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Table of Contents

NATO Seizes SRT Transmitters
Opening of Border Crossings
Agreement on Resolution of RS Crisis
Contact Group
Brcko
Human Rights
Mostar
ICTY
Police Restructuring
Right to Return
Media Issues
Council of Ministers
BiH Presidency
Freedom of Movement
Inter-Entity Telephone Links
Open Letter from Sandra Wagner, wife of Ambassador Gerd Wagner

Please consult our Bulletin Category List for related information

NATO Seizes SRT Transmitters

On 1 October, at the request of the High Representative (HR), the NATO Secretary General and the SACEUR authorised SFOR to occupy and control a number of broadcasting facilities in the RS. A statement released by the OHR said that action had been taken following a "grotesque distortion" of the press conference by ICTY Prosecutor Justice Louise Arbour, which was broadcast by Srpska Radio and Television (SRT) on 28 September.

UNMIBH protested against the SRT broadcast of the press conference saying that it *"made a mockery of one of the most noble international institutions involved in the former Yugoslavia"*. A video of the entire briefing had been presented to SRT for broadcast in its entirety on the international hour under the terms of the 2 September Udrigovo Agreement. However, when broadcast, it was evident that the tape had not only been edited in an "unacceptable manner", but editorial comments had been added such as those depicting Radovan Karadzic and Ratko Mladic as national heroes, and accusations that the Hague Tribunal was a political instrument against the Serbs. UNMIBH said that the broadcast, which "broke virtually all the rules and regulations concerning fair and accurate reporting", had been "inaccurate, biased, distorted and thoroughly misrepresented what Arbour had said". UNMIBH and ICTY demanded that, at a minimum, SRT should apologise to its viewers and rebroadcast the programme in full, with an introduction provided by ICTY.

An OHR statement on 30 September wholly endorsed the view of both UNMIBH and ICTY that corrective action be taken immediately, adding that "in the meantime, the OHR [would] consider whether further action [was] required." The subsequent fulfillment of these demands by SRT on the evening of 30 September were described by OHR as being "welcome, but frankly, too little too late". The recommendation by the HR had been made on the basis of the mandate given to him under the terms of the Sintra Declaration – specifically paragraph 70 – which empowered him to act against any media outlet whose output is in persistent and blatant contravention of either the spirit or letter of the Peace Agreement.

Mr. Westendorp said that numerous warnings had been issued in recent months – most recently in the joint letter from him and COMSFOR to Mr. Krajisnik in his capacity as the Chairman of the Board of Directors of SRT of 10 September. The distortion of the interview with Justice Arbour, had been "the last

straw". The population of the RS were entitled to hear the truth in fair and balanced reports on television and other media. "It is with this in mind that we are determined to ensure that a democratic and balanced public service television is provided in the RS consistent with the aims and provisions of the Dayton Agreement", said Mr. Westendorp. The International Community would not allow agreements reached between the parties and organisations in the RS to be flouted in the way exemplified by the 28 September SRT broadcast.

Secretary General of NATO, Dr. Javier Solana, said in a statement on 1 October that, following a request from the HR, SFOR had taken action at a number of locations in BiH to deny SRT the use of their broadcasting network. SFOR's action had been directed by SACEUR, following consultations with Dr. Solana, in accordance with previous decisions of the North Atlantic Council and paragraph 70 of the Sintra Declaration. "The aim of SFOR's action is to assist the High Representative in ensuring that the media in the RS reflects international norms of professional media conduct and fully supports the goals of the Dayton Agreement", said Dr. Solana. "SFOR's action this morning demonstrates our determination to support those who support Dayton and to react swiftly and robustly against those who seek to obstruct the peace process. There should be no doubt of SFOR's resolve", Solana added.

Opening of Border Crossings

On 26 September the Principal Deputy High Representative (HR), Ambassador Jacques Klein officially opened border crossing points connecting BiH and Croatia at Gradiska, Samac, Dubica and Brod. A protocol on free passage for people and goods was signed by Croatian Transport Minister Zeljko Luzavec, and BiH Civil Affairs and Communications Minister Spasoje Albijanic. Speaking after the opening Ambassador Klein said that the newly opened bridges would carry commerce and people between countries and peoples – "not just between BiH and Croatia, but

on into the rest of Europe". The closure and destruction of the bridges had symbolised the horrors of war, "the rupture of trade and contacts between communities, the isolation of BiH from the European family of nations (…) Slowly – sometimes painfully slowly – we are starting to reconnect the arteries which link this country to the outside world. We are starting to make a reality of the slogans we speak about at meetings – freedom of movement for people, for goods and for services", said Ambassador Klein.

