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BOSNIA AND HERZEGOVINA -  
MARTTI AHTI SAARI

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**MARTTI AHTISAARI**

ARTISAARI.

Mr Ahtisaari joined the Ministry for Foreign Affairs of Finland in 1965, holding various posts in the Ministry's Bureau for Technical Co-operation from 1965 to 1972, and serving as Assistant Director from 1971 - 1972.

He served as Deputy Director, Ministry for Foreign Affairs, Department for International Development Co-operation between 1972 - 1973. He was a member of the Government Advisory Committee on the Trade and Industrialization Affairs of the Developing Countries from 1971 - 1973.

Prior to joining the United Nations, Mr Ahtisaari served as Ambassador of Finland to the United Republic of Tanzania (1973 - 1976) and was also accredited to Zambia, Somalia and Mozambique (1975 - 1976). He served as a member of the Senate of the Institute for Namibia between 1975 - 1976.

Mr Ahtisaari served as United Nations Commissioner for Namibia between 1977 - 1981. He was appointed Special Representative of the Secretary General for Namibia in July 1978.

Mr Ahtisaari served between 1984 - 1986 as Under Secretary of State in charge of International Development Co-operation in the Ministry for Foreign Affairs of Finland as well as the Special Representative of the Secretary-General for Namibia. He was Governor for Finland in the African Development Bank, Asian Development Bank and Inter-American Development Bank as well as in the International Fund for Agricultural Development. Mr Ahtisaari was during that period Chairman of the Board of Directors for the Finnish Industrialization Fund for developing countries.

Secretary General Javier Perez de Cuellar appointed Mr Ahtisaari as Under-Secretary General for Administration and Management, effective 1 January 1987. Mr Ahtisaari retained his functions as Special Representative of the Secretary General for Namibia and led the UN operation (UNITAG) in Namibia (1989 - 1990). Mr Ahtisaari served as Under-Secretary General until 30 June 1991.

As of 1 July 1991, Mr Ahtisaari has served as Secretary of State in the Ministry for Foreign Affairs of Finland in Helsinki.

Currently, Mr Ahtisaari is Chairman of the Bosnia-Herzegovina Working Group of the International Conference on the former Yugoslavia.

Mr Ahtisaari graduated from the University of Oulu, Finland in 1959 and received an Honorary Doctorate (Pedagogy) from his university in 1989. He received an Honorary Degree of Doctor of Humane Letters from Bentley College, Waltham, Massachusetts in 1990.

A citizen of Finland, Mr Ahtisaari was born on 23 June 1937. He is married and has a son.





WG - B.i.H.  
**INTERNATIONAL CONFERENCE  
ON THE FORMER YUGOSLAVIA**



Palais des Nations, 1211 Geneva 10

15 December 1992

WORKING GROUP ON BOSNIA AND HERZEGOVINA

**TO:** Mr. Vance  
Lord Owen  
Ambassador Okun  
Ambassador Hall

**FROM:** Mr. Martti Ahtisaari

Please find enclosed material provided by BiH Government delegation on 10 December 1992. Also enclosed, for your information, a paper related to possible provincial division of BiH received in October.

15400-  
10.12.92  
BH GOVERNMENT

THE STATE DELEGATION OF THE REPUBLIC  
OF BOSNIA\_ HERZEGOVINA

BRIEF EXPLANATIONS OF THE PROPOSAL  
OF THIRTEEN REGIONS IN BOSNIA\_ HERZEGOVINA

1- THE FIRST REGION - BIHAC

The total number of inhabitants: 543.927, out of whom there are 54,4% Muslims, 38,5 % Serbs, 2,60% Croats and 4,38% others. The region comprises the valleys of the rivers Una and Sana, which is a natural geographical, historical and economic whole. The areas around Sana and Una rivers were always one region called Krajina. The center of that region is Bihac, the biggest town, the center of industry and trade of the whole Krajina region and of the neighbouring Lika and Banija areas, as well as of the areas at the North-West of Bosnia (Drvar, Grahovo, and so on.) Bihac is also a traditional administrative center (from the Ottoman, Austro-Hungarian and later periods). It is at the same time the biggest educational, cultural and tourism center. Bihac is also the strongest communication center of the wider region. The roads to Central and Western Bosnia cross there, railways connect Split, Sibenik and Zadar via Bihac and Knin, connect Bosnia with Zagreb, Belgrade, Rijeka via Karlovac and western and north-west Bosnia with Sarajevo and other parts of Bosnia-Herzegovina. The important mines such as coal-mine Kamengrad, ferreous-ore mine Ljubija, boxite mine near Krupa lie between rivers Sana and Una. The tradition, economy, climate, pedology, geology, culture, education and tourism make this region a unique area in Bosnia-Herzegovina and are providing elements for normal life.

2. THE SECOND REGION - BANJALUKA

The total number of inhabitants: 408.902 ; 13,2% Muslims, 69,9 Serbs, 10,6 Croats and 5,78% others. The base of the region is the valley of the river Vrbas, its flow from the mid mountainous zone in the panonian zone, with a big, fertile plain Lijevo Polje and the town of Banjaluka as a traditional, administrative, cultural, educational, health and religious center, as well as industrial and economic center. This region is also a natural whole defined by geological, geographical, pedological, economic and traffic factors which unify this area. The town of Banjaluka has developed lately as the University center and scientific center. It is also a traffic center. It used to be a region throughout Ottoman, Austro-Hungarian and later periods. It is the main administrative



center of the wider area around the Vrbas river flow.

### 3. THE THIRD REGION - LIVNO

The total number of inhabitants \$ 106.047 ; 15,6% Muslims, 2,9% Serbs, 80,1% Croats and 1,4% the others.

The geographical, climatic and economic characteristics of the area are the basis of this region. The area is connected and depends on the surrounding neighbouring areas. Livno, Duvno and Posusje are the part of the traditional zone of high plains, called in our tradition as Tropolje ("three plains"). The main economy is cattle-breeding for the Dalmatian market. Lately the industry started to develop. The area is known for the high degree of migrations and has the average biggest number of temporary workers abroad, mostly in Germany, Austria, Switzerland and so on. All this is defining internal unity and characteristics of the region. Livno is the traditional center and at the same time the most developed town of the region. It has a good geographical position toward neighbouring Dalmatia and Split and has always been the most important trade center for Dalmatia. The wider zone of this region comprises the communes of Drvar, Petrovac, Glamoc and Kupres. The arguments of ethnic structure played a significant role in forming of this region. In order not to create ethnic tensions in the whole region of Western Bosnia (traditionally called Tropolje- "The three fields" it was most wise to divide it into two parts; in the Livno area where the Croats are dominant and Drvar area where the Serbs are dominant and Moslems as the second most significant ethnic factor. Livno has always been a significant economic and administrative center throughout the history (Sandzak of Klis during Ottomans and the area center during and after the Second World War).

