

# **OHR Bulletin 18 - September 11, 1996**

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## **Elections**

At a press conference held on 9 September at the Holiday Inn in Sarajevo, the High Representative, Carl Bildt, briefed on the outcome of recent international meetings including the Peace Implementation Council (PIC) Steering Board in Brussels, the Contact Group in Frankfurt and the informal meeting of EU Foreign Ministers in Tralee. Of particular significance was the support given by the EU Foreign Ministers for a consolidation plan for BH over the course of the next two years.

Mr. Bildt said that the phase following the elections would see full implementation of the BH Constitution. In this regard he stressed that, "everything we've been doing here so far has been comparatively easy [compared] with the challenge there is now. What is necessary in order to make peace work is to have effective and true power sharing between the two entities and the three communities. If power sharing doesn't work, peace is not going to last". He added, "power sharing is the essence of the Constitution that is at the core of the Peace Agreement".

In an agreement announced on 9 September by Ministers of Interior Avdo Hebib, for the Federation, and Dragan Kijac, for the Republika Srpska, it was decided that 19 "voters' routes" across the IEBL would be the recommended passage for the transportation of voters on election day. Voters are encouraged to travel along these routes, which will be secured by [IFOR](#) and UN IPTF and which, for logistical purposes, will allow only the passage of buses (defined as vehicles carrying 8 or more people). OHR made clear that this agreement would be welcomed as a practical measure for ensuring the maximum flow of voters across the IEBL, but it must not be seen as undermining freedom of movement on other roads across the IEBL.

The Election Appeals Sub-Commission released on 10 September two decisions addressed to the Serbian Democratic Party (SDS). The first condemned the continued display of posters of the indicted war criminal, Radovan Karadzic, and insisted that SDS broadcast a statement on prime time Srpska TV, reminding its representatives that the display of such posters was forbidden. The statement also warned that members who caused the image of Karadzic to be officially displayed would be expelled from the party. EASC further ruled that unless all such posters were removed 50 metres from all polling stations, SDS candidates would be removed from the list.

The second decision deplored statements by SDS officials and candidates challenging the sovereignty of BH, or calling for independence of the RS or union with Serbia. It directed the SDS to pay a civil penalty of 75,000 DEM, and warned that any candidate who continued to make such statements would have his or her candidacy terminated.

An EASC advisory opinion regarding freedom of movement on election day was released on the same day, reiterating that it was the obligation of local authorities to ensure voters were able to move freely to polling stations in areas where they lived in 1991. EASC stressed that it retained authority following polling day to punish violations occurring on or before election day and that severe penalties would be imposed if voters were prevented from casting their votes.

After reports that refugees abroad had not received their ballots in time for voting in certain host countries, notably Australia, OSCE decided to extend the deadline for receipt of mail in ballots for voting abroad until 14 September.

In accordance with the Provisional Election Commission's (PEC) adoption of Article 232 on 3 September, no person should be arrested or detained on election day for investigation or prosecution of serious violations of international humanitarian law, unless they have been indicted by the International Criminal Tribunal for the former Yugoslavia (ICTY).

## **Media Development Open Broadcasting Network**

The OBN started broadcasting on the evening of 7 September. TV-IN, the network formed by TV Hayat, Studio 99, ZETEL, TV Tuzla and RTV Mostar put out a programme of news, election interviews and a live Tina Turner concert from Amsterdam. Since then, the network has been broadcasting every night for three hours, and the signal can be picked up in all of the main urban centres in Bosnia including Banja Luka. Critical reviews were mixed, as is the case with every TV launch, but TV-IN was broadly welcomed as a significant step forward for media pluralism in BH. It was particularly noted that TV-IN is the first cross-entity broadcaster, with reports being filmed and shown on either side of the inter-entity border line.

