

BUILDING BRIDGES IN MOSTAR

20 November 2003



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BUILDING BRIDGES IN MOSTAR

EXECUTIVE SUMMARY AND RECOMMENDATIONS

Making another attempt to unite the divided city of Mostar has become, unexpectedly but appropriately, a very high international priority in Bosnia & Herzegovina (BiH) in 2003. By late summer, it had come to be ranked by High Representative Paddy Ashdown among his four major projects for structural reform. In each case, the High Representative appointed a foreign chairman to lead commissions composed of domestic representatives and charged with finding state-building solutions in the symbolically or substantively important realms of defence, intelligence, indirect taxation – and Mostar. All aim to unify divided and dysfunctional institutions. The first three commissions, which have already reported and whose draft legislation is proceeding through the various parliaments, have also sought to empower the state over the entities and their respective national establishments.

The Mostar commission, which is due to report by 15 December 2003, has a seemingly more modest and less far-reaching goal: to devise a new statute for a single albeit emblematic city. In comparison with the other commissions, this might not seem so significant. Yet Mostar has long been a particular concern of the international community, representing a piece of unfinished business that cannot be ignored as the foreigners contemplate their withdrawal from intrusive peace implementation in BiH. Moreover, the right solution in Mostar may serve both as an example of and stimulus for local government reorganisation in the country at large – a hope underlined by officials in the Office of the High Representative (OHR) contemplating how to jump start the reform of public administration required if BiH is to make its way towards a Stabilisation and Association Agreement with the European Union.

The compromise peace that ended the war between those who had fought to defend the state and those who had sought to destroy it left BiH with, in places, up to six separate layers of authority and fourteen different governments with taxing and law-making powers. But what was necessary or even desirable to smother the embers of war in 1994-95 appears an intolerable and unsustainable burden nearly ten years on, even to some of those same political forces that once insisted upon and have since benefited from the power and patronage this system provides. As Lord Ashdown has observed, all these governments devour more than 64 per cent of public spending in BiH. A city of just over 100,000 inhabitants divided into six municipalities and an ostensible Central Zone, Mostar epitomises both the causes and consequences of such atomisation. And just because it is a special case, the rationalisation of Mostar's governance could point the way towards overcoming the ethno-national barriers and redundant administrative structures that plague BiH.

In Mostar the international community is thus seeking to facilitate local remedies to the national-administrative partition that has characterised the post-war period, as well as to assuage those fears of relegation to minority status on which this partition has thrived. Yet just because Mostar remains one of the most divided cities in BiH – and has come to symbolise mutual intolerance, distrust and tribal politics – any genuine agreement on a new statute for a unified city administration would offer both a template for other segregated towns and encouragement for BiH in general. On the other hand, yet another failure in Mostar would also have disproportionate effects. Viewed in this light, the new attempt to reunify the city deserves to keep

company with the other reform projects currently underway.

This report points out the crucial issues that must be settled in the current round of talks if Mostar is to be made whole. It provides a brief sketch of previous attempts to unite the city; discusses the major problems arising from its continuing fragmentation; seeks to offer an explanation of why Mostar has emerged once more as a problem requiring an urgent solution; and introduces the various proposals currently being canvassed in political and intellectual circles.

Its concluding section outlines the rudiments of an organisational solution, involving changes to the electoral system for the Mostar council and a reform of the legal concept of the city in Bosnia and Herzegovina. This has the potential to ensure that Mostar can be reborn – both as a functional unit of self-government and as a multinational community in which all citizens feel themselves to be fairly represented.

RECOMMENDATIONS

To Bosnian Lawmakers:

1. Adopt a state-level framework law on local self-government, redefining the city as a special unit of local self-government with responsibilities for secondary education and social and medical services, transferred from the cantons to the cities, and providing economic development and fiscal incentives to townspeople and local politicians to initiate the formation of cities.
2. Adopt a new law on the distribution of public revenues to ensure that well run city and municipal administrations – and not the bloated cantonal and entity bureaucracies – get the revenues needed actually to deliver the services they are both required and in the best position to provide.

To International Donors:

3. Give financial incentives for cities to adopt the power-sharing formula suggested below in recommendations to the Mostar Commission.

To the High Representative:

4. In anticipation of the report of the Mostar Commission, issue a decision forbidding the existing municipalities from issuing building permits or allocating public land.
5. Appoint auditors to monitor and control public expenditures by the city and municipalities, past and present.
6. Punish the owners of illegally constructed buildings with heavy fines, rather than the loss of or removal from their properties.

To the Mostar Commission set up by the Office of the High Representative:

7. Design a city statute for Mostar which includes a guaranteed minimum representation for each of the constituent peoples on the city council, at the level of their share of the population in the last census, and which also ensures that no constituent people can have more than half of the seats on the council.
8. Stipulate that decisions regarding allocation of land, election of the mayor, appointments of directors of public enterprises, the city budget, awards and honours, and amendments to the city statute should invariably be treated as decisions involving vital national interests, thus requiring a two-thirds majority in each national caucus for adoption.
9. Stipulate that future mayors be elected by and from members of the city council, with enhanced executive powers, and with a duty of nominating heads of the city departments of finance and urban planning who are representative of the other two constituent peoples.
10. Abolish the current city-municipalities as units of local government with budgets and legal personality.
11. Propose that the main public services in the city should be dispersed among the current city-municipalities by establishing satellite offices in each of them.

Sarajevo/Brussels, 20 November 2003



BUILDING BRIDGES IN MOSTAR

I. HOW DID WE GET WHERE WE ARE NOW?

It will soon be ten years since the bloody Bosniak-Croat conflict came to an end. This war within a war divided the once thoroughly multinational city of Mostar into two nationally exclusive towns, separated (except around the ruins of the Old Bridge or *Stari Most*) by the river Neretva.¹ Non-Croats were expelled from the west bank, while non-Bosniaks were made to feel unwelcome on the increasingly mono-ethnic east bank. Since the creation of the Federation of Bosnia and Herzegovina (FBiH) in Washington in February 1994, and the adoption of its constitution in June 1994, several attempts have been made to undo the effects of the city's 1992-94 division. They and the passage of time have both removed many of the most glaring signs of apartheid and (literally) rebuilt bridges, but to this day Mostar remains administratively and psychologically partitioned. In fact, superficial normalisation of the atmosphere has contributed to entrenching separation, since each side feels safe and comfortable in its redoubt. As former mayor Neven Tomic has observed, two worlds have been created in Mostar, and every debate in the city is based on the categories of "we" and "they".²

Throughout the war and in the years that followed, the predominant political and military force fighting for and imposing partition on the city was the

Croatian Democratic Union (HDZ) of BiH and its army, the Croatian Defence Council (HVO), themselves expressions of the interests and policies of their masters in Zagreb. Sometimes openly and at other times tacitly, the HDZ and HVO worked to keep (west) Mostar separate from and free of non-Croats, reserving its status as the future capital of "Herceg-Bosna", whether inside or outside BiH. Given this long-term aim, the HDZ naturally sought to frustrate almost all post-war efforts to reintegrate the city.³

In doing so it was prepared to take on and outlast the European Union administration set up after the Washington Agreement and establishment of the FBiH. Aside from spending a vast amount of money in rebuilding the devastated city during its two-year tenure, the special EU administration also managed to secure the parties' agreement to an Interim Statute regulating the city's governance on 7 February 1996. Its basic principles, however, had been agreed at a higher level in Dayton in November 1995, and were included as an Annex to the Dayton Agreement on Implementing the Federation of BiH.⁴ This Interim Statute still applies in Mostar.

¹ Both the left and right banks remained under Army of BiH control in the vicinity of the *Stari Most*. According to the 1991 census, the population of the single Mostar *općina* was 33.8 per cent Croat, 34.8 per cent Muslim (or Bosniak), 19 per cent Serb, 10 per cent "Yugoslav", and 2.4 per cent others.

² ICG interview with Neven Tomic, 25 September 2003.

³ ICG has published several reports detailing the HDZ's post-war machinations in Mostar. See, in particular, the comprehensive ICG Balkans Report N°90, *Reunifying Mostar: Opportunities for Progress*, 19 April 2000.

⁴ These Dayton-era principles may prove to be important in the current discussions on a successor statute since OHR is understandably unwilling to challenge Dayton's handiwork head-on. The Mostar Annex was signed on behalf of the Croats by Mijo Brajkovic (the then hard-line mayor of west Mostar) and the late Gojko Susak (Croatia's defence minister and leader of the HDZ's Herzegovina lobby). It was Susak's imprimatur that reconciled the HDZ BiH to the notion of participating in any sort of joint administration, however spurious it might be. East Mostar Mayor Safet Orucovic (who then led the Party of Democratic Action [SDA] in the

The Interim Statute introduced the category of “city-municipality” into BiH legal practice,⁵ reorganising the one pre-war municipality as six city-municipalities (three each on Croat and Bosniak-controlled territory), but with a so-called Central Zone to be administered by an overarching city government. It was this Central Zone that was the biggest innovation and most contentious issue of the Interim Statute for the former warring parties. For the creation of a city administration in general and the Central Zone in particular were designed both to undo the city’s wartime partition and to undermine nationally exclusive rule on the opposite banks of the Neretva.

At the city level, the Interim Statute provided for a city council with equal numbers of Bosniak, Croat and “other” councillors.⁶ There was to be a mayor and deputy mayor (who would take turns occupying each other’s office) and a small city administration. The city was intended to exercise sole competence in the spheres of finance and tax policy, urban planning, infrastructure, economic policy, and public transport, including the city’s railway station and airport. The mayor was empowered to set up departments to manage these five fields of activity. All other responsibilities were left to the six city-municipalities.⁷

These municipalities were each to have councils with 25 members, regardless of their relative size or population, which would reflect their territory’s pre-war national demography. This was meant to strike a blow to the ethnically exclusive administrations prevailing on both sides of the river, since the number of councillors that would come from the non-

dominant nation, combined with the representatives of the “others”, would always exceed the number of councillors representing the predominant nation.

By specifying that the city government should administer the Central Zone (comprising a small and heavily damaged area around the former confrontation line in the city centre), as well as the public enterprises running the hydroelectric dams, railway station and airport situated in several municipalities, the Interim Statute sought to promote the gradual transfer of both territory and competencies to the city government.

