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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. paper	Bosnian Serb Assessed Heavy Weapons Holdings. (7 pages)	09/16/1996	P1/b(1)
002a. report	Role and Influence. (5 pages)	09/12/1996	P1/b(1)
002b. report	Deputy Minister. (2 pages)	09/11/1996	P1/b(1)
003. memo	Summary of Conclusions of Principals Committee Meeting on Bosnia, September 10, 1996. Record ID: 9620848. (2 pages)	09/10/1996	P1/b(1)
004. paper	Issue Papers and Talking Points on Bosnia. (6 pages)	09/16/1996	P1/b(1)
005. agenda	Bosnia Implementation Executive Committee, September 16, 1996. (1 page)	09/16/1996	P1/b(1)
006. paper	Information Paper: Bosnia Equip and Train. (2 pages)	09/16/1996	P1/b(1)
007a. paper	Bosnia Issues through December. (3 pages)	09/1996	P1/b(1)
007b. memo	For Ambassador Kornblum, Alexander Vershbow, and Walter Slocombe from Jim Pardue. (4 pages)	09/12/1996	P1/b(1)
008. list	Major Post-Election Day Events. (2 pages)	09/15/1996	P1/b(1)
009. paper	Framework for a Post-Election Democracy. (10 pages)	09/12/1993	P1/b(1)

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Presidential Records Act - [44 U.S.C. 2204(a)]

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BRCKO ARBITRATION

Report on the Future of the Northern Bosnian Town
of Brcko

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BRCKO ARBITRATION

1. INTRODUCTION

The Dayton Peace Agreement (DPA) postponed a decision on the fate of the Brcko area, one of the peace talks' most contentious and potentially explosive issues, until arbitration could take place at a later date. That date of reckoning – December 14 at the latest – is approaching, and, because Brcko is prized by both Republika Srpska and the Federation, compromise is unlikely. The Bosniak arbitrator, Professor Cazim Sadikovic, Dean of the Sarajevo University Law Faculty, will argue that Brcko town, which is currently held by the Serbs, belongs to the Federation. The Bosnian Serb arbitrator, Dr Vitomir Popovic, will contend that the Serb-held corridor through Brcko is a lifeline for Republika Srpska and should be widened. Roberts Owen, the American lawyer chosen by the International Court of Justice as the presiding arbitrator¹ will attempt to reconcile the two positions. Though the DPA (Annex 2, Article V) states, "The Parties agree to binding arbitration of the disputed portion of the Inter-Entity Boundary Line in the Brcko area indicated on the map attached at the Appendix," no map was included. This means that it is not only the status of Brcko that is in dispute but also the size of the area subject to arbitration.

The arbitration award could have a number of consequences: if the arbitration were to take Brcko town from the Serbs and give it to the Federation, the Bosnian Serbs would lose faith in the DPA, strengthening hard-liners and potentially causing tens of thousands of Serb refugees from western Bosnia to attempt to flee; if the arbitration were to keep Brcko in Serb hands, heightened tension and brinkmanship would likely result in the short term, while a Bosnian Army offensive might be launched in the long term. One possible means to ensure implementation of the arbitrators' decision, as well as the right of refugees and displaced persons to return to their homes, is to establish an internationally administered zone in the contested Brcko area as an interim measure until such time as a more permanent solution can be found.

¹ The ICJ appointed Owen after the Bosnian Serbs refused to agree on the international member of the arbitration commission. The Serbs did this to protest the fact that the area subject to arbitration had not been defined.

2. WHY BRCKO MATTERS

Brcko is not just another sad, war-ravaged Bosnian community. It is the nexus of the east-west route linking Banja Luka and other towns in Serb-held western Bosnia with Serbia itself as well as the north-south route linking the industrial centre of Tuzla with Croatia. The Brcko municipality covers 487 sq kms. It had a pre-war population of 87,332; 44 % Bosniak, 25.4 % Croat, 20.8 % Serb and 9.8 % others. The town of Brcko and its suburbs covered about a fifth of the municipality's land area; the town was home to 41,000 people, 55% of them Bosniaks, 19% Serb, 7% Croat and 19% others.

The Brcko municipality was one of Bosnia's wealthiest communities.² Its main assets were its location a few miles south of the Zagreb-Belgrade highway, the main overland trade route between central Europe and the southern Balkans and its port on the Sava river, the largest river port in Bosnia, which handled all the water-borne imports to and exports from central Bosnia and Tuzla before the war.

After six days of fighting, the Serbs seized the town of Brcko on May 7, 1992. When the battle lines outside the town solidified, the Bosniaks and Croats were left in control of approximately two-thirds of the district and the Serbs held the rest, including the entire town and swathes of land to its east and west. Together these Serb-held areas form the strategic land bridge, or corridor, linking Serb-held areas in western Bosnia and Croatia with Serbia itself.

The Croats and Bosniaks fought the Serbs as allies and joined together in a municipal "government-in-exile" until May 1993 when their unified local military unit split up due to the eruption of fighting between Croatian Defence Council and Bosnian Army forces elsewhere in the republic. However these separate Bosniak and Croat armed forces continued to co-ordinate their military activities and the Bosniak and Croat political leaders continued to participate in the government-in-exile until June 1994, when the Croats created a community they called Ravne Brcko.

The Brcko municipality is now divided into three communities. About a third of the area is under the control of the Republika Srpska leadership in Pale, about a quarter is under the control of the Bosnian government and about another third is Croat Ravne-Brcko. The Inter-Entity Boundary Line (IEBL) between RS and the Federation left within Republika Srpska's jurisdiction about 26 % of the territory claimed by Croat Ravne-Brcko.

² Before the war Brcko was home to the second largest number of car owners in all of Yugoslavia.

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The population of Brcko town has fallen from its pre-war total of 41,000 to an estimated 37,000; only about 7,000 Serbs from the pre-war populace have remained. The remaining 30,000 people are Serbs displaced from areas elsewhere in Bosnia and Herzegovina, including 10,000 to 20,000 former residents of the Sarajevo area, and the Krajina area in Croatia. About 25,000 Bosniaks left Brcko town and moved southward, mostly into villages within the municipality but now in Federation territory. The present Bosniak population is concentrated in a strip running south of Brcko town toward Srebrenik and bounded on the west by a Croat pocket and on the east by a smaller Croat pocket. The size of the Croat population of Brcko is the same as it was before the war, although the Croats of Brcko town are resident in the villages that now form Ravne-Brcko.

Since IFOR's deployment and the reopening of the north-south route through Republika Srpska, business activity has blossomed across the confrontation line. The so-called "Arizona" roadside market is flourishing in the Zone of Separation, several miles west of Brcko town, attracting buyers from all sides. However, IFOR's creation of the demilitarised zone has also sparked a tense battle between the Bosniak and Serb authorities for possession of some 1,000 destroyed houses that lie within that zone. Both sides appear to be attempting to tilt the arbitration in their favour by changing the "facts on the ground."

In three villages inside the zone of separation but on the Serb side of the former confrontation line³, Bosniak displaced persons began repairing their destroyed homes. The Serb authorities responded by harassing them, blowing up several of their newly-restored homes, and launching a counter resettlement campaign by promising doors and windows to displaced Serbs who would occupy (mainly Bosniak) homes within the zone. Republika Srpska Prime Minister Gojko Klickovic announced that the Serbs would populate Brcko with as many refugees as possible. When tempers flared, IFOR declared a moratorium on repairs in mid-June. The incidents sparked the intervention of the Office of the High Representative, which resolved the matter by issuing "guiding principles" slowing the pace to a "phased and orderly" return of twenty families per week.

Brcko's future lies in the eye of the beholder:

- **Serb position**

³ Brod, Dizdarska and Omerbegovaca.

Brcko's strategic military and commercial position make it an area of vital importance for the Serbs who wish to retain exclusive control over cleansed swathes of western Bosnia. As mentioned, the Serb leaders have already tried to pre-empt the arbitration process by working to resettle refugees in the damaged, deserted villages, which had a pre-war Muslim majority, on the southern flanks of the town. Thanks to Serb television and radio and hard-line Pale leaders, Serbs expect the arbitration process to reaffirm their control of Brcko town and to net them land now under Federation control. The official Serb position, articulated most recently by Republika Srpska's acting president Biljana Plavsic, is that arbitration will only concern part of the inter-entity boundary and will focus on widening the Serb-held Brcko corridor from its present 6 kms to 20 kms; it will not involve Brcko town itself. Serb Assembly speaker Momcilo Krajisnik has said that the integrity of Republika Srpska (via Brcko) is more important than peace, indicating that, unless Belgrade intervenes, the Serbs will resist any attempt to alter the status of Brcko town.

