

January 1999

BOSNIA AND HERZEGOVINA

ISSUE

Three years after the signature of the General Framework Agreement for Peace (GFAP or Dayton Agreement), the human rights situation throughout Bosnia and Herzegovina is still a cause for serious concern. None of the three main ethnic communities have fully honoured commitments made under the agreement.

BACKGROUND

Progress in human rights, with significant help from the international community, has been steady but slow. Political freedom is slowly improving, with the help of international organizations such as the OSCE, the Office of the High Representative (OHR), the United Nations Mission to Bosnia and Herzegovina, and other groups including the Bosnian National Ombudsperson and the Federation Ombudsperson. The general elections of September 1998, characterized by a strong voter turnout, had mixed results; nationalist leaders remained in key positions but multiethnic opposition parties also made significant gains.

The development of independent media still needs to be fostered in Bosnia. Since the election of a more moderate government in Republika Srpska, some progress has been made in improving the quality and objectivity of the Serb television station (SRT), which in the past committed acute abuses. In the Federation, RTV BiH is in the first stage of transforming itself into a more multi-ethnic broadcaster, representing both Bosnian Croats and Bosniaks. The Open Broadcast Network (OBN), supported by the international community, is now broadcasting in approximately 80% of the territory of Bosnia.

In areas under the control of any of the three main ethnic groups, members of the minority groups continue to be threatened, harassed and evicted from their home. Authorities in the two Entities continue to authorize occupations of houses or apartments without due regard for property rights or the relevant annexes of the GFAP. Bosnian authorities are also impeding the efforts of international organizations to address the issue of missing persons, by not providing assistance, information or access to suspected burial sites. Restrictions on freedom of movement continue to exist. Illegal police checkpoints have, however, dramatically decreased, due to the active monitoring of the International Police Task Force (IPTF), and with the support of the Stabilization Force (SFOR). New license plates, which do not identify the place of residence of the driver, have made it significantly easier for Bosnians to travel freely around the country. Also, a few train lines have been rebuilt and are running.

Only a very small number of the three million displaced persons and refugees have been able to return to their homes. The situation is worse for those wishing to return to areas where the majority of the population is from another ethnic community. One of the main obstacles to the return of displaced persons is the property laws of the two Entities, which were only partially amended in December 1997 under strong and repeated pressure from the international community. The Federation has recently passed new laws, although the OHR has had to intervene on occasion to make sure they were being properly implemented; the Republika Srpska has also passed new laws, although they are still under review by OHR.