Ambassador Klein reminded that there was much work still to be done – "but I am a firm believer in getting on with the job, not talking about it. That's why we are opening the bridges today, before waiting for every single piece of the bureaucratic puzzle to fall into place". Laying out what he described as a "formidable agenda" of freedom of movement issues which still had to be addressed, Ambassador Klein said he wanted: the opening of remaining border crossings without delay; the Council of Ministers to appoint a Border Commission within the week; accelerated building of the remaining roads, railways and bridges; removal of the "ridiculous and often illegal" obstacles to travel (so-called transit visas for foreign vehicles by RS authorities, road allowance fees); the problem of discrimination against BiH citizens living in RS to be tackled; and, the "Kafkaesque nonsense of the car registration system in both entities" to be dealt with. Acknowledging that all of these problems represented a great deal of work, Ambassador Klein said he saw no reason why it could not be completed, "given guts, energy and perseverance".

In concluding his statement, Ambassador Klein underlined that the resources and support needed to carry out the work already existed, "But there is one thing we cannot supply – and that is a determination on your part, the local parties, to begin rebuilding the metaphorical bridges – the bridges to each other, the bridges between communities and peoples. Today we have shown what can be done. I promise you that in declaring,

with satisfaction, these crossings officially open, we are not going to leave it at that. We are going to work night and day to get all the rest open too. And once open, we are going to keep them open".

Agreement on Resolution of RS Crisis

RS President Plavsic and Serb member of the BiH Presidency Krajisnik met on 24 September with FRY President Milosevic to discuss steps to defuse the current crisis in the RS and ways to overcome the crisis through implementation of the Peace Agreement.

Three main points were agreed:

1. both Parties would undertake all necessary measures in order to stop all conflicts leading to the division of the RS. RS unity was in the vital interest of the RS people, and all other interests (partial and party) must be inferior to the defence of the RS unity.
2. the political conflict that triggered the crisis in the RS could be solved only in a democratic manner through the people's will to be expressed in the elections for Parliament, President of the RS, and Serb member of the BiH Presidency, as follows: (a) elections for Parliament, to be monitored by OSCE, would be held, in keeping with the law of the RS, on 15 November 1997 and, (b) elections for the President of the RS and Serb member of the BiH Presidency would be held on 7 December 1997. The newly elected Parliament would appoint at its first session a commission which would organise elections for the President of the RS and Serb member of the BiH Presidency.
3. President Plavsic and President Krajisnik agreed that unified media environment of the RS and free access to media of all participants in elections was a necessary condition for holding democratic elections. They also

agreed that news programmes be broadcast daily from studios in Pale and Banja Luka alternately.

Principal Deputy HR, Ambassador Klein wrote to FRY President Milosevic on 25 September underlining that in order to promote free, fair and democratic elections throughout BiH the Parties in Dayton had agreed to request the OSCE to adopt and put in place an elections programme including the establishment of a Provisional election Commission. The Parties had, furthermore, agreed to create a Permanent Election Commission with responsibilities to conduct future elections in BiH. Since the Permanent Election Commission had not yet been established, the Parties had requested OSCE to extend the mandate of the Provisional Election Commission, in order to supervise the preparation and conduct of the municipal elections in BiH.

Taking note of the 24 September Agreement signed in Belgrade by RS President Plavsic and BiH Presidency Member Krajisnik, Ambassador Klein said that it was necessary to underline that any elections held before the constitutional establishment of the Permanent Election Commission, including the envisaged RS Assembly elections and Presidential elections, must also be fully free, fair and democratic. This meant that they must be supervised by the Provisional Election Commission established by the OSCE and conducted in accordance with Provisional Election Commissions Electoral rules and regulations.

Contact Group

The Foreign Ministers of the Contact Group countries (France, Germany, Italy, Russian Federation, United Kingdom, and the United States) met at the United Nations in New York on 24 September together with the High Representative and representatives of the Luxembourg EU Presidency, EU Commission, to reiterate their unity and determination in pursuing a stable and lasting peace in BiH. The CG released a statement after their meeting in which they said they were

“deeply saddened by the tragic loss of 12 dedicated individuals in the recent UN helicopter crash in Bosnia” and pledged to continue their work to advance the cause of peace.