While the Bosnian Serbs make frequent pronouncements about the arbitration, the position of the Yugoslav authorities is less clear. When the Bosnian Serbs refused to help select the third member of the commission, the Yugoslav foreign minister issued a blistering condemnation, expressing its "anger, great concern and regret" over the Serb hard-liners' intransigence and demanding absolute and immediate co-operation.

Bosniak position

Now that the north-south route through Brcko has opened, Bosniaks have a taste of the past, which has been intensified by nostalgic radio news broadcasts. UNHCR says that the federation-controlled part of the Brcko municipality is unique in that all of its 8,000 displaced persons come from Brcko town itself or the Zone of Separation. These displaced persons demand that they be allowed to reclaim their property and cite the Dayton Agreement to back their demands. Though there is some unspoken fear that since the Federation "got" the suburbs of Sarajevo, the Serbs may be "given" Brcko town, the Bosniaks insist that the arbitration should determine the status of Brcko town and not the inter-entity boundary or the width of the corridor. They have expressed a particular interest in the railway line, the roads and the port on the Sava, which the Serbs control and without which the Bosniaks feel isolated and landlocked. The local Bosniaks insist that either Brcko will be placed under Federation control or the Bosnian Army will cut the corridor by

force. Bosniak officials say, once they control Brcko town again, they will be happy to provide the Serbs transit access.

Croat position

The Croat leaders of Ravne-Brcko do not trust the ruling elite of Hrvatska Demokratska Zajednica (HDZ) in Mostar, which has followed a separatist path since mid-1992 in an effort to merge their home region, Western Herzegovina, with Croatia itself. Members of the Croat leadership of Ravne-Brcko have expressed alarm that they will be swallowed up by the Croat-Bosniak Federation and that their local concerns will be overlooked. The Ravne-Brcko authorities have said that the United Nations should take control of Brcko town so all three ethnic groups can use the area as a cross-roads. For Croats, Brcko could be a key bridge to Croatia itself.

3. WHAT SHOULD BE DONE

A. Short Term: IFOR extension, Repairs, Elections, Police

Before any arbitration of boundaries can commence, the size of the area to be arbitrated must clearly be defined. In the absence of the map in the Dayton Agreement, the panel of arbitrators should decide. A decision should be reached immediately but an announcement should be postponed until after the elections because, in the light of the Serbs' unrealistic expectations, the mere definition of the area will elicit a fierce backlash and greatly fortify the position of the ruling SDS. Because the Serbs hope the arbitration will be confined to the zone of separation, and because it could stretch as far north as Orasje, the international community should push for arbitration on the entire pre-war Brcko municipality, which would include Serb-held Brcko as well as territory under Federation control. This could be presented as a compromise position: it would give hope to the Bosniaks that a link to the North and the Sava port was still a possibility; it would give the Serbs who have said they will discuss nothing other than a widening of the corridor a face-saving way at least to take a seat at the arbitration table. (Ominously the Serb arbitrator failed to attend the first arbitration meeting, possibly indicating the Serbs' intention not to cooperate with the arbitration. This may suggest they are simply playing for time until elections and if so is a further reason for postponing elections there until after the arbitration. At any event their non-cooperation should not be accepted by the international community.)

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IFOR cannot withdraw from Brcko until the arbitration award has been made. However the present expectation that IFOR will withdraw is destabilising. IFOR personnel in Bosnia, especially those in the Brcko area, should stop commenting on an IFOR withdrawal. An announcement on a successor force should not be delayed until after the US election. The local US Commander, who already hosts constructive, weekly Joint Civilian Commission meetings attended by Croat, Bosniak and Serb representatives, would be likely to make more headway if the local players knew the US presence would not soon vanish.

International agencies should be careful to award reconstruction assistance only to original owners and to withhold it from displaced persons attempting to stake their claims to "abandoned" property. This will create incentive for rightful returns and disincentives for unlawful occupation of homes in the Zone of Separation. The bi-weekly local commission (which includes UNHCR, IPTF, IFOR and OHR) should not cave in to local Serb harassment and should be prepared, if ongoing economic normalisation progresses and tensions subside, to increase from twenty the number of families allowed to return and repair their homes and should assist present temporary occupants to find alternative accommodation.

For the purpose of ethnic electoral engineering, there is evidence to show that the Serb authorities have used humanitarian aid as leverage to coax Brcko's large community of displaced Serbs (about 12,000) to register with the local election committees to change their place of residence and vote in Brcko. Moreover these statistics show that over 31,000 Bosnian Serb refugees living in the Federal Republic of Yugoslavia have also been persuaded to register to vote in Brcko as their intended place of residence. The registration of these two groups would assure the Serbs a clear majority. This kind of manipulation clearly cannot be tolerated. OSCE's decision to postpone municipal elections throughout Bosnia and Herzegovina because of the wider effect of similar manipulation of voter registrations elsewhere eases the immediate problem in Brcko but still leaves it exposed to future electoral manipulation and to attempts at influencing the outcome of the arbitration by changing the demography. Municipal elections should therefore be put off until after the arbitration.

Brcko's critical importance for a long-lasting peace in Bosnia requires a substantial reinforcement of the international civilian police monitors (IPTF) in the town of Brcko.

B. Medium to long term: Arbitration

As the September elections are likely to reinforce the nationalist parties' power, no arbitration decision can satisfy the conflicting territorial claims of both parties. Whether the arbitrators decide in favour of the Serbs, giving the Serbs the corridor but the Bosniak displaced persons the right of return, or in favour of the Bosnian government, giving the Serbs the right to remain and transit, an enforcement mechanism will be needed to break the intransigence. Though Brcko's geographic and commercial position ensures a sort of creeping integration over time, the town's unresolved status now leaves a window for the creation of an international administration. This may be the only viable means of addressing the goals, needs and fears of all sides.

Since the status quo favours the Serbs, the creation of such an administration would be perceived to favour the Bosniaks, but Eastern Slavonia and Mostar supply two useful precedents. Under the auspices of the UN Transitional Authority in Eastern Slavonia and the leadership of a strong American administrator Jacques Klein – but thanks principally to Serbia's abandonment and the viable threat of Croatian military force – the Serb-held territory in Eastern Slavonia looks destined to pass peacefully into Croatian government hands. In Mostar, the two-year European Union Administration has failed to unify the city, despite the presence of a strong administrator and binding powers of arbitration, because Croatia is still actively supporting the separatists and because, unlike the Serbs in Slavonia, Croatian nationalists in the town face no military threat.

Our proposal would be to put in place an international administration for, say, two years as the first stage in a longer-term settlement. However, in both Slavonia and Mostar the administrations are working towards an end-game: the hand-over of eastern Slavonia to Croatia and the reunification of Mostar. In Brcko too an international administration should have a similar *raison d'être*. This might be a second phase in which the international administration would hand over to a permanent, state-level administration as a sort of open municipality to be enjoyed by both entities equally with guaranteed right of transit through a free economic zone. This would postpone the resolution of the Brcko problem until sometime after the municipal elections proposed for 1998. During the interim "cooling off" period under an international administration economic imperatives and a reduction in social tensions might soften the parties' intransigence. From its inception, such an administration

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should concentrate on ensuring the return of all displaced persons and refugees by the end of its mandate and before the withdrawal of international forces. (The return of Brcko's displaced Muslims and Croats cannot be organised without taking into account the needs of the new Serb settlers who have nowhere else to go.)

Since the Dayton Agreement clearly enshrines the right of people to return to their original communities, this principle must be upheld irrespective of the outcome of the arbitration. In the lead-up to the event, clear pronouncements must be made that any decision will mean the return of displaced persons and refugees.

Security

Because both sides' leaders are creating artificially high expectations for the arbitration, an international security presence will be required regardless of the decision reached. Even if an international administration is not created, the removal or reduction of IFOR should be postponed. The withdrawal of IFOR on 20 December would occur at perhaps the most inopportune moment for Brcko.

Any internationally administered zone will need a robust security mechanism. The main military component should be American, which would of course mean extending the US ground presence well beyond December 1996.⁴ The present US Commander in the area estimates that such a job would require one heavy battalion and one light battalion, or approximately 1,200 troops. It may be valuable to keep the Russian contingent in order to appease the Serbs and to further NATO-Russian co-operation. It may also be wise to bring in a German contingent, an idea at which the Serbs would initially bristle, but which could help change the Serbs' prejudice towards Germany. A clear chain of command between a US civilian administrator and the local US commander would of course need to be articulated.

