

V. CIVIL ADMINISTRATION

On the face of it, the International Community has extensive powers and leverage over the ruling parties and their respective administrations at all levels. Through political pressure and threats of cutting off humanitarian aid, the IC has been able to coerce the parties into passing adequate property legislation in both the Federation and Republika Srpska.

Unfortunately, as in the case of property laws, the legislation is rarely implemented effectively by local bureaucracies, judiciaries, and police forces. This is because the parties continue to exercise control over local administrations, and will not allow them to implement laws deemed harmful to the party's interest. Under the current system, police, judges, and all municipal employees serve at the pleasure of the local party. A judge who rules against party policy, such as a ban on evictions, or the policeman who enforces the judge's decision is at risk of losing his job. The local bureaucrat who follows legal procedures and gives documentation or title to a home to a minority returnee will face the displeasure of the party which controls the funds that pay his salary.

It is impossible to create an effective, professional civil service, police force or judiciary, which carries out its duties irrespective of citizens' ethnic or political stripe, while the ruling parties control the appointments and salaries. The International Community can monitor, advise and demand all it wants, but as long as it is the party that controls the salaries of the policeman, the judge, and the bureaucrat, they will follow the direction of the party.

A. Local Authorities

Local authorities need more genuine independence everywhere in Bosnia, but particularly in Brcko, since otherwise no single administration can function: it will be torn three ways.

Recommendations:

First, the three separate Bosniac, Croat, and Serb-dominated municipal administrations must be dissolved, and their employees vetted and, where appropriate, incorporated into the new administration. The International Supervisor should appoint an international administrator, who will hold executive and budgetary powers, to head each municipal department. This administrator will control budgets, salaries, policies and personnel practices.

The Supervisor should make clear to all municipal employees that their employment and salary levels are no longer contingent upon their loyalty or obedience to Banja Luka, West Mostar or Sarajevo. Rather, they will be evaluated on the basis of their proficiency in performing their duties, following the laws and administrative guidelines set down for them by the IC. It should also be made clear that failure to obey the rules will result in immediate dismissal. The new administration should be created according to the following schedule: