

OHR Bulletin 60 – 22 September 1997

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Your Eminence, Excellencies, Ladies and Gentlemen,

Let me express my sincere gratitude to Cardinal Puljic, for so readily allowing us to hold this ecumenical service of commemoration in the Cathedral.

I also want to thank all of you who have come to join in celebrating the memory of twelve dear friends and colleagues.

In the dome of St. Paul's Cathedral in London are written the words, "if you seek a monument, look around". To the families of those whose lives we wish to commemorate today, I say to you, "Look around".

All of us are here out of love, admiration and respect for what your loved ones meant to us as human beings and as professionals engaged in the pursuit of peace.

We share your loss. We share your grief. We share your despair. And we share your pride in their achievements.

On behalf of everyone in the Office of the High Representative – whether in Sarajevo, or in our regional centers, in Banja Luka, Brcko, Mostar, Tuzla and Brussels – I extend to the families our most sincere condolences.

Our sense of loss covers both, the personal and professional domain .

Leah Melnick worked in this region for several years. She had a warm, glowing personality and deep humanity which inspired her work in the support of enjoyment of Human Rights, for all the people in Bosnia and Herzegovina.

Thomas Reinhardt was a young diplomat from the Foreign Ministry in Bonn who had already contributed to the search for peace in this region. He had only been with us in Sarajevo for two days when his life was brought to a tragic end.

Charles Morpeth was a young ex-army officer at the threshold of a new career, who brought to his duties a particular enthusiasm and a relentless pursuit of practical solutions. Progress in policing and in freedom of movement around this country has a lot to do with his commitment and determination.

Jurgen Schauf was a skilled professional, responsible for the security of the last two Germans Deputies. His profession requires selflessness and courage, he had both in abundance.

And dear **Gerd Wagner**. A skilled diplomat of the highest caliber. Intelligent, kind, patient, with a wonderful sense of humor, he had quickly gained the confidence and respect of all those whom he had to deal with. His unique talents and his

potential for contributing to the establishment of peace throughout this region are irreplaceable.

You have lost your beloved husbands, fathers, sons and daughter ... in addition to four of my finest colleagues, I lost a friend and my best aide.

Of those who died in wars between nations, it is often said: "they died for their country". The lives of those whom we mourn today do indeed reflect honour on the countries and the cultures which shaped them. But theirs was not the pursuit of national self interest. They were unselfish members of a community, striving to bring peace and stability to this region. We honour them today.

Let us pray that peace and reconciliation in Bosnia and Herzegovina will be their true and lasting memorial.

Those who are left behind are poorer without them but richer for having known them.

Whatever our nationality, we must commit ourselves to achieving the goal to which they had dedicated themselves, and for which they so tragically gave their lives.

Explosion In Mostar

On 18 September an explosion occurred in a residential area on the western side of Mostar causing extensive damage to the surrounding buildings. Some fifty people were injured in the blast, with 29 of them requiring hospital treatment. Three of the injured were reported to be in a serious condition. After the blast, the local police, SFOR and UN IPTF deployed to the site, which was described by UN monitors as "a scene of total devastation". Dozens of vehicles were destroyed and extensive damage to two ten-story apartment blocks was reported. A car bomb is believed to have been the cause of the explosion.

Representatives of the International Community in BiH

condemned the incident in the strongest possible terms, calling it, “act of terror against innocent civilians”, and demanded that the terrorists who had committed the attack be arrested and prosecuted as soon as possible. A press statement from the OHR in Mostar said that “the criminal act for which there [was] absolutely no justification” occurred at a time when the situation in Mostar was on the right track to stabilisation. The statement appealed to the citizens and all political factors to remain calm in order not to jeopardise the progress which had been achieved so far. UN IPTF will closely monitor the ongoing police investigation.