Civil policing is a vital issue. The Mostar example shows that a police force without executive powers can do little to confront rampant organised crime and uncooperative extremist politicians. At the outset it should probably be the international military forces

⁴ The US has already begun downgrading its force. Since US Defence Secretary William Perry announced a "reshaping" on July 4, the US Brcko unit has drafted plans to replace fourteen of its tanks.

that take on policing functions, making the administration in effect a military governorship. But the administrator should also adopt some of the mechanisms developed in Mostar and Eastern Slavonia in order to develop a joint Serb-Bosniak police force. A Western police force, along the lines of the 200-officer West European Union contingent in Mostar, could be attached to the Brcko Administration and draw on lessons learned in Mostar. The international forces should initially control border crossings and customs and security, with a phased hand-over to the local authorities.

Economy

International assistance programs should be developed between now and the beginning of an international administration. The programs should not be seen as a free lunch provided by the international community. If the local inhabitants and businesses are enticed by aid, they will wait for the donors' cumbersome mechanisms to provide the funds. Instead, local entrepreneurs and initiatives should receive backing. By creating a secure environment, the Brcko Administration would increase local investor confidence. Rebuilding the shattered southern suburbs will require an enormous investment, which developers are unlikely to undertake in such a manifestly precarious location without NATO's reassuring presence. With time, the profit motive will make in-roads into the exclusive nationalist agenda which has caused widespread destruction and impoverishment.

Possibilities

- Probably the quickest and easiest impact could be achieved by turning the present roadside "Arizona market" into a permanent facility by building access roads and putting down paving for stall-holders and their vehicles. Such a market need not occupy the present site but could be set up anywhere nearby, allowing the present market to operate in the interval.
- By overcoming state opposition and creating a customs- or duty-free zone, the Brcko Administration could encourage trade from Croatia, Serbia, Republika Srpska, and the Federation. People would come to shop simply because goods would be cheaper. They could also buy electronic goods vital for increasing exposure to the outside world: "A chicken in every pot and a satellite dish on every roof."

- Subsidies for building materials would make wood, bricks, and roofing tiles cheaper in the zone. This would boost physical reconstruction of housing in the zone but also entice others to come and buy. This would be more of a commercial project than humanitarian aid in the traditional sense.
- Sponsorship of a series of programs on small business development, city and municipality organisation, public company and utility administration etc. (like those in Eastern Slavonia). These forward-thinking, get-yourselfes-on-board-for-the-21st-century programs are more likely to find a captive audience in Brcko – because of its pre-war wealth, its commercial potential and the fact that 8,000 of its occupants are in fact displaced Sarajevans.
- Resources for the Brcko Joint Civilian Commission (JCC) to fund for local projects. Despite the backing of the Office of the High Representative, which requested \$3 million for local Joint Civilian Commissions throughout Bosnia, no money has been set aside.

Social and cultural aspects

A range of NGOs can busy themselves with institution building, psycho-social programs, conflict resolution, etc. Such programs are valuable in their own right and also increase contacts between the local populace and non-military international people. Brcko is an ideal spot for a local, independent radio or TV station with the capacity to transmit beyond Brcko to reach neighbouring communities. It should be commercially driven but subsidised if necessary. While local business could run advertisements on their special duty free goods for sale, entertainment (i.e. international films, fortune tellers, former Yugoslav rock groups and interviews) should serve as the real magnet. Particular attention should be paid to positioning the main draws so as to compete directly with nationalist news slots from Pale, Belgrade, or Sarajevo.

Administrator

- The Administrator must be an American. This will garner Bosniak confidence and Serb respect. It will also help the US Administration justify an extended US troop presence.

- The Administrator should have a military background in order to ensure smooth relations between the civilian administrator and US military commander and probably to guarantee that, on the administrator's advice, the military will take a more proactive stance.
- The Administrator must be a strong character with significant experience in the former Yugoslavia and Bosnia and Herzegovina. This will again generate immediate local trust and respect. Leaders of the EU Administration in Mostar say their learning curve was so steep at the outset that the parties immediately sniffed weakness; they were never able to recover the initiative or respect; and by the time they were ready to tackle robustly local obstructionists, the international focus had shifted and the early momentum had been squandered.

Sarajevo, 30 August 1996

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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

3. (U) BEGIN TEXT OF RESOLUTION 1022 SUSPENDING SANCTIONS ON THE FRY:

RECALLING ALL ITS EARLIER RELEVANT RESOLUTIONS, CONCERNING THE CONFLICTS IN THE FORMER YUGOSLAVIA,

REAFFIRMING ITS COMMITMENT TO A NEGOTIATED POLITICAL SETTLEMENT OF THE CONFLICTS IN THE FORMER YUGOSLAVIA, PRESERVING THE TERRITORIAL INTEGRITY OF ALL STATES THERE WITHIN THEIR INTERNATIONALLY RECOGNIZED BORDERS,

COMMENDING THE EFFORTS OF THE INTERNATIONAL COMMUNITY, INCLUDING THOSE OF THE CONTACT GROUP, TO ASSIST THE PARTIES IN REACHING A SETTLEMENT,

PRAISING THE DECISION OF THE GOVERNMENTS OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA, THE REPUBLIC OF CROATIA AND THE FEDERAL REPUBLIC OF YUGOSLAVIA TO ATTEND AND PARTICIPATE CONSTRUCTIVELY IN PROXIMITY TALKS IN THE UNITED STATES OF AMERICA, AND ACKNOWLEDGING WITH APPRECIATION THE EFFORTS MADE BY THESE GOVERNMENTS TO REACH A LASTING PEACE SETTLEMENT IN BOSNIA AND HERZEGOVINA,

WELCOMING THE INITIALLING OF THE GENERAL FRAMEWORK AGREEMENT FOR PEACE IN BOSNIA AND HERZEGOVINA AND THE ANNEXES THERETO (COLLECTIVELY THE PEACE AGREEMENT) BY THE REPUBLIC OF BOSNIA AND HERZEGOVINA, THE REPUBLIC OF CROATIA AND THE FEDERAL REPUBLIC OF YUGOSLAVIA AND THE OTHER PARTIES THERETO ON 21 NOVEMBER 1995, IN DAYTON, OHIO, SIGNIFYING AGREEMENT BETWEEN THE PARTIES TO SIGN FORMALLY THE PEACE AGREEMENT,

NOTING THAT COMPLIANCE WITH THE REQUESTS AND ORDERS OF THE INTERNATIONAL TRIBUNAL FOR THE FORMER YUGOSLAVIA CONSTITUTES AN ESSENTIAL ASPECT OF IMPLEMENTING THE PEACE AGREEMENT,

RECOGNIZING THE INTERESTS OF ALL STATES IN THE IMPLEMENTATION OF THE SUSPENSION AND SUBSEQUENT TERMINATION OF MEASURES IMPOSED BY THE COUNCIL, AND IN PARTICULAR THE INTERESTS OF THE SUCCESSOR STATES TO THE STATE FORMERLY KNOWN AS THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA WITH RESPECT TO THE DISPOSITION OF ASSETS AFFECTED BY THE FACT THAT STATE HAS CEASED TO EXIST, AND THE DESIRABILITY OF ACCELERATING THE PROCESS NOW UNDERWAY UNDER THE AUSPICES OF THE INTERNATIONAL CONFERENCE ON THE FORMER YUGOSLAVIA (ICFY) TO REACH A CONSENSUAL AGREEMENT AMONG THE SUCCESSOR STATES AS TO THE DISPOSITION OF SUCH ASSETS,

DETERMINING THAT THE SITUATION IN THE REGION CONTINUES TO CONSTITUTE A THREAT TO INTERNATIONAL PEACE AND SECURITY,

ACTING UNDER CHAPTER VII OF THE CHARTER OF THE UNITED NATIONS,

– 1. DECIDES THAT THE MEASURES IMPOSED BY OR REAFFIRMED IN RESOLUTIONS 757 (1992), 787 (1992), 820 (1993), 942 (1994), 943 (1994), 988 (1995), 992 (1995), 1003 (1995) AND 1015 (1995) ARE SUSPENDED INDEFINITELY WITH IMMEDIATE EFFECT SUBJECT TO THE PROVISIONS OF PARAGRAPHS 2 TO 5 BELOW, AND PROVIDED THAT IF THE SECRETARY-GENERAL REPORTS TO THE COUNCIL THAT THE FEDERAL REPUBLIC OF YUGOSLAVIA HAS FAILED FORMALLY TO SIGN THE PEACE AGREEMENT ON THE DATE ANNOUNCED BY THE CONTACT GROUP FOR SUCH PURPOSE, AND THAT THE OTHER PARTIES THERETO HAVE EXPRESSED THEIR READINESS SO TO

SIGN, THE MEASURES DESCRIBED ABOVE SHALL BE AUTOMATICALLY REIMPOSED FROM THE FIFTH DAY FOLLOWING THE DATE OF SUCH REPORT;

