

# **OHR Bulletin 29 - December 17, 1996**

No. 29, issued December 17, 1996

## **Table of Contents**

### **Presidency Meeting**

*Co-Chairs of Council of Ministers nominated.*

### **Federation Forum**

*BiH Federation Forum held on 13-14 December. Agreements on cantonal structures reached.*

### **Humanitarian Affairs**

*Humanitarian Issues Working Group meets in Geneva on 16 December.*

### **Belgrade**

*Carl Bildt urges Milosevic to "back down"*

### **NATO**

*NATO Foreign Ministers met on 11-12 December. Approval on SFOR.*

### **United Nations**

*UN Security Council gives authorisation for SFOR.*

### **Indicted War Criminals**

*UN IPTF Commissioner meets with RS Minister of Interior to talk about alleged police escorts of indicted war criminals.*

### **Right to Return**

*Coalition for Return meets in Banja Luka. Initial "roof project" agreed.*

### **Brcko**

*Brcko Arbitration process extended by two months.*

### **Freedom of Movement**

*Violations of right to freedom of movement reported.*

### **Economic Issues**

*MOU between BiH and EC signed for essential aid programme*

### **Media Issues**

*RS Independent Journalists hold inaugural meeting in Banja Luka on 10 December. Internews wins first EC Humanitarian Office Award for Broadcast Commitment.*

### **OHR in Mostar**

*OHR to open permanent office in Mostar (as of 1 January 1997)*

*Please consult our [Bulletin Category List](#) for related information*

## **Presidency Meeting**

- At the tenth session of the Presidency of Bosnia and Herzegovina, held in Sarajevo on 12 December, the Presidency members decided to nominate Dr. Haris Silajdzic, and Mr. Boro Botic as Co-Chairs of the Council of Ministers (*see also the [Presidency Statement](#)*). It was further decided that the Co-Chair of the Council of Ministers would nominate other Council Members when the session of the House of Representatives approved nominations of the Council Co-Chairs, Ministers and Deputy Ministers.

Until the Law and Rules of Procedure of the Council of Ministers had been passed, it was decided that the Co-Chairs would work jointly to convene meetings in turn, chair sessions of the Council of Ministers and define the session agendas. It was decided that Mr. Botic would chair the Council in the first week. Issues which could not be agreed upon, as well as issues which were very important for the Council of Ministers, may require the position of the BiH Presidency.

The Presidency requested that the Working Group on the Organisation of the Council of Ministers present a proposal at the next Presidency meeting concerning the organisational aspects of the Council of Ministers, as well as the establishment of the secretariat, protocol and technical services of the Presidency itself. A proposal for the appointing of Ambassadors and other international representatives of BiH would be expected from the Council of Ministers, whilst the Working Group on Foreign Policy were expected to present their proposal for the establishment of a Commission on Succession Issues.

In accordance with conclusions reached at the London Peace Implementation Council (PIC) Conference, the Presidency requested competent authorities to urgently lift the "State of Immediate Threat of War", in so far as this had not yet been done.

With respect to the further establishment of diplomatic ties, the Presidency agreed to establish relations at the level of Ambassadors between BiH and the Russian Federation, and instructed the Minister of Foreign affairs to exchange diplomatic notes to that effect.

- The High Representative, Mr. Carl Bildt, warmly welcomed the Joint Presidency nominations of Dr. Silajdzic and Mr. Botic as Co-Chairmen of the Council of Ministers. He congratulated the Presidency members on reaching a decision, describing the agreement as "an important step forward for Bosnia"

## **Federation Forum**

The BiH Federation Forum, which was held on 13 – 14 December in Mostar and Sarajevo, resulted in a series of agreements on cantonal structures as well as a commitment to form the Federation Government at the session of the Federation House of Representatives. The meetings, held under the joint chairmanship of Principal Deputy High Representative, Ambassador Michael Steiner, and Assistant Secretary of State, John Kornblum, were also attended by Federation President, Kresimir Zubak, Vice President, Ejup Ganic and Member of the Presidency, Alija Izetbegovic.

An agreed statement signed by Federation President Zubak and Vice President Ganic on 14 December, concluded the following:

- The Prime Minister and Cabinet of the Federation would be approved by the House of Representatives on 18 December. Pending further consultations, nominations for President and Vice President will be agreed at the following session of the House of Representatives.
- The Neretva Cantonal Constitution, which is the last remaining basic cantonal law to be established, would be passed during the week of 16-20 December. All cantonal governments should be formed and have assumed their functions by 31 January 1997.
- Legislation on internal affairs would be submitted in Sarajevo, Neretva and Central Bosnia cantons during the week of 16-20 December, for approval by the cantonal assemblies the following week. Legislation on internal affairs would be submitted for passage in all other cantons by 31 January 1997.
- Following the passage of this legislation, Federation police would be established in these Cantons as soon as possible.
- At its session on 18 December, the Federation Assembly would pass relevant remaining finance legislation.