## **Steering Board**

The Steering Board of the Peace Implementation Conference (PIC) met on 5 September in Brussels under the chairmanship of the High Representative. It was agreed that municipal elections should go ahead at the earliest feasible date. Mr Bildt set out a timetable for meetings after the elections, including a formal meeting of the new three-man Presidency four days after certification, and a ceremonial meeting of the House of Representatives about ten days after certification. He also explained a "Quick Start Package" of legislation which had already been discussed in outline with the Parties and the main Presidential candidates. This would contain the elements of the legislation vital to ensure the functioning of the state in the period when the joint institutions will be set up, such as a budget for 1997, and laws covering the central bank, international trade relations, citizenship and air traffic control. It was agreed tentatively that there should be a meeting of the full PIC in London on 4-5 December.

## **Contact Group**

The International Contact Group met in Frankfurt on 7 September, under the Chairmanship of the Political Director of the German Foreign Ministry, Wolfgang Ischinger. Carl Bildt, the High Representative and Ambassador Robert Frowick, OSCE Head of Mission (BH), also attended. The Group underlined the importance of the 14 September elections for the peace process which, it was stressed, would open the way for the critical phase of full implementation of the Constitution of BH, including the establishment of common institutions. Condemning irregularities which had arisen, the Group called on all Parties to create a democratic atmosphere before and during the elections. Regarding the PEC decision to postpone the municipal elections, it was stated that: "the Contact Group is of the opinion that these elections should take place before the end of the year - under international monitoring led by the OSCE".

## Joint Bodies

The final Joint Civilian Commission North (JCC/N) prior to the national elections was held in Modrica on 5 September. The meeting was well attended although the atmosphere did not match the level of cooperation experienced in either the previous national or regional JCCs. As a side meeting, the Mahala situation was raised. It was thought that clear rules for the return of refugees to the ZOS could prevent any similar events from occurring. Participants at the meeting underlined their strong commitment to creating an environment in which human rights monitors and NGOs could work freely and effectively and drew up “Agreed Steps Concerning the Human Rights Monitoring Environment”.

The Joint Interim Commission Sub-Committee on preparation for the Post-Election period (JIC-PE) met at OHR on 10 September to continue its discussion of post-election questions.

## Human Rights

In an encouraging trend, ECMM reported on 5 September that 3 Bosniak families recently evicted from West Mostar had been able to return to their homes after intervention by WEU police and EUAM officials with the local authorities. On 3 September, representatives of OSCE, UN IPTF IFOR/CIMIC and the OHR intervened on the spot to prevent the eviction of a Serb man from his JNA flat in Sarajevo and secured a commitment that no eviction would take place while the case remains under consideration by the Ombudsperson.

UNHCR reported that 11 Bosniaks who had been forcibly evicted from their homes in the Banja Luka suburb of Vrbanje several months ago were evacuated for resettlement outside the country on 3 September. Others are expected to follow. Efforts by international organisations to help expelled Bosniak families return to their homes in Vrbanje have been repeatedly thwarted due to continuing threats. Local authorities have reportedly done little to prevent the evictions or promote returns. UNHCR reports that it has had to evacuate more than 90 members of minority populations from northern BH.

UN IPTF have reported recent harassment, including violent incidents, directed towards individuals in Velika Kladusa, Cazin, Coralici, Teslic, Trnovo, Koprivina Valley, Odzak, Banja Luka, Brcko, and Nova Bila.

The Human Rights Task Force (HRTF) convened on 6 September to discuss elections-related human rights issues, including polling day monitoring and elections-related human rights abuses. A number of participants expressed concern that some cross IEBL voters might not be able to cast their ballots unless sufficient transportation is made available, and that voters who choose to travel in their own vehicles, use non-designated routes or visit their former homes could be at risk.

## Humanitarian Affairs

Under the chairmanship of the Principal Deputy High Representative, Michael Steiner, President Zubak, Prime Minister Muratovic and Assembly Speaker Krajsnik met in Sarajevo on 4 September to reaffirm their commitments concerning exhumations. Parties recognised that joint exhumations have been stalled for several weeks and agreed to restart the process through a series of specific operational commitments. Ambassador Steiner also presented the Parties with a comprehensive draft proposal providing for a review of cases involving arrests and detention of persons suspected of war crimes as well as minorities arrested and detained in majority areas.