– 2. DECIDES ALSO THAT THE SUSPENSION REFERRED TO IN PARAGRAPH 1 ABOVE SHALL NOT APPLY TO THE MEASURES IMPOSED ON THE BOSNIAN SERB PARTY UNTIL THE DAY AFTER THE COMMANDER OF THE INTERNATIONAL FORCE TO BE DEPLOYED IN ACCORDANCE WITH THE PEACE AGREEMENT, ON THE BASIS OF A REPORT TRANSMITTED THROUGH THE APPROPRIATE POLITICAL AUTHORITIES, INFORMS THE COUNCIL VIA THE SECRETARY-GENERAL THAT ALL BOSNIAN SERB FORCES HAVE WITHDRAWN BEHIND THE ZONES OF SEPARATION ESTABLISHED IN THE PEACE AGREEMENT; AND URGES ALL PARTIES CONCERNED TO TAKE ALL NECESSARY MEASURES TO ASSIST IN LOCATING THE TWO FRENCH PILOTS MISSING IN BOSNIA AND HERZEGOVINA, AND TO ENSURE THEIR IMMEDIATE AND SAFE RETURN;

– 3. FURTHER DECIDES THAT IF AT ANY TIME, WITH REGARD TO A MATTER WITHIN THE SCOPE OF THEIR RESPECTIVE MANDATES AND AFTER JOINT CONSULTATION IF APPROPRIATE, EITHER THE HIGH REPRESENTATIVE DESCRIBED IN THE PEACE AGREEMENT, OR THE COMMANDER OF THE INTERNATIONAL FORCE TO BE DEPLOYED IN ACCORDANCE WITH THE PEACE AGREEMENT, ON THE BASIS OF A REPORT TRANSMITTED THROUGH THE APPROPRIATE POLITICAL AUTHORITIES, INFORMS THE COUNCIL VIA THE SECRETARY-GENERAL THAT THE FEDERAL REPUBLIC OF YUGOSLAVIA OR THE BOSNIAN SERB AUTHORITIES ARE FAILING SIGNIFICANTLY TO MEET THEIR OBLIGATIONS UNDER THE PEACE AGREEMENT, THE SUSPENSION REFERRED TO IN PARAGRAPH 1 ABOVE SHALL TERMINATE ON THE FIFTH DAY FOLLOWING THE COUNCIL'S RECEIPT OF SUCH A REPORT, UNLESS THE COUNCIL DECIDES OTHERWISE TAKING INTO CONSIDERATION THE NATURE OF THE NON-COMPLIANCE;

– 4. FURTHER DECIDES THAT IT WILL TERMINATE THE MEASURES DESCRIBED IN PARAGRAPH 1 ABOVE ON THE TENTH DAY FOLLOWING THE OCCURRENCE OF THE FIRST FREE AND FAIR ELECTIONS PROVIDED FOR IN ANNEX 3 OF THE PEACE AGREEMENT, PROVIDED THAT THE BOSNIAN SERB FORCES HAVE WITHDRAWN FROM, AND HAVE CONTINUED TO RESPECT, THE ZONES OF SEPARATION AS PROVIDED IN THE PEACE AGREEMENT;

– 5. FURTHER DECIDES THAT SO LONG AS THE MEASURES REFERRED TO IN PARAGRAPH 1 ABOVE REMAIN SUSPENDED, OR ARE TERMINATED BY A SUBSEQUENT COUNCIL DECISION IN ACCORDANCE WITH PARAGRAPH 4 ABOVE, ALL FUNDS AND ASSETS PREVIOUSLY FROZEN OR IMPOUNDED PURSUANT TO RESOLUTIONS 757 (1992) AND 820 (1993) MAY BE RELEASED BY STATES IN ACCORDANCE WITH LAW, PROVIDED THAT ANY SUCH FUNDS AND ASSETS THAT ARE SUBJECT TO ANY CLAIMS, LIENS, JUDGMENTS, OR ENCUMBRANCES, OR WHICH ARE THE FUNDS OR ASSETS OF ANY PERSON, PARTNERSHIP, CORPORATION, OR OTHER ENTITY FOUND OR DEEMED INSOLVENT UNDER LAW OR THE ACCOUNTING PRINCIPLES PREVAILING IN SUCH STATE, SHALL REMAIN FROZEN OR IMPOUNDED UNTIL RELEASED IN ACCORDANCE WITH APPLICABLE LAW, AND DECIDES FURTHER THAT OBLIGATIONS OF STATES RELATED TO FREEZING OR IMPOUNDING FUNDS AND ASSETS CONTAINED IN SUCH RESOLUTIONS SHALL BE SUSPENDED PURSUANT TO PARAGRAPH 1 ABOVE WITH RESPECT TO ALL FUNDS AND ASSETS NOT CURRENTLY FROZEN OR IMPOUNDED UNTIL THE MEASURES CONCERNED ARE TERMINATED BY A SUBSEQUENT COUNCIL DECISION;

– 6. FURTHER DECIDES THAT THE SUSPENSION OR TERMINATION OF OBLIGATIONS PURSUANT TO THIS RESOLUTION IS WITHOUT PREJUDICE TO CLAIMS OF SUCCESSOR STATES TO THE FORMER SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA WITH RESPECT TO FUNDS AND ASSETS; STRESSES THE NEED

FOR THE SUCCESSOR STATES TO REACH AGREEMENT ON THE DISTRIBUTION OF FUNDS AND ASSETS AND THE ALLOCATION OF LIABILITIES OF THE FORMER SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA; ENCOURAGES ALL STATES TO MAKE PROVISION UNDER THEIR NATIONAL LAW FOR ADDRESSING COMPETING CLAIMS OF STATES, AS WELL AS CLAIMS OF PRIVATE PARTIES AFFECTING FUNDS AND ASSETS; AND FURTHER ENCOURAGES STATES TO TAKE APPROPRIATE MEASURES TO FACILITATE THE EXPEDITIOUS COLLECTION OF ANY FUNDS AND ASSETS BY THE APPROPRIATE PARTIES AND THE RESOLUTION OF CLAIMS RELATED THERETO;

– 7. FURTHER DECIDES THAT ALL STATES SHALL CONTINUE TO TAKE THE NECESSARY MEASURES TO ENSURE THAT THERE SHALL BE NO CLAIM IN CONNECTION WITH THE PERFORMANCE OF ANY CONTRACT OR OTHER TRANSACTION WHERE SUCH PERFORMANCE WAS AFFECTED BY THE MEASURES IMPOSED BY THE RESOLUTIONS REFERRED TO IN PARAGRAPH 1 ABOVE AND RELATED RESOLUTIONS;

– 8. REQUESTS THE COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 724 (1991) TO REVIEW AND TO AMEND ITS GUIDELINES IN THE LIGHT OF THE PROVISIONS OF THIS RESOLUTION;

– 9. PAYS TRIBUTE TO THE NEIGHBOURING STATES, THE ICFY MISSION, THE EUROPEAN UNION/ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE SANCTIONS COORDINATOR, THE SANCTIONS COMMUNICATIONS CENTRE AND THE SANCTIONS ASSISTANCE MISSIONS, THE WESTERN EUROPEAN UNION OPERATION ON THE DANUBE AND THE NORTH ATLANTIC TREATY ORGANIZATION/WESTERN EUROPEAN UNION SHARP GUARD OPERATION IN THE ADRIATIC SEA FOR THEIR SIGNIFICANT CONTRIBUTION TO THE ACHIEVEMENT OF A NEGOTIATED PEACE;

– 10. DECIDES TO REMAIN SEIZED OF THE MATTER.

END TEXT OF RESOLUTION 1022 SUSPENDING SANCTIONS ON

~~SECRET~~

~~SECRET~~
NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

20848

September 14, 1996

MEMORANDUM FOR

MR. LEON FUERTH
Assistant to the Vice
President for National
Security Affairs

MR. WILLIAM J. BURNS
Executive Secretary
Department of State

COL. J.N. MATTIS
Executive Secretary
Department of Defense

AMB. RICK INDERFURTH
Office of the Representative
of the U.S. to the United
Nations

DR. GORDON ADAMS
Associate Director for
National Security and
International Affairs
Office of Management and
Budget

MR. RICK E. YANNUZZI
Executive Secretary
Central Intelligence Agency

MR. AARON S. WILLIAMS
Executive Secretary
Agency for International
Development

MR. RICK RUTH
Deputy Chief of Staff
U.S. Information Agency

COL. F.C. WILSON, USMC
Secretary, Joint Staff

SUBJECT: Summary of Conclusions, Principals Committee
Meeting on Bosnia, September 10, 1996

Please pass to Principals the Summary of Conclusions attached at
Tab A. ~~(S)~~


Andrew D. Sens
Executive Secretary

Attachment
Tab A

Summary of Conclusions

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

~~SECRET~~

Classified by: Andrew D. Sens
Reason: 1.5 (c, d)
Declassify On: 09/12/06

By VZ NARA, Date 7/18/2014
2013-0687-F

~~SECRET~~

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. memo	Summary of Conclusions of Principals Committee Meeting on Bosnia, September 10, 1996. Record ID: 9620848. (2 pages)	09/10/1996	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
European Affairs (Alexander Vershbow)
OA/Box Number: 851

FOLDER TITLE:

Bosnia - September 1995 [4]

2013-0687-F

vz2745

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
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financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President
and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of
personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed
of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C.
2201(3).

