

# **PIC - Summary of Bonn Conclusions**

## **Bosnia and Herzegovina 1998: Self-sustaining Structures**

### **Summary of Conclusions**

- Summary of Conclusions

- I. Human Rights, Legal Reform and War Crimes
- II. Constitutional and Legal Matters
- III. Refugees and Displaced Persons
- IV. Public ORDER and Police Issues
- V. Media
- VI. Elections
- VII. Economic Reconstruction and Reform
- VIII. Brcko
- IX. Security AND ARMS CONTROL
- X. Regional Aspects
- XI. High Representative

- Brcko Annex
- Federation Annex
- Annex on Citizenship and Travel Documents

### **Summary of Conclusions**

1. The Peace Implementation Council met in Bonn on 9 and 10 December 1997. It reviewed progress in the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and its Annexes (the Peace Agreement) since the Peace Implementation Conference in London on 4 and 5 December 1996 and the Ministerial Meeting of the PIC Steering Board in Sintra on 30 May 1997. It reaffirmed the conclusions of the London Peace Implementation Conference of December 1996 and the Sintra Declaration.
2. The Council confirmed that there is no alternative to the Peace Agreement as the foundation for the political and economic development of Bosnia and Herzegovina, its two multi-ethnic Entities and three constituent peoples (along with Others) and for sustainable peace in the entire region.
3. The Council noted that considerable progress has been made in implementing peace and stability in Bosnia and Herzegovina since its last meeting. It welcomed the results obtained in enhancing the climate of security and in addressing the main prerequisites for reconciliation, tolerance and democracy, as well as freedom of movement and the improvement of the economy.

Notable progress was made especially in the following areas:

- municipal elections in September and special elections for the Republika Srpska Assembly in November;
- arms control and confidence- and security-building measures;
- restructuring and reform of police;
- beginning of minority returns in the Federation, and to a lesser degree in Republika

Srpska;

- economic revival in the Federation;
- development of non-partisan professional media;
- more than doubling the number of persons indicted for war crimes in the custody of the International Tribunal for the Former Yugoslavia (ICTY)

4. However, much more could have been achieved had the authorities in Bosnia and Herzegovina contributed their full share to the construction of a civil and democratic society in the country.

We are about to enter the third year of implementation of the Peace Agreement and the last phase of the Consolidation Period, and still a huge effort, including a renewed commitment of the authorities in Bosnia and Herzegovina and its Entities, is needed to achieve the ultimate goal of making peace in Bosnia and Herzegovina and its Entities self-sustainable. In particular, progress is needed to build functioning governmental and administrative structures, to further democratisation, to ensure the adequate protection of human rights, police reform and the rule of law, and to establish a proper management of the economy – including the fight against corruption and revenue evasion –, and to complete successfully the return of refugees and displaced persons.

Peace, and the institutions of civil society to uphold it, remain fragile. The war has left a legacy of bitterness and distrust. The Council highlighted the following matters of concern:

- The majority of common institutions are operating insufficiently. Permanent facilities have not been established.
- Illegal structures of government in the Federation have not been dissolved or integrated.
- Serious problems of local administration, notably in Mostar, continue to exist. The implementation of municipal elections still encounters resistance in several municipalities.
- Lack of strong multi-ethnic political parties and a structured civil society.
- Lack of legislation on de-mining and the continuing manufacture of mines.
- Human rights are still not adequately protected. Citizenship is not legally defined. There is no Bosnia and Herzegovina passport. Property and housing legislation block the return of refugees and displaced persons to their pre-war homes. The police are still sometimes used to obstruct the implementation of election results, do not deal effectively with politically or ethnically motivated crimes, are responsible for documented cases of abuse of persons in custody, and more generally are not sufficiently obliged by the political leadership to advance the goals of the Peace Agreement. Human rights violations remain endemic, despite improvement in some areas.
- Neither Entity has taken the necessary steps to ensure that its laws are compatible with the European Convention on Human Rights. In both the Federation and Republika Srpska, the fair trial standards set forth in the Convention are clearly and routinely violated.
- Bosnia and Herzegovina still has no jointly agreed flag.
- Comprehensive plans to facilitate returns have not been implemented.
- There are no functioning Public Corporations.
- Bosnia and Herzegovina has failed to finance its common institutions or service its external debt on time, implement common policies on foreign trade, apply a common customs tariff, issue common bank notes, achieve transparency and good governance in the use of public funds, and establish effective institutions to curb corruption and revenue evasion. The lack of an economic policy framework is preventing an IMF Standby Arrangement and World Bank adjustment lending and renders the country vulnerable to financial crisis.
- Full normalisation of Bosnia and Herzegovina's relations with its immediate neighbours has not taken place.