### 4. THE FOURTH REGION - MOSTAR

The total number of inhabitants: 317.636 ; 24,5% Muslims, 62,2% Croats and 10,7% Serbs. The region comprises the flow of the Neretva river, which is the most significant factor of shaping the area round which the most important settlements were organized. Its waters are the source of the basic wealth; water for agriculture and energy, creating the basis for economic life and development of the region. Mostar is a traditional administrative center (during Ottoman, Austro-Hungarian and Yugoslav administrations). It is also the main economic, financial, educational, scientific University, and cultural center. The main industry capacities are situated in and around Mostar. It is also a traffic center for the whole region and wider.



#### 5. THE FIFTH REGION - TREBINJE

The total number of inhabitants: 81.575 ; 75,3% Serbs, 19,8% Moslems, 1,4% Croats and 3,5% the others.

Trebinje is the center of south-eastern zone of the mediterian-herzegovinian area bordering with the submountainous part with the Trebisnjica river in its middle. The river was partly transformed into the artificial accumulation lake as well as into the irrigation network (in Popovo Polje) and is producing significant quantities of power in the hydro-power plant, being the basis for the development of the regional economy. Trebinje is the economical, political and traffic center of the whole region. This region, as well as the areas round Drvar and Livno are thinly populated and there is a constant migration of the population toward Mostar, Sarajevo and other centers. This region has developed communications and is market oriented toward tourist region of Dubrovnik in Croatia and Boka Kotorska in Monte Negro. The region itself represents one geo-morphologic, communication, economic and cultural whole.

#### 6. THE SIXTH REGION - GORAZDE

The total number of inhabitants 124.375 ; 50,7% Moslems 46,6% Serbs, 0,2% Croats and 2,5% the others.

The flow of the Drina river is creating the geographic, geo-morphologic and economic defined region. TGorazde is the economic center of the region and represents the strongest urban center of the whole zone of the upper flow of the Drina river. This region, as well as the Trebinje region are the bordering areas to western Serbia. Gorazde is a center of the communications East - West and North-South and is situated on the important road Beograd-Uzice-Foca-Gacko-Niksic-Dubrovnik and on the road Sarajevo-Rogatica-Priboj-Uzice and so on. Economically, it is a unique zone of mountainous cattle breeding, fruit-growing and agriculture in the valley of the Drina river.

The basis for the industrial development are the forests in the mountains Zelengora and Tara. The Drina river is the source of energy with the hydro-powerplant near Visegrad. Gorazde is the administrative, trade and economic center of the region. This region has to become independent and not "in the shadow" of Sarajevo, as it used to be, when Sarajevo, as a center was suppressing the developing possibilities of Gorazde.

#### 7. THE SEVENTH REGION - SARAJEVO

The total number of inhabitants 680.267 ; 51,1% Moslems, 26% Serbs, 15,8% Croats and 4,2% others.

Sarajevo is in any case the main economic, cultural, religious and administrative center of Bosnia-Herzegovina as well as of the narrower region of the town itself and the closest communities to which town relays upon as the economic



background and the resource of inhabitants. Sarajevo has been an administrative center throughout the history. It is situated at the closing of the main valley which is the center of the whole Bosnia. It is more and more the traffic center as well and it has always been the economy and money center. It used to be the Ottomans Ejalet (administrative center), the administrative government center of the Austro-Hungarians, center of the Drinska Banovina, the Government center of the former regime and now is the Capital of Bosnia-Herzegovina. The most important state and scientific institutions of Bosnia-Herzegovina, as well as cultural and religious institutions are situated in Sarajevo.

#### 8. THE EIGHTH REGION - TUZLA

The total number of inhabitants 563.796 ; 62,6 Moslems, 29,1% Serbs, 3,0% Croats and 5,0% the others.

The Tuzla region is defined by the flows of the two smaller rivers Spreca and Drinjaca. Those two valleys define and border the area which in its center has the big industrial, mining, economic, financial, educational and cultural center - the town of Tuzla. From the West toward East this area has been integrated by the railway Dobojski-Tuzla-Zvornik and further toward Banjaluka or Bosanski Brod or Sarajevo. There is also an important railway Banovici-Tuzla-Brcko-Vinkovci and further to the North and West of Europe, vital for the tons of products of the Tuzla region economy. This economy is based on coal and salt and their industrial products. Tuzla is a traditional economic, cultural, administrative, educational, University, cultural and religious center of north-eastern Bosnia.

#### 9. THE NINTH REGION - BRCKO

The total number of inhabitants: 359.583 ; 34,5% Moslems, 34,2% Croats, 23,6% Serbs and 7,7% the others.

During the last hundred years Brcko became the center of agricultural products trade and has developed into a significant economic center, specially the food-products industry center. It is situated in the middle of Bosnian plain round the Sava river (Posavina). It has good railway connections and is our only river port from which it is possible to reach all parts of Europe and all the seas. It gives obvious advantage to Brcko over other places in Bosnian Posavina and Semberia. Brcko is the town with the most developed traffic, economy and culture, education in the whole region. It has become a center of higher education (Faculty of economy and others). Lately it has been a center of the regional chamber of commerce and of greater commune in the period from 1953 to 1974. Because of its specific characteristics, significant dynamism in its development, its perspectives, Brcko can definitely be and should be a center of a region, to enable this area develop in accordance with its possibilities and not to remain under the shadow of some other region ( e.g. Tuzla region).



#### 10. THE TENTH REGION - ZENICA

Zenica is the biggest and most significant industrial, economic, trade, educational, University and cultural center in the middle part of the Bosna river flow. The region is bordering with the mountain Vlasic in the West, Ozren in the North-East and with the mountains Zvijezda, Vranica, Vrana, Tajana. These mountains are closing a wider valley from Kakanj to Vares, Busovaca and down flow to Zepce and Zavidovici. In the center of this wider valley, there is a big mining, and metal processing center Zenica. There is the main road and main railway line through Zenica, going through the middle of the Bosna river valley, connecting Bosnia with all of its parts and the rest of the world. Zenica is actually in the very center of Bosnia-Herzegovina. The town itself is a traditional metal processing and mining center, as well as the trade, education and administrative center of the region in the last fifty years.

#### 11. THE ELEVENTH REGION - TRAVNIK

The total number of inhabitants: 285.415 ; 42% Moslems, 23,3% Serbs, 29,6% Croats and 5,1% others.