It didn’t happen – largely because this carefully designed reintegration plan was never actually implemented.⁸ At the outset, HDZ representatives boycotted all city institutions. Later, when they finally decided to join them, they took the narrowest possible view of their functions. The cases of the city departments of urban planning and finance are illustrative of this campaign of sabotage.

The urban planning department was charged with controlling land allocation and development throughout the city, preventing the unregulated construction or reconstruction of business, housing and cultural premises that was to be expected after the war. In the event, the municipalities ignored its ostensible prerogatives. They rarely bothered to seek its approval before issuing permits for new buildings or changes of land use in their respective areas. Furthermore, the municipalities adjacent to the Central Zone took to issuing – for a price – permits for building works inside the zone itself, so usurping what was meant to be an exclusive competence of the city. Municipality South-West issued building permits for those parts of the Central Zone that had been under the control of the HVO during the war. When no sanctions followed, the Old Town (*Stari Grad*) municipality followed suit for those parts of the Central Zone that had been controlled by the Army of BiH (ABiH). Since the city authorities had no mechanisms to prevent or punish these practices, massive, uncontrolled and often blatantly illegal building throughout the city became one of its biggest problems and generators of illicit wealth.

city) and BiH Foreign Minister Muhamed Sacirbey signed the Annex on behalf of the Bosniaks. The chief SDA negotiator on the current Mostar commission, Fatima Leho, has already pointed out that nothing substantial can be changed in Mostar’s organisational structure without changing Dayton. See “Leho (SDA): Mostar ne moze postati prvi europski grad u BiH”, *Dnevni List*, 26 October 2003.

⁵ Until then the only legally existing unit of local self-government was the *općina* (municipality): all of the current city of Mostar, plus small parts of its territory that were assigned to Republika Srpska at Dayton, formed a single *općina*.

⁶ The city council was meant originally to have 48 members (sixteen from each group), but was later reduced to 30 (ten from each) in order to be consonant with practice in other cities/municipalities in the FBiH.

⁷ Article 7, Interim Statute of Mostar, *Official Gazette of the City of Mostar*, N° 1, 20 February 1996.

⁸ For a detailed account of how the different aspects of the Interim Statute were sabotaged, see ICG Balkans Report N° 90, *op. cit.*

Similarly in the fiscal realm, the Interim Statute had decreed that the city's powers should prevail over those of the municipalities. Yet it was they that took over the revenue collection and distribution functions – to the further detriment of the city. As the municipalities grew stronger and the city failed to exercise such powers as it had, let alone to acquire more, the former became the real bases of party-political power in the city.⁹ And although the municipal administrations were supposed to respect the national balances prevailing in 1991, the ruling parties invariably found ways round this requirement. Public sector employment thus continued to reflect who held which bit of land at war's end.¹⁰

However promising the Interim Statute may have been as a plan for the gradual unification of Mostar, its implementation presupposed both good will on the part of the signatories and the steady accumulation of centripetal forces. Neither condition obtained. As a consequence, Mostar retained and institutionalised its wartime inheritance of national parallelism, intransigence and lawlessness.¹¹

⁹ The replication of municipalities made for many more jobs for the faithful. The city administration and the municipalities together employ around 750 people directly, which is an administrative cohort twice the size of those in comparable cities such as Tuzla or Zenica.

¹⁰ The Interim Statute was rather imprecise in this matter. Article 55 says that, when employing new staff, municipalities must take national factors into consideration, but does not prescribe specific quotas. This has permitted the provision to be largely ignored. See Interim Statute, *op. cit.*

¹¹ Former Mayor Neven Tomic, who resigned in February 2003 in order to draw the attention of the international community to the city's deteriorating condition, has noted that there are so many serious violations of the law in Mostar that the jails should be full. "In Mostar, you could easily arrest two people every day", he said. ICG interview with Neven Tomic, 25 September 2003.

II. MOSTAR'S CURRENT PLIGHT

Since the announcement of the first round of negotiations on Mostar's status in March 2003, the city's institutions have virtually ceased to operate. The city government (comprising the mayor, deputy mayor and department heads) has not met in formal session for eight months, although it is supposed to meet every week.¹² The city council has been similarly moribund, although it is required by the Interim Statute to meet at least every two months. What is most striking about this state of affairs is that no one appears to regard it as odd.

Ethnic partition is still so ubiquitous in the city's institutions that international attempts to mitigate it sometimes yield absurd results. Thus, a mayor of one municipality told ICG that he meets with his opposite numbers from the other side only for formal meetings with international officials designed for "photographing, smiling and getting donations", after which each participant returns to his own "yard".¹³

The central city administration is also partitioned along ethnic lines, and is still being financed through two separate accounts. Tax revenues from that part of the Central Zone held by the HVO during the war and facility payments from Croat-controlled Elektroprivreda Herceg-Bosna are used to support Croat officialdom, while revenues raised on former ABiH territory and payments by Bosniak-run Elektroprivreda BiH are spent on Bosniaks.¹⁴ The city government resolved at a recent session to put an end to this duality, but such promises have been made many times before.¹⁵

The Mostar city administration maintains no web site from which it would be possible to learn something about its work, budgets, land-use registers or the general transparency of its activities. Indeed, it is extremely difficult to obtain any documentation

¹² See "U Gradskom poglavarstvu jos funkcioniraju dva racuna", *Dnevni List*, 9 October 2003.

¹³ ICG interview with Vjekoslav Kordic, mayor of Municipality South, 5 September 2003.

¹⁴ According to (Croat) Deputy Mayor Ljubo Beslic, Elektroprivreda Herceg-Bosna contributes KM 122,400 each month to Croat coffers, while Elektroprivreda BiH pays KM 537,000 to the Bosniak administration. ICG interview with Ljubo Beslic, 2 October 2003.

¹⁵ See "Od Nove godine jedinstveni racun", *Dnevni List*, 11 October 2003.

regarding its operations.¹⁶ The individual city-municipalities are even more opaque when it comes to what they do. There is no readily available or reliable information about their land allocations, building permits, privatisation projects and the other issues over which the two sides regularly exchange accusations of malversation and skulduggery.

Yet there are more than enough obvious indications of Mostar's partition and the misgovernment to which it leads. The two sides of the city still supply their inhabitants from separate sources of drinking water, and their water mains systems have yet to be linked, although this was meant to have happened long ago. The electricity, telephone and postal systems remain discrete. There is no single directory enquiries number. Instead, there are two ambulance services, two hospitals, two fire departments, two railway and bus companies (and two main bus stations), and two public works enterprises.¹⁷ All these services are divided along the former confrontation line that still demarcates the two parts of the city. This fact indicates that the establishment of the six city-municipalities and the Central Zone – as well as all the subsequent attempts to breathe life into the Interim Statute – have failed to erase the wartime division.

The city's criminalised political elites – and especially those on the west bank – have heretofore had every interest in preserving the status quo. As Neven Tomic observed in his February 2003 letter of resignation, prevailing circumstances permit criminals of all sorts to shelter behind "their" national protectors among the authorities and to portray their private criminal interests as those of their respective nations. Thus, "the sanctioning of violations of the law ... was an exclusively political

issue, rather than an issue of the functioning of the system," wrote Tomic.¹⁸

Several well-informed sources told ICG that the leaders of the local religious communities, rather than preaching reconciliation and understanding, feed the mutual intolerance of the two major communities. Sometimes, in fact, clerics initiate debates and make demands that lay politicians then feel obliged to promote and repeat. There is little inter-confessional dialogue in the city, and projects to build or reconstruct religious objects are often used to inflame passions on one or the other side.¹⁹

The existence of two totally segregated educational systems – from kindergartens up through the two universities – hardly helps. Thanks to their parents' and leaders' choices, and to their own increasingly ingrained habits, youngsters have few opportunities to meet, mingle with and get to know their peers from the other side. The entrenchment of separate public school systems with separate national curricula may prove, in fact, to be the most debilitating and long-lasting threat to the future of both Mostar and BiH in general.²⁰

There have been only a few – and partial – exceptions to the dismal rule of failed unification schemes and aborted initiatives in Mostar. The creation of a citywide police force and the more recent inheritance by the city of responsibility for running the airport are most often cited as success stories. Yet the police still operate with different pay scales for Bosniaks and Croats (with the latter, as in the past, being paid significantly more for the

¹⁶ ICG repeatedly sought reports on the work of the mayor's office, analysis of the work of public companies in Mostar, reports on illegal construction, and other documents that should be easily accessible. Mayor Hamdija Jahić promised ICG these reports but never provided them. Deputy mayor Besić told ICG that in any case official reports are useless since they present the situation far better than it actually is. ICG interview, 2 October 2003.

¹⁷ About these and other absurdities of life in Mostar, see the article by Slavo Kukić "Mostar kao grad i zajednica - stanje i perspektive", *Lokalna Samouprava*, June 2003. Neven Tomic has noted that even traffic signs point in opposite directions for motorists trying to reach the centre of the city. ICG interview with Neven Tomic, 25 September 2003.

¹⁸ See "Tekst ostavke Nevena Tomića", FENA, 10 February 2003.

¹⁹ It is difficult to explain, for example, the installation of an enormous cross on the summit of Hum, overlooking the Bosniak east side of the city, as anything other than an act of triumphalism or aggression, especially as it was from Hum that HVO artillery shelled east Mostar during the war. Tomic, in particular, has expressed alarm over the baleful influence exercised by the religious hierarchies over the political elites: "In the end, everything [regarding future arrangements in Mostar] will depend upon the positions of the church and the mosque." ICG interview with Neven Tomic, 25 September 2003.