## Humanitarian Affairs

On 16 December the High Representative, Carl Bildt, attended a meeting of the Humanitarian Issues Working Group in Geneva. The meeting, chaired by the UN High Commissioner for Refugees, Sadako Ogata, presented an overview of the implementation of return of refugees and displaced persons in 1996/97 and set out the elements of a Plan for Durable Solutions covering BiH, Croatia and the Federal Republic of Yugoslavia (FRY), including guidelines on repatriation to BiH during the first year of consolidation. The high-level Working Group brought together immigration ministers from Bosnia and other regions of former Yugoslavia, as well as donor country representatives and other UN officials.

In his address to the Working Group, the High Representative, Carl Bildt, welcomed the meeting as timely in view of the intense preparation for action needed in the years ahead. He outlined five areas of primary importance for the future of returns: the importance of a regional approach to the problem of refugee return; the fostering of return to minority areas, not only within the ZOS but throughout the whole area; the right of people to choose their place of residence, free from coercion and with full consideration of the alternatives; the improved co-ordination of economic reconstruction, humanitarian and political efforts to enable the process of return to progress; and increased support for the work of the Property Claims Commission. Whilst acknowledging that progress had been made in 1996, Mr. Bildt concluded, *"it is only the result of our combined efforts during this consolidation period which will really determine whether peace and stability are there to stay or not"*.

## Belgrade

- Speaking after a Contact Group meeting in Geneva on 16 December, the HR, Carl Bildt urged Serbian President Milosevic to *"recognise that he has to back down"*. *"What we see in the streets of Belgrade today, which is encouraging, shows the beginning of the democratic process in Serbia"*, he said. He added that the members of the five-nation Contact Group had made clear their support for the democratic processes in Serbia.
- In order to gain a clearer understanding of the extent of the protests and possible repercussions on Bosnia, Principal Deputy HR Ambassador Michael Steiner travelled to Belgrade on 16 December where he talked with opposition leaders and students. Ambassador Steiner reiterated that ultimately it was democratisation and not its prevention which would bring stability to Serbia.

## NATO

North Atlantic Treaty Organisation (NATO) Foreign Ministers met in Brussels on 11-12 December. High on the agenda for discussion was the decision to give definitive approval to the new follow-on Stabilisation Force, which will take over from the Implementation Force after its year long mandate ends on 20 December. Following meetings with representatives of non-NATO nations contributing troops to the Peace Mission in BiH, the Ministers gave the final approval required by NATO for an 18 month long mission.

## United Nations

- The United Nations (UN) Security Council on 12 December voted unanimously to give ultimate authorisation for the deployment of the NATO-led Stabilisation Force, or SFOR for 18 months. The resolution also authorised UN civilian operations in BiH, including the international police (IPTF), for a further 12 months. In its 35 paragraph resolution the Security Council underscored that states were obliged to co-operate with ICTY and to *"surrender for trial all persons indicted by the tribunal"*. The Council also stressed the importance of arms control in the region, urging

parties to keep weapons to a minimum and reminding them of their obligations under previously signed agreements.

- The HR, Carl Bildt, warmly welcomed the nomination of Mr. Kofi Annan for Secretary-General of the UN by the Security Council. *"He has a deep understanding of the problems of Bosnia, and I very much look forward to working with him in his new capacity"*, said Mr. Bildt.

## Indicted War Criminals

UN IPTF Commissioner, Peter Fitzgerald, met with the RS Minister of the Interior, Dragan Kijac on 11 December to register the international community's dismay that police under his authority were seen providing an escort for an indicted war criminal. The Commissioner also underscored the Minister's obligations under the Peace Agreement to arrest and transfer such persons to the Hague. The meeting was called in response to an eyewitness report from Pale that RS police were seen accompanying Radovan Karadzic in a convoy on 10 December.

Senior international officials have responded to claims that the RS Constitution prohibits extradition of war crimes suspects by informing RS authorities that the extradition provision is superseded by the Constitution of BiH, which clearly requires surrender of indicted persons to the Tribunal.