Travnik is in the center of the valley of the Lasva river. The mountain Vlasic separates it from Zenica and it represents a traditional administrative and cultural center of the wider region including the parts of the valley of the Vrbas river and surrounding mountains Vranica, Sebesic and Vjetrenica. The main communication North-East to South-West connects Sarajevo and Zenica with Mostar and Split on one side and with Banjaluka and Zagreb on the other side. It is at the same time a center of one industrial subregion (Vitez, Novi Travnik, Bugojno, Gornji Vakuf and Donji Vakuf). The Travnik region has always been a natural whole and the town of Travnik was a center of Ottomans Ejalet(region), of Bosnia Sandzak, of the region during the Austro-Hungarians and during the post-war period.

#### 12. THE TWELFTH REGION - DOBOJ

The total number of inhabitants: 469.266 ; 36% Moslems, 28% Serbs, 25,4% Croats and 6,7% others.

Doboj is the biggest town, the main crossroads and the most important railway knot, situated in the lower flow of the Bosna river. There, the Bosna river receives two biggest tributaries Usora and Spraca, which connect this region with the hills round Derventa, down to the Sava river.

Doboj is the most important administrative, economic and cultural center of the whole valley of the Bosna river. The region is one geographic, geo-morphological and economic zone and has been functioning as a whole for a longer period of time. Now it could get the characteristics of one region and could



strengthen its development based on many advantages. Being the main road and railway knot in Bosnia, it connects all the roads and railways throughout Bosnia-Herzegovina.

### 13. THE THIRTEENTH REGION - DRVAR

The total number of inhabitants: 66.639 ;  
80,3% Serbs, 12,83% Croats, 5,32% Moslems and 1,55% the others.

When explaining the arguments for the region of Livno, we mentioned this area too. In fact it is the part of the same geographic, climatic, pedologic and geo-political area. It is a part of the traditional Tropolje "The three fields" and is the bordering zone to Croatia and Dalmatia, to Lika and Dalmatian Zagora and the Knin Krajina. The characteristics of this area are the high altitude, traditional cattle-breeding and lately development of industry based mainly on the industrial zone of Bihac and the markets of Slovenia, Croatia and Dalmatia. This area is thinly populated and has significant migrations of the population. It represents a strong political center and it would be good for it to develop and define its real possibilities and advantages.

Geneva, Dec. 9, 1992.

10.12.92  
BH GOVERNMENT

THE STATE DELEGATION OF THE REPUBLIC  
OF BOSNIA\_HERZEGOVINA

THE ETHNIC PRINCIPLE OF DIVISION OF  
BOSNIA\_HERZEGOVINA AND ITS EXPANSION

The proposal of the future constitutional arrangements of Bosnia-Herzegovina presented by the Co-chairmen of the Conference, starts from the principles recognized and applied in the democratically organized states. Therefore, their proposal for the boundaries of provinces to be drawn so as to constitute geographically coherent areas, taking into account ethnic, geographical, communication, economic viability and other criteria.

The proposals of the provincial boundaries presented to the Conference by the Serbian aggressor's side and by the Croatian side are not in accordance with the proposed principles of the constitutional arrangements and do not correspond to the criteria of forming the provinces. Their maps are the consequent presentation of their seeing of the future of Bosnia-Herzegovina and do not correspond with the principles of the constitutional arrangements suggested by the Co-chairmen. We will just point out some facts which confirm this.

The map of the Serbian-aggressor's side represents their attitude of ethnic division and creation of three national states. Their map also shows that they are not satisfied with only ethnic principle, but also want to sanction former and future gaining of the territories by force. The following datas confirm this:

According to the March 1991 Census, out of 109 communes, in 20 communes the Croats had either absolute or relative majority, in 51 communes the Moslems were in majority and in 38 communes the Serbs were in majority. Not respecting the criteria suggested by the Co-chairmen, they have drawn in the map of Serbian territories not only the 38 communes in which the Serbian population is in majority, but also all of the next 21 communes. Besides, they have included in the map parts of the territories from 16 communes in which the Serbs are also not in the majority.

Out of 25 communes in which the Serbs are not dominant, in 4 communes the Croats are in majority (Bosanski Brod, Bosanski Samac, Odzak and Orasje), and in 21 communes Moslems are in majority: (Hadzici, Ilidza, Novi Grad, Novo Sarajevo, Trnovo, Vogosca, Bratunac, Doboje, Donji Vakuf, Foca,



Gorazde, Gracanica, Jajce, Prijedor, Rogatica, Sanski Most, Srebrenica, Stolac, Visegrad, Vlasenica and Zvornik.)

These facts, in the context of the constitutional arrangements suggested by the Serbian side, confirm the nature and goals of the aggression on Bosnia-Herzegovina.

Gaining territories and resources by force, specially towns and industrial centers, establishing territorial links with Serbia and so called Serbian Krainas in Croatia, as well as ethnic cleansing, fully correspond with their proposal of provinces boundaries.

The map of the Croat side first of all insists on the ethnic principle of the proposed map. However, this map is not consequent even to that principle. The map includes fully 10 communes in which Moslems are in majority; (Bugojno, Donji Vakuf, Fojnica, Gornji Vakuf, Jablanica, Jajce, Konjic, Mostar, Stolac and Travnik) as "Croat" territories. Parts of the territories of 17 other communes in which Moslems are in majority, as well as parts of the 11 communes in which Serbs are in majority, are also drawn as "Croat" provinces.

For the majority of these attached territories it is difficult to find reasons of respecting of the geographic, economic, communication or other criteria from the Document of the Co-chairmen of the Conference.

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These datas show that the Serbian and Croat maps do not respect the criteria for division into provinces, suggested by the Co-chairmen of the Conference. Their maps do not even respect ethnic principles for which they are so much in favour.

Therefore, we consider our map to be consequently drawn from the proposed Document of the Co-chairmen.

Received 13.10.92

In the frame of the discussions regarding constitutional arrangements of Bosnia-Herzegovina there is an issue of the eventual division of its territory into the smaller self-administrative units.

Some call them constituent units - regions, some call them administrative units - districts, but all of them think of smaller territorial units which would have more decentralized administration and more self-administrative rights of the local administrative bodies in relation to the central government bodies of the state.

We recognize the need for the extensive decentralization and strengthening of the rights of local self-administrations and in that regard for the new territorial division of Bosnia-Herzegovina into regions or districts under the condition that they neither have the character of a state nor imply or enable ethnic or any other division of Bosnia-Herzegovina and its transformation into the object of secession or union with other states.

The criteria on which these proposals are based are following;

1. The geographical criterion which includes climatic, pedologic and other elements essential for the specific shaping of the area;
2. The economic criterion with the dominant economic and productional activities in the first place and market ties in the region or district.
3. The communication criterion where the essential feature is the road, railway and river communications and shaping of traffic in the particular area;
4. The cultural-historical and traditional criterion taking into account ethnic, cultural and traditional relations and composition of the population and its links in the fields of culture, tradition, religion and customs.
5. The homogenization forms of any kind throughout Bosnia-Herzegovina, established by tradition.