RR. Document will be reviewed upon request.

b(1) National security classified information [(b)(1) of the FOIA]
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concerning wells [(b)(9) of the FOIA]

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. paper	Issue Papers and Talking Points on Bosnia. (6 pages)	09/16/1996	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
European Affairs (Alexander Vershbow)
OA/Box Number: 851

FOLDER TITLE:

Bosnia - September 1995 [4]

2013-0687-F

vz2745

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. agenda	Bosnia Implementation Executive Committee, September 16, 1996. (1 page)	09/16/1996	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
European Affairs (Alexander Vershbow)
OA/Box Number: 851

FOLDER TITLE:

Bosnia - September 1995 [4]

2013-0687-F

vz2745

RESTRICTION CODES

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006. paper	Information Paper: Bosnia Equip and Train. (2 pages)	09/16/1996	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
European Affairs (Alexander Vershbow)
OA/Box Number: 851

FOLDER TITLE:

Bosnia - September 1995 [4]

2013-0687-F

vz2745

RESTRICTION CODES

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
007a. paper	Bosnia Issues through December. (3 pages)	09/1996	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
European Affairs (Alexander Vershbow)
OA/Box Number: 851

FOLDER TITLE:

Bosnia - September 1995 [4]

2013-0687-F

vz2745

RESTRICTION CODES

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Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
007b. memo	For Ambassador Kornblum, Alexander Vershbow, and Walter Slocombe from Jim Pardue. (4 pages)	09/12/1996	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
European Affairs (Alexander Vershbow)
OA/Box Number: 851

FOLDER TITLE:

Bosnia - September 1995 [4]

2013-0687-F

vz2745

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
008. list	Major Post-Election Day Events. (2 pages)	09/15/1996	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
European Affairs (Alexander Vershbow)
OA/Box Number: 851

FOLDER TITLE:

Bosnia - September 1995 [4]

2013-0687-F

vz2745

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Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
009. paper	Framework for a Post-Election Democracy. (10 pages)	09/12/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
European Affairs (Alexander Vershbow)
OA/Box Number: 851

FOLDER TITLE:

Bosnia - September 1995 [4]

2013-0687-F

vz2745

RESTRICTION CODES

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RR. Document will be reviewed upon request.

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PREC: PRIORITY CLASS: UNCLASSIFIED DTG:111321Z SEP 96

FM: AMEMBASSY SARAJEVO

TO: SECSTATE WASHDC PRIORITY 3915

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UNCLAS SARAJEVO 003352

USAID FOR TED MORSE, BTF; DOUG STAFFORD, AA/BHR; AND
BARBARA TURNER, DAA/ENI; STATE FOR AMBASSADOR MONTGOMERY,
EUR/SABI; AND JIM HOLMES, EUR/EEA

E.O. 12958: N/A

TAGS: EAID, PREL, PHUM, PREF, BK, OSCE

SUBJECT: USAID'S DRAFT POST-ELECTION DEMOCRACY STRATEGY
FOR BOSNIA AND HERZEGOVINA

1. THIS CABLE OUTLINES A POST-ELECTION DEMOCRACY STRATEGY FOR THE USAID MISSION IN SARAJEVO, PREPARED IN RESPONSE TO CONCERNS AND INTEREST FROM WASHINGTON ABOUT PROGRAM PLANS FOLLOWING THE SEPTEMBER 14 ELECTIONS. THIS DRAFT WAS PREPARED BY THE USAID MISSION AND CONCURRED IN BY THE EMBASSY.

2. BEGIN STRATEGY. USAID'S POST-ELECTION STRATEGY IN BOSNIA AND HERZEGOVINA (BIH) WILL NEED TO BUILD UPON THE EXPERIENCES AND SUCCESSES WITHIN OUR PROGRAM TO DATE. OUR EFFORTS, PARTICULARLY REGARDING GOVERNMENT INSTITUTION-BUILDING, MUST CONTINUE TO BE CLOSELY COORDINATED WITH THE OFFICE OF THE HIGH REPRESENTATIVE, THE OSCE AND OTHER DONORS INVOLVED IN CIVILIAN IMPLEMENTATION. THE PROPOSED PROGRAM INCLUDES CONTINUED ELECTION RELATED WORK FOR MUNICIPAL ELECTIONS, NEW GOVERNMENT INSTITUTION-BUILDING PROGRAMS WITH THE EXECUTIVE, LEGISLATIVE AND JUDICIAL BRANCHES OF THE STATE (BIH) AND ENTITY-LEVEL GOVERNMENTS, CONTINUED LOCAL GOVERNMENT ASSISTANCE AND EXPANSION OF MEDIA AND CIVIL SOCIETY PROGRAMS.

3. REALITIES ON-THE-GROUND SUGGEST THAT NEWLY ELECTED LEADERS ARE NOT LIKELY TO BE STRONG ECONOMIC AND POLITICAL REFORMERS. THEREFORE, WHILE CONTINUING TO REBUILD THE ECONOMY AND INFRASTRUCTURE TO INVEST PEOPLE IN CONTINUED PEACE, WE MUST PURSUE A TWO-PRONGED TRACK IN TERMS OF POST-ELECTION DEMOCRACY BUILDING. THIS INCLUDES CONTINUED CIVIL SOCIETY-BUILDING TO COUNTER AUTHORITARIAN TENDENCIES, AND INSTITUTION-BUILDING OF NEWLY FORMED GOVERNMENT BODIES TO MAKE THEM TRANSPARENT AND ACCOUNTABLE TO CITIZENS. ALSO, BECAUSE MEDIA CONTINUES TO PLAY AN INCENDIARY AND DIVISIVE ROLE IN BOSNIA, WE MUST REDOUBLE OUR EFFORTS TO DEVELOP AND STRENGTHEN INDEPENDENT BROADCAST AND PRINT MEDIA. FINALLY, THE DELAY IN MUNICIPAL ELECTIONS WILL REQUIRE OUR PROGRAM TO REMAIN FOCUSED ON ELECTION-RELATED ACTIVITIES IN THE NEAR TERM. THE IMMEDIATE NEED FOR ELECTION FUNDING WILL AFFECT HOW MUCH WE WILL BE ABLE TO DEVOTE TO OTHER DEMOCRACY-BUILDING PROGRAMS. BY PURSUING THE APPROACH OUTLINED BELOW WE HOPE TO FURTHER BOSNIA AND HERZEGOVINA'S TRANSITION TO PEACE, DEMOCRACY AND A FREE MARKET ECONOMY.

ELECTIONS

4. SUPPORT FOR THE MUNICIPAL ELECTIONS PROCESS WILL PROVIDE US WITH NEW OPPORTUNITIES AND NEEDS. THERE WILL BE CONTINUED INTEREST AND NEED ON THE PART OF POLITICAL PARTIES, PARTICULARLY OPPOSITION PARTIES, TO BUILD LOCAL PARTY ORGANIZATIONS, STRUCTURES AND CAPACITY. HOLDING ELECTIONS IN TWO STAGES MAY CONTINUE TO MOTIVATE THE POLITICAL PARTIES BEYOND SEPTEMBER 14 TO WORK ON STRENGTHENING THEIR ORGANIZATIONS AND GIVE THEM AN IMMEDIATE POSSIBILITY TO APPLY LESSONS LEARNED IN THE EARLIER ELECTIONS. WE CAN BUILD UPON THE SUCCESSFUL VOTER EDUCATION EFFORTS CURRENTLY BEING UNDERTAKEN IN ZENICA, TUZLA AND MIDDLE BOSNIA CANTONS, CONTINUING THEM THROUGH THE MUNICIPAL ELECTIONS. ELECTIONS ARE A GALVANIZING ISSUE FOR CIVIC ORGANIZATIONS, GIVING THEM A GOAL TO STRIVE FOR. IN TERMS OF RESOURCES, CONTINUED SUPPORT FOR OSCE WILL CERTAINLY BE NECESSARY, BOTH DIRECT AND INDIRECT. UNFORTUNATELY, BECAUSE THE MUNICIPAL ELECTIONS ARE BEING HELD STAND-ALONE, THERE WILL BE VERY LITTLE IN TERMS OF ECONOMIES OF SCALE THAT MIGHT HAVE BEEN ACHIEVED HAD THE ELECTIONS BEEN HELD ALONG WITH THE OTHERS. THIS MEANS THAT MUNICIPAL ELECTIONS WILL PUT A DRAIN ON THE FY97 BUDGET WHICH WILL AFFECT HOW MUCH WE WILL BE ABLE TO DEVOTE TO OTHER DEMOCRACY-BUILDING PROGRAMS.

