

Brcko Decision

The OHR would wish to underline what the High Representative said at his press conference yesterday by stressing the following points:

Firstly, all parties agreed at Dayton that Brcko would be subject to independent arbitration. They agreed that the arbitration award would be final and binding, and to implement it without delay.

Secondly, the Peace Agreement called for a decision to be made within one year. For a number of reasons this was not possible. In February 1997 it was considered inappropriate and Brcko was placed under international supervision. Last year the Tribunal delayed because of hopeful signs on Dayton compliance in the RS. This year the Vienna hearings convinced the Arbitrator that neither Entity had complied well with the terms of the interim award and thus the award recognises no winners or losers.

Thirdly, given these considerations, the decision is fair and balanced and protects the interests of Republika Srpska and its people, as well as those of the Federation and the whole of Bosnia and Herzegovina.

Accepting the importance of the territorial integrity of Republika Srpska, the Arbitrator has declared the Brcko opstina a condominium. This means a territory which belongs to both Entities. Thus, the territorial continuity of Republika Srpska is preserved. There is no division of the Republika Srpska. Freedom of movement is guaranteed, including military movement subject to the usual SFOR regulation. The only difference is that the Brcko District will have its own, autonomous government outside the political control of either Entity.