Elections

Speaking at a [joint Press Conference](#) following the first post-war municipal elections in BiH, Head of the OSCE Mission in BiH, Ambassador Frowick said that in their turnout for the municipal elections the people of BiH had “*demonstrated a deep desire to realise the promise of peace given to them at Dayton*”. On behalf of the OSCE mission Ambassador Frowick congratulated the Bosnian people on their determination to leave the war behind and move toward the steady establishment of a democratic structure of government at all levels. With the conclusion of municipal elections, Ambassador Frowick said that the OSCE had almost completed its electoral responsibilities under the Peace Agreement. Seven levels of government, i.e. both executive bodies and legislative assemblies for BiH, Republika Srpska (RS), and the Federation, as well as cantonal and municipal assemblies had been elected over the past year.

Ambassador Frowick said that, “*despite the unprecedented complexity of this endeavor, the sense of responsibility of the people of this country was shown by their will to shape a more pluralistic society, and to do so without violence. Surely this must be regarded as a great achievement in the less than 21 months since the signing of the Peace Agreement*

in Paris."

Ambassador Frowick commended the major efforts which had been made by the international community to drive the election process through to a conclusion and underlined the close and effective cooperation with the civil and military leadership team, which he said had been so ably led by the High Representative Carlos Westendorp, and COMSFOR General Shinseki. Ambassador Frowick also thanked the leadership in BiH, Croatia and FRY: *"I would [also] like to emphasize our appreciation to Presidents Izetbegovic, Zubak, and Krajisnik, as well as Presidents Milosevic and Tudjman for their essential contributions to the effective, albeit difficult functioning of the electoral process. With their help, we managed to develop a necessary momentum. With OSCE rules and regulations, adopted by Bosniak, Croat, and Serb, as well as international representatives, we ensured what I believe has been as adequate integrity in the voting".*

Preparations would now have to be made for the implementation of the election results which, Ambassador Frowick categorised as a *"formidable challenge"*, but, he added that the international community had a solid concept, approved at the Sintra Ministerial meeting in May, for meeting that challenge. *"Teamwork and a steadfast, unrelenting will, are going to continue to be necessary, in both the civil and military dimensions to consolidate the peace"*, he said.

At the [press conference](#) HR Carlos Westendorp thanked the OSCE and Ambassador Frowick and his team for the good job they had done. Mr. Westendorp also expressed his gratitude for the efforts of SFOR and UN IPTF in securing the atmosphere in which the elections were able to take place. Preliminary assessments by OSCE and other international representatives, as well as heads of Election Commissions in both Entities of BiH, had indicated a good turnout of voters, while the voting itself had been carried out without any major incidents and with only minor irregularities. *"Of course, these elections*

are not the final word in democracy. These elections are simply necessary for the peace implementation process, but not sufficient. These elections have been better than last year's, but next year's and coming elections will be even better. For that, we have to go on working on having the fundamentals of democracy; that is to say, democratic police and free media. I wouldn't consider elections to be free, fair and fully democratic until all political parties, even the most important political parties, are really pluralistic, and include all the ethnic groups in this country", said Mr. Westendorp.

- Following a judgement on 15 September by the Election Appeals Sub-Commission (EASC) to annul the SDS elections victory in Pale, Ambassador Frowick made a Chairman's decision to revoke the judgement. The EASC had made the ruling based on what it considered to be violations of the PEC Rules and Regulations whereby the SDS had presented the former RS President Karadzic in the SDS candidates' election campaign using Karadzic's picture on election messages and posters.
- The OSCE Provisional Election Commission (PEC), which is in charge of defining the Rules and Regulations for the elections in BiH, decided by consensus on 10 September to extend the term of office for newly elected officials. The PEC ruled that those elected in the municipal elections would now have a two year term of office instead of the one year that had previously been the case.

Contact Group

The Contact Group (CG), meeting in [London on 16 September](#), welcomed the successful holding of the municipal elections in Bosnia. It congratulated the OSCE and its mission staff in Bosnia for their effective supervision of the elections under the leadership of Robert Frowick, the OHR, led by Carlos

Westendorp, as well as SFOR and IPTF for ensuring the success of the elections.

