

Zepce

The High Representative, Carlos Westendorp, believes that the Agreement on how to solve the unsatisfactory situation in the Zepce-Maglaj-Zavidovici triangle, which has been worked out and agreed on in principle by representatives of the leading parties in the area after four months of intensive negotiations, represents the best possible solution to the problems in that region and is the only way forward.

The High Representative is extremely concerned that on May 12, when his Principal Deputy Jacques Paul Klein invited the party representatives to a meeting in Sarajevo to finalize and sign this comprehensive and ground-breaking Agreement, the SDA, on the orders of the top party leadership, withdrew its consent. He considers this irresponsible behavior, and condemns the public campaign that was subsequently unleashed by the SDA leadership to misrepresent the true content and intention of the Agreement.

The Zepce solution offers a unique opportunity, for the first time and in an organized, phased and well thought-out way, to eliminate what remains of the old Herzeg-Bosna structures in a specific area, and incorporate this area into a Bosniak Canton.

While it is true that these parallel structures should have disappeared long ago, the situation on the ground is such that this requires much operational planning. In the case of Zepce, this has been provided by several working groups dealing with the details of the Agreement. When implemented, the Zepce solution could become a model of how to deal with similar problems in other areas and thus, step by step, dismantle the parallel structures in the Federation.

The reality on the ground is also that the entire north of Zepce as well as large parts of Zavidovici and parts of Maglaj are currently part of the political, economic and social system of the former, now illegal Republic of Herzeg-Bosna. Within the pre-war municipal borders, the Croats are a minority in each of the three municipalities, in a Canton in which Croats are already a minority. The High Representative considers the demand of the Croats of Zepce, Maglaj and Zavidovici, who are led by moderate politicians, for a slight change of municipal borders which would result in equal rights for both people, to be justified.

In short, the Zepce Agreement is based on three main provisions:

- the integration of the Zepce municipality in Cantonal structures,
- alterations to municipal boundaries to include some outlying villages, based on the wishes of the inhabitants of these villages and agreed upon by all inhabitants of the region,
- the establishment of a functioning municipal government and administration ensuring equal rights for all people in a multi-ethnic Zepce.

The integration of the new Zepce municipality into Cantonal structures includes, among other things, the unification of the two separate payment systems and their integration with the Cantonal payment system. As a result, taxes that are currently paid by Croat companies to ZAP Mostar would go to the Zenica-Doboj Canton, which, in return, has agreed to finance the multi-ethnic police in the area as well as courts, hospitals and schools and other public services that would be organized in a way that both constituent peoples agree on. For example, the Bosniak school now "in exile" in Begov Han would return to Zepce for the coming school year, and the two curricula used in the Zenica-Doboj Canton would both become legitimate in Zepce. The Zepce municipality would also be integrated in the Cantonal Health Care Fund.

The proposed change of municipal borders is minor and had been accepted by most Bosniak parties in the region, including local SDA organizations. The new Zepce municipality would not encompass the entire area currently controlled by Croats, but only include some Croat villages. For example, the area around Novi Seher would be returned to Maglaj. As a result, the new Zepce municipality would be smaller than what is under Croat control now. The SDA leadership should be aware that the proposed border change abolishes the currently existing, illegal boundaries.

As a result of the alteration of the municipal borders, the Croats would have a small, but not dominating majority in Zepce. However, all posts in the municipal administration would be shared on a 50:50 basis. Also, the Municipal

Statute ensures that issues of vital importance require a two-third majority in the assembly. Therefore, sufficient mechanisms would exist to maintain a balanced structure.

Due to the ethnic majority, the Croats would be able to invoke Article 69 of the Zenica-Doboj Constitution, which reads: "The municipalities where the majority, regarding the national structure, does not correspond to the majority of the Canton as a whole, are competent for the following: education, culture, tourism, local economy, humanitarian issues and radio-television." An annex to the Agreement provides a detailed interpretation of this paragraph to make sure that the mentioned issues are not decided by the Croats alone, but in cooperation with the Bosniaks in Zepce and the Canton.

The Zepce solution is based on compromise by both parties. Five years after the Washington Agreement was signed and almost four years into the Dayton peace process, it is time to insist on a functioning Federation. This requires a spirit of cooperation and compromise as well as understanding by the two Federal partners of their mutual fears and concerns.

The rejection of the Zepce Agreement by the SDA leadership shows that it continues to pursue a war-time agenda and is not interested in establishing a Federation as it was envisaged in Washington and Dayton. It demonstrates neglect for the difficult living conditions of both Bosniak and Croat citizens in an area that is already economically disadvantaged. Further, it gives the perception that the SDA is not interested in dismantling parallel structures in the Federation, but instead is secretly pursuing the division of the Federation into Bosniak and Croat parts.

If the SDA continues to reject this Agreement, the High Representative will be forced to recommend to donors and foreign investors to avoid the Bosniak parts of Zepce, Maglaj and Zavidovici. In addition, further consequences might not only affect this area, but the entire Federation.