The CG welcomed the progress that had been made since the Peace Implementation Council (PIC) Steering Board Ministerial in Sintra and reaffirmed their unified commitment to hold all parties strictly to the implementation of all elements of the Sintra Declaration, warning: “Those who honour their commitments to implement fully the Peace Agreement will receive our support. The CG will advocate increasingly strong measures against those impeding progress in implementation of the Dayton Accords and the Sintra Declaration”.

The CG congratulated the citizens of Bosnia and Herzegovina on the peaceful exercise of their democratic right to vote and called upon the Bosnian people to respect the results of the September 13-14 municipal elections and to support installation of new municipal governments. All authorities, including cantonal and local officials, were expected to ensure the rapid, peaceful and orderly implementation of the municipal election results. This would facilitate the enhanced delivery of international assistance. The CG would support strict measures against any individual or group impeding full implementation of municipal election results, as announced by the OSCE.

The CG congratulated the OSCE and its mission staff in Bosnia, under the leadership of Robert Frowick, for their effective supervision of the elections, as well as SFOR, UN IPTF, and OHR, for ensuring the success of the elections.

In that spirit, the CG requested that the OSCE, at its Permanent Council meeting in Vienna on 25 September, agree to undertake supervision of RS Assembly elections to be held on a date proposed by the President of Republika Srpska in consultation with the OSCE. The CG also requested that the OSCE undertake the supervision of other elections to be held

in RS at a later date, in accordance with constitutional provisions, taking note of the agreement signed in Belgrade on 24 September and looking forward to consultation with its signatories. The CG called on all parties in the RS to cooperate fully with the OSCE, to participate in those elections and any other elections called in accordance with constitutional provisions, and to ensure that elections fully met democratic standards, and were held without intimidation and with full respect for the freedom of movement, expression, and media.

The CG condemned the continuing use of media to propagate knowingly disinformation and inflammatory messages that undermined support for the Peace Agreement. Media in Bosnia and Herzegovina should be capable of, and were responsible for, maintaining media standards that were consistent with those of present-day Europe.

The CG strongly supported the work of the High Representative in this area and reaffirmed his right to curtail or suspend any media network or program whose output was in persistent and blatant contravention of either the spirit or letter of the Peace Agreement, as provided under the Sintra Declaration.

The CG reiterated the urgent need to proceed with the reform of all police forces in BiH in line with the principles of democratic policing and in full cooperation with the UN IPTF. Toward that end, the CG stressed that all special police must be brought into compliance with all provisions of the Peace Agreement.

The CG expressed increasing concern about the negative effects of corruption, smuggling and organised crime on the process of peace implementation and economic recovery in Bosnia and Herzegovina. The citizens of BiH were entitled to far greater transparency and accountability at all levels of government. In this regard, the CG underscored the important role of an independent, professional media in exposing corruption.

Croatia and Federal Republic of Yugoslavia were urged to live up fully to their obligations under international agreements and as guarantors under the Dayton Peace Agreement. Of special concern was the continued refusal to cooperate fully in the transfer of indicted war criminals to the Hague tribunal. Compliance with international commitments would be the prerequisite for international assistance.

The parties were expected to accelerate significantly their implementation of the Peace Agreement. At its December 9-10, 1997 meeting in Bonn, the PIC would examine the level of progress since Sintra and consider additional measures, as necessary, to bring the parties into compliance with their obligations under the Peace Agreement.

Brcko

On 26 September the Brcko Supervisor, Ambassador Farrand, opened the OHR Media Centre in Brcko. The aim of the Media Centre is to make available clear and objective information and a wide range of news sources to journalists and to everyone living in Brcko.

The Media Centre, which was first used during the recent elections and became a focal point for journalists covering the vote, now stocks a wide range of publications including daily and weekly newspapers and magazines from the Federation, RS, Croatia, the FRY and overseas. In addition, all press releases and documents issued by the Supervisor’s Office will be made available and there will also be information available in the local language on the work and mandates of OHR and the Supervisor, SFOR, UN IPTF, UNHCR, and the OSCE.

