High Representative takes measures in Canton 10

The High Representative, Wolfgang Petritsch, is determined to ensure the implementation of the Dayton Peace Agreement throughout Bosnia and Herzegovina.

In Canton 10, implementation results have been extremely poor. Neither the judiciary nor the police function effectively. Important legislation, such as the property laws, are barely being implemented. There is a pattern of discrimination against minorities. The situation in many municipalities, in particular in Drvar, Glamoc and Grahovo, is worrisome. Minorities, but other citizens too, face great difficulties obtaining the most basic services. Decisions of the Federation Constitutional Court are not respected.

As a result, the citizens of Canton 10, which is economically one of the poorest regions in the Federation, are seriously disadvantaged.

In order to improve the situation in Canton 10, the High Representative has today, as a first step, removed the Minister of Justice, Stipo Babic, from office, and demanded in writing compliance with provisions of the Dayton Peace Agreement from the Minister of the Interior, Ante Barisic.

The Rule of Law and an impartial judiciary are keys to the implementation of the Dayton Peace Agreement. Mr Babic is responsible for the persistent inefficiency of the Justice Ministry of Canton 10, in particular the poor performance of the public prosecutors at both the municipal and Cantonal level.

The recent “Thematic Report 2” of the United Nations Judicial System Assessment Program (JSAP) emphasizes the consistent failure of the criminal justice system to apply fundamental

judicial principles in both ordinary crime as well as minority-related cases. Certain offenders and notorious suspects appear to be immune from prosecution, while minorities are extensively discriminated against in both judicial and police practice. The most glaring example for this is the lack of a serious investigation into the murder of a Serb couple and other violent incidents in Drvar in April 1998.

The High Representative holds Minister Babic directly responsible for these failures, which constitute non-compliance with the Dayton Peace Agreement. Exercising the powers vested in him by Annex 10 to the Dayton Peace Agreement and by Article XI of the Conclusions of the Peace Implementation Council Conference held in Bonn in December 1997, he has therefore removed Minister Babic from office with immediate effect.

In order to improve police work in Canton 10, the High Representative has sent a letter to the Interior Minister, Ante Barisic, reminding him of his obligations under the Dayton Peace Agreement. These include the establishment of a multi-ethnic police force, support for the returns process, and swift and effective investigations of cases of crime and violence.

The High Representative welcomes the agreement on the hiring of minority police that Minister Barisic has recently concluded with the United Nations Mission in Bosnia and Herzegovina (UNMIBH). He expects that all deadlines be met and new recruits be trained at the Federation Police Academy in Sarajevo.

The High Representative also expects from Minister Barisic full compliance with the Decision on inoffensive insignia for police and other officials, and respect and protection of minorities. In that regard, he considers the threat Minister Barisic made earlier this summer, that he would “deport”

returnees, extremely irresponsible.

The High Representative will closely monitor further developments in Canton 10 and take additional measures if necessary.

The High Representative will also monitor the situation in Drvar. He calls upon the municipal authorities to swiftly implement the Arbitration Award and solve the problems concerning the 1st Brigade of the Federation Army in Drvar. He also reminds the authorities that there are many other problems in Drvar: the Housing Office still does not function satisfactorily; the rights to property of individuals are not respected; the Decision on Identity Cards has not been implemented efficiently; Serb municipal officials are still not paid out of the municipal budget; and there is a lack of transparency in the financial dealings of the municipality.

The High Representative expects that these serious failings will be addressed with the urgency that they so clearly merit.