The Working Group (WG) on Refugees and Displaced Persons held a meeting in Zenica on 3 September. Discussion focused on the recent incident in Mahala as well as the first substantial contribution of the Zenica-Doboj Canton in the WG. Suggestions to target isolated “empty” (minority) villages for return to homes of origin were also made.

On 11 September, there was a meeting of the central Working Group on Refugees and Displaced Persons, chaired by UNHCR. Discussion centered on an analysis prepared by UNHCR regarding implementation of Annex 7 of the Peace Agreement.

Representatives of associations of Bosnian refugees from throughout former Yugoslavia participated in a conference in Sarajevo on 3-5 September to discuss conditions for return. Numerous issues were discussed, including property rights, legal protection, and the forthcoming elections. The conference, organised by a refugee association from Osijek, included participation by representatives from OHR, UNHCR, OSCE and the Council of Europe. Attendees called for greater efforts by the authorities to create conditions for return of refugees as stipulated in Annex 7 of the Peace Agreement. Representatives of refugee and displaced persons associations agreed to closer cooperation and demanded improved consultation with local authorities as rules/regulations for future municipal elections are developed.

## Economic Assistance

The World Bank approved on 5 September a US\$ 90 million credit for BH. The low-cost credit, with a 35 year maturity and 10 year grace period, will be used to help rebuild government institutions, public financing and the relaunching of banking and enterprise reforms. The credit will be also be used to support the establishment of key Federation wide institutions which will replace the parallel structures developed during the war. The Government of the Netherlands is providing cofinancing of US\$ 20 million.

On 6 September the European Commission gave 777,651 ECU (about 1.49 million DEM) to the Unis Company of Sarajevo to begin vital repair work on the Novi Grad gas network. This represents just part of the Commission's overall 20.5 million ECU reconstruction aid to the energy sector in BH. Included among their current list of projects is the purchasing of electrical equipment and spare parts for various power stations, networks and transmission lines in Tuzla, Kakanj, Prusac, Vinac, Vozuca, Dobojski, Gorazde and Travnik.

The Canadian International Development Agency (CIDA), on behalf of the Canadian Government recently announced its contribution of 1.4 million pounds (British Sterling) to the UK initiative in BH. The UK initiative was developed following the Peace Agreement to begin to repair the massive damage caused by the war and subsequent neglect to the power line infrastructure. The British Government, through the Overseas Development Administration, has to date provided 12 million pounds for the project. The Japanese Government has put forward 1.875 million pounds.

World Bank financing has enabled a start to the reconstruction of the Parliament Building, which was heavily damaged by shelling during the war. The building will house the post-election parliament of the State of Bosnia and Herzegovina and should be ready for use by the first post-election parliament session in October. All works on the building will include a large local labour force and local private contractors.

## Mine Issues

As part of its commitment to reconstruction in BH, and to its wider campaign against the scourge of anti-personnel mines, the EC agreed on 6 September with the BH state, Federation and RS governments on the implementation of the first country-wide demining programme. One of the projects includes the purchase of equipment for up to 20 mobile teams, as well as the salary of 240 local mine clearers. The second project will create a rapid response Explosive Ordnance Disposal (EOD) unit. Funding of over 6 million ECU (about 11.5 million DEM) for both projects will cover the cost of detection and protection equipment, medical supplies, communications and vehicles as well as local staff salaries.

## Looking Ahead

- **14 September:** Bosnia-wide elections for BH Presidency, the House of Representatives of BH, the Presidency of RS, the National Assembly of RS, the House of Representatives of the Federation and the Cantonal Assemblies in the Federation of BH.
- **4-5 December:** Meeting of the Peace Implementation Council, London

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 BH dial via Brussels switchboard: Tel. (32-2) 737 7500 & Fax (32-2) 737 7501*