²⁰ Edin Music, the SDA refugee minister in the Federation government and a former mayor of Mostar's Municipality North, has said that if boys and girls in Mostar's secondary schools do not start attending classes together, then there is little chance of ever uniting the city. ICG interview with Edin Music, 1 October 2003.

same jobs); while the airport was only handed over to the city when it got into serious financial difficulties.²¹ What remains is the highly symbolic and internationally driven reconstruction of the *Stari Most*, scheduled for ceremonial reopening in July 2004. But in the context of the zero sum politics that otherwise prevails in Mostar, the bridge project has served as a species of Potemkin village, designed to create the illusion of inter-party, cross-national cooperation, rather than as a manifestation of the real thing – particularly since the bridge does not even link the two communities; it actually runs from the mainly Bosniak east bank to a smaller Bosniak enclave on the west.²²

The immediate circumstances in which OHR's new effort to find a lasting settlement in Mostar is taking place are no more promising. The fact that the current commission's negotiations are coinciding with both a general election campaign in Croatia and feverish speculation in the media over the likely initiation of several high-profile criminal cases against former and current officials of the HDZ is not helpful. Bosniak politicians fear that a strengthened HDZ in Croatia will serve to radicalise its sister party in BiH. Although HDZ BiH president Barisa Colak dismisses such a possibility, any chance of a nationalist, HDZ-led government in Zagreb will surely affect the balance of power inside the HDZ BiH.²³

So too could the indictment of senior HDZ officials or power brokers. The FBiH prosecutor has instructed the Financial Police to speed up their investigations into several allegedly dubious construction projects and cases of criminal mismanagement that look set to implicate the HDZ. The prosecutor is also expected to launch cases against some two dozen HDZ officials, including former party president Ante Jelavic, for illegal financial transactions and misuse of public funds in the long-running Hercegovacka Banka affair. In addition, the Mostar prosecutor has requested reports on supposedly illegal building

works in the Central Zone, among them totemic objects such as the Roman Catholic cathedral and the Croatian National Theatre. The media have reported that both OHR and Croat ministers have sought to delay or quash these cases.²⁴

Meanwhile, the death of SDA honorary president and Bosniak father figure Alija Izetbegovic on 19 October 2003 has further diminished the capacity of the party leadership in Sarajevo to command the obedience of its functionaries in Mostar. They are naturally more concerned with maintaining their local pre-eminence – and staving off Croat “domination” – than with the niceties of the SDA-HDZ coalition at entity level.

²¹ The airport's woes will only increase. It lost its only remaining scheduled service when Croatia Airlines withdrew its thrice-weekly flights to Zagreb in late October.

²² Croat state presidency member and current chairman Dragan Covic (who also hails from Mostar) agrees that, apart from the symbolism of the bridge reconstruction project, there have been next to no examples of successful multi-ethnic cooperation in the city. He believes, however, that things are changing for the better. ICG interview with Dragan Covic, 8 October 2003.

²³ ICG interview with Barisa Colak, 28 August 2003.

²⁴ ICG interview with senior FBiH Financial Police investigator, 16 October 2003. See also, “Vruci krompir prebacen Federalnom MUP-u”, *Dnevni List*, 27 October 2003 and “Vrankic specava istragu o otimacini u Mostaru”, *Oslobodjenje*, 6 November 2003.

III. THE NUMBERS GAME: WHY NOW?

Since the first serious initiatives to reopen the question of Mostar's governance were launched in late 2002, the biggest question marks have hovered over the HDZ's new enthusiasm for unifying the city and the SDA's staunch defence of the status quo. This apparent turnabout in the natural order of things has confused both players and onlookers alike. Most well informed observers told ICG that the answer is quite simple. Post-war shifts in the national composition of the city's population mean that the HDZ now stands to gain more from unity than division, whereas the SDA now fears subordination by Croats in any re-unified city.²⁵

What has happened since the war is a process of silent, voluntary ethnic cleansing and carefully crafted engineering, propelled by economic and psychological incentives, despite all the international efforts to foster links, trust and cooperation across the national and riparian divide. It is enough to take a look at the classified advertisements in the local newspapers or to tour the so-called "Susak villages" spreading over the Neretva valley between Mostar and Capljina to see the magnetic attraction of Mostar for Croats from all over BiH.

Although the six local mayors offer varying estimates of the national composition of their respective municipalities' populations, most assess their "minority" inhabitants to comprise less than twenty per cent. Estimates, in fact, are all anyone has to work with – along with the out of date results of the last Yugoslav census in 1991. In that year Mostar had 126,628 residents, with "Muslims" possessing a

tiny plurality (35 versus 34 per cent) over the Croats. According to the latest estimates made by the Federation Statistical Bureau, the Bosniak/Croat ratio has not changed dramatically. What has changed is the virtual disappearance of the Serbs (formerly 19 per cent), "Yugoslavs" and "others" (together comprising 12 per cent in 1991) who used to provide the connective tissue in BiH's most thoroughly mixed city.²⁶ Mostar is also thought to have lost one sixth of its pre-war populace, and now to have only 105,408 permanent residents. Of these, about 50,000 (or 47 per cent) are estimated to be Bosniaks and 51,000 (or 48 per cent) to be Croats. The proportion of Serbs, meanwhile, is estimated to have fallen to 3.5 per cent, and that of "others" to just 0.8 per cent. ("Yugoslavs" have vanished.) The Statistical Bureau's figures show, therefore, only a 2 per cent swing in favour of the Croats since 1991.

But there are other and more politically relevant figures available which have probably had a considerable impact on the parties' decision making. In June 2002 the BiH Electoral Commission made its lists of registered voters available to the public. These lists include the names and unique identification numbers of all persons who registered to vote in the October 2002 general elections. And it is registered voters who matter most to the parties. Several Mostar politicians interviewed by ICG confirmed that their parties had studied the voting registers very closely.²⁷

According to the Electoral Commission's published figures, 65,148 persons had registered to vote in Mostar's six municipalities and Central Zone. The three Croat-majority *općine* had 45,802 registered voters. If one accepts the mayors' rough estimate that 80 per cent of these people are Croats, and if one assumes that some 20 per cent of the voting population in the three Bosniak-controlled municipalities is also Croat, then the figures indeed indicate a dramatic alteration in the ethnic balance in favour of the Croats. They could now enjoy a majority of up to 62 per cent among registered voters.

²⁵ Bosniak, Croat and Serb sources all told ICG it was this simple. Mayor Ljubo Golemac of Municipality West told ICG that it is the prospect of power and domination, not brotherhood and unity, that drives the process: "Everybody wants the power to reign. That is all either side wants. The essence is a game about numbers. Maybe the HDZ has made a wrong judgement. That would lead us into a catastrophe." ICG interview with Ljubo Golemac, 4 September 2003. Ratko Pejanovic, the head of the Mostar Serb Citizens' Council (SGV), also noted that a dramatic change in the city's ethnic composition was the the main reason behind the HDZ's sweet talk of unity: "We definitely have a 60 per cent Croat [majority] in the city. There are nine new colonies where [Croat] people live. Those settlements took a lot of money to get built, and they are not going to disappear, regardless of whether they were built legally or not." ICG interview with Ratko Pejanovic, 4 September 2003.

²⁶ The "Yugoslav" and "others" categories used to include those who refused to declare themselves as Muslims, Croats or Serbs, as well as people from mixed marriages. Since such people have now had to make such choices, the "others" largely comprise members of national minorities.

²⁷ The voter registration figures (without names) are available on the Electoral Commission's website: www.izbori.ba.

This, however, is mere guesswork, even if well informed.²⁸ The only way to establish a clearer picture is to go through the electoral rolls, name by name, for each of the 115 polling stations in order to determine the likely national identity of every individual. This is a far from exact science, since both many surnames and some given names are nationally or confessionally neutral. No doubt repeating an exercise already conducted by the SDA and HDZ, ICG has likewise made this effort. The results confirm the Croats' success in making Mostar theirs: the narrow Bosniak plurality of 1991 has become a substantial Croat majority. Leaving both "others" and absentee voters out of the equation, ICG calculates that the voting population comprises 35,858 Croats (58.2 per cent), 24,843 Bosniaks (40.3 per cent), and 904 Serbs (1.5 per cent). The "ethnic purity" of the electorate of the municipalities ranges from a high of 98 per cent (in the Bosniak majority Municipality South-East) to a low of 77 per cent (in the Croat majority Municipality South). Only the sparsely populated Central Zone can boast of having a "minority" voting population of more than 25 per cent. (See Table 1 for a municipality-by-municipality breakdown of the results.)

It is highly unlikely that the availability of these data from mid-2002 and the beginnings of the reversals in the longstanding positions of the HDZ and SDA were coincidental. As the HDZ realised the magnitude of its advantage and embraced unification in a single municipality, so the SDA discovered new reasons to love Mostar's once-execrated partition. The numbers were crucial.

IV. THE MOSTAR COMMISSIONS

The formal reason for moving at this stage from the Interim Statute to a permanent charter for the city stems from the entity constitutional amendments of April 2002. These require that the Serbs and "others" should enjoy equal status and proportional representation in Mostar's government and administration. The Interim Statute was designed for two, not three, constituent peoples. The requisite changes must be in place by the end of 2003 if the municipal elections scheduled for October 2004 are to take place in the city. In any case, with the international presence on the wane in BiH, OHR appears to have judged the time ripe for completing unfinished business. Not only does Mostar need a permanent statute, but also one that provides for a functional and cost-effective administration that is capable of delivering the trust and cooperation that have been absent thus far. OHR was also alive to the possibility that any formula agreed in Mostar, the proverbial "capital of dysfunctionality" in BiH, might set an example for other divided communities as well.²⁹

It seems, however, that OHR did not embark on reforming Mostar after conducting any thoroughgoing analysis of what is wrong with the existing Statute or what might be put right merely by amending it. It was simply taken for granted, or "bloody obvious" in the words of one OHR official, that a fresh start was required. Another OHR official told ICG, however, that Mostar came on the agenda almost accidentally, when political strategists were casting about for "the next big thing" to do after the Oraq (arms-for-Iraq) affair opened the way in early 2003 for reform of the defence and intelligence sectors.³⁰

Another contributing factor was successful lobbying by Neven Tomic of influential ambassadors and officials in Sarajevo.³¹ In the first instance, however,

²⁸ Not only might the "minority" proportions vary significantly above or below 20 per cent, but many Mostar residents may be registered to vote elsewhere – and vice versa.

²⁹ ICG interview with OHR officials, 30 September 2003.

³⁰ ICG interviews with OHR officials, 1 October and 7 November 2003. For the background, see ICG Balkans Report N° 146, *Bosnia's Nationalist Governments: Paddy Ashdown and the Paradoxes of State Building*, 22 July 2003.