These proposals in four variants have been made on the basis of the above criteria. One variant starts from the concept of big regions which have its support in the traditional administrative division of Bosnia-Herzegovina into six districts (during the Ottoman ruling, during the Austro-Hungarian ruling and during certain periods of the latest history).

The other variant offers the division into ten districts or regions and it seems closest to the intentions of those who are led by the optimalization of the forces of economy and traffic, without endangering the unity of the state or rights of all communities.



The third variant goes into more details of the second one in the way that it favours some parts of Bosnia-Herzegovina which have the specific advantages and conditions for the development or if there are some additional reasons for their specifying.

The fourth variant went furthest in the division. It is taking regions or districts as they were earlier, known under name "Srez" - district which means a middle administrative unit of the Kingdom of Yugoslavia and stood between "banovina" and "općina"-municipality.

As a base for comprehension of division characteristics, we are giving all relevant data for the second variant, i.e. the variant with ten regions or districts. The data for the others can easily be deducted from this variant by reducing or adding some parts or communes. We are also presenting a map which shows the size of the ethnic cleansing of the territory of Bosnia-Herzegovina with the figures stated so far, showing the numbers of those executed or imprisoned in prisons or concentration camps.

Moslems (95%), Croats (5%) and Serbs (a unique case in Capljina) were submitted to ethnic cleansing. These figures are not final because they do not include all displaced population either by force or by war activities. The stated data refer only to the cases for which we definitely know that those people have been killed or taken to the unknown direction and have not been registered as refugees.

Bosnia-Herzegovina has a territory of 51.129 square kilometers with the average density of population of 84,4 inhabitants per square kilometer. The total number of inhabitants is 4,364.574 inhabitants. Out of that figure, 1,905.829 or 43,7% are Moslems, 1,369.258 or 31,4% are Serbs and 755.895 or 17,3% are Croats. Out of the total figure 6,2% is the category "the others" with biggest percentage of Yugoslavs 5,7%. Among those declared as Yugoslavs, most of them are Moslems (according to pilot studies).

The first variant of division starts from the traditional division into six regions (Bihac, Travnik, Tuzla, Banja Luka, Sarajevo and Mostar). This division originates from the period of the Ottoman ruling and was taken over by the Austro-Hungarian administration. This regional division is mainly overshadowed by the latest economic, cultural and traffic developments and demographic changes.

The second variant envisages the existence of ten regions or districts. Those are the regions or districts: Bihac, Banja Luka, Mostar, Trebinje, Brčko, Tuzla, Zenica, Travnik, Sarajevo and Gorazde. This variant is basic one and has taken into consideration the greatest number of criteria which count for regionalization if we do not want to achieve ethnic homogenization and produce the effect of moving population

and creating basis for ethnic states and division of Bosnia-Herzegovina along those lines.

The third variant widens the second. The region of Banja Luka is divided into the regions Banja Luka and Drvar, the region of Tuzla is divided into the regions Brcko, Tuzla, Doboj, the region of Mostar into regions Mostar and Trebinje and the region of Sarajevo into regions Sarajevo and Gorazde. The region of Brcko gets one commune from the region Banja Luka and that is Teslic.

The fourth variant envisages eighteen regions. Those are regions: Bihac, Drvar, Prijedor, Banja Luka, Modrica, Brcko, Doboj, Tuzla, Gorazde, Zvornik, Sokolac, Kiseljak, Travnik, Zenica, Livno, Mostar, Trebinje, Sarajevo. This variant envisages the biggest number of regions and is getting closer to the earlier administrative divisions into "Srezovi"-districts and "Zupanije" - regions, during the Austro-Hungarian ruling and later administrations. This variant divides Bihac region in Bihac and Prijedor, Banja Luka is divided in Banja Luka and Drvar, Mostar in Livno, Mostar and Trebinje; Sarajevo in Sarajevo, Gorazde and Sokolac, and in part of Sarajevo region which became the new region of Kiseljak. The region of Tuzla is divided in regions Tuzla, Brcko, Modrica and Zvornik.

In this way we will have maximal decentralization and division according to the present situation where we have 109 opcinas-communes.

Out of all above mentioned variants, the second one is the base for the others, by either adding and widening or by subtraction. Therefore we have decided to give the detailed figures regarding the number of inhabitants, participation of nations (peoples) in those number and the data on ethnic cleansing in the territories of those regions and their communes.



## FIRST REGION: BIHAC

	Numb.of inhabt.	Muslims	Serbs	Croats	Ethnic cleansing
1. Bihac	70.896	67 %	18 %	8 %	8.000.-
2. Gornji	63.406	98	1	0	-
3. Velika Kladusa	52.921	92	4	1	-
4. Bosans. Krupa	58.212	74	24	0	22.000.-
5. Bosans. Petrovac	15.552	21	75	0	2.500.-
6. Kljuc	37.238	48	50	0	17.000.-
7. Sanski Most	50.110	47	42	7	23.000.-
8. Prijedor	112.470	44	42	6	40.000.-
9. Bosnas. Novi	41.541	34	60	1	16.000.-
10. Bosans. Dubica	<u>31.577</u>	20	69	2	<u>5.000.-</u>
	533.923				133.500.-

## SECOND REGION BANJA

LUKA

1. Banja Luka	195.139	15 %	55 %	15 %	10.000.-
2. Titov Drvar	17.079	0	97	0	-
3. Bosansko Grahovo	8.803	0	95	3	200.-
4. Glamoč	12.421	18	79	1	2.000.-
5. Sipovo	15.553	19	79	0	2.900.-
6. Kupres	10.098	7	51	39	5.000.-
7. Mrkonjic Grad	27.379	12	77	8	3.000.-
8. Skender Vakuf	19.416	6	68	25	1.000.-
9. Kotor Varos	36.670	30	38	29	10.000.-
10. Teslic	59.632	21	55	16	8.000.-
11. Celinac	18.666	8	89	0	1.000.-
12. Srbac	21.660	4	89	0	800.-
13. Prnjavor	46.894	15	72	4	5.000.-
14. Bosnaska Gradiska	60.062	26	60	6	12.000.-
15. Lektosi	<u>29.910</u>	2	82	9	<u>400.-</u>
	576.376				61.800.-