The Media Centre has internet access, and there are plans for film showings and seminars. The Centre will also serve as a gallery space for exhibitions.

The Media Centre is situated opposite the OHR’s office on

Aleksandra Karadjordjevica and will be open Monday – Friday from 10 am – 9 pm, and 8 am – 1 pm on Saturdays.

Human Rights

On 28 September in Doboj an explosion destroyed the offices of the opposition newspaper Alternativa. Although there were no injuries, several flats were badly damaged in the blast. The international community roundly condemned the attack, the second in a few weeks, on the opposition newspaper.

In an open letter to Serb Member of the BiH Presidency, Momcilo Krajisnik, the Committee to Protect Journalists (CPJ) also condemned the "terrorist actions" against Alternativa, saying, "these violent attempts to silence the sole alternative provider of news in Doboj violates all international norms, as well as the provisions for press freedoms in the Dayton Accords". CPJ called on Mr. Krajisnik, as signatory of the Peace Agreement, "to guarantee the rights of journalist sand other media outlets to freely and safely practice their profession and ensure a diversity of views in the media". UN IPTF will monitor the local police investigation in to the blast.

Mostar

On 24 September he OHR condemned and called for an end to the dangerous and unproductive speculation and blame laying being carried out by members of the political leadership and elements of the media within Mostar, over the issue of the 17 September car bomb incident. A statement released by the OHR said that those responsible for the "vicious and cowardly act" must be caught and brought to justice. This would only happen if a thorough and efficient investigation was carried out with the minimum possible delay. An understanding reached between Principal Deputy HR Ambassador Klein, President Izetbegovic and President Zubak had laid down the rules for a fair,

equitable and acceptable investigation, to be carried out by Cantonal authorities, assisted by Federation authorities and supervised by the International Police Task Force. The investigation would be an opportunity for the local authorities in Mostar to demonstrate their commitment to the development of a fully functioning Federation, the statement said.

ICTY

Prosecutor for the International Criminal Tribunal for the former Yugoslavia (ICTY), Justice Louise Arbour, gave a press briefing on 26 September. Justice Arbour said she had come to Sarajevo with Deputy Prosecutor Graham Blewitt for talks with various representatives on the international community, to discuss issues related to IC support of ICTY work, and in particular to discuss any issue that might arise in relation to the ICTY policy of proceeding by way of sealed indictments. "This is a practice that is consistent with law enforcement all over the world. In our case, it is a policy that is designed to defeat the efforts of those who are obstructing our work and to give a strategic advantage to authorities willing to perform the arrests. I will continue to request the court that indictments and warrants are kept under seal in every case where I believe that it will improve the likelihood of a successful arrest," she said.

Justice Arbour said that she was determined to focus investigations and prosecutions on those who were most responsible for the most serious war crimes – genocide, crimes against humanity – committed in the region since 1991. "It was never our mandate and it is not my intention to prosecute – whether by public or sealed indictment – hundreds of low-level perpetrators who may have participated in these criminal activities", said Arbour, adding that there should be faster movement than there had been in the past at exposing those responsible at the highest level of command.

Asked what she thought of the fact that Radovan Karadzic was still at large, Arbour said it was “scandalous” that those responsible for arresting him had failed to discharge that obligation. When asked whether it was the responsibility of the IC to ensure that justice was done, Justice Arbour replied that the primary responsibility, in legal terms, was with the governments that had the powers to make the arrests. However, failure to do so could not be used as a pretext for inaction by the IC given the international military presence in the country. When questioned whether Karadzic would be able to stand trial if his co-accused, Ratko Mladic was not also arrested, Justice Arbour replied that it was always desirable for those charged jointly to be tried jointly. It was an extreme waste of resources and very taxing for the witnesses to have to testify in numerous cases. However, in appropriate cases, the Tribunal would try the accused in a single trial if they had to.

Police Restructuring

Special Representative of the Secretary-General, Ambassador Eide announced on 26 September that the RS authorities had reached an agreement with UNMIBH / UN IPTF to start immediately with the restructuring of the police force in the RS. The Agreement followed the presentation by UNMIBH of a document containing the principles and guidelines for police restructuring in the RS.