The CG agreed that all parties must respect the results and allow elected representatives to undertake their duties. It reaffirmed its full support for the Implementation Plan for Elected Officials prepared by the OSCE and OHR. The CG would strongly support efforts on the ground to implement the results of the elections. Measures would be taken against those who sought to block such implementation.

The CG reiterated its recommendation in favour of an appropriate authorisation of the OSCE mission in BiH so that the OSCE could supervise elections to the RS Assembly, and any other elections to be held in RS in accordance with constitutional provisions.

The CG agreed that recent progress on Sintra objectives including on civil aviation and telecommunications was welcome. But the CG would continue to seek rapid progress in areas like the citizenship and passport laws, and agreements with the IMF and on the common flag. The CG had already indicated that it would support those parties which were fully implementing the Dayton Peace Agreement and take measures against those who were not.

The lack of transparency and accountability in Bosnian governance was a matter of grave concern for the CG. The Bosnian authorities must take firm action to improve the standards of accountability in Bosnian public life. The CG welcomed a paper by the High Representative with recommendations for action. The OHR would co-ordinate international efforts to help the Bosnian authorities tackle these problems with the full backing of CG members and would submit a progress report to the PIC Steering Board by the end of November.

Croatia and the FRY should use all means at their disposal to

encourage the installation of those elected at the municipal elections. The CG regretted that neither Croatia nor the FRY had yet lived up fully to the international commitments they had undertaken, including the implementation of the Dayton Peace Agreement.

The CG reaffirmed its determination to press ahead with the implementation of the Dayton Peace Agreement and to that end to hold all of the parties to the Sintra deadlines. Decisive action would continue to be taken when those requirements were not met. The CG continued to consider reform of the police and a free, democratic and pluralistic media to be essential requirements in this process.

Right To Return

- In a continuation of efforts to promote returns in Central Bosnia, Senior Deputy HR Ambassador Wagner met with municipal authorities and community leaders in Kiseljak, Travnik and Guca Gora on 4 September to discuss further steps in implementing the programme for returns of DPs agreed on by the highest levels of the Federation leadership in early August. He also met with the Cantonal Governor and his deputy in a meeting also attended by one of the Federation Ombudsmen (who have recently opened an office in Travnik), and visited the newly-established Cantonal Police Force headquarters. Local leaders pledged their support for the returns initiative, but also raised concerns about the security situation following two demonstrations against returns and the recent murder of two Croat men. Ambassador Wagner stressed the importance of establishing a stable security environment to create conditions for returns and pointed to the formation of the cantonal police as a vital step in this process. Both Croat and Bosniak leaders noted that the murders were still being investigated and that results needed to be seen prior to

assuming that the crime was ethnically-motivated.

- On 5 September, representatives of thirty international funding agencies met with Federation authorities in Sarajevo to discuss allocation of reconstruction assistance to the Central Bosnia Canton to enable the return of 10,000 families. UNHCR announced it would allocate US\$ 7 million for kitchen sets, blankets, mattresses, beds and stoves, as well as for the reconstruction of emergency hospitals, schools and 575 houses in the canton. Federation officials pledged 1 million DEM for return programmes and announced that a canton-wide return plan would be completed soon.
- On 10 September, UN IPTF issued its report on the policing response to the incidents in Jajce during the first days of August. In its investigation, UN IPTF found that the local police response to the house burnings and other incidents affecting Bosniak returnees between January to July was, *"at best, non-existent"* and that police response to road blocks and demonstrations by Croat citizens during 1-3 August was *"wholly inadequate and in some instances deliberately negligent."* UN IPTF noted that police officers refused to intervene even when explicitly requested by UN IPTF to do so, and that had the police performed properly, the incidents could have been prevented or immediately resolved without violence. Instead, between 1-3 August *"some 400-550 Bosniaks were forced to leave their homes as a result of police inaction in the face of intimidation, violence, arson and one murder."* Based on the available information, UN IPTF recommended investigations and proper response to the incidents and the acts of 10 policemen named in the report, the dismissal of the Jajce Chief of Police Marko Lucic and his Deputy Marko Bilandzija, and disciplinary measures against eight other policemen. The report was submitted to the Federation authorities on 26 August, and on 4 September Federation President Soljic responded to it by

