Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 1130 (1997)[1]

Implementation of the Dayton Agreement for peace in Bosnia and Herzegovina

Parliamentary Assembly

1. The Assembly notes progress in a number of areas in the implementation of the Dayton Agreement since the elections of 14 September 1996.

2. The preparation of the municipal elections on 13 and 14 September 1997 is proceeding satisfactorily. Together with the legislative elections to be held in September 1998 these elections are vital to the consolidation of the peace process and the reconstruction of a democratic and multi-ethnic state of Bosnia and Herzegovina. The Assembly supports the measures taken by the Provisional Electoral Commission to improve and supervise closely the process of voters' registration.

3. There are signs of improvement in the functioning of the joint political structures although the dialogue between the two entities - the Federation of Bosnia and Herzegovina and the Republika Srpska - as well as between the political representatives of the three constituent peoples of Bosnia and Herzegovina (Bosniacs, Croats, Serbs) remains difficult and further improvements are necessary to carry out priority tasks such as the adoption and the implementation of the "quick start" legislative package for economic reconstruction.

4. The Assembly welcomes the appointment of the new five-member special guest delegation from the Parliament of Bosnia and Herzegovina, composed of parliamentarians coming from both entities representing the governing and opposition parties.

5. The Assembly is also encouraged by the recent reports of the United Nations High Commissioner for Refugees that more than 200 000 persons have returned to their pre-war residences. It notes, however, that most of them returned to "majority areas" controlled by authorities of their own ethnic group. It supports all initiatives for return to "minority areas" such as the recently announced plans for the return of Bosniac and Croat refugees and displaced persons to the Brcko area and efforts to organise the return of Serb refugees and displaced persons to Drvar, Grahovo and Glamoc.

6. The Assembly welcomes greater availability of objective and balanced information through internationally supported independent media. Experience of the elections held in September 1996 shows, however, that the electronic media controlled by the ruling parties and the state-dominated media in the Federal Republic of Yugoslavia and the Republic of Croatia continue to have a decisive role in forming public opinion in Bosnia and Herzegovina.

7. These achievements are encouraging but not sufficient. Strengthening Bosnia and Herzegovina's relationship with the Council of Europe will require further progress, in particular on respect for human rights, co-operation with the International Criminal Tribunal for the Former Yugoslavia and free movement, including re-establishment of telephone and postal communications, between the two entities. With regard to the forthcoming municipal elections the existing divisions and the atmosphere of insecurity and distrust continue to play in favour of the ethnically dominated political parties.

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1. Assembly debate on 26 June 1997 (23rd Sitting) (see Doc. 7842, report of the Political Affairs Committee, rapporteurs: MM. Blœtzer and Van der Linden). Text adopted by the Assembly on 26 June 1997 (23rd Sitting).

8. Moreover, so long as individuals indicted for war crimes and individuals illegally benefiting, economically or otherwise, from the status quo remain in positions of political influence, further progress in the implementation of the Dayton Agreement will be difficult.

9. The Assembly calls on:

9.1. the Stabilisation Force (SFOR) and all authorities concerned to take immediate action to apprehend and transfer indicted persons to the International Criminal Tribunal for the Former Yugoslavia;

9.2. the authorities of Bosnia and Herzegovina and of its two component entities, in co-operation with the Office of the High Representative, to take effective measures against individuals who, whether it is in their private or professional capacity, obstruct the implementation of the Dayton Agreement, bearing in mind that such measures will only be effective if those charged with war crimes are prosecuted;

9.3. the Federal Republic of Yugoslavia and the Republic of Croatia:

to use their influence with the Bosnian Serbs and Croats to ensure full compliance with the Dayton Agreement;

to encourage the media to reflect the spirit and aims of the Dayton Agreement;

to contribute actively, together with the authorities of Bosnia and Herzegovina and of its two entities, to the creation of proper conditions for the holding of municipal elections;

9.4. the High Representative and the authorities in Bosnia and Herzegovina to give priority to programmes for economic reconstruction and for restoring cultural institutions and structures, facilitating closer links and greater freedom of movement between the two entities, in particular the re-establishment of telephone, postal and wireless communication and improvement of road and rail connections;

9.5. the authorities of Bosnia and Herzegovina and of its two component entities, as well as the Federal Republic of Yugoslavia and the Republic of Croatia, to create the conditions for, and effectively assist, the voluntary return of all refugees and displaced persons to their places of origin, in order to enable the establishment of a multi-ethnic and multicultural society.

10. The Assembly resolves to continue to co-operate in the implementation of the Dayton Agreement and to follow closely the situation in the country and in the region, in the context of the accession procedure of Bosnia and Herzegovina to the Council of Europe, under its monitoring of the respect of commitments and obligations of the Republic of Croatia, and in the context of its contacts with the Federal Republic of Yugoslavia.