³¹ Tomic met in late 2002 with several ambassadors from Peace Implementation Council (PIC) countries, as well as with Paddy Ashdown. Tomic sought to promote an updated version of a plan for Mostar's restructuring that he had devised in 2001. Among his proposals were the abolition of

OHR resolved to let the local political establishments attempt to resolve it themselves.³² The international agenda was already filling up with state-building projects in the areas of indirect taxation, defence and intelligence.³³ Nonetheless, two international representatives based in Mostar told ICG that they believed OHR had jumped prematurely and incautiously into statute writing.³⁴ Perhaps as a consequence, the High Representative sought in April to provide guidelines for the newly constituted commission in the form of eight principles that should inform its work.³⁵ The commission was to have three months to complete its task.

Few believed it would do so. They were right. The city council's nine-member body soon revealed itself as hopelessly split and suffered four Bosniak defections as its term progressed, regardless of reported orders to the contrary from SDA headquarters in Sarajevo. The High Representative

the special regime cantons (which Ashdown did after the October 2002 elections), the reorganisation of Mostar as a single municipality and its designation as the capital of the FBiH. Tomic says that he did not get the support he needed from OHR at that point, yet OHR officials admit that his lobbying had a significant impact on their subsequent decision to push for the launch of a restructuring commission in March 2003. ICG interviews with Neven Tomic, 25 September 2003, and a senior OHR official, 1 October, 2003.

³² The High Representative first called for the city council to establish a commission charged with reorganising the city on 21 March 2003. The commission, composed of representatives of the main political parties on the council, was formed on 15 April 2003. Seven parties nominated candidates, from whom the mayor, Hamdija Jahic, and deputy mayor, Ljubo Beslic, selected nine members, three from each constituent people. No foreigners took part in the commission's work.

³³ ICG interview with senior OHR official, 1 October, 2003.

³⁴ ICG interviews with international officials on 4 and 5 September 2003.

³⁵ OHR Press Release, "High Representative Welcomes Establishment of the Mostar Commission and Provides Eight Principles for its Work", 23 April 2003. The principles, which are also meant to guide the successor commission, are: (1) no changes to current city boundary; (2) a unified and downsized city administration that ends parallelism, inefficiency and disintegrative tendencies; (3) a city administration reflecting the national demography of the last census; (4) a single city budget; (5) revenues for the city sufficient for it to meet its obligations; (6) a single council and electoral system to ensure the representation of both the constituent peoples (and others) and all parts of Mostar; (7) responsibility in office; and (8) a mechanism to safeguard the vital national interests of the constituent peoples.

made it clear in an interview with *Dnevni List* on 8 July 2003, however, that the already anticipated failure of the commission to agree a new statute would not be the end of the matter, but that he would "have to reconsider the situation."³⁶ In the event, the commission produced only a minority report largely consonant with the HDZ's original template envisaging a single municipality and effective majority rule when it expired on 31 July 2003.

Ashdown announced the next day that "We will use the summer break to take stock of the situation and determine how to move forward."³⁷ What followed over the next several weeks was an intensive political engagement by senior OHR officials aimed at bringing the relevant parties back to the negotiating table, but this time with an international official in the chair who would be armed with pledges from the parties that they would see the process through.

OHR considered three possible roles for the international community in the work of the new commission. The first would have confined the foreigners to mediation among the parties, while the second would have made them arbiters. The third, however, envisaged active international participation in and leadership of the commission. It was this option that was deemed most appropriate, given that the parties represented on the city council were prevailed upon by 15 September 2003 to sign a formal declaration (known as "The Commitment")³⁸ pledging to "participate constructively in the work of the Commission until the completion of its mandate."³⁹

³⁶ OHR Interview, "Paddy Ashdown, the High Representative for BiH: 'No-one in Mostar will be Minority'", 15 July 2003.

³⁷ OHR Press Release, "High Representative Renews Call for Agreement on Mostar Statute", 1 August 2003.

³⁸ The Commitment was signed in Mostar on 15 September 2003 by both the presidents of the six parties (SDA, HDZ, SDP, SBiH, SDU, and Work for Betterment - *Radom za boljitak*) represented on the city council and all but one of their local leaders. The exception was Mostar SDA chief Fatima Leho, who refused to sign on this occasion, but did so after receiving assurances from OHR that the commission would seek to reach final decisions by consensus. This undertaking, however, was not specifically mentioned in the text of the Commitment.

³⁹ By this means OHR sought to ensure some hope of success for the commission, and certainly to guarantee that none of the participating parties would walk out before its work was complete. The Commitment also relegated the

This permitted Ashdown to announce the same day that a new, internationally chaired commission would be formed under EU administration veteran Norbert Winterstein.⁴⁰ The High Representative tasked Winterstein with producing a replacement statute by 15 December 2003.

Although there was initially much talk to the effect that the new commission might be composed of local luminaries, experts and representatives of civil society rather than party hacks, it was the parties represented on the city council that again were appointed.⁴¹ This means, in effect, that the job of the commission is to find common ground between the stances of the two strongest parties, the HDZ and SDA. The others can – and already have – produced interesting proposals, but their roles will likely be those of facilitators.⁴²

eight principles of 23 April to the status of “guidelines” for future discussion. ICG interview with OHR officials, 17 November 2003.

⁴⁰ Winterstein had served as a legal adviser in the EU administration led by fellow German Hans Koschnick and participated in drafting the Interim Statute.

⁴¹ Winterstein announced at a press conference on 5 November that, in addition to the six party representatives, he would be inviting businessmen, journalists, youth leaders, and trades unions to present their views on Mostar’s future to the commission.

⁴² The SBiH was the first to propose an amalgam between the proposals of the two strongest parties. Most of its ideas appeared in the working draft offered to the parties. The SBiH accepts a single municipality as demanded by the HDZ, but insists upon firm guarantees for the protection of vital national interests. Its proposals have been accepted by the SDU as well. The SDP has proposed the creation of four new, trans-riverine municipalities instead of the existing six.

V. WHAT THE PARTIES WANT

The positions of the HDZ and SDA may not be as unbridgeable as they appear. Both agree the city’s competencies should be strengthened and that the city council should be the place where all important decisions are debated and adopted. Both also accept that the current city-municipalities will endure in some shape or form, but that they should transfer a significant measure of their responsibilities to the city.

The key point of disagreement is over the composition of the city council. The HDZ will not accept anything resembling the current system, which guarantees the election of an equal number of councillors from the ranks of each constituent people. The HDZ insists either that Mostar should have arrangements for national representation akin to those in every other city or municipality in the Federation (i.e., majority rule) or that the others’ statutes should be changed to accord with any new formula agreed for Mostar. The most the HDZ is willing to concede, according to its initial proposal, is that each of the three constituent peoples should have a guaranteed minimum of three councillors in a city council of 50 or 51 members – and that the “others” should have one seat reserved for them. Having doubtless done its own head count, the HDZ is confident both that it will win the bulk of votes from among the new Croat majority and that the Bosniak minority vote will be dispersed among the SDA and its rivals. But in order to sweeten the pill for the SDA, the HDZ proposes that each national caucus in the future city council should be empowered to invoke a mechanism to protect its vital national interest whenever two-thirds of the caucus deems such an interest is at stake.

For its part, the SDA insists on guarantees of equal national representation in the future council. Implicitly confirming the basis of the HDZ’s bullish stance, the SDA fears that a largely proportional system of representation will relegate Bosniaks to permanent minority status and turn the SDA itself into a minor player on the city council. SDA leaders express alarm over what might happen if the HDZ is ever in a position to impose its will – and do not

hesitate to invoke past wrongs in justification of their dread of local democracy.⁴³

The SDA proposes instead to have a council of 28 members, with nine councillors elected by each constituent people and one by the “others”. The party does not regard the HDZ’s offer on the protection of vital interests as particularly generous, especially since it does not think such mechanisms have worked well thus far. If the majority is determined to override the minority, the latter can only have recourse to the Constitutional Court, the docket of which is habitually clogged and where cases take ages to be resolved. Meanwhile, the disputed law or regulation goes into effect regardless.⁴⁴ The SDA has therefore identified a long list of issues over which there can be no dispute as to whether or not a vital national interest is at stake. Rather, these issues must always be deemed vital, and decisions affecting them must be approved by a majority of each national caucus.⁴⁵ The SDA also insists that the existing municipalities should remain legal entities with budgets of their own.⁴⁶ To do otherwise – or to alter

their boundaries – would, the party contends, violate the Dayton agreement.

The SDA will not, however, be able to hold fast to all these positions. Having long fought to reunify Mostar, it cannot afford politically to pass up the opportunity now offered by the HDZ to move in that direction by enhancing the powers of the city at the expense of the city-municipalities. After all, to reject this opportunity to unite the city would be, as many of ICG’s interlocutors have observed, tantamount to rejecting a united BiH. And that is what the SDA is supposed to exist to create.

⁴³ For example, the SDA warns that the HDZ could ensure that city expenditure benefits Croats at the expense of other communities. It might similarly abuse its power in allocating public land, appointing administrative officials and running public companies. Bosniaks fear symbolic score-settling as well, whereby a HDZ-controlled council might erect monuments in honour of Franjo Tudjman, Gojko Susak and Mate Boban or inflict other humiliations upon non-Croats. Most of all, they worry that unalloyed majority rule could open the way to further and worse changes in the statute.

⁴⁴ SDA leaders in Mostar frequently cite the recent and illustrative example of the long-stalled appointment of a Serb member to the Hercegovacko-Neretvanski cantonal government. After months of delays, the HDZ decided to nominate a minister without the approval of the (one member) Serb caucus in the cantonal assembly. When that single Serb, Vesna Katanic, insisted that the Serbs’ vital national interests were being violated, the HDZ demurred. Ms Katanic duly brought a case before the Constitutional Court, but by the time it is adjudicated, the term of both the minister and the government will probably have expired.

⁴⁵ Among the issues on the SDA’s list are: the identity of a constituent people; the organisation of the city and its institutions; the representation of the constituent people in public companies and institutions; the territorial delimitation of the city; public information, etc. In addition, the SDA proposes that all other issues identified by two-thirds of a constituent people’s caucus as being of vital national interest should be treated as such.

⁴⁶ The SDA’s legal expert also points out that any decision to abolish existing units of local self-government without the consent of the people living there would violate Article 5 of

the European Charter on Local Self-Government that BiH has ratified.

VI. THE WAY AHEAD

ICG believes there is scope for a workable, compromise solution in Mostar that can win support from all concerned, but only if that solution is applied as a model for city government throughout the Federation and BiH. Before outlining this proposal, the elements of which are already present in the several schemes presented by the parties taking part in the commission, it is necessary to address one of the most serious criticisms levelled at the current process in the academic literature.

This is that no reorganisation of local government can pretend to guarantee the full equality of either the constituent peoples or citizens in general if that equality is not also assured at the level of the state. This is a strong argument, most recently elaborated by Professor Bozo Zepic of the Law Faculty of Mostar University.⁴⁷ Zepic insists that whatever improvements are incorporated in Mostar's new statute, they cannot resolve the key problems of parallelism, ineffective governance and the defence of vital interests because these are state-wide aspects of BiH's unresolved national question. "An artificially partitioned state, based on ethnic principles and an unjust war, is the best recipe for the survival of partitioned entities, cantons, cities and municipalities. ... Only on the basis of a new constitutional arrangement of the BiH state will it be possible to overcome the problems of divided cities, Mostar among them."⁴⁸

The trouble, of course, with this argument is the implication that nothing can or should be done unless and until a new constitutional dispensation is in place at the top. It fails to admit the possibility of creating the impetus for change from below or inside the Dayton envelope. As matters stand in Republika Srpska, no frontal assault on the Dayton constitution is as yet practicable. Meanwhile – and as the outcomes of the commissions on defence, intelligence and indirect taxation reform are demonstrating – significant and incremental improvements in the post-Dayton order are possible. The work of the Mostar commission can and should be seen in this context. A new and generally

applicable model of local self-government could provide a not inconsiderable encouragement for would-be constitutional reformers. A push from below might thereby be added to the pull from above that is now being exerted by the lure of membership in Euro-Atlantic institutions.

What, however, are the essential elements that must be included in a new Mostar statute if it is to satisfy either local or national needs? Although ICG cannot pretend to offer a definitive or comprehensive solution, it can suggest a framework based on what the parties and chairman have already put on the table. Our proposal is two-fold. It suggests, first, how some of the most contentious issues in Mostar might be resolved and, then, what reforms are required in the BiH system of local self-governance, particularly the introduction of an enhanced definition of the city as a qualitatively new unit of self-government.

There can be no doubt that Mostar should be organised as one city, with one budget and a significantly downsized administration, the staffing of which should reflect the city's 1991 national composition until such time as a new census is held. The city council should also reflect the national ratios of each constituent people in the last census, *but as minima*. This means that Croats should be guaranteed a minimum of 34 per cent of the seats on the council, that Bosniaks should have at least 35 per cent and the Serbs 19 per cent, and that at least one seat be reserved for a representative of those who call themselves "others". Moreover, no constituent people should have more than 50 per cent of the seats on the council.

This can be arranged in Mostar as follows. If the council is to have 51 members,⁴⁹ that would mean that at least 17 Croats, 18 Bosniaks, 8 Serbs and one other would be guaranteed seats, while 7 places could go to candidates of any nationality.

The 44 seats allocated by national criteria should be filled first, by applying Article 9.6 of the Election Law to the voting results but considering only those candidates of the appropriate ethnicity, and

⁴⁷ See Bozo Zepic, "Problemi, teskoce i perspektive organizacije, funkcioniranja i razvika Mostara kao jedinice lokalne uprave", *Lokalna Samouprava*, June 2003.

⁴⁸ Ibid.

⁴⁹ For local councils to have more than 30 members, which seems appropriate for bigger cities, amendments to the FBiH and cantonal constitution and legislation would be required.

disregarding the 3 per cent threshold rule.⁵⁰ In the unlikely event that there are not even eight Serb candidates standing for election, those seats would remain vacant.

The remaining seats will then be distributed without regard to candidates' ethnicity, but taking into account the seats already allocated to each party, unless and until one of the constituent peoples reaches 25 elected members (or 50 per cent of the council). Candidates of that constituent people will then no longer be considered eligible, and the remaining seats will be filled by candidates from the ranks of the other two constituent peoples and "others".

This model would ensure that no constituent people would occupy more than 50 per cent of the seats in the city council. That requirement, together with a guaranteed minimum representation for each people, might later be applied to all units of local self-government seeking to reorganise themselves as cities, along with financial incentives to do so that will be discussed below.

ICG proposes that decisions regarding the following issues should invariably be treated as involving vital national interests and require a two-thirds majority in each national caucus for adoption:

- ❑ allocations of land;
- ❑ election of the mayor;
- ❑ appointments of directors of public enterprises;

⁵⁰ Article 9.6 of the present election law states: "Mandates are allocated in each constituency in the following manner: For each political party and coalition, the total number of valid votes received by that political party or coalition shall be divided by 1, 3, 5, 7, 9, 11, et seq., as long as necessary for the allocation in question. The numbers resulting from this series of divisions shall be the "quotients". The number of votes for an independent candidates is the quotient for that candidate. The quotients shall be arranged in order from the highest quotient to the lowest quotient. Mandates shall be distributed, in order, to the highest quotient until all the constituency mandates for the body have been distributed. Political parties, coalitions, lists of independent candidates and independent candidates cannot participate in the allocation of mandates if they do not win more than 3% of the total number of valid ballots in an electoral unit." Each candidate on each party list is thus allocated a unique quotient, and as the ethnicity of each candidate is also known, it is therefore straightforward to calculate which are the top placed Croats, Bosniaks, Serbs and Others.

- ❑ city budget;
- ❑ awards and honours; and
- ❑ amendments to the statute.

Other issues might be declared to be of vital national interest if two-thirds of the respective caucus so decides. In such cases, the procedure envisaged in the 2002 amendments to the Federation constitution should apply.

Before any new city statute comes into force in Mostar, the High Representative should issue a decision forbidding the existing municipalities from issuing building permits or allocating public land. At the same time, OHR should despatch a team of auditors to monitor and control public expenditures by the city and municipalities. Such measures are necessary because of what happened before the Interim Statute was applied. When it became known that there was to be a single city administration, officials from both sides of the Neretva rushed to issue building permits in the future Central Zone. In addition to these temporary measures, the parties taking part in the commission should sign a declaration accepting that an independent and professional agency should undertake an audit of the municipalities' past financial dealings, land allocations and building permits.⁵¹ The owners of illegally constructed buildings should incur draconian fines rather than the loss of or removal from their properties. The proceeds from these fines should be used for the commonweal of Mostar residents.

The main public services provided by the city should be dispersed among the current city-municipalities by establishing satellite offices in each of them, so facilitating access by local residents and preserving a spread of public sector jobs.⁵² The commission should be left to decide whether the city-municipalities should be retained as electoral units, or if some more sophisticated electoral model might be designed to ensure fair spatial representation on the city council. Ideally each representative on the city council should be tasked to liaise with one of the 38 local communities (mjesne zajednice), and to have at least once a month a meeting with an

⁵¹ The Federation Financial Police would be the most appropriate body, but the parties should be permitted to suggest and consider other candidates.

⁵² A reasonable ratio might be one public employee for every 500 residents.

assembly of voters in those local communities to protect and promote their local interests. The current municipalities should cease to exist as bodies with legal personality or budgets.

Future mayors should be elected by and from the members of the city council, but equipped with enhanced executive powers. The mayor should be required to nominate the heads of the departments of finance and urban planning – the two key departments – from the ranks of the other constituent peoples. These two mayoral nominees would need to be approved by a majority of their respective national caucuses, as well as by the council as a whole. The mayor's nominations of other department heads ought to require only a simple majority of the council, but the requirement that there be no more than 50 per cent from one constituent people should apply for city government as well.

The HDZ has rightly insisted that no solution agreed for Mostar should be confined to that city, leaving it with a freak regime. Rather, the eventual Mostar model should be applied to other cities in the Federation. After all, if limitations on majority rule are deemed appropriate for Mostar – as they have long since been accepted in Brcko District – then why should they not also apply in Sarajevo, Travnik, Tuzla and Zenica? In time, this formalised power sharing, if accompanied by a qualitatively enhanced and less circumscribed definition of the city, should appeal in Republika Srpska as well. At this point, however, it is necessary to discuss the second part of the ICG proposal – and to explain why BiH needs a new definition of the city as a unit of local government.

What BiH does not need, of course, is another layer of administration. There are too many already.⁵³ But

⁵³ The layers consist of the local community (*mjesna zajednica*), municipality, city, canton, entity and state. The governments comprise the ten Federation cantons, the two entities, Brcko District and the BiH Council of Ministers. Far richer countries than BiH would have difficulty paying for so much government. None would tolerate so much bad government. The city in BiH, however, is both ill-defined and rare. Legally speaking, there are only two in each entity: Mostar and Sarajevo in the Federation and Banja Luka and Srpsko Sarajevo in the RS. The collection of bedraggled suburbs, villages and mountains that comprise the latter belies its nominal status. But nominal absurdity is par for the course in BiH. The "Federation" is merely a component part of the state and "Republika Srpska" is neither a republic nor,

of all the existing levels of administration, the city is the most nebulous. It is far from obvious what it is supposed to be or what distinguishes it from a municipality or, in the case of Sarajevo, a canton. There is thus both scope and need for a creative reinterpretation of what the city should be and do.

Like the country's other real cities, post-war Mostar nourishes both ethnic exclusivity and nationally inclusive civic virtues. It is not clear whether long-established Mostarians nowadays feel greater disdain for those of other national persuasions against whom they fought between 1992 and 1995 – or for those of their own kind who have since brought themselves and their rude village ways to the city. But the existence of contradictory impulses towards urban (or bourgeois) and tribal solidarity shows that city dwellers have particular interests and needs that stem from living in a densely populated urban environment in which commerce and culture, individuality and community, tend to thrive. And it was in its cities, not its rural settlements, that BiH traditionally transcended mere co-existence, and actually embodied the multinational ideal that continues to make the country worth saving.

The nationalist parties do not much like cities. They understand that urban habits, mores and values are inimical to their projects. It is not surprising, therefore, that post-war BiH has just four cities, while post-socialist Slovenia has twelve. In 1947, thirteen towns enjoyed the dignity of city status in BiH.⁵⁴

As a potential unit of self-government, the city was an afterthought and is defined in limited, uninviting and vague terms. The FBiH constitution (Amendment XVI of June 1996 to Chapter VI) says only that two or more territorially and functionally linked municipalities may form a city. It says nothing about their requisite size or heritage.⁵⁵ Nor does it offer any *differentia specifica* that would distinguish a city from an ordinary municipality. The RS law on local self-government does not define a city any more precisely, though it does make it

since the constitutional amendments of April 2002, allowed to regard itself as exclusively Serb.

⁵⁴ See in this context the illuminating article by Mirko Pejanovic, "Pretpostavke novog koncepta politicko-ustavne pozicije gradova u Federaciji Bosne i Hercegovine", *Lokalna Samouprava*, June 2003.

⁵⁵ See Constitution of the Federation of BiH, Chapter Section VI, A, 1-6, incorporating more amendments.

possible for a single municipality to be organised as a city.⁵⁶ On the other hand, RS legislation provides no incentives for creating cities.

BiH needs its urban populations and the qualitatively different lifestyles they embrace and promote. Although a throwback to nineteenth-century notions of the forcible diffusion of enlightenment to the hinterlands, it remains the case that urban values must be cherished if they are to spread to less developed regions. This, in part, is what cities are for.

Even a brief look at the list of towns that might merit city status if the term were redefined (on the basis, say, of population size, the density of urban settlement, historical heritage, or the extent of the catchment area) – or which might want such status if it were to convey certain advantages – shows one strikingly common characteristic. Most of those towns, according to the 1991 census, were so ethnically mixed that there were not often more than 50 or much less than 15 per cent of any constituent people.⁵⁷ All of them could be organized according to the principles suggested here for Mostar. However, the likelihood of developing any political or civic support for creating more cities in which multinational norms would be entrenched will depend crucially on the outcome in Mostar.

Yet irrespective of that outcome, BiH should redefine the city as a special unit of local self-government. Cities should be strengthened in all possible ways. Some important responsibilities, such as for secondary education and social and medical services, should be transferred from the cantons to the cities. To achieve this, BiH would have to adopt a state-level framework law on local self-government. Just as importantly, there would need to be economic development and fiscal incentives to townspeople and local politicians to initiate the formation of cities. A new law on the distribution of public revenues should ensure that well run city and municipal administrations – and not the bloated cantonal and entity bureaucracies – get the revenues needed actually to deliver the services they are both required and in the best position to provide. Finally, there should be financial incentives for cities to adopt the power-sharing formula suggested here. In this respect, again, a reformed Mostar, benefiting from the interest of international donors that is likely to attend the ceremonial reopening of the *Stari Most*, might serve as a pioneer for the rest of BiH.

Sarajevo/Brussels, 20 November 2003

⁵⁶ See Ostoja Kremenovic, “Grad u lokalnoj samoupravi Republike Srpske”, *Lokalna Samouprava*, June 2003.

⁵⁷ Besides larger towns with more than 100,000 inhabitants (Tuzla, Zenica, Doboj, and Prijedor) several towns with between 50,000 and 100,000 residents would qualify (Sanski Most, Travnik and Derventa).

APPENDIX A

**TABLE 1 – REGISTERED VOTERS IN MOSTAR MUNICIPALITIES, 2002:
ESTIMATED NATIONAL COMPOSITION
(Excluding “Others” and Absentee Voters)**

OPCINA	TOTAL	CROATS	BOSNIAKS	SERBS
South	4279	3297 77.05%	917 21.43%	65 1.51%
South-East	4865	75 1.54%	4786 98.37%	4 0.08%
South-West	25027	20379 81.42%	4384 17.51%	264 1.05%
North	4307	221 5.13%	4006 93.01%	80 1.85%
Stari Grad	7866	395 5.02%	7287 92.64%	184 2.34%
West	14253	11212 78.66%	2757 19.34%	283 1.98%
Central Zone	1008	278 27.58%	706 70.03%	24 2.38%
TOTAL	61605*	35858	24843	904
%	100%	58.20%	40.32%	1.46%

* The difference between the total number of registered voters in Mostar (65148) and the number here (61605) are 3543 individuals who registered in Mostar to vote for some other municipality in BiH.

APPENDIX B

MAP OF BOSNIA AND HERZEGOVINA



APPENDIX C

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (ICG) is an independent, non-profit, multinational organisation, with over 90 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

ICG's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, ICG produces regular analytical reports containing practical recommendations targeted at key international decision-takers. ICG also publishes *CrisisWatch*, a 12-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

ICG's reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made generally available at the same time via the organisation's Internet site, www.crisisweb.org. ICG works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The ICG Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring ICG reports and recommendations to the attention of senior policy-makers around the world. ICG is chaired by former Finnish President Martti Ahtisaari; and its President and Chief Executive since January 2000 has been former Australian Foreign Minister Gareth Evans.

ICG's international headquarters are in Brussels, with advocacy offices in Washington DC, New York, London and Moscow. The organisation currently operates thirteen field offices (in Amman, Belgrade, Bogotá, Cairo, Freetown, Islamabad, Jakarta, Kathmandu, Nairobi, Osh, Pristina, Sarajevo and Tbilisi) with analysts working in over 30 crisis-affected countries and territories across four continents. In Africa, those countries include Burundi, Rwanda, the

Democratic Republic of Congo, Sierra Leone, Liberia, Guinea, Ethiopia, Eritrea, Somalia, Sudan, Uganda and Zimbabwe; in Asia, Indonesia, Myanmar, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan, Pakistan, Afghanistan and Kashmir; in Europe, Albania, Bosnia, Georgia, Kosovo, Macedonia, Montenegro and Serbia; in the Middle East, the whole region from North Africa to Iran; and in Latin America, Colombia.

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November 2003

APPENDIX D

ICG REPORTS AND BRIEFING PAPERS*

AFRICA

ALGERIA**

The Algerian Crisis: Not Over Yet, Africa Report N°24, 20 October 2000 (also available in French)

The Civil Concord: A Peace Initiative Wasted, Africa Report N°31, 9 July 2001 (also available in French)

Algeria's Economy: A Vicious Circle of Oil and Violence, Africa Report N°36, 26 October 2001 (also available in French)

ANGOLA

Dealing with Savimbi's Ghost: The Security and Humanitarian Challenges in Angola, Africa Report N°58, 26 February 2003

Angola's Choice: Reform Or Regress, Africa Report N°61, 7 April 2003

BURUNDI

The Mandela Effect: Evaluation and Perspectives of the Peace Process in Burundi, Africa Report N°21, 18 April 2000 (also available in French)

Unblocking Burundi's Peace Process: Political Parties, Political Prisoners, and Freedom of the Press, Africa Briefing, 22 June 2000

Burundi: The Issues at Stake. Political Parties, Freedom of the Press and Political Prisoners, Africa Report N°23, 12 July 2000 (also available in French)

Burundi Peace Process: Tough Challenges Ahead, Africa Briefing, 27 August 2000

Burundi: Neither War, nor Peace, Africa Report N°25, 1 December 2000 (also available in French)

Burundi: Breaking the Deadlock, The Urgent Need for a New Negotiating Framework, Africa Report N°29, 14 May 2001 (also available in French)

Burundi: 100 Days to put the Peace Process back on Track, Africa Report N°33, 14 August 2001 (also available in French)

Burundi: After Six Months of Transition: Continuing the War or Winning the Peace, Africa Report N°46, 24 May 2002 (also available in French)

The Burundi Rebellion and the Ceasefire Negotiations, Africa Briefing, 6 August 2002

A Framework For Responsible Aid To Burundi, Africa Report N°57, 21 February 2003

Refugees and Displaced Persons in Burundi – Defusing the Land Time-Bomb, Africa Report N°70, 7 October 2003 (only available in French)

DEMOCRATIC REPUBLIC OF CONGO

Scramble for the Congo: Anatomy of an Ugly War, Africa Report N°26, 20 December 2000 (also available in French)

From Kabila to Kabila: Prospects for Peace in the Congo, Africa Report N°27, 16 March 2001

Disarmament in the Congo: Investing in Conflict Prevention, Africa Briefing, 12 June 2001

The Inter-Congolese Dialogue: Political Negotiation or Game of Bluff? Africa Report N°37, 16 November 2001 (also available in French)

Disarmament in the Congo: Jump-Starting DDRRR to Prevent Further War, Africa Report N°38, 14 December 2001

Storm Clouds Over Sun City: The Urgent Need To Recast The Congolese Peace Process, Africa Report N°38, 14 May 2002 (also available in French)

The Kivus: The Forgotten Crucible of the Congo Conflict, Africa Report N°56, 24 January 2003

Rwandan Hutu Rebels in the Congo: a New Approach to Disarmament and Reintegration, Africa Report N°63, 23 May 2003

Congo Crisis: Military Intervention in Ituri, Africa Report N°64, 13 June 2003

RWANDA

Uganda and Rwanda: Friends or Enemies? Africa Report N°15, 4 May 2000

International Criminal Tribunal for Rwanda: Justice Delayed, Africa Report N°30, 7 June 2001 (also available in French)

"Consensual Democracy" in Post Genocide Rwanda: Evaluating the March 2001 District Elections, Africa Report N°34, 9 October 2001

Rwanda/Uganda: a Dangerous War of Nerves, Africa Briefing, 21 December 2001

The International Criminal Tribunal for Rwanda: The Countdown, Africa Report N°50, 1 August 2002 (also available in French)

Rwanda At The End of the Transition: A Necessary Political Liberalisation, Africa Report N°53, 13 November 2002 (also available in French)

SOMALIA

Somalia: Countering Terrorism in a Failed State, Africa Report N°45, 23 May 2002

Salvaging Somalia's Chance For Peace, Africa Briefing, 9 December 2002

Negotiating a Blueprint for Peace in Somalia, Africa Report N°59, 6 March 2003

Somaliland: Democratisation and its Discontents, Africa Report N°66, 28 July 2003

* Released since January 2000.