## THIRD REGION MOSTAR

1. Mostar	126.067	35%	19 %	34 %	1.000.-
2. Livno	39.529	15	10	72	-
3. Tomislavgrad	29.961	11	2	87	-
4. Prozor	19.601	37	0	62	-
5. Posusje	16.659	0	0	99	-
6. Konjic	43.636	55	15	26	2.000.-
7. Jablanica	12.664	72	4	18	-
8. Gornji	27.852	28	14	54	2.000.- (Srbi)
9. Metković	26.437	1	0	99	-
10. Grude	15.976	0	0	99	-
11. Ljubuski	27.182	6	0	93	-
12. Citluk	14.709	0	0	99	-
13. Neum	4.845	5	5	88	200.-
14. Stolac	<u>18.845</u>	45	21	32	<u>1.000.-</u> (6.200)
	(496.949)				

## FOURTH REGION TREBINJE

	Numb.of inhabt.	Muslims	Serbs	Croats	Ethnic clean
1. Trebinje	30.879	18 %	69 %	4 %	3.000.-
2. Bileća	13.269	15	80	0	1.500.-
3. Ljubinje	4.162	8	90	0	300.-
4. Gacko	10.844	35	62	0	3.500.-
5. Nevesinje	<u>14.421</u>	23	74	1	<u>6.000.-</u>
	73.175				14.300.-

## FIFTH REGION BRCKO

1. Brcko	87.332	44 %	21 %	25 %	25.000.-
2. Bijeljina	96.796	31	59	0	20.000.-
3. Ippare	32.400x	38	56	4	6.000.-
4. Ugljevik	25.641	41	56	0	7.000.-
5. Srebrenik	40.796	75	13	7	1.500.-
6. Gradacac	56.378	60	20	15	9.000.-
7. Orasje	28.201	7	15	75	2.000.-
8. Modrica	35.413	29	35	27	8.000.-
9. Bosanski Samac	32.835	7	41	45	15.000.-
10. Odzak	30.651	20	20	54	5.000.-
11. Bosanski Brod	<u>33.962</u>	12	34	41	<u>15.000.-</u>
	500.405				108.500.-

## SIXTH REGION TUZLA

1. Tuzla	131.861	48 %	15 %	16 %	2.000.-
2. Derventa	56.328	13	41	39	20.000.-
3. Doboj	102.546	40	39	13	20.000.-
4. Tesanj	48.390	72	6	18	3.000.-
5. Maglaj	43.294	45	33	19	5.500.-
6. Gracanica	59.050	72	23	0	700.-
7. Lukovac	56.830	67	22	4	5.000.-
8. Zivinice	54.653	81	6	7	-
9. Banovici	26.507	72	17	2	2.000.-
10. Kalesija	41.795	80	18	0	2.000.-
11. Kladanj	16.028	73	25	0	2.000.-
12. Sekovici	9.639	3	94	0	200.-
13. Vlasenica	33.817	55	42	0	15.000.-
14. Zvornik	83.811	59	38	0	40.000.-
15. Bratunac	33.578	64	34	0	15.000.-
16. Srebrenica	<u>37.211x</u>	73	25	0	<u>10.000.-</u>
	833.346				142.700.-



SEVENTH REGION ZENICA	Numb.of inhabit.	Muslims	Serbs	Croats	Ethnic cleansing
1. Zenica	145.577	55 %	16 %	16 %	-
2. Kakanj	55.857	59	39	30	-
3. Busovaca	18.883	45	3	48	-
4. Sevidovici	57.153	60	20	13	2.000.-
5. Zepce	<u>22.840</u>	47	10	40	<u>3.000.-</u>
	300.310				5.000.-
EIGHT REGION TRAVNIK					
1. Travnik	70.402	45	11	37	2.000.-
2. Vitez	27.724	41	5	48	-
3. Jajce	44.903	39	19	35	4.000.-
4. Donji Vakuf	24.232	55	39	3	6.000.-
5. Gornji Vakuf	25.130	56	0	43	-
6. Pucarevo	30.624	41	5	48	-
7. Bugojno	<u>46.843</u>	42	19	34	<u>2.000.-</u>
	269.858				14.000.-
NINTH REGION SARAJEVO					
1. Sarajevo (Grad)	553.323	49	28	7	30.000.-
2. Ilijas	25.155	42	45	7	5.000.-
3. Pale	16.310	27	69	0	3.500.-
4. Ernovi	6.996	69	30	0	500.-
5. Breza	17.266	76	12	5	1.000.-
6. Hadzici	24.195	64	26	3	4.000.-
7. Kiseljak	24.091	41	1	52	-
8. Kisevo	6.699	23	0	71	-
9. Visoko	46.130	75	16	4	2.000.-
10. Vares	22.114	30	16	41	1
11. Olovo	16.901	75	19	4	1.5000.-
12. Fojnica	16.228	49	0	41	-
13. Han Pijesak	<u>16.346</u>	40	58	0	2.000.-
14. Sokolac	<u>14.833</u>	30	69	0	<u>4.000.-</u>
	796.586				53.500.-
TENTH REGION GORAZDE					
1. Gorazde	37.505	75	26	0	10.000.-
2. Foca	40.513	52	45	0	15.000.-
3. Kraljevo	4.657	37	61	0	1.000.-
4. G. Jugo	8.919	45	53	0	3.000.-
5. Rudu	11.572	27	71	0	5.000.-
6. Bogatice	21.812	60	38	0	10.000.-
7. Visegrad	<u>21.202</u>	63	33	0	<u>10.000.-</u>
	146.180				54.0000.-

Napomena: Ovi prijedlozi ne isključuju i druge koji mogu biti  
podneseni konferenciji u ime delegacije ili njenog  
djelca.

Note to the Co-Chairmen

**Participation of Bosnian Serbs to ICFY Working Groups**

During a meeting held this morning, Prof. Buha, Foreign Minister of the "Republic of Srpska", requested inter alia that the issue of the Bosnian Serb delegation's participation in the work of all the Working Groups of the Conference had been raised on 8 October 1992 in a letter addressed to the Co-Chairmen (attached). In the course of personal contacts, Mr. Vance and Lord Owen had promised him that the Bosnian Serb Delegation would be invited. However, so far no official invitation to participate in the work of other groups (Economic, Succession and Minorities) had come. Prof. Buha said that it would be difficult for the Delegation to continue to bear such discrimination in the future. He also stated that Bosnian Serbs wished to participate in the work of the Commission on Human Rights which would be meeting early next week.

I reminded Prof. Buha that the work of the Ethnic and National Communities and Minorities Working Group was not dealing with matters relating to Bosnia and Herzegovina and that this Conference had no jurisdiction on matters relating to the Human Rights Commission. His request would, however, be transmitted to the Chairmen of the other Working Groups.