RS President Plavsic and RS Prime Minister Klickovic had given their unreserved agreement to the document which had been transmitted to them on 16 September. Ambassador Eide said that he welcomed the Agreement and saw it as an important breakthrough after months of discussions. When implemented, this Agreement on RS police reform would constitute an important contribution towards greater stability in an area which had been dominated by tension in the last months, Ambassador Eide said, adding that he hoped police reform would

proceed in all parts of the RS.

Ambassador Eide, joined with UN IPTF Commissioner Seitner, in commending the RS authorities for "taking this vital step in ensuring peace and democracy in BiH". They emphasised that the Contact Group in its Statement of 24 September had reiterated the need to proceed with the reform of all police forces in BiH in line with the principles of democratic policing and in full cooperation with UN IPTF.

Ambassador Eide said that the restructuring programme, that sets the size of the RS police at 8,500, is in accordance with Annex 11, Article 1 of the General Framework Agreement for Peace, in which the parties requested the UN to assist them in establishing police forces that operate in accordance with internationally recognised standards.

Restructuring will include not only evaluating, testing training and investigating personnel, but also revising police regulations and rules of procedure to conform to the democratic policing principles accepted by the RS. UN IPTF will provide training and extensive support to the restructured police.

All persons wishing to serve as police officers will be certified by the UN IPTF according to an agreed procedure that, among other things, entails applicants submitting their names and passing a written exam and an internationally accepted psychological test.

Right to Return

UNHCR announced on 25 September the opening of two buildings which will provide buffer accommodation for refugees returning to BiH whose houses cannot be immediately reoccupied due to ongoing repair work. The buffer accommodations are both in Ilijas and can accommodate up to 246 people. It is expected that people will stay between two and six months in the

temporary housing. UNHCR officials pointed out that it was especially important to provide interim accommodation for people returning at the onset of winter when they were unable to repair their houses, or when the repairs would take some time. The project has been financed by the European Commission's Humanitarian Office (ECHO), and is being implemented by the Swedish Rescue Services Agency.

Media Issues

The Media Support and Advisory Group (MSAG) met on 24 September under the Chairmanship of Principal Deputy HR, Ambassador Klein. The group reviewed the editorial standards of both SRT Pale and HTV Mostar, SRT compliance with the Udrigovo agreement and the future policy for International Community press briefings in Pale.

Concerning the Udrigovo Agreement, the MSAG expressed general acceptance that the terms of the agreement were being met and that SRT Pale were indeed allowing at least 1 hour of access for alternative views to be viewed during prime time. The level of cooperation experienced with SRT Pale in the execution of the agreement had been acceptable and a more varied and interesting approach to this 1 hour slot was now being developed as a joint venture.

Concern was expressed over the editorial standards of both SRT Pale and HTV Mostar news programmes. SRT Pale continued to issue political statements presented as news items devoid of any balance or alternative opinion. HTV Mostar had been guilty of highly irresponsible and inflammatory news programming since the 17 September car bombing. Both the editor in chief of SRT and HTV Mostar would be invited to explain their editorial policies at a time and place to be decided by the MSAG.

A resumption of press briefings in Pale was also considered by the MSAG to be unnecessary at this time. RS media in Pale were

again invited to take part in the daily International Community press briefings at the Holiday Inn in Sarajevo. Transport and suitable escorts to provide the required level of confidence for Pale journalists would be made available on request, as well as accreditation facilities.

Council of Ministers

The BiH Council of Ministers (CoM) held their 23rd session on 25 September in Lukavica. The CoM began discussions on the draft Law on the Council of Ministers and is expected to continue discussion on this subject at its next session. The opening of the four border crossings was also discussed and Minister of Civil Affairs and Communications, Spasoje Albijanic, was charged, in cooperation with the OHR, with preparing the text of the agreement on crossing points; this was subsequently signed with the Croatian Government on 26 September. The CoM adopted a memorandum of understanding on demining with the UN.

The CoM met again on 30 September and approved the implementation of a reconstruction project for the of the BiH power-transmission system. Some US$ 285 million has been provided for the project in cooperation with the World Bank.

BiH Presidency

At the BiH Presidency session held in the National Museum on 30 September, a final decision on the appointment of BiH ambassadors was made. Outstanding issues regarding one posting still remain to be resolved. The Foreign Ministry were instructed by the Presidency to undertake the necessary consultations relating to the Ambassadorial proposed nominees. An invitation from FRY President Milosevic to the BiH Presidency to visit Belgrade was conveyed by the Serb member of the Presidency, Mr. Krajisnik. The Presidency accepted the resignation of the Governor of the Central Bank, Serge Robert,

who announced that he would soon be leaving his post. The Presidency called on the International Monetary Fund (IMF) to name Mr. Robert's replacement. Nominations for three members of the Succession Commission were also made.