5. GIVEN THAT THE SEPTEMBER 14 ELECTIONS ARE ESSENTIALLY BEING RUN BY THE INTERNATIONAL COMMUNITY, HOLDING MUNICIPAL ELECTIONS LATER PRESENTS US WITH AN OPPORTUNITY TO TRANSITION TO BOSNIAN-RUN ELECTIONS. THE OSCE OPERATION INCLUDES VERY FEW BOSNIANS. IT WAS NOT UNTIL JULY THAT A BOSNIAN WAS NAMED TO A KEY POSITION IN THE ELECTIONS ADMINISTRATION STAFF, AS DEPUTY TO THE DIRECTOR GENERAL FOR ELECTIONS. BOSNIANS ARE A MINORITY ON THE PROVISIONAL ELECTION COMMISSION, WHICH HAS FOUR INTERNATIONALS AND THREE BOSNIANS. THE CHAIRMAN IS AN AMERICAN. THOUGH WE MAY NOT BE ABLE TO OR WANT TO DO THIS ON THE POLITICAL LEVEL (PROVISIONAL ELECTION COMMISSION) DUE TO THE CONTINUED NEED FOR AN INTERNATIONAL PRESENCE, WE SHOULD AT LEAST STRIVE TO INCLUDE BOSNIANS AT THE ELECTIONS ADMINISTRATION LEVEL.

6. BECAUSE OF THE UNIQUE CIRCUMSTANCES OF THESE ELECTIONS: OSCE SUPERVISION, IFOR INVOLVEMENT, ETC., IT WILL BE IMPORTANT TO TAKE A CLOSE LOOK AT THE PLANNING AND IMPLEMENTATION OF THE SEPTEMBER 14 ELECTIONS TO DETERMINE WHAT WAS DONE WELL AND WHAT COULD BE DONE BETTER. THIS EVALUATION WILL BE A USEFUL TOOL FOR THE ADMINISTRATION OF THE MUNICIPAL ELECTIONS.

7. RECOMMENDED PROGRAM:

EVALUATE THE SEPTEMBER 14 ELECTIONS PROCESS TO DETERMINE STRENGTHS AND WEAKNESSES (DEPENDENT UPON THE TIME AVAILABLE BEFORE THE MUNICIPAL ELECTIONS.)

PROVIDE TARGETED SUPPORT TO THE OSCE IN ADMINISTERING THE ELECTIONS (SUCH AS THE JEFF FISCHER/IFES TEAM WE HAVE FUNDED TO DATE), WITH A FOCUS ON MOVING TOWARD BOSNIAN-RUN (RATHER THAN PURELY INTERNATIONALLY-RUN) ELECTIONS. THIS WOULD INCLUDE USG-FUNDED TECHNICAL ADVISORS WORKING SIDE-BY-SIDE WITH BOSNIANS THEREBY TRANSFERRING KNOWLEDGE ON-THE-JOB.

CONTINUE THE NDI POLITICAL PARTY BUILDING PROGRAM, FOCUSING ON OPPOSITION PARTIES, AND AIMED AT BUILDING LOCAL PARTY ORGANIZATIONS

EXPAND CIVIC/VOTER EDUCATION PROGRAMS BEYOND TUZLA, ZENICA AND MIDDLE BOSNIA CANTONS, PERHAPS TO BANJA LUKA AND OTHER MUNICIPALITIES IN SRPSKA.

CONTINUE STATE DEPARTMENT DIRECT FUNDING TO OSCE, BUT AT REDUCED LEVELS.

CONTINUED COMMITMENT TOWARD PEACE

UNCLASSIFIED

8. DELAYING THE LOCAL ELECTIONS ENABLES THE INTERNATIONAL COMMUNITY TO MAKE FURTHER PROGRESS TOWARD REBUILDING THE INFRASTRUCTURE AND THE ECONOMY. INVESTING PEOPLE IN PEACE BY TRANSITIONING BACK TO A NORMAL LIFE IS VERY IMPORTANT TO CONTINUED STABILITY. THE MORE ROADS FIXED, BRIDGES REBUILT AND HOUSES REPAIRED, THE MORE PEOPLE WILL BEGIN TO BE ABLE TO REESTABLISH THEIR LIVES. THE MUNICIPAL INFRASTRUCTURE SERVICES PROJECT (MIS) WILL BE WELL ON-THE-WAY TO COMPLETING APPROXIMATELY 33 MORE SUCH PROJECTS BY THE END OF THE CALENDAR YEAR THAN WILL HAVE BEEN COMPLETED BY SEPTEMBER 14. LIKEWISE, AS THE ECONOMY REGENERATES AND PEOPLE GO BACK TO WORK, THEY TOO BECOME MORE VESTED IN THE CONTINUATION OF PEACE. THE BOSNIA RECONSTRUCTION FINANCE FACILITY (BRFF) WILL HAVE COMPLETED A GREAT DEAL MORE LOANS BY THE END OF THE CALENDAR YEAR THAN WILL HAVE BEEN COMPLETED BY SEPTEMBER 14, EMPLOYING MANY MORE PEOPLE. ALSO THROUGH THE MIS PROGRAM, A \$5 MILLION EFFORT FOCUSING ON COMMUNITY INFRASTRUCTURE REHABILITATION (CIRP) WILL TARGET EMPLOYMENT OF DEMOBILIZED SOLDIERS TO COMPLETE CONSTRUCTION PROJECTS. FINALLY, THE EMERGENCY SHELTER PROGRAM WILL ALSO HAVE MADE MORE PROGRESS IN REPAIRING HOMES SO THAT PEOPLE CAN RETURN TO THEIR COMMUNITIES AND NORMAL LIVES.

9. BECAUSE SO MUCH LOCAL ETHNIC CONFLICT WAS NOT RESOLVED THROUGH THE WAR OR THE SUBSEQUENT PEACE, MUNICIPAL ELECTIONS ARE GOING TO BE MUCH MORE CONTENTIOUS THAN THE ENTITY AND STATE (BIH) LEVEL ELECTIONS. ALLOWING MORE TIME FOR PEOPLE TO SEE AND FEEL THE FRUITS OF PEACE CAN ONLY HELP TO STABILIZE BOSNIA TO BETTER HANDLE THE FRICTION AND POSSIBLE VIOLENCE THAT MUNICIPAL ELECTIONS MAY INCITE.

10. RECOMMENDED PROGRAM:

SECURE EARLY FUNDING FOR AND CONTINUE IMPLEMENTING THE BRFF AND MIS, INCLUDING CIRP, PROGRAMS AT MAXIMUM SPEED.

GOVERNMENT INSTITUTION-BUILDING

11. IN ADDITION TO CONTINUED PARTICIPATION IN THE FEDERATION FORUM, THE USG WILL PROVIDE INSTITUTION-BUILDING ASSISTANCE TO GOVERNMENT BODIES. MORE SPECIFICALLY, WE WILL TAILOR PROGRAMS TO MEET THE SPECIFIC PROBLEMS AND WEAKNESSES OF THE EXECUTIVE, PARLIAMENT AND JUDICIARY AT THE STATE (BIH) AND ENTITY-LEVEL, INCLUDING MUNICIPAL AND/OR CANTONAL GOVERNMENTS.

12. EXECUTIVE BRANCH: THE LEADERS WHO ARE ELECTED—ON ALL SIDES—ARE LIKELY TO RE UNRECONSTRUCTED CENTRALISTS; CONSEQUENTLY, OUR GOVERNMENT INSTITUTION-BUILDING EFFORTS WILL NEED TO TAKE THAT INTO ACCOUNT. SEPARATION OF POWERS, AND CHECKS AND BALANCES WILL BE VERY IMPORTANT COUNTERS TO AUTHORITARIAN TENDENCIES. CREATING TRANSPARENT, OPEN AND ACCOUNTABLE GOVERNING INSTITUTIONS WILL BE ESSENTIAL.