** The Algeria project was transferred to the Middle East & North Africa Program in January 2002.

SUDAN

God, Oil & Country: Changing the Logic of War in Sudan, Africa Report N°39, 28 January 2002

Capturing the Moment: Sudan's Peace Process in the Balance, Africa Report N°42, 3 April 2002

Dialogue or Destruction? Organising for Peace as the War in Sudan Escalates, Africa Report N°48, 27 June 2002

Sudan's Best Chance For Peace: How Not To Lose It, Africa Report N°51, 17 September 2002

Ending Starvation as a Weapon of War in Sudan, Africa Report N°54, 14 November 2002

Power and Wealth Sharing: Make or Break Time in Sudan's Peace Process, Africa Report N°55, 18 December 2002

Sudan's Oilfields Burn Again: Brinkmanship Endangers The Peace Process, Africa Briefing, 10 February 2003

Sudan's Other Wars, Africa Briefing, 25 June 2003

Sudan Endgame Africa Report N°65, 7 July 2003

WEST AFRICA

Sierra Leone: Time for a New Military and Political Strategy, Africa Report N°28, 11 April 2001

Sierra Leone: Managing Uncertainty, Africa Report N°35, 24 October 2001

Sierra Leone: Ripe For Elections? Africa Briefing, 19 December 2001

Liberia: The Key to Ending Regional Instability, Africa Report N°43, 24 April 2002

Sierra Leone After Elections: Politics as Usual? Africa Report N°49, 12 July 2002

Liberia: Unravelling, Africa Briefing, 19 August 2002

Sierra Leone's Truth and Reconciliation Commission: A Fresh Start?, Africa Briefing, 20 December 2002

Tackling Liberia: The Eye of the Regional Storm, Africa Report N°62, 30 April 2003

The Special Court for Sierra Leone: Promises and Pitfalls of a "New Model", Africa Briefing, 4 August 2003

Sierra Leone: The State of Security and Governance, Africa Report N° 67, 2 September 2003

Liberia: Security Challenges, Africa Report N°71, 3 November 2003

ZIMBABWE

Zimbabwe: At the Crossroads, Africa Report N°22, 10 July 2000

Zimbabwe: Three Months after the Elections, Africa Briefing, 25 September 2000

Zimbabwe in Crisis: Finding a way Forward, Africa Report N°32, 13 July 2001

Zimbabwe: Time for International Action, Africa Briefing, 12 October 2001

Zimbabwe's Election: The Stakes for Southern Africa, Africa Briefing, 11 January 2002

All Bark and No Bite: The International Response to Zimbabwe's Crisis, Africa Report N°40, 25 January 2002

Zimbabwe at the Crossroads: Transition or Conflict? Africa Report N°41, 22 March 2002

Zimbabwe: What Next? Africa Report N° 47, 14 June 2002

Zimbabwe: The Politics of National Liberation and International Division, Africa Report N°52, 17 October 2002

Zimbabwe: Danger and Opportunity, Africa Report N°60, 10 March 2003

Decision Time in Zimbabwe, Africa Briefing, 8 July 2003

ASIA

AFGHANISTAN/SOUTH ASIA

Afghanistan and Central Asia: Priorities for Reconstruction and Development, Asia Report N°26, 27 November 2001

Pakistan: The Dangers of Conventional Wisdom, Pakistan Briefing, 12 March 2002

Securing Afghanistan: The Need for More International Action, Afghanistan Briefing, 15 March 2002

The Loya Jirga: One Small Step Forward? Afghanistan & Pakistan Briefing, 16 May 2002

Kashmir: Confrontation and Miscalculation, Asia Report N°35, 11 July 2002

Pakistan: Madrasas, Extremism and the Military, Asia Report N°36, 29 July 2002

The Afghan Transitional Administration: Prospects and Perils, Afghanistan Briefing, 30 July 2002

Pakistan: Transition to Democracy? Asia Report N°40, 3 October 2002

Kashmir: The View From Srinagar, Asia Report N°41, 21 November 2002

Afghanistan: Judicial Reform and Transitional Justice, Asia Report N°45, 28 January 2003

Afghanistan: Women and Reconstruction, Asia Report N°48, 14 March 2003

Pakistan: The Mullahs and the Military, Asia Report N°49, 20 March 2003

Nepal Backgrounder: Ceasefire – Soft Landing or Strategic Pause?, Asia Report N°50, 10 April 2003

Afghanistan's Flawed Constitutional Process, Asia Report N°56, 12 June 2003

Nepal: Obstacles to Peace, Asia Report N°57, 17 June 2003

Afghanistan: The Problem of Pashtun Alienation, Asia Report N°62, 5 August 2003

Nepal: Back to the Gun, Asia Briefing Paper, 22 October 2003

CAMBODIA

Cambodia: The Elusive Peace Dividend, Asia Report N°8, 11 August 2000

CENTRAL ASIA

Central Asia: Crisis Conditions in Three States, Asia Report N°7, 7 August 2000 (also available in Russian)

Recent Violence in Central Asia: Causes and Consequences, Central Asia Briefing, 18 October 2000

Islamist Mobilisation and Regional Security, Asia Report N°14, 1 March 2001 (also available in Russian)

Incubators of Conflict: Central Asia's Localised Poverty and Social Unrest, Asia Report N°16, 8 June 2001 (also available in Russian)

Central Asia: Fault Lines in the New Security Map, Asia Report N°20, 4 July 2001 (also available in Russian)

Uzbekistan at Ten – Repression and Instability, Asia Report N°21, 21 August 2001 (also available in Russian)

Kyrgyzstan at Ten: Trouble in the "Island of Democracy", Asia Report N°22, 28 August 2001 (also available in Russian)

Central Asian Perspectives on the 11 September and the Afghan Crisis, Central Asia Briefing, 28 September 2001 (also available in French and Russian)

Central Asia: Drugs and Conflict, Asia Report N°25, 26 November 2001 (also available in Russian)

Afghanistan and Central Asia: Priorities for Reconstruction and Development, Asia Report N°26, 27 November 2001 (also available in Russian)

Tajikistan: An Uncertain Peace, Asia Report N°30, 24 December 2001 (also available in Russian)

The IMU and the Hizb-ut-Tahrir: Implications of the Afghanistan Campaign, Central Asia Briefing, 30 January 2002 (also available in Russian)

Central Asia: Border Disputes and Conflict Potential, Asia Report N°33, 4 April 2002

Central Asia: Water and Conflict, Asia Report N°34, 30 May 2002

Kyrgyzstan's Political Crisis: An Exit Strategy, Asia Report N°37, 20 August 2002

The OSCE in Central Asia: A New Strategy, Asia Report N°38, 11 September 2002

Central Asia: The Politics of Police Reform, Asia Report N°42, 10 December 2002

Cracks in the Marble: Turkmenistan's Failing Dictatorship, Asia Report N°44, 17 January 2003

Uzbekistan's Reform Program: Illusion or Reality?, Asia Report N°46, 18 February 2003 (also available in Russian)

Tajikistan: A Roadmap for Development, Asia Report N°51, 24 April 2003

Central Asia: A Last Chance for Change, Asia Briefing Paper, 29 April 2003

Radical Islam in Central Asia: Responding to Hizb ut-Tahrir, Asia Report N°58, 30 June 2003

Central Asia: Islam and the State, Asia Report N°59, 10 July 2003

Youth in Central Asia: Losing the New Generation, Asia Report N°66, 31 October 2003

INDONESIA

Indonesia's Crisis: Chronic but not Acute, Asia Report N°6, 31 May 2000

Indonesia's Maluku Crisis: The Issues, Indonesia Briefing, 19 July 2000

Indonesia: Keeping the Military Under Control, Asia Report N°9, 5 September 2000 (also available in Indonesian)

Aceh: Escalating Tension, Indonesia Briefing, 7 December 2000

Indonesia: Overcoming Murder and Chaos in Maluku, Asia Report N°10, 19 December 2000

Indonesia: Impunity Versus Accountability for Gross Human Rights Violations, Asia Report N°12, 2 February 2001

Indonesia: National Police Reform, Asia Report N°13, 20 February 2001 (also available in Indonesian)

Indonesia's Presidential Crisis, Indonesia Briefing, 21 February 2001

Bad Debt: The Politics of Financial Reform in Indonesia, Asia Report N°15, 13 March 2001

Indonesia's Presidential Crisis: The Second Round, Indonesia Briefing, 21 May 2001

Aceh: Why Military Force Won't Bring Lasting Peace, Asia Report N°17, 12 June 2001 (also available in Indonesian)

Aceh: Can Autonomy Stem the Conflict? Asia Report N°18, 27 June 2001

Communal Violence in Indonesia: Lessons from Kalimantan, Asia Report N°19, 27 June 2001

Indonesian-U.S. Military Ties, Indonesia Briefing, 18 July 2001

The Megawati Presidency, Indonesia Briefing, 10 September 2001

Indonesia: Ending Repression in Irian Jaya, Asia Report N°23, 20 September 2001

Indonesia: Violence and Radical Muslims, Indonesia Briefing, 10 October 2001

Indonesia: Next Steps in Military Reform, Asia Report N°24, 11 October 2001

Indonesia: Natural Resources and Law Enforcement, Asia Report N°29, 20 December 2001 (also available in Indonesian)

Indonesia: The Search for Peace in Maluku, Asia Report N°31, 8 February 2002

Aceh: Slim Chance for Peace, Indonesia Briefing, 27 March 2002

Indonesia: The Implications of the Timor Trials, Indonesia Briefing, 8 May 2002

Resuming U.S.-Indonesia Military Ties, Indonesia Briefing, 21 May 2002

Al-Qaeda in Southeast Asia: The case of the "Ngruki Network" in Indonesia, Indonesia Briefing, 8 August 2002

Indonesia: Resources And Conflict In Papua, Asia Report N°39, 13 September 2002

Tensions on Flores: Local Symptoms of National Problems, Indonesia Briefing, 10 October 2002

Impact of the Bali Bombings, Indonesia Briefing, 24 October 2002

Indonesia Backgrounder: How The Jemaah Islamiyah Terrorist Network Operates, Asia Report N°43, 11 December 2002 (also available in Indonesian)