refuting that police officers in plain clothes abused Bosniak returnees (UN IPTF said these allegations should be further investigated), arguing that the recommended measures were too harsh. However, President Soljic did not challenge the factual content of the report relating to police conduct, and UN IPTF urged him to ensure that proper proceedings were instituted against all 10 police officers. UN IPTF also reiterated that the Chief of Police and his Deputy should be dismissed as an appropriate sanction.

NATO

- In a [statement](#) released on 15 September NATO's Secretary General Javier Solana expressed his satisfaction that the elections had been a great success. He congratulated the OSCE for its *"steadfastness in overcoming the many obstacles and for its excellent organisation of the elections."* Dr. Solana also saluted SFOR which had supported the OSCE and *"provided an environment of security without which the elections could not have taken place nor have passed off so smoothly"*. Underlining the importance of close cooperation for achieving success in BiH, Dr. Solana said that SFOR would now work closely with the OSCE and all the other international organisations involved to ensure that the results were fully implemented and he urged all the political parties of BiH to respect the democratic decision of the Bosnian people.
- Dr. Solana and Supreme Allied Commander for Europe (SACEUR) General Wesley Clark had [visited](#) Sarajevo on the day before the elections to publicly underscore SFOR support for OSCE and the municipal elections, to reinforce the parties obligations to fully implement the Peace Agreement, and to guarantee that SFOR would provide a secure environment in which voting could take place.

Presidency

- The BiH joint Presidency met on 12 September at the National Museum with all three Presidency members in attendance. A final agreement on appointments of the BiH Ambassadorial posts is expected to be reached at the next meeting of the Presidency. The Presidency decided that the first meeting of the Standing Military Committee would be held on 15 September in Sarajevo. An invitation to participate in the second Council of Europe summit in Strasbourg was accepted by the Presidency members. It was further decided that 200,000 DEM would be provided for the financing of the Human Rights Chamber. The Presidency accepted accreditations for Ambassadors Wilhelm Schmid of Switzerland and Khalaf Abbas Khalaf of Kuwait.
- At a continuation of their 23rd session on 19 September in Lukavica the Presidency adopted the decision on 30 appointments for ambassadors. Additional consultations would be held for three further appointments. The Presidency considered the proposal of the Law on Citizenship of BiH and sent it to the CoM with suggestions. The Presidency adopted the decision that the Chair of the BiH Presidency, Alija Izetbegovic, and member of the Presidency Kresimir Zubak, would take part in the the 2nd Summit of the Council of Europe in Strasbourg on 10-11 October. The Presidency authorised the BiH Ambassador in the Vatican to sign on behalf of BiH the aid contract with IFAD, international organisation for agriculture, worth US\$ 14 million.

Council Of Ministers

- On 12 September the BiH Council of Ministers (CoM) ratified the establishment of the BiH Department of Civil Aviation (DCA) and approved three Memoranda of Understanding on the opening of Tuzla, Banja Luka and

Mostar airports for civilian traffic. The Agreements followed several months of intensive but cooperative negotiations between the Parties, international aviation experts, SFOR and the OHR. The CoM also approved an agreement on inter-Entity telecommunications, as well as an agreement on the structure of the delegation for the annual assembly of the World Bank and the International Monetary Fund. A further agreement, a component of the Memorandum on Telecommunications, was signed with the European Bank for Reconstruction and Development (EBRD) for financing of the project.