13. RECOMMENDED PROGRAM:

PROVIDE TECHNICAL ASSISTANCE IN DRAFTING LAWS, RULES AND REGULATIONS WHICH MAKE STATE (BIH) AND ENTITY-LEVEL EXECUTIVE BRANCH INSTITUTIONS' INFORMATION AND FILES AVAILABLE AND ACCESSIBLE TO CITIZENS. FOR EXAMPLE, HELPING THE GOVERNMENT(S) TO CREATE AVENUES AND PROCEDURES FOR CITIZENS TO OBTAIN GOVERNMENT DOCUMENTS AND INFORMATION. ANOTHER POSSIBILITY WOULD BE TO SET STANDARDS FOR COMMENT AND REVIEW PERIODS BEFORE GOVERNMENT RULES AND REGULATIONS ARE PROMULGATED.

PROVIDE TECHNICAL ASSISTANCE IN DRAFTING LAWS WHICH LIMIT THE CIRCUMSTANCES UNDER WHICH THE EXECUTIVE BRANCH MAY ISSUE DECREES. THIS MUST BE COMBINED WITH DIPLOMATIC PRESSURE ON THE GOVERNMENT TO DISSUADE WIDESPREAD PRACTICES OF RULE BY DECREE THAT WERE SOMETIMES DEEMED

NECESSARY DURING THE WAR.

14. PARLIAMENTARY BODIES: ENSURING THAT PARLIAMENTARY BODIES AT THE STATE (BIH) AND ENTITY LEVELS ARE ACCESSIBLE TO CITIZENS WILL BE VERY IMPORTANT. FROM A GOVERNMENT INSTITUTION-BUILDING PERSPECTIVE, THIS MEANS: PROCEEDINGS SHOULD BE PUBLISHED AND AVAILABLE TO THE PUBLIC; CITIZENS SHOULD BE ABLE TO OBSERVE FLOOR PROCEEDINGS AND COMMITTEE HEARINGS, AND POSSIBLY EVEN PARTICIPATE; AND MEMBERS SHOULD BE RESPONSIVE TO THEIR CONSTITUENCIES.

15. RECOMMENDED PROGRAM:

PROVIDE HIGH-SPEED COPIERS AND A LIMITED NUMBER OF COMPUTERS (PLUS THE NECESSARY TRAINING) TO ENABLE PARLIAMENTS AT STATE (BIH) AND ENTITY LEVELS TO TRANSCRIBE AND PUBLISH DAILY PROCEEDINGS. OBTAIN COMMITMENT FROM PARLIAMENTARY BODIES THAT THEY WILL BE OPEN TO PUBLIC OBSERVATION. PROVIDE TECHNICAL ASSISTANCE ON WAYS TO MAKE PROCEEDINGS ACCESSIBLE TO CITIZENS, AND ORGANIZE HEARINGS WHICH INCLUDE PUBLIC REPRESENTATION.

AFTER THE TVIN (SECOND NETWORK/CHANNEL) IS FIRMLY ESTABLISHED, EXPLORE POSSIBILITY OF PROVIDING TECHNICAL ASSISTANCE, TRAINING AND FUNDING TO ALLOW IT TO FILM PARLIAMENTARY DEBATES AND COMMITTEE HEARINGS. INTRODUCE TRAINING FOR PRINT AND BROADCAST JOURNALISTS TO IMPROVE THEIR CAPACITY TO COVER PARLIAMENT.

REFOCUS NDI PROGRAM TO WORK WITH COMMITTEES AND INDIVIDUAL MEMBERS ON CONSTITUENT OUTREACH ISSUES.

PROVIDE TECHNICAL ASSISTANCE TO REFORMERS ON USING PARLIAMENTARY PROCEDURE TO THEIR ADVANTAGE.

TECHNICAL EXPERTS FROM ALL USAID SECTOR PROGRAMS—ECONOMIC RESTRUCTURING, PRIVATIZATION, MUNICIPAL INFRASTRUCTURE, MEDIA DEVELOPMENT, ETC.—WILL FEED TECHNICAL ANALYSES AND INFORMATION TO PARLIAMENTARY COMMITTEES DRAFTING LEGISLATION IN SUPPORT OF DEMOCRATIC AND ECONOMIC REFORMS.

THROUGH USIA, PROVIDE U.S.-BASED TRAINING TO BOSNIAN PARLIAMENTARIANS TO EXPOSE THEM TO THE FUNCTIONING OF THE U.S. CONGRESS AND OTHER DEMOCRATIC INSTITUTIONS.

EXPLORE PROVIDING WIDER ACCESS TO INTERNET FOR PARLIAMENTS AND OTHER KEY INSTITUTIONS AND ORGANIZATIONS, ALLOWING A GREATER FLOW OF INFORMATION INTO AND THROUGHOUT BOSNIA AND HERZEGOVINA.

CONTINUE OTI MASS MEDIA CAMPAIGN, REFOCUSING FROM ELECTION-RELATED MESSAGES TO THEMES ABOUT HOLDING ELECTED LEADERS ACCOUNTABLE, AND THE ROLE OF THE PARLIAMENT.

SUPPORT THE CREATION OF AN INDIGENOUS THINK TANK OR NGO THAT CAN ANALYZE POLICY ISSUES FROM A NON-PARTISAN PERSPECTIVE. SUCH ANALYSES WOULD BE A USEFUL TOOL FOR

PARLIAMENTS TO ADDRESS POLICY ISSUES AND LEGISLATION. IT WOULD ALSO BE A USEFUL TOOL ENABLING CITIZENS TO HOLD THEIR ELECTED LEADERS ACCOUNTABLE, AND TO INFLUENCE DECISIONS/VOTES OF POLITICAL LEADERS.

16. INDEPENDENT JUDICIARY: ANOTHER COUNTERBALANCE TO A CENTRALIZED STATE IS A STRONG JUDICIARY. FOSTERING THE TRANSITION TO AN INDEPENDENT JUDICIARY WILL BE CENTRAL TO DEMOCRATIC DEVELOPMENT IN THE UPCOMING YEAR. ISSUES SUCH AS INDEPENDENT FUNDING FOR THE JUDICIARY AND A NON-PARTISAN APPOINTMENTS PROCESS ARE KEY TO DEVELOPING AN INDEPENDENT JUDICIARY. INITIALLY, WORKING WITH NEWLY-FORMING JUDICIAL INSTITUTIONS SUCH AS THE CANTONAL COURTS, SUPREME COURT AND HUMAN RIGHTS COURT OF THE FEDERATION, AND THE CONSTITUTIONAL COURT OF BIH WILL BE NEEDED TO GIVE THEM A SOLID GROUNDING. ADDITIONALLY, ISSUES OF RECIPROCITY BETWEEN THE ENTITIES WILL CONTINUE

TO DOMINATE THE CROSS-ENTITY RECONCILIATION AGENDA. THEREFORE, OUR PROGRAM SHOULD EXPLORE STRENGTHENING THE JUDICIARY IN SRPSKA IN ADDITION TO THE WORK WE ARE ALREADY DOING OR PLANNING FOR THE FEDERATION. DEVELOPING JUDGES AND LAWYERS ASSOCIATIONS WHICH CAN ADVOCATE FOR AN INDEPENDENT JUDICIARY AS WELL AS STRENGTHEN JUDICIAL INSTITUTIONS (THROUGH TRAINING) IS ALSO ESSENTIAL.

17. RECOMMENDED PROGRAM:

CONTINUE ABA CEELI SUPPORT TO CANTONAL AND OTHER NEWLY-FORMED FEDERATION AND STATE (BIH) COURTS. CONSIDER EXPANDING THE PROGRAM TO INCLUDE REPUBLIKA SRPSKA COURTS. THIS COULD BE A POSSIBLE MEANS TO ADDRESS RECIPROCITY ISSUES.

HELP ESTABLISH LAWYERS ASSOCIATIONS AND CONTINUE STRENGTHENING THE NEWLY-FORMED JUDGES ASSOCIATION. EXPANDING INTO SRPSKA SHOULD ALSO BE CONSIDERED. WE HAVE INDICATIONS THAT THERE MIGHT BE INTEREST IN SRPSKA FOR JOINT EFFORTS IN THIS AREA

CONTINUE PROVIDING TECHNICAL ASSISTANCE AND ADVICE TO THE ALREADY-ESTABLISHED JUDICIAL INDEPENDENCE WORKING GROUP, WHICH IS ADDRESSING ISSUES SUCH AS ETHICS, FUNDING, TRAINING, JUDGES ASSOCIATION, ETC.

PROVIDE ASSISTANCE TO ENTITIES AND STATE (BIH) TO ENSURE THAT LAWS AND REGULATIONS ARE HARMONIZED WITH THE DAYTON ACCORDS.