Freedom of Movement

UNHCR officials reported that local police in Zvornik had been stopping a UNHCR bus travelling from Tuzla across the inter-entity boundary line to Zvornik. Since the bus-line started running last week, local police had already stopped the bus several times with demands to check the ID of passengers. Some passengers were taken to the police station for vetting before being allowed to disembark in Zvornik. A meeting on 25 September between UNHCR and the local police and authorities to discuss the issue had failed to reach any agreement. UNHCR stressed that it was the local authorities, and not the UNHCR, who were supposed to guarantee passenger safety.

Inter-Entity Telephone Links

On 19 September, the European Commission (EC) opened a limited number of inter-entity telephone lines for local subscribers at long distance rates for calls within the Entities. According to the EC, as of 20 September, this system will allow local telephone subscribers in one Entity to call subscribers in the other Entity. The service works in both directions. A caller in the RS can ring the Federation by using the existing Federation area code followed by a "0". For example, a caller in Banja Luka, Bijeljina or Pale can call Sarajevo by dialling 0710 followed by the number. Under this system, new area codes have been allocated for RS towns, such as 051 for Pale, 057 for Brcko, and 058 for Banja Luka. Capacity, however, is limited, and the EC program plans to introduce additional lines in October to expand the service. The EC project is part of the European Union's wider efforts to assist in implementation of a telecommunications network

for all BiH. In addition to the inter-entity links, the program includes installation of a radio-relay network in the RS and a year-long training program for the existing postal and telecommunications services in Sarajevo, Mostar, and Pale.

Open Letter from Sandra Wagner, wife of Ambassador Gerd Wagner

You might by tempted to believe that Bosnia is a fated country. Too many people have died tragically in these last few years. Peace matters and journalists have not been spared.

Gerd came to Bosnia in July aware of the dangers before him with the complete support of his wife and family. He has known the region since his childhood, spending family holidays on the island of Krk, learning the language, traveling extensively through Bosnia. Soon after I met him in England our first summer holiday together was in the old Yugoslavia.

After a posting in Belgrade (1973-1977) the birth of our first child there in 1974 we both felt inextricably bound to the region and throughout later years in other countries kept up old contacts, made new ones, followed the news – so when Gerd was offered his last position here I felt he was uniquely qualified to take up the challenge.

Gerd saw a future for this country. A future with workplaces for Bosnians, a certain prosperity and peace. He had only made a start. 2 1/2 months is not long to start the ball rolling in the right direction. But he had hope – warring mainly at grass roots level he found people among all ethic groups willing to look to the future – to help build a country for the children here. When I was here two weeks ago on a short visit I found him happy and quite at home in a little house on the outskirts of Sarajevo. It was a beautiful weekend and once again I was struck by the warmth, hospitality and generosity of all Bosnians. I walked through the neighborhood, watched the

children playing, heard the birds singing. The gardens were in full bloom, the trees laden with fruit. It is indeed a breathtakingly beautiful country for all that's happened and in a way a second home to us.

Gerd worked very hard. 15 – 16 hours a day – relentlessly, unsparingly, cheerfully. I told him to take walks in the mountains at the weekends to unwind. He did. But he recently said that in the end no matter what the peace-makers do – it is up to the Bosnians themselves to move forward. It is time to think of the future. The past must now be forgotten – it is an insurance against such terrible acts happening again but for the future tolerance is the key.

Ours is a mixed marriage. I am English, Gerd German. Our countries stood on different sides in the two world wars. Our family thrived on the diversity not only of our own two cultures we lived in – the old Yugoslavia, Lebanon and America. I hope that Bosnians will accept my words spoken from the heart and make a superb effort to overcome their differences, working together for a golden future that is theirs for the taking. If that happens, the death of my husband – a great personal tragedy for our whole family – will not have been in vain.

Sandra Wagner

Looking Ahead

15 October:
Standing Committee on Military Matters (SCMM), Lukavica
09-10 December:
Steering Board of the Peace Implementation Council meets in Bonn

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

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