

January 1998

BOSNIA AND HERZEGOVINA

ISSUE

Two 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 ethnic communities has fully honoured commitments made under the agreement.

BACKGROUND

Progress on human rights, with the help of the international community, is steady but slow. Political freedom is slowly improving, with the help of international organizations such as the OSCE, the Office of the High Representative, the United Nations Mission in Bosnia, and other groups including the Bosnian National Ombudsperson and the Federation Ombudsperson. The September 1996 national and entity elections in Bosnia, although not flawless, marked the beginning of a new stage of democratization. This was confirmed by the municipal elections, held in September, 1997, which unfolded reasonably well, with a participation estimated at over 80 %, and by the parliamentary elections held in Republika Srpska in November, 1997.

An independent media still needs to be fostered in Bosnia. All state media continue to pursue a nationalist and inflammatory editorial line. Following particularly acute abuses by the Serb Pale television SRT, SFOR seized transmitters and the High Representative is imposing stringent conditions for future broadcasts of Pale SRT. The Open Broadcast Network (OBN), supported by the international community, is now broadcasting in approximately 60 % of the territory of Bosnia.

In areas under the control of each of the three communities, members of other communities continue to be threatened, harassed and evicted. 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 resolve the issue of missing persons, by failing to provide assistance, information and access to potential burial sites. Restrictions on freedom of movement continue to occur. Illegal police checkpoints have, however, dramatically decreased, due to the active monitoring of the International Police Task Force (IPTF), with the support of SFOR.

Only a very small number of the three million displaced persons and refugees have been able to return to their homes. The situation is worst for those wishing to return to areas where the majority of the population is from another ethnic community. In 1997, approximately 100,000 refugees returned, most of them to areas where the majority is of their own ethnic background. 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. In 1998, the international community will press for more reforms of property legislation and better implementation.