

The Situation in Canton 10

Today representatives of the international community, namely OHR, OSCE, UNMIBH, UNHCR, EU and SFOR held a meeting in Livno and discussed issues related to Canton 10. With concern they noted the very critical situation in this Canton and can no longer tolerate a continuation of the present condition.

They also noted that officials of this Canton have so far refuted such conclusions and appealed to the IC to talk with “language of argumentation”. Four and a half years of the IC discussions with the local officials on the implementation of Dayton have failed. The IC hereby points out the most blatant violations of agreements and Human Rights which exist Canton 10.

Absence of Rule of Law

In Canton 10, there has been no single satisfactory prosecution of a violent crime against a minority. The total disregard for the Rule of Law – a cornerstone in any civilised democracy dedicated to the principle of separation of Powers among the Legislative, the Executive and the Judiciary – is a major concern. Basic aspects of this concept do not function or do not exist. The audit of the Livno Prosecutor’s Office in 1999 by UNMIBH’s Judicial Systems Assistance Program (JSAP) revealed that, “the criminal justice system has consistently failed to apply fundamental judicial principles”. There is no effective prosecutorial service in the Canton. The hand of politics is very actively apparent in judicial processes in Canton 10. Moreover, the police have consistently failed to conduct professional investigations in the cases of:

- Series of attacks on minority properties in Livno and Tomislavgrad in 1997;
- Arson at the Serb Orthodox Monastery in Glamoc in 1998;
- Riot and double murder in Drvar in April 1998;

- Destruction of UNHCR reconstructed home in Kablici in 1999;
- Violent attacks on elderly Serbs in Drvar in 1999;
- Alleged rape in Drvar in 1999;
- Explosion at Bosniak-owned café in Livno in 2000.

Non-implementation of Property Legislation

The government of Canton 10 totally ignores property legislation. Its implementation in all 6 Municipalities is hindered due to detrimental and illegal resistance from the Government. For example, Kupres municipality refuses to implement CRPC decisions or deal with double occupancy cases. In Tomislavgrad, not one socially-owned apartment has been repossessed. Two housing officials are being investigated by the Prosecutor's Office. The housing official dealing with socially owned property in Livno is being investigated by the Prosecutor's Office. In Glamoc, just 2 of the 368 claimants for private and socially owned properties are believed to have repossessed their homes as a result of municipal efforts. The OHR and OSCE have repeatedly asked the Canton 10 Government to undertake measures to ensure full compliance with the provisions of the Property Law. The Government has failed to comply or to show any intention to do so.

Marginal Progress in Minority Police Recruitment

The marginal minority police recruitment by the Ministry of Interior can in no way be used to diminish his responsibility concerning the failure of the Rule of Law in Canton 10. The authorities constitutionally responsible for police matters are also directly responsible for the presence of illegal weapons recently discovered by UNMIBH and SFOR in Livno.

Corrupt Distribution of Wealth

The citizens of this Canton have been deprived of fair privatisation (e.g. case of privatization of Livno-bus Company currently under investigation) and have been additionally

harmed by some cases of corruption (e.g. case of Glama factory in Glamoc also currently under investigation).

The IC will continue to pay its close attention to the situation and developments in Canton 10. The IC is determined to help create an environment where the Rule of Law and protection of Human Rights will be fully respected.