18. LOCAL AND REGIONAL GOVERNMENTS: WE BELIEVE THAT THE NATIONALIST PARTIES WILL DOMINATE THE ENTITY AND STATE (BIH) LEVEL ELECTIONS. HOWEVER, WE EXPECT THERE TO BE SMALL POCKETS OF MORE REFORM-ORIENTED MUNICIPALITIES AND SOME CANTONS. UNTIL MUNICIPAL ELECTIONS ARE HELD, WE WILL CONTINUE OUR BUDGETING AND FINANCIAL MANAGEMENT EFFORTS IN ZENICA AND TUZLA CANTONS AND THEIR CONSTITUENT MUNICIPALITIES. AFTER THE ELECTIONS, WE SHOULD RECONSIDER OUR PROGRAM, TARGETING OUR FISCAL FEDERALISM ASSISTANCE TO THOSE MUNICIPALITIES AND CANTONS THAT ARE COMMITTED TO THE FREE MARKET AND DEMOCRATIC PRINCIPLES. IT IS STILL UNCLEAR HOW MUCH LOCAL AND CANTONAL GOVERNMENTS WILL BE ABLE TO IMPLEMENT SOME REFORMS ABSENT ENTITY AND STATE (BIH) COMMITMENT AND ACTION; HOWEVER, WE SHOULD SUPPORT THOSE THAT THEY CAN IMPLEMENT ON THEIR OWN, AND APPLY DIPLOMATIC PRESSURE AT HIGHER LEVELS WHEN NECESSARY.

19. RECOMMENDED PROGRAM:

AFTER MUNICIPAL ELECTIONS ARE HELD, CONSIDER EXPANDING ICMA INTERGOVERNMENTAL FINANCE (BUDGETING, FINANCIAL MANAGEMENT, AND PUBLIC PARTICIPATION) TO OTHER REFORM-ORIENTED REGIONS, INCLUDING POSSIBLY WITHIN REPUBLIKA SRPSKA.

AFTER LOCAL ELECTIONS ARE HELD, REORIENT THE NDI POLITICAL PARTY AND CIVIC ACTIVIST PROGRAMS TO WORK AT THE GRASSROOTS LEVEL, HELPING TO ENCOURAGE CIVIC ACTION AND CITIZEN PARTICIPATION LOCALLY.

INDEPENDENT MEDIA

20. MEDIA, THE FOURTH ESTATE OF DEMOCRACY, IS ALSO A POWERFUL CHECK ON ALL BRANCHES OF GOVERNMENT AS LONG AS IT IS INDEPENDENT. MUCH OF THE MEDIA IN THE REGION—BROADCAST AND PRINT—REMAINS IN CONTROL OF THE GOVERNMENT WHICH MEANS IT IS STRONGLY INFLUENCED BY THE ETHNICALLY BASED POLITICAL PARTIES. MANY HAVE ACCUSED THESE STATE-RUN MEDIA OUTLETS, PARTICULAR TELEVISION, OF PURPOSEFULLY FANNING ETHNIC TENSIONS, PARTICULARLY IN THE PRE-WAR PERIOD. THIS MANIPULATION OF THE MEDIA SERVES TO EXACERBATE AN ALREADY DIVIDED AND DIFFICULT SITUATION. IN ORDER TO PROVIDE PEOPLE WITH MORE SOURCES OF INFORMATION ON WHICH TO BASE THEIR JUDGEMENTS AND

OPINIONS, CONTINUED SUPPORT FOR ALTERNATIVE MEDIA SOURCES MUST BE A VITAL COMPONENT OF THE POST-ELECTION USAID PROGRAM. BUILDING JOURNALISTIC INTEGRITY WILL IMPROVE THE QUALITY OF THESE ALTERNATIVE SOURCES OF INFORMATION.

21. RECOMMENDED PROGRAM:

CONTINUE SUPPORT FOR THE TVIN TO SEE IT THROUGH THE INITIAL STAGES OF BROADCASTING. ALTHOUGH THE TECHNICAL INFRASTRUCTURE IS IN PLACE, OR WILL BE BY SEPTEMBER 7, THE HUMAN RESOURCE SIDE OF THE OPERATION MUST BE IMPROVED. MOREOVER, THE CURRENTLY MURKY RELATIONSHIP BETWEEN THE PARTICIPATING STATIONS WILL NEED TO BE SETTLED. CONTINUED TECHNICAL ASSISTANCE, TRAINING, AND PROGRAMMING SUPPORT WILL ENABLE THE NETWORK TO FLOURISH. EVENTUALLY, A SECOND PHASE IN WHICH THE NETWORK IS EXPANDED INTO OTHER REGIONS OF BOSNIA—REPUBLIKA SRPSKA AND HERCEG-BOSNA—SHOULD BE EXPLORED.

SUPPORT FOR INDEPENDENT RADIO TO IMPROVE REPORTING, PROGRAMMING AND TECHNICAL CAPACITY SHOULD BE CONTINUED AS WELL. ATTENTION TO LICENSING AND FREQUENCY ALLOCATION ISSUES SHOULD CONTINUE IN THE POST-ELECTION ENVIRONMENT.

SUPPORT FOR ALTERNATIVE PRINT MEDIA, NEWSPAPERS, MAGAZINES AND OTHER PUBLICATIONS, SHOULD CONTINUE IN THE POST-ELECTION ENVIRONMENT. LINKAGES AND DISTRIBUTION BETWEEN FEDERATION AND RS SHOULD BE EXPLORED.

CIVIL SOCIETY

22. ONE FINAL, BUT KEY AREA OF PROGRAM ACTIVITY NECESSARY IN THE POST-ELECTION ENVIRONMENT IS CIVIL SOCIETY-BUILDING. CIVIC GROUPS, PARTICULARLY ADVOCACY-ORIENTED ORGANIZATIONS, WILL ALSO BE AN IMPORTANT CHECK ON GOVERNMENT. HOWEVER, GIVEN THE ECONOMIC, PHYSICAL, AND PSYCHOLOGICAL EFFECTS OF WAR, IT WILL BE DIFFICULT TO KNIT TOGETHER A TOLERANT CIVIL SOCIETY IN WHICH PEOPLE ARE ENGAGED IN THE WELL BEING OF THEIR COMMUNITY, CITY OR COUNTRY. WAR-INDUCED POPULATION MOVEMENTS AND DISLOCATIONS MEAN THAT LARGE CITIES ARE NOW POPULATED WITH MIXTURES OF URBAN, WELL-EDUCATED PEOPLE WHO LIVED IN THE CITIES BEFORE THE WAR, ALONG WITH DISPLACED PERSONS, MOSTLY FROM LESSER-EDUCATED RURAL COMMUNITIES. IN SOME CASES, 25-50% OF A CITY'S POPULATION CONSISTS OF THE LATTER. FOSTERING A CIVIL SOCIETY FROM THESE DISPARATE GROUPS WHO HAVE BEEN FORCED TOGETHER DUE TO THE REALITIES OF THE WAR WILL BE DIFFICULT. MOREOVER, THE DREAM OF CREATING A MULTIETHNIC SOCIETY ONCE AGAIN IN BOSNIA IS AN UNLIKELY POSSIBILITY IN THE NEAR TERM. THE MOST WE CAN HOPE FOR IS PROMOTING TOLERANCE BETWEEN INDIVIDUALS AND WITHIN COMMUNITIES.

23. RECOMMENDED PROGRAM:

THROUGH OTI, CONTINUE PROVIDING SEED MONIES FOR INDIGENOUS NGOS, PARTICULARLY ADVOCACY-ORIENTED NGOS WHICH AGITATE FOR AND REPRESENT CITIZEN CONCERNS AND VIEWS TO THE GOVERNMENT.

CONTINUE SUPPORT FOR CIVIC INITIATIVES AND PROJECTS WHICH DEMONSTRATE COMMUNITIES AND PEOPLES WORKING TOGETHER, AGAIN THROUGH OTI.

PROVIDE INSTITUTION-BUILDING ASSISTANCE TO INDIGENOUS NGOS IN ORGANIZATION, MANAGEMENT, FUNDRAISING, LOBBYING TACTICS, MEMBERSHIP SERVICES, ETC. TO ENABLE THEM TO BECOME INSTITUTIONALLY AND FINANCIALLY VIABLE.

FOCUS PARTICIPANT TRAINING PROGRAMS ON CIVIC ORGANIZATIONS AND THEIR LEADERSHIP TO EXPOSE THEM TO U.S. CIVIC LIFE. END STRATEGY.

24. ANY QUESTIONS OR COMMENTS REGARDING THIS CABLE MAY BE DIRECTED TO SUSAN KOSINSKI, DEMOCRACY OFFICER, USAID/SARAJEVO. MENZIES