- At their session on 11 September CoM Co-Chairman Hairs Silajdzic signed the third annex of the General Agreement with the U.S. Agency for International Development (USAID) for the US\$115 million assistance. The Ministry of Foreign Affairs was charged with arranging activities for the opening of border crossings with Croatia in Bosanska Dubica, Bosanska Gradiska, Bosanski Brod and Bosanski Samac. The Senior Deputy High Representative Gerd Wagner, who also attended the session, said he was satisfied with the meeting and the “new impetus” being shown by the CoM.

Standing Military Commission

The Standing Committee for Military Matters (SCMM) held its first meeting at the Museum in Sarajevo under the Chairmanship of President Zubak. The three Members of the Presidency, the Federation Minister of Defence, the Deputy Defence Minister of the RS along with Generals Colic, Delic and Budimir were in attendance. Ambassador Klein and Air Vice Marshal Wright (OHR), Generals Shinseki and Cordy-Simpson (SFOR) and Brigadier Johnson (OSCE) were also in attendance. Mr. Bozanic and Mr. Malbasic also attended as observers of the Ministry of Foreign Affairs. This composition of the Committee was approved.

At the beginning of the meeting, the SCMM was addressed by the three Members of the Presidency. Ambassador Klein, General Shinseki and Air Vice Marshal Wright also addressed the Committee. All expressed hope that the SCMM would be effective in the future, stressing the fact that SCMM is the last of the Dayton Joint Institutions to meet. All envisaged the SCMM playing an important role in the long-term security and stability of BiH.

During the meeting, the SCMM ratified its rules of procedure, was addressed by the OSCE on Arms Control issues, and also held an initial discussion on the question of Defence Attaches. A Secretariat for the SCMM was established which will develop a six month strategy for the Committee.

It was agreed that the next meeting would be held at Lukavica on 15 October under the Chairmanship of President Izetbegovic.

Media Issues

Following a rejection by SRT to broadcast programmes provided by the international community (IC) and their failure to implement in full the provisions of the Udrigovo Agreement, as well as the repeated broadcasting of inflammatory language and factually incorrect reporting, the Media Support and Advisory Group (MSAG) called for Director General, Miroslav Toholj and Editor-in-Chief, Drago Vukovic to attend a meeting in order to discuss the stand of the IC and the recent non-cooperation of SRT. The MSAG, attended by senior IC representatives from OHR, SFOR, OSCE and UNMiBH, was chaired by Senior Deputy HR Ambassador Wagner. Ambassador Wagner reminded Messrs Toholj and Vukovic that a recent letter sent to Mr. Krajisnik in his capacity as Chairman of the Board of Directors of SRT from HR Carlos Westendorp and COMSFOR General Shinseki had warned that continued non-compliance by SRT would be followed by SFOR action.

The meeting resulted in an agreement from the SRT

representatives that they would immediately begin implementing the provisions of the Udrigovo Agreement and that, in cooperation with the OHR Public Affairs Department, material provided by the IC would be selected for broadcast. In addition, SRT would provide broadcast time for live interviews with representatives of the IC. The MSAG participants reminded SRT that they would continue to be monitored by the IC and the Media Experts Commission (MEC). Anything less than compliance would not be tolerated. SRT were reminded that they had to display increased standards of professionalism in their programming and commentary in accordance with the international principles of journalism, and that these were laid out in the PEC Rules and Regulations relating to the media.

Human Rights

UN IPTF reported that cantonal police had arrested two suspects, one of whom was charged, in connection with a case in Travnik in which a Croat man died on 11 September from injuries sustained in a physical altercation two days before. On 6 September, Sarajevo police arrested four suspects in connection with the explosion at the Catholic Centre in Grbavica and have charged one man with the crime. Local police told UN IPTF that they believe the explosion was an isolated incident and not connected to similar incidents earlier in the year.