5. The Council will continue its assistance to Bosnia and Herzegovina in 1998, reiterating the Sintra commitment to stay the course, but concluded that an even more persistent approach on the part of the international community is required: the actions of the authorities in Bosnia and

Herzegovina too often fall short of their words. The recent reports by the World Bank and the European Commission's Customs and Fiscal Assistance Office (EC CAFAO) are new sobering evidence of this attitude. Continued procrastination may even endanger the progress achieved so far.

6. The Council made it clear to the authorities in Bosnia and Herzegovina that assistance by the international community remains conditional upon compliance with the Peace Agreement and subsequent obligations.
7. The Council reaffirmed that it will tolerate neither any tendencies to dominate the political institutions of Bosnia and Herzegovina, nor any attempts to undermine the sovereignty and territorial integrity of Bosnia and Herzegovina. The Council recalled that the Peace Agreement has primacy over previous Agreements between the Parties.
8. The High Representative was charged at Sintra to pursue deadlines adopted by the Steering Board, and to recommend and take measures in cases of non-compliance. This course has proved to be right. The Council welcomed the High Representative's intention to use his authority fully to facilitate the resolution of difficulties.
9. The Council insists that all persons indicted for war crimes must be handed over to the International Criminal Tribunal for the Former Yugoslavia (ICTY) for justice to be dispensed impartially, under the terms of the Peace Agreement and UN Security Council resolutions. It draws particular attention to the failure to carry out this obligation by the authorities of Republika Srpska and the Federal Republic of Yugoslavia.

The Council is convinced that until all persons indicted for war crimes are brought before the International Criminal Tribunal for the Former Yugoslavia, the prerequisites for reconciliation and the rule of law in Bosnia and Herzegovina remain seriously impaired. In this regard, the Council recalls the Sintra Declaration where the continuing influence of Radovan Karadzic on the political life of Republika Srpska was deemed unacceptable.

10. The Council reminded the Republic of Croatia and the Federal Republic of Yugoslavia of their obligations under the Peace Agreement and expected that these would be discharged in their entirety, voluntarily and immediately. There would have been more progress in implementing the Peace Agreement if this commitment had been observed. In particular, this refers to special relations with the Entities, the ongoing discrimination between Entities' citizens with regard to visa regulations and, more generally, free movement.
11. The Council urged all countries in the region to co-operate fully to promote the return of refugees and displaced persons.
12. The Council called on the successor States of the former SFRY to reach agreement on succession issues within the framework of the Special Negotiator's draft of 13 November 1997, and, as a first step, to reach agreement on certain specific measures.
13. The Council thanked SFOR for providing the secure environment necessary for the civilian implementation of the Peace Agreement and for the increased assistance rendered in this field. The Council recognised and supported the emerging consensus on the need for a military presence to continue beyond June 1998, considering it indispensable for the maintenance of a stable security environment and, in particular, for helping create secure conditions for the conduct by the High Representative, as well as by the UN, OSCE and other international organisations, of tasks associated with the Peace Agreement.

The Council stressed that the presence of IFOR and SFOR has been the greatest single contributor to sub-regional security since the signing of the Peace Agreement and will continue to be in the short to medium term. It welcomed NATO's plans to consider options for a multinational follow-on force to SFOR beyond June 1998. The Council stated that any follow-on force should provide appropriate support to civil implementation while being readily available and effective enough to respond quickly to events on the ground in and across Bosnia and Herzegovina.

14. The Council thanked OSCE for the effective conduct of the municipal and Republika Srpska Assembly elections. It recognised that OSCE supervision remains essential to ensure free and fair elections in Bosnia and Herzegovina in 1998. It therefore invited OSCE to extend the mandate of its Mission in Bosnia and Herzegovina accordingly.
15. The Council expressed its gratitude to the High Representative, the international organisations and non-governmental organisations and all their staff for their unremitting efforts dedicated to shaping the future of Bosnia and Herzegovina and all of its citizens.

The Council thanked Mr. Carl Bildt for his outstanding performance as High Representative in the period following the signature of the Peace Agreement.

16. The Council mourned the victims of the 17 September 1997 helicopter crash. Their contribution to the peace effort will be remembered.
17. The following text sets out policies and measures to be pursued in the implementation of the Peace Agreement in 1998. These commit Bosnia and Herzegovina and the two Entities, the Federation of Bosnia and Herzegovina (the Federation) and Republika Srpska (referred to throughout as “the authorities in Bosnia and Herzegovina”) and those who endorsed the Peace Agreement.
18. A further meeting of the Peace Implementation Council will be held towards the end of 1998 with a review at midterm.

## **Office of the High Representative**