*Matti Ahtisaari*  
Martti Ahtisaari

25 November 1992

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РЕПУБЛИКА СРПСКА  
REPUBLIC SRPSKA  
PRESIDENCY

Attn: Office of the Co-Chairmen of the  
International Conference on the  
Former Yugoslavia

Mr Vance & Lord Owen

OUR REF: 1-RECT

VIA FACSIMILE  
7335861

Geneva, 8 October 1992

Dear Mr Vance and Lord Owen,

Legitimate representatives of Republic Srpska are currently participating in just three working groups at the International Conference on the Former Yugoslavia. The Minister of Foreign Affairs of Republic Srpska, Mr Aleksa Buha, has made a request to Lord Carrington that legitimate representatives of our Republic take part in the work of the Conference from its very start, equal with the representatives of the other two peoples constitutive of the former Socialist Republic of Bosnia-Herzegovina.

The request was not answered. We are compelled to resolutely repeat our demand, as we cannot accept to have the interests of Republic Srpska represented by anyone else.

We ask that our representatives be allowed to participate in the following working groups:

- Succession Issues Working Group,
- Economic Issues Working Group, and
- Ethnic and National Communities and Minorities Working Group.

Thank you.

Yours sincerely,

Mission of Republic Srpska to the UN Office at Geneva

\*

INTERNATIONAL CONFERENCE  
ON THE FORMER YUGOSLAVIA

H80

ORAL REPORT BY THE CHAIRMAN OF THE  
BOSNIA-HERZEGOVINA WORKING GROUP  
TO THE ICFY STEERING COMMITTEE

27 October 1992

1. The London Conference declared as the assignment of the Bosnia-Herzegovina Working Group: "to promote a cessation of hostilities and a constitutional settlement in Bosnia-Herzegovina".
2. The Working Group took up this dual task on 18 September, and since that time has had 26 formal meetings, each between the Chairman and the representatives of one or another of the parties, since so far some of these have been unwilling to negotiate directly with the others. In addition, there have been almost an equal number of informal consultations, between the Co-Chairmen, the Chairman of the Working Group or members of the secretariat, and the leaders or other members of the delegations. As a result of these multiple and extensive contacts, Mr. Vance, Lord Owen and myself have acquired a good understanding of the positions of the parties on many of the important issues before the Working Group.
3. As the Working Group's task is a dual one, some meetings have been devoted to both the promotion of a cessation of hostilities in Bosnia and Herzegovina and to the promotion of a constitutional settlement in that country, while at others only one of these subjects was discussed. Let me first mention briefly what has been done on the first of these subjects, since it was always understood that the two aspects of our work are closely related and evidently a constitutional settlement -- which will be the principal subject of my remarks and which is dealt with in detail in the paper before you -- cannot be achieved without an end to the fighting -- while equally there cannot be a durable cessation of the shooting until all the warring parties see at least the



outline of a satisfactory constitutional solution that will protect their basic interests.

#### Cessation of hostilities

4. With respect to the cessation of hostilities, you already know that after two weeks of consultations the first breakthrough was that announced by the Co-Chairmen in their Statement of 30 September, that:

The delegations [participating in the talks on Bosnia and Herzegovina] have agreed that discussions will commence immediately involving their military commanders and local authorities, meeting under the good offices of UNPROFOR and the Geneva Conference.

While it is unfortunate that the Mixed Military Working Group established consequent on that agreement did not become operational for another three weeks -- a period that, as you know, was marked by intensive fighting and the increased suffering of civilians -- I can now tell you that on last Friday and yesterday two lengthy meetings took place at which the work was started. Furthermore, in the negotiations leading to the first of these meetings, arrangements were made as a consequence of which the supply of water, electricity and telephone service has resumed to parts of Sarajevo.

5. Evidently, there is much that still needs to be done until the guns are once more silent in Bosnia and Herzegovina. However, a start has now finally been made, and we will of course do our utmost to maintain the positive momentum that finally appears to have been achieved.

#### Constitutional arrangements

6. Turning now to the consultations on constitutional arrangements, the first subject addressed in the Working Group

was that of human rights. This subject was chosen because it appeared, from the earlier consultations under the chairmanship of Ambassador Cutileiro, as well as from current written and oral statements by the parties, that there was a wide measure of agreement between them on at least three propositions:

- (i) That Bosnia and Herzegovina must be bound by and maintain the highest level of human rights accepted by the international community, and that these rights must in particular include those developed to protect national, ethnic, religious and other groups and minorities;
- (ii) That the immediate source of these rights should be a number of internationally adopted instruments, principally multilateral treaties but also including solemn declarations of important international organs, in particular the United Nations, the Council of Europe and the Conference on Security and Cooperation in Europe; and, finally,
- (iii) That the implementation of any rights set out in the Constitution must be carried out by an array of both domestic and international monitoring and supervisory mechanisms.

7. To assist the parties in their consideration of these points and to help concretize their thinking, the secretariat of the Conference distributed to and discussed with them a number of papers, which are listed in paragraph 7 of the document before you. These discussions confirmed our appreciation of the central role that these rights and these protective devices would have to play in any Constitution for Bosnia and Herzegovina. I shall revert to this question later,



when discussing the Co-Chairmen's actual proposals, which are annexed to the document I have already referred to.

### Decentralization

8. The next subject we addressed in the Working Group was clearly much more controversial one: the legal and political form that the future Bosnia and Herzegovina should have. On this the views clearly differed widely, from those advocating three loosely linked independent States to those who aimed for a single centrally controlled one.

However, once the secretariat received the responses of the parties to a questionnaire as to their preferences concerning the distribution of governmental responsibilities between the central government and whatever "constituent units" the country might be divided into, it became apparent that each of the parties desired a state in which the central powers would be minimized and those of the regional units maximized.

9. The apparent consensus on this point, i.e. on the desirability of a highly decentralized state, greatly facilitated the search for a solution of the problem of how Bosnia and Herzegovina might be reconstructed so as to meet two basic criteria:

- (i) That as far as possible most citizens of the State should live within a governmental unit in which the group they belong to constitutes a majority -- or, to put it another way, as few citizens as possible should need to live in a governmental unit in which their group constitutes a minority -- and that these governmental units should have the responsibility of dealing with most questions that directly concern citizens: their education, their culture, their commerce, their police and the bulk of their taxation.

- (ii) That all this must be accomplished in such a way so as not to accept the results of the "ethnic cleansing" that has so far taken place and indeed to permit the reversal of that unacceptable process so that all who have been displaced from their homes should have an opportunity of returning thereto.