Tension In Banja Luka

On 9 September police forces loyal to RS President Biljana Plavsic and local residents blockaded the Hotel Bosna in Banja Luka, where senior hardline members of the ruling SDS party of Radovan Karadzic were staying following an SDS rally which had been held the previous evening. The police banned entry and exit to the hotel which was housing, among others, Serb member of the joint BiH Presidency, Momcilo Krajisnik, RS Prime

Minister Gojko Klicovic, Dragan Kalinic, Speaker of the RS National Assembly and former police chief Dragan Kijac, along with their security personnel. Following negotiations between Principal Deputy Ambassador Jacques Klein, SFOR officials and the local police, those waiting to leave were screened to determine whether war criminals were present. After ascertaining that there were none, and after confiscating weapons including long barrelled weapons, as well as a number of Special Police ID cards SFOR soldiers assisted with the speedy and safe evacuation of the majority of the Pro-Pale group. The remaining members of the group who had declined SFOR's offer of assistance, including Mr. Krajisnik and Mr. Kijac, and made their own arrangements to leave and were subsequently verbally assaulted and pelted with eggs and stones by the pro-Plavsic crowd upon leaving the hotel.

On 8 September large numbers of buses from throughout RS began heading for Banja Luka ostensibly to take part in the SDS rally. However, on the basis of evidence presented to him by the Chief of Police in Banja Luka, Ambassador Klein, the Principal Deputy HR determined that these buses contained people intending to provoke disorder and probable violence. Evidence collected by the Banja Luka police in the preceding 24 hours from individuals who had recently arrived in town, included hand grenades, unspecified weapons and forged IDs. Following urgent consultations between Ambassador Klein and SFOR, it was decided that SFOR would immediately turn back buses and their occupants which were considered to be entering Banja Luka without good reason, or intent on undermining public order. In close cooperation with the local police and UN IPTF, buses which were en route to Banja Luka and deemed to be a potential threat to peace and stability were stopped and inspected by SFOR. Some buses attempted to evade control points reinforcing earlier indications that the rally was targeted for violence, and in some cases hostile passengers armed with clubs and stones tried to resist inspection by throwing stones at SFOR soldiers. UNIPTF reported that the RS

police had arrested five persons for firing weapons during these events, and according to some reports, those men were members of the police from eastern Bosnia. SFOR officials noted that several reports had been received of demonstrators being paid to board the buses with a promise of additional money upon their return from Banja Luka.

A [statement](#) released by the OHR said that the SDS and any other party were entitled to hold a peaceful rally in Banja Luka without such threats of possible violence and disorder to those citizens attending the rally in good faith. Underlining that the 13-14 September elections were municipal elections which by definition were confined to the local area, the statement added that, *"the people of Banja Luka [were] entitled to go about their lives and participate in the democratic process, without organized thuggery being bussed into their community from outside."*

Economic Issues – USAID

On 10 September the United States Agency for International Development ([USAID](#)) held a signing ceremony to formally close loans worth 1.1 million DEM made to three private companies in the food and lumber industries in Brcko. Approval of the loans, which will support the creation of 64 new jobs, was enabled by the 7 August signing between USAID and RS President Plavsic of an implementation letter outlining terms of cooperation. The funding for these loans, the first to be made in the RS, are part of a \$278 million Business Development Program designed to generate employment and spark economic reactivation throughout Bosnia-Herzegovina. The ceremony took place at the OHR in Brcko and was attended by Deputy High Representative Ambassador Robert Farrand along with representatives from USAID's Business Development Program and the borrowing companies.

The USAID Business Development Programme targets commercially

viable small and medium-size enterprises in the Federation and RS. Eligibility criteria include employment generation, quick start-up, use of local raw materials, export potential and strong forward and backward linkages in the local economy. USAID also weighs heavily the degree to which the company and community are in compliance with the principles of the Dayton Agreement in terms of freedom of movement and non-discriminatory treatment of ethnic minorities.

To date, the program has approved 112 loans worth DEM 93.6 million, creating over 9,000 jobs. Of this, DEM 69 million has been disbursed thus far. Currently, only privately owned enterprises are eligible for financing.

Looking Ahead

1 October:

BiH Parliament House of Peoples Session, Sarajevo

15 October:

Standing Committee on Military Matters (SCMM), Lukavica

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.

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