## Right to Return

- The Coalition for Return met in Banja Luka on 15 December with the participation of displaced persons and refugees originating from Banja Luka, as well as displaced persons currently living in the region. Meeting in this constellation served to emphasise the importance of building regional alliances. Those present agreed that the Coalition needed to establish teams to work on an integrated approach to reconstruction and economic recovery, as well as political questions, to enable return. An initial "roof project" to assist Croats and Bosniaks who want to live together in reconstructing their houses in Ljubina was endorsed. Practical steps to establish a network of information and coordination offices and to produce a monthly bulletin were also discussed and a contact point nominated to draft project proposals.
- A letter was addressed to all members of the Coalition summarising the main conclusions of the meeting and asking them to work to expand the membership of the Coalition by inviting interested individuals and associations to join.
- Expulsions and harassment of Bosniaks in west Mostar are continuing to cause concern, with further cases being reported to the UN IPTF on an almost daily basis. In a number of recent incidents UN IPTF report that they have clear evidence of Croatian Defence Council (HVO) involvement in some of the evictions and have protested to the local authorities.
- Senior international officials met on 12 December to develop a plan of action to stop illegal evictions in Mostar, and the following day announced the establishment of a special task force to monitor and advise the local police on this matter.
- UN Civil Affairs and UN IPTF are seeking clarification from the Teslic authorities of reports that individuals who left the municipality during the war will be retroactively "taxed" should they choose to return to the area. Returnees are reportedly being asked to pay between 120 and 300 DEM for each month they were not present in Teslic.
- UNHCR reported that having complied with the pilot project for the return of 200 Bosniaks to Jajce, local officials declined a proposal for further simultaneous returns of Bosniaks and Croats to the area. As a result, UNHCR has decided to reallocate construction materials for 92 homes intended for the purpose of this movement.
- According to reports from UN Civil Affairs, the Banja Luka court has decided against scheduling any evictions between 1 December and 1 May.

On 8 December the arbitral tribunal for the dispute over the Inter-Entity boundary in the Brcko area released a statement announcing that the arbitration process had been extended by two months, until 15 February 1997. According to [Article V](#) of [Annex 2](#) of the Dayton Accords the contemplated completion of arbitral proceedings was expected to be 14 December 1996.

## Freedom of Movement

Violations of the right to freedom of movement were reported to have occurred recently in Kopaci, Rogatica, Gnojnice, Doboj and Nevisinje. The majority of incidents reported involved the throwing of rocks at passing vehicles and included the stoning of the UNHCR Mostar – Nevisenje bus. Cantonal authorities in Gorazde have informed UN Civil Affairs that since June, local bus companies have incurred more than 300,000 DEM worth of damage due to stoning incidents.

## Economic Issues

- A framework Memorandum of Understanding between BiH and the European Commission ([EC](#)) was signed by President Izetbegovic on behalf of the Presidency on November 28. The framework MOU, totalling 146.7 million ECU, consists of various components such as the Essential Aid Programme, the Phare Country Operational Programme and various reconstruction programmes, such as special aid to refugees and displaced persons. Detailed discussions of programming have already begun with responsible authorities from the two Entities and the BiH State.
- The [World Bank](#) has started preparations for a 60 million US\$ Reconstruction Assistance Project for Republika Srpska. The project will finance investments in agriculture, housing, water/sanitation and electric power.

## Media Issues

- ECMM reported that the Association of RS Independent Journalists held its inaugural meeting in Banja Luka on 10 December at which they established a nine-point programme of activities to create conditions for freedom of the press, speech and expression in the RS. Over 50 media professionals, as well as members of political opposition parties, attended the meeting.
- An international non-profit media NGO, Internews, won the first European Community Humanitarian Office (ECHO) Award for Broadcast Commitment for its television coverage of the International War Crimes Tribunal for the former Yugoslavia ([ICTY](#)). Transmission of the Tribunal hearings enabled those people most affected by the genocide during the war in the former Yugoslavia to follow the trials of accused war criminals

## OHR in Mostar

Principal Deputy High Representative, Ambassador Michael Steiner, announced on 13 December that the Office of the High Representative will open a permanent branch office in Mostar as of 1 January 1997. The OHR will be able to cover more closely the events in this part of BiH whilst continuing to provide guidance with the implementation aspects of the Peace Agreement, as well as Federation issues. The office will be headed by Sir Martin Garrod, currently the European Union's Special Envoy in Mostar. The European Union mandate in Mostar ends officially on

31 December.

## Looking Ahead

### **09-10 January**

Donor's Information Meeting, Brussels

### **12 January**

Economic Policy Forum, Sarajevo

### **21 January**

Steering Board of the Peace Implementation Council, Brussels

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. Suggestions and contributions are welcome and should be addressed to the Public Affairs Department of the Office of the High Representative in Sarajevo (387-71) 447 275 ext. 562, Fax (387-71) 447 420. Callers from outside BiH dial via Brussels switchboard: Tel. (32-2) 737 7500 & Fax (32-2) 737 7501*