Aceh: A Fragile Peace, Asia Report N°47, 27 February 2003 (also available in Indonesian)

Dividing Papua: How Not To Do It, Asia Briefing Paper, 9 April 2003 (also available in Indonesian)

Aceh: Why The Military Option Still Won't Work, Indonesia Briefing Paper, 9 May 2003 (also available in Indonesian)

Indonesia: Managing Decentralisation and Conflict in South Sulawesi, Asia Report N°60, 18 July 2003

Aceh: How Not to Win Hearts and Minds, Indonesia Briefing Paper, 23 July 2003

Jemaah Islamiyah in South East Asia: Damaged but Still Dangerous, Asia Report N°63, 26 August 2003

The Perils of Private Security in Indonesia: Civilians Guards on Bali and Lombok, Asia Report N°67, 7 November 2003

MYANMAR

Burma/Myanmar: How Strong is the Military Regime? Asia Report N°11, 21 December 2000

Myanmar: The Role of Civil Society, Asia Report N°27, 6 December 2001

Myanmar: The Military Regime's View of the World, Asia Report N°28, 7 December 2001

Myanmar: The Politics of Humanitarian Aid, Asia Report N°32, 2 April 2002

Myanmar: The HIV/AIDS Crisis, Myanmar Briefing, 2 April 2002

Myanmar: The Future of the Armed Forces, Asia Briefing, 27 September 2002

Myanmar Backgrounder: Ethnic Minority Politics, Asia Report N°52, 7 May 2003

TAIWAN STRAIT

Taiwan Strait I: What's Left of 'One China'?, Asia Report N°53, 6 June 2003

Taiwan Strait II: The Risk of War, Asia Report N°54, 6 June 2003

Taiwan Strait III: The Chance of Peace, Asia Report N°55, 6 June 2003

NORTH KOREA

North Korea: A Phased Negotiation Strategy, Asia Report N°61, 1 August 2003

EUROPE*

ALBANIA

Albania: State of the Nation, Balkans Report N°87, 1 March 2000

Albania's Local Elections, A test of Stability and Democracy, Balkans Briefing, 25 August 2000

Albania: The State of the Nation 2001, Balkans Report N°111, 25 May 2001

Albania's Parliamentary Elections 2001, Balkans Briefing, 23 August 2001

Albania: State of the Nation 2003, Balkans Report N°140, 11 March 2003

* Reports in the Europe Program were numbered as ICG Balkans Reports until 12 August 2003 when the first Moldova report was issued at which point series nomenclature but not numbers was changed.

BOSNIA

Denied Justice: Individuals Lost in a Legal Maze, Balkans Report N°86, 23 February 2000

European Vs. Bosnian Human Rights Standards, Handbook Overview, 14 April 2000

Reunifying Mostar: Opportunities for Progress, Balkans Report N°90, 19 April 2000

Bosnia's Municipal Elections 2000: Winners and Losers, Balkans Report N°91, 28 April 2000

Bosnia's Refugee Logjam Breaks: Is the International Community Ready? Balkans Report N°95, 31 May 2000

War Criminals in Bosnia's Republika Srpska, Balkans Report N°103, 2 November 2000

Bosnia's November Elections: Dayton Stumbles, Balkans Report N°104, 18 December 2000

Turning Strife to Advantage: A Blueprint to Integrate the Croats in Bosnia and Herzegovina, Balkans Report N°106, 15 March 2001

No Early Exit: NATO's Continuing Challenge in Bosnia, Balkans Report N°110, 22 May 2001

Bosnia's Precarious Economy: Still Not Open For Business; Balkans Report N°115, 7 August 2001 (also available in Bosnian)

The Wages of Sin: Confronting Bosnia's Republika Srpska, Balkans Report N°118, 8 October 2001 (also available in Bosnian)

Bosnia: Reshaping the International Machinery, Balkans Report N°121, 29 November 2001 (also available in Bosnian)

Courting Disaster: The Misrule of Law in Bosnia & Herzegovina, Balkans Report N°127, 26 March 2002 (also available in Bosnian)

Implementing Equality: The "Constituent Peoples" Decision in Bosnia & Herzegovina, Balkans Report N°128, 16 April 2002 (also available in Bosnian)

Policing the Police in Bosnia: A Further Reform Agenda, Balkans Report N°130, 10 May 2002 (also available in Bosnian)

Bosnia's Alliance for (Smallish) Change, Balkans Report N°132, 2 August 2002 (also available in Bosnian)

The Continuing Challenge Of Refugee Return In Bosnia & Herzegovina, Balkans Report N°137, 13 December 2002 (also available in Bosnian)

Bosnia's BRCKO: Getting In, Getting On And Getting Out, Balkans Report N°144, 2 June 2003

Bosnia's Nationalist Governments: Paddy Ashdown and the Paradoxes of State Building, Balkans Report N°146, 22 July 2003

CROATIA

Facing Up to War Crimes, Balkans Briefing, 16 October 2001

A Half-Hearted Welcome: Refugee Return to Croatia, Balkans Report N°138, 13 December 2002 (also available in Serbo-Croat)

KOSOVO

Kosovo Albanians in Serbian Prisons: Kosovo's Unfinished Business, Balkans Report N°85, 26 January 2000

What Happened to the KLA? Balkans Report N°88, 3 March 2000

Kosovo's Linchpin: Overcoming Division in Mitrovica, Balkans Report N°96, 31 May 2000

Reality Demands: Documenting Violations of International Humanitarian Law in Kosovo 1999, Balkans Report, 27 June 2000

Elections in Kosovo: Moving Toward Democracy? Balkans Report N°97, 7 July 2000

Kosovo Report Card, Balkans Report N°100, 28 August 2000

Reaction in Kosovo to Kostunica's Victory, Balkans Briefing, 10 October 2000

Religion in Kosovo, Balkans Report N°105, 31 January 2001

Kosovo: Landmark Election, Balkans Report N°120, 21 November 2001 (also available in Albanian and Serbo-Croat)

Kosovo: A Strategy for Economic Development, Balkans Report N°123, 19 December 2001 (also available in Serbo-Croat)

A Kosovo Roadmap: I. Addressing Final Status, Balkans Report N°124, 28 February 2002 (also available in Albanian and Serbo-Croat)

A Kosovo Roadmap: II. Internal Benchmarks, Balkans Report N°125, 1 March 2002 (also available in Albanian and Serbo-Croat)

UNMIK's Kosovo Albatross: Tackling Division in Mitrovica, Balkans Report N°131, 3 June 2002 (also available in Albanian and Serbo-Croat)

Finding the Balance: The Scales of Justice in Kosovo, Balkans Report N°134, 12 September 2002

Return to Uncertainty: Kosovo's Internally Displaced and The Return Process, Balkans Report N°139, 13 December 2002 (also available in Albanian and Serbo-Croat)

Kosovo's Ethnic Dilemma: The Need for a Civic Contract, Balkans Report N°143, 28 May 2003 (also available in Albanian and Serbo-Croat)

Two to Tango: An Agenda for the New Kosovo SRS, Europe Report N°148, 3 September 2003

MACEDONIA

Macedonia's Ethnic Albanians: Bridging the Gulf, Balkans Report N°98, 2 August 2000

Macedonia Government Expects Setback in Local Elections, Balkans Briefing, 4 September 2000

The Macedonian Question: Reform or Rebellion, Balkans Report N°109, 5 April 2001

Macedonia: The Last Chance for Peace, Balkans Report N°113, 20 June 2001

Macedonia: Still Sliding, Balkans Briefing, 27 July 2001

Macedonia: War on Hold, Balkans Briefing, 15 August 2001

Macedonia: Filling the Security Vacuum, Balkans Briefing, 8 September 2001

Macedonia's Name: Why the Dispute Matters and How to Resolve It, Balkans Report N°122, 10 December 2001 (also available in Serbo-Croat)

Macedonia's Public Secret: How Corruption Drags The Country Down, Balkans Report N°133, 14 August 2002 (also available in Macedonian)

Moving Macedonia Toward Self-Sufficiency: A New Security Approach for NATO and the EU, Balkans Report N°135, 15 November 2002 (also available in Macedonian)

Macedonia: No Room for Complacency, Europe Report N°149, 23 October 2003

MOLDOVA

Moldova: No Quick Fix, Europe Report N°147, 12 August 2003

MONTENEGRO

Montenegro: In the Shadow of the Volcano, Balkans Report N°89, 21 March 2000

Montenegro's Socialist People's Party: A Loyal Opposition? Balkans Report N°92, 28 April 2000

Montenegro's Local Elections: Testing the National Temperature, Background Briefing, 26 May 2000

Montenegro: Which way Next? Balkans Briefing, 30 November 2000

Montenegro: Settling for Independence? Balkans Report N°107, 28 March 2001

Montenegro: Time to Decide, a Pre-Election Briefing, Balkans Briefing, 18 April 2001

Montenegro: Resolving the Independence Deadlock, Balkans Report N°114, 1 August 2001

Still Buying Time: Montenegro, Serbia and the European Union, Balkans Report N°129, 7 May 2002 (also available in Serbian)

A Marriage of Inconvenience: Montenegro 2003, Balkans Report N°142, 16 April 2003

SERBIA

Serbia's Embattled Opposition, Balkans Report N°94, 30 May 2000

Serbia's Grain Trade: Milosevic's Hidden Cash Crop, Balkans Report N°93, 5 June 2000

Serbia: The Milosevic Regime on the Eve of the September Elections, Balkans Report N°99, 17 August 2000

Current Legal Status of the Republic of Yugoslavia (FRY) and of Serbia and Montenegro, Balkans Report N°101, 19 September 2000

Yugoslavia's Presidential Election: The Serbian People's Moment of Truth, Balkans Report N°102, 19 September 2000

Sanctions against the Federal Republic of Yugoslavia, Balkans Briefing, 10 October 2000

Serbia on the Eve of the December Elections, Balkans Briefing, 20 December 2000

A Fair Exchange: Aid to Yugoslavia for Regional Stability, Balkans Report N°112, 15 June 2001

Peace in Presevo: Quick Fix or Long-Term Solution? Balkans Report N°116, 10 