their wish for return seriously and should ensure that this is reflected in the upcoming elections. He elaborated on the possibilities that the Coalition for Return offers to generate a popular movement towards enlarging the opportunities for return and urged the audience to collaborate within the framework of the Coalition to realise their aims to that effect.

1. SFOR reported that on 11 March a group of about 30 Bosnian Serbs burned down the last of a group of 15 prefabricated houses in the Zone of Separation (ZOS) village of Gajevi which had been awaiting the arrival of Bosniac returnee refugees. This follows recent attacks on 1 March when a crowd of 150 Bosnian Serbs destroyed most of the other houses.

Ambassador Kai Eide, Special Representative of the UN Secretary-General met RS President Biljana Plavsic in Banja Luka on 12 March and expressed his concern and disappointment with the lack of progress of the RS police investigation into the earlier violence in Gajevi. The UN is now considering making its own investigation into the events.

Presidency Meeting

The Presidency of BiH held its sixteenth session in the National Museum, Sarajevo on 10 March. The issue of the establishment of the Central Bank of BiH was considered and it was decided that members of the Governing Board of the Central Bank of BiH would be invited to attend the next Presidency session in order to resolve open issues.

The Ministry of Foreign Affairs was charged with providing by the next session official copies of the international agreements ratified by the Republic of BiH from 1 January 1992 to date, in accordance with [Annex 2, Article 5](#) of the Dayton Constitution of BiH, so that the Presidency could take a position on these agreements; within that context the Presidency would take a position on the agreement between the RS and the Federal Republic of Yugoslavia (FRY).

The Presidency agreed to establish a Standing Committee on Military Matters, in accordance with the provisions of the Constitution of BH. The Presidency also instructed the Working Group to prepare by the next session a fully rationalised structure of the diplomatic consular network of BiH.

The Presidency concluded that the cooperation within the American initiative for South-Eastern Europe (SECI) should continue and a decision on the membership of BiH would be considered at a later stage.

The Working Group was also instructed by the Presidency to continue its work on the structure and organisation of the technical and administrative services of the Presidency, as well as on the Provisional rules of Procedure.

The statement released following the meeting said that agreements exclusively under the competence of BiH would be signed in accordance with the previously established procedure; agreements which create commitments and rights for the entities would be signed by the authorised Members of the BiH Presidency.

Council Of Ministers

The Council of Ministers held an extraordinary session on 11 March in the National Museum in Sarajevo to continue their work on the laws of the Quick Start Package. Co-Chairman Boro Bosic chaired the meeting.

The draft Law on Immunity was adopted unanimously with minor amendments and the Council will confirm its transmittal to Parliament at its next session. The Law on Foreign Trade policy was discussed, but not adopted due to differences of opinion regarding the ability of the Entities to regulate foreign trade policy by way of the provision for *"special parallel relationships"* foreseen in the Constitution. Council members were asked to consult on this item, with a view to resolving outstanding questions at the next session, scheduled for 13 March. CoM representatives will meet with World Bank representatives before their next session.

OSCE / Elections

On 6 March the Chairman-in -Office of the OSCE, Danish Foreign Minister Niels Helveg Petersen, issued a statement in Copenhagen announcing the postponement of the BiH municipal elections until 13-14 September. The decision was made upon the recommendation of the OSCE Head of Mission in BiH, Ambassador Robert Frowick, with the concurrence of Members of the Provisional Election Commission and prior consultation with the HR, Contact Group Members, EU and NATO. *"The purpose of the elections is to achieve new structures of authority in municipalities all around the country and it is only when this has been achieved that the electoral process can be regarded as concluded. Higher quality in the elections and firmness after the elections will be the key to carrying through this most important aspect of the peace implementation process this year"*, said Mr. Petersen.

Recalling that the responsibility for the holding of municipal elections rested with the local parties, the Chairman-in-Office urged the local parties *"to ensure in particular freedom of movement, equal access to free media and prompt installation of democratically elected officials."*

The Chairman-in-office urged all international actors to take upon themselves without delay their responsibility, as

pledged at the Lisbon Summit, of providing the funds and means necessary for the OSCE Mission to fulfill its mandate.

