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Bosnia and Herzegovina: return of refugees and displaced persons

Reply to Recommendation[1]: Recommendation 1357 (1998)
Committee of Ministers

The Committee of Ministers recalls the extensive interim reply to Recommendation 1287 (1996) on refugees, displaced persons and reconstruction in certain countries of the former Yugoslavia, that they adopted at the 566th meeting of the Deputies in May 1996.

With regard to paragraphs 5 and 6 of this recommendation, it also recalls that, since the accession of Croatia to the Council of Europe in 1996, its respect of the commitments made upon its accession to the Organisation have been the subject of an ongoing dialogue within the Committee of Ministers. It might also be noted, in particular, that a large OSCE Mission is now present in Croatia, throughout all its territory, with which the Council of Europe has developed very fruitful co-operation since its establishment in 1996. In contact with the OSCE Mission, the European Union and the UNHCR, the Council of Europe contributed to the process leading to the "Procedures of Return" adopted by the Croatian government. The Committee of Ministers continues to follow the implementation of these procedures and related issues.

Furthermore, with regard to the role of the Social Development Fund in Croatia (see paragraph 3), the Fund's Administrative Council approved at its 193rd meeting (26-27 March 1998) two loan requests from the Government of Croatia for the improvement of health infrastructures in Eastern Slavonia (24 793 910 ecus) and for the reconstruction of infrastructures in the field of education in Eastern Slavonia (9 669 307 ecus). For the two projects, the Administrative Council noted that the Fund would ensure a very close follow-up of the terms and conditions of the project, in conformity with the Croatian Government's undertaking that "the proposed programme of reconstruction aims at facilitating the return and peaceful integration of displaced people, at present living in other parts of the country or abroad, to their homes, without any sort of discrimination as to their ethnic origins".

As far as paragraph iv is concerned, the Committee of Ministers refers to paragraph *d* of its recent reply to Parliamentary Assembly Recommendations 1368 (1998) on the latest developments in the Federal Republic of Yugoslavia (FRY) and the situation in Kosovo and 1376 (1998) on the crisis in Kosovo and the situation in the FRY, regarding the suspension of discussion of the FRY's application for membership of the Council of Europe. At the present, the Committee of Ministers is exploring possibilities for a Council of Europe participation in the monitoring of human rights and contribution to democratisation efforts in Kosovo and the Federal Republic of Yugoslavia in general. This is being done in close contact with the OSCE and its mission in Kosovo. The Committee of Ministers also attaches importance to the re-establishment of the long-term OSCE missions in Sandjak and Vojvodina.

With regard more particularly to Assembly Recommendation 1357 (1998) on Bosnia and Herzegovina: return of refugees and displaced persons, it recalls that the Ministers' Deputies, at their 621st meeting (18-19 February 1998), decided to bring this recommendation to the attention of their governments.

1. Joint reply to the Recommendation 1287 (1996) and Recommendation 1357 (1998), adopted by the Committee of Ministers on 9 and 10 November 1998 at the 648th meeting of the Ministers' Deputies.

The Committee of Ministers will also bring the recommendation to the attention of the government of Bosnia and Herzegovina, bearing in mind the proposals put forward in paragraph 9.1 thereof. The concerns raised in this paragraph are borne in mind in the context of the Council of Europe's ongoing political dialogue with representatives of the authorities of Bosnia and Herzegovina, at both Entities and State level.

Furthermore, a number of these issues are, where appropriate to the mandate of the Organisation, the subject of co-operation activities undertaken in particular with the Entities, and in close contact for the most part with other international organisations active in the country (Office of the High Representative, UNHCR, OSCE and the UN Mission in Bosnia and Herzegovina, amongst others). In this respect the Committee of Ministers draws the Parliamentary Assembly's attention to the training programmes for elected officials and administrative officers conducted by the Council of Europe, in co-operation in certain instances with the OSCE, following the municipal elections of 13-14 September 1997 (see paragraph 9.1.*d*). Work is also being undertaken, both in co-operation with the International Police Task Force (IPTF) and directly with the Entity authorities concerned, to provide human rights training for the police.

Finally, as far as paragraph 9.4 is concerned, a number of projects in Bosnia and Herzegovina, in some cases undertaken by Local Democracy Agencies, have been supported in recent years by the Confidence-Building Measures Programme of the Council of Europe. Projects to be supported in the future include a media project aimed both at promoting tolerance and co-operation between the different ethnic components of Mostar, and at facilitating co-operation between the media in the two parts of the city. Young people from Bosnia and Herzegovina have also been involved in training seminars undertaken in the context of the Democratic Leadership Programme (DLP), and will be involved in the future in further training exercises for people who have participated in the DLP.

Finally, the Committee of Ministers shares the view of the Parliamentary Assembly that the Council of Europe is well placed to contribute to the protection of the rights of national minorities in the fields specified in the above recommendations.