#### Delimiting the Provinces

10. Anyone studying a demographic map of Bosnia and Herzegovina will see that the population distribution immediately before the present conflict was such that on the one hand the three major ethnic/religious groups -- namely the Muslims, the Serbs and the Croats -- were considerably intermingled, so that no large coherent areas could be identified in which one group or another had a clear majority -- but that on the other hand the population distribution was by no means homogeneous, so that there were indeed significant areas in which one group or another clearly predominated. This suggests that, even if ethnic cleansing is undone -- as the Co-Chairmen and indeed the world community insists that it must be -- it will be possible to identify a number of units, to which I will henceforth refer as "provinces" -- that can be identified as Muslim, or Serb or Croat. Generally speaking, however, these areas in which a particular group predominates would not be adjacent to other such areas. Furthermore, in a few such provinces, none of the groups would constitute a majority.

11. This brings me to the question of how many provinces should be created. Evidently, if their number is very low, then it will not be possible to achieve both a large degree of group homogeneity and still preserve coherent boundaries without large-scale population transfers. On the other hand, if their number is too large, then many of the resulting provinces would not be economically and otherwise viable, so



that the intention to decentralize most governmental powers to them could not practically be realized. It is on this basis that we have concluded that the optimal number of provinces lies between 7 and 10.

12. As to the actual boundaries of the provinces, they should be drawn so as to define areas that are as geographically coherent as possible, taking into account ethnic, geographic, historic, communication and other features, as well as economic viability. The work of accomplishing this is not ready yet, but has started on the basis of maps supplied to us by all the parties giving their own concepts on this point. We intend to proceed with this task as rapidly as possible, utilizing, as appropriate, expert advisers on demographic, economic, geographic, military and other relevant disciplines. Thereupon the results of these considerations will be presented to the parties. Meanwhile, however, we consider that the work of negotiating the main features of the Constitution, and agreeing on many of its details, can proceed apace.

13. Once the boundaries have been agreed to by the parties -- and we realize that this will involve some difficult negotiations -- they are to be incorporated into the Constitution. Once in the Constitution, it will later be possible to change them by amending that instrument, but the procedures for adopting such amendments and in particular the majorities to be required, would be such that they can only be attained if the three major ethnic/religious groups all agree as to the desirability of the proposed change.

14. It should also be understood that the boundaries between provinces are not to have the character of state borders, that is there are to be no border or other controls that would hinder the free movement of people and goods throughout the entire country.

Ethnic/Religious groups

15. It is proposed that the Constitution should recognize the existence of the three major "constituent peoples", that is, the Muslims, Serbs and Croats, as well as of a smaller group of "others", in two ways: by providing that certain governmental posts or functions be assigned by rotation to or by equitable balancing of the recognized groups, and also by the conscious protection of group or minority rights.

Allocation of governmental powers

16. As I have already said, if the object of bringing the main functions of government close to the people is to be accomplished, then these functions must be as widely distributed as possible, that is not carried by the central government but rather by the provinces. As I have also already said, such dispersion of governmental authority is facilitated by the fact that all three parties agree on the principle of far-going decentralization.

17. Under the scheme that the Co-Chairmen are proposing, the responsibilities of the central government would largely be confined to foreign affairs, to international commerce, to the national defence (on which I will make some additional remarks later), to the determination of citizenship, and to taxation for these limited purposes. With respect to the latter, it should, however, be mentioned that to the extent it does not prove possible to make all the provinces viable, consideration may also have to be given to authorizing the central government to raise limited revenues to be distributed to the provinces.

18. It is also proposed that certain tasks be carried out on the national level, not by organs of the central government but rather by independent authorities governed by representatives of all the provinces. These would be assigned



operational and some regulatory tasks. For example, it is proposed that the Central Bank, which would be both the issuer of the national currency and the principal regulator of financial institutions in the country, be such an authority.

19. As I have already said, and indeed it is a principal purpose of this exercise, most governmental functions are to be carried out at the local, i.e. the provincial level. This relates in particular to the police, which is to be in the hands of the provinces. Also provincial would be almost all activities in which individuals are directly affected by the government, such as education and culture activities, the licensing of trades, professions and businesses, and the provision of health and social care and insurance. These are the functions that are of particular concern to those intent of maintaining the separate heritages of the several peoples constituting Bosnia and Herzegovina. However, as it is also recognized that, inevitably, there will be some minorities in all the provinces, whose rights are to be adequately safeguarded by means of the strong human rights provisions, to which I have already alluded and to which I will revert towards the end of this presentation.

20. It is also important that the provinces are to have the power to raise the taxes necessary for their own activities, and will consequently be responsible for their own economies and infrastructure.

#### Structure of the Government

21. Now let me make some remarks about the structure of the central government foreseen for Bosnia and Herzegovina. Incidentally, each of the provinces is also to have its own government, but, in the spirit of the autonomy of the provinces, it is not intended to negotiate these regional instruments at this Conference. They will, of course, have to be consistent with the national Constitution, in particular in

observing the democratic governmental principles that are set out in a number of the international human rights instruments that the parties desire to have incorporated into the national Constitution. If it would be useful, the Conference secretariat might give some assistance to the parties on this point, perhaps by preparing guidelines or a skeleton for the provincial constitutions.

22. The central government is to have the classical three branches: a legislature, an executive and an independent judiciary.

23. It is proposed that the national legislature be bicameral. The Lower House should be popularly elected, with the assignment of seats to be determined by proportional representation calculated with reference to the country considered as a whole. As it may be expected that for the present most citizens will vote along ethnic/religious lines, it is likely that, at least initially, its composition will closely reflect the ethnic composition of the country. It may be that in some years other political parties may develop that are not primarily ethnically based but that would reflect political or ideological orientation or other concerns, such as for the environment.

24. It is proposed that the Lower House appoint the Prime Minister and, eventually, the Ombudsmen -- functions that are typically performed by the popularly elected legislative chamber. It is to share responsibility for legislating with the Upper House, though it might be provided -- as is true in many countries -- that the Lower House, as the only popularly elected body, should predominate in any case of conflict between the two chambers.

25. It is proposed that the Upper House be appointed by and from the provincial governments. As it is expected that most of the provinces will have a population in which one



ethnic/religious group or another predominates, that House too is likely to reflect roughly the composition of the country as a whole.

26. As to the executive power, it is proposed to distribute it among a number of persons and bodies: a Presidency, a President, a Prime Minister and the other Ministers constituting the Cabinet. Taking these in order:

- (a) The Presidency is to be a collective body consisting of all the provincial Governors and chaired by the President, which is to have no executive powers but be responsible only for most of the senior appointments of the central government: of the President, the judges of the central courts and the military chiefs, and for approving the Ministers selected by the Prime Minister; in all these appointments it is to observe group balance or rotation, and challenges as to these matters can be taken to the Constitutional Court -- to which I will come later.
- (b) The largely ceremonial Head of State will be the President, appointed by the Presidency, for a limited term to be specified in the Constitution, and observing the principle of group rotation.
- (c) The Head of Government will be the Prime Minister, elected -- as is customary in parliamentary democracies -- by the Lower House. The Constitution will have to specify the precise division of powers between the Prime Minister and the President.
- (d) The Cabinet Ministers are to be appointed by the Prime Minister, subject to approval by the Presidency. Again group balance is to be maintained,

especially in respect of the Prime Minister and the senior Ministers.