HR Carl Bildt, welcomed the announcement by the Chairman-in-Office. In a statement released on 6 March in Vienna, Mr. Bildt said that he and the Steering Board of the Peace Implementation Council had consistently stressed the quality aspects of the local elections and that this new time-frame should give time for thorough preparation of these important elections.

Mr. Bildt said that following last year's general elections, the Steering Board set clear objectives for the municipal elections, drawing on experience gained in 1996. It was agreed essential to ensure higher standards for the municipal elections; that there must be complete and effective international supervision of every stage of the process; and that there must be proper preparation for the decisive post-election phase, including structures for re-runs and for the installation of the elected officials. *"Recent developments in Belgrade have served to underline once again the importance of developing an effective strategy on the post-elections issues. This must naturally be part of any OSCE plan for the election period leading up to, and including, the installation of those elected"*, said Bildt. The international community would have to make every effort to ensure that these objectives were realised. This would constitute a daunting challenge which would require a major commitment of financial resources and expertise, said Bildt adding that the OHR would continue to support the OSCE with its lead role in the election process.

Media Issues

On 11 March the Media Experts Commission (MEC) released a general statement expressing *"deep concern"* with regard to recent attacks on journalists, which it said were *"unacceptable in a free and democratic society"*. *"Any attacks on members of the press, regardless of motivation, undermine public confidence in democratic institutions. This is particularly the case in societies like BiH that are undergoing a democratic transition"*, the statement said. The MEC statement urged all appropriate government authorities at the national level and in the respective entities, including the police, to protect journalists and investigate all *"acts or threatened acts, of violence, intimidation or harassment directed against media personnel, or any act of destruction of the property or premises of a media outlet, particularly when there is any reason to believe that the act was motivated by an intent to interfere with media freedom and to bring those responsible to justice"*. The MEC also urged UN IPTF to assist and intervene where necessary to enable journalists to perform their duties. Expressing their support to all members of the media, the MEC urged journalists to report any acts of intimidation the local police and appropriate MEC or Sub-Commission.

An International Federation of Journalists (IFJ) sponsored roundtable on professionalism and ethics in journalism took place in Sarajevo on 7-8 March. Journalists from throughout BH were present, including the representatives from RS. The meetings were co-chaired by Mr. Aidan White from the IFJ and Mr. Boro Kontic, Director of the Soros Media Centre and Mr. Mehmed Halilovic, of the Independent Union of Professional Journalists. The discussions ranged from the utility and efficacy of the MEC and its influence on the media landscape in BiH, to the need for a regulatory body to improve journalistic standards and uphold ethical principles.

Freedom Of Movement

Recent statistics from UNHCR show that approximately 241,000 passengers have benefited from the inter-Entity bus lines since May 1996. UNHCR recently renewed their sub-agreement with the Danish Refugee Council, until the end of June 1999, for the operation of nine bus lines (Sarajevo bus lines are operated by local contractors). Eleven bus lines now connect the major cities and towns across the Inter Entity Boundary Line (IEBL). The European Commission Humanitarian Office (ECHO) has provided generous funding for the project. A new bus line between Banja Luka and Drvar is scheduled to begin a twice weekly shuttle on 13 March.

The trial of three Bosniacs and a Bosnian Croat charged with war crimes committed in BiH began on 10 March in the Hague. Bosniacs Hazim Delic, Esad Landzo and Zejnil Delalic, together with Croat Zdravko Mucic stand accused on at least fourteen counts of murder, as well as acts of torture, rape and sexual assault against Serbs at the Celebici camp, near Konjic in central Bosnia in 1992. Mucic as former camp commander and Delalic as former regional military leader are accused of command responsibility for the crimes, as is deputy camp commander Delic. Delic and Landzo are accused of actually having taken part in committing the murders and executing the acts of torture. This is the first group trial since the tribunal started its work in 1993. A verdict is expected later this month on the six- month trial of Bosnian Serb, Dusan Tadic, accused of committing war crimes against Bosniacs in 1992. In November 1996, Croat Drazen Erdemovic became the first war criminal to be sentenced by the International Criminal Tribunal for the Former Yugoslavia (ICTY) after pleading guilty to crimes committed in Srebrenica in 1995.

Looking Ahead

7 March

13 March: Council of Ministers Session, Lukavica

13 March

Third working-level session of the Federation Forum

12-13 April

Scheduled visit to Sarajevo by Pope John Paul II

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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