27. There is to be a single judicial hierarchy in the country. The courts of first instance and the first level of appellate courts -- that is, the judicial institutions with which citizens are most likely to be in contact -- are to be established strictly on the provincial level. However, the highest appellate courts are to be national ones, whose judges are to be appointed by the Presidency. These latter courts might be restricted to normally considering only appeals relating to national law, that is the national Constitution, national legislation and international treaties binding on Bosnia and Herzegovina.

28. The Co-Chairmen are also proposing the establishment by the Constitution of two special courts: a Constitutional Court and a Human Rights Court. Both are, during the initial period and in accordance with the express wishes of the parties, to consist of both national judges, appointed by the Presidency so that each group is represented, and of a slightly larger number of foreign judges; in respect of the proposed Constitutional Court these are to be appointed by our Conference, and in respect of the Human Rights Court by and probably from the European Court and the European Commission of Human Rights, pursuant to a mechanism that the Council of Europe is now considering.

- (a) The Constitutional Court will have as its primary task the settlement of any disputes between the provinces, or between the provinces and the central government, or between officials or bodies of the latter, for example, between the President and the Prime Minister. In addition, it will decide any challenges regarding the observance by the Presidency of its obligation to maintain group



balance or rotation in its appointments. Finally, it will be the final court of appeals on constitutional questions from the normal court system.

- (b) The Human Rights Court is to be the highest national court of appeals as to any question regarding the constitutionally guaranteed human rights.

Organization and control of executive force

29. As the central government is to be solely responsible for national defence, the military forces will be entirely under its control. The senior staff, which is to be appointed by the Presidency, must be balanced in respect of the recognized groups and the post of Chief of Staff must rotate among these. Also, every military unit is to be fully integrated and function on a non-discriminatory basis. At least for an initial period these requirements of balance, rotation, integration and non-discrimination are to be supervised by an international authority designated by our Conference, because it is recognized that the melding of three armed forces which currently are still engaged in bitter combat is unlikely to be successful without some outside assistance and mediation.

30. The military forces controlled by the central government are to be the only ones in the country. Therefore neither the provinces, nor any other public or private entities, will be permitted to form para-military units or to possess heavy weapons.

31. All uniformed police are to be controlled by the provinces or by local authorities under them. How these would be armed could be limited by national legislation. All police forces are to be fully integrated, and this requirement too would initially be supervised by an international authority designated by this Conference. There is to be no uniformed, armed police, controlled by the central government, but only a

co-ordinating mechanism to assist the provincial police authorities and to maintain contacts with international and foreign police authorities, such as INTERPOL.

#### Human Rights

32 As I have already indicated, all parties are in agreement, and the Co-Chairmen intend to insist, that the highest levels of human rights -- as recognized by the international community and expressed in treaties and in solemn declarations by international bodies -- will have to be incorporated into the Constitution of Bosnia and Herzegovina. In particular, it is proposed that the most important of these international instruments be specified in the Constitution, and that the rights set out in these -- including in particular group or minority rights, and rules relating to the prevention of and the reversal of ethnic cleansing -- are to become immediately applicable law on which all persons will be able to rely in all courts and in relations with any governmental authorities. Furthermore, Bosnia and Herzegovina will be required to become a party to those instruments as far as possible -- which in respect of most of the United Nations treaties will merely require a statement of succession filed with the Secretary-General. By becoming a party to these treaties, the country will also become subject to the various monitoring and disputes settlement organs established by many of these instruments.

33. All parties also recognize that it will be necessary to provide effective means for implementing the rights set out directly or incorporated by reference into the Constitution. For this purpose a number of devices are foreseen:

- (a) All persons are to have unrestricted access to the courts in all circumstances -- that is also in situations of public emergencies -- and in these courts they will be able to rely directly on the



constitutionally guaranteed human rights. The highest of these courts is to be the Human Rights Court with a majority of non-local judges.

- (b) There are to be four Ombudsmen, one for each group, initially appointed by this Conference and later by the Lower House, who are to have wide powers of investigation and negotiation on behalf of the rights of persons and groups. They will have the responsibility of reporting on any problems in implementing human rights to the competent organs of both the provincial and the central governments, and may also enter the courts to protect such rights.
- (c) There is to be an International Human Rights Commission for Bosnia and Herzegovina, to be established by this Conference and maintained by a successor authority designated by the Conference, which is to have wide powers to investigate the human rights situation in the country and to report to all competent international organs, that is to those of the United Nations System, the European Community, the Council of Europe and the CSCE.

34. There is to be a single Bosnia-Herzegovina citizenship, but all citizens are also to be permitted to hold the citizenship of any other country.

#### Transitional Measures

35. Because it is recognized that at the termination of the present bloody conflict it may not be easy for all the citizens of Bosnia and Herzegovina to live together immediately in peace and harmony and for the proposed governmental organs in which all the now warring parties are to be represented to function smoothly, a number of measures

of international control and supervision will certainly be required. I have already referred to most of these. In particular, both the proposed Human Rights Court and the Constitutional Court are to have a majority of foreign judges appointed by international authorities. The four Ombudsmen, though nationals of the country, will initially be appointed by this Conference. The integration, group balance and the observance of non-discrimination rules by the military forces and the police are to be supervised for a period by authorities to be designated by this Conference. Finally, there is to be a special Human Rights Commission.

36. It is hoped that it will be possible to dismantle at least some of these international controls after not too long a period. In part this would be left to the determination of this Conference or of any successor authority it designates. In part, the constitutional provisions in which these devices are embodied are to be subject to amendment, but only by majorities high enough that they can only be attained by the collaboration of the three major ethnic/religious groups -- so these protective devices cannot be removed as long as one of them objects.

#### Future Measures

37. The "Proposed Constitutional Structure for Bosnia and Herzegovina" that is annexed to the document before you and that is to be presented to the parties tomorrow is, as you can see, basically merely an outline. It will have to be fleshed out in negotiations among the parties within the framework of my Working Group, to supply all the necessary details and the precise language required for a constitutional text. In this the secretariat of the Conference will naturally be prepared to assist.



38. It is intended to present to the parties, in the course of these negotiations, proposals as to the geographical definition of the provinces.

39. Then, when all this has been accomplished and the negotiations have been concluded, the Constitution of Bosnia and Herzegovina is to be adopted within the framework of this Conference. With the assistance of the world community, as represented by the States and organizations that constitute this Committee, it is hoped that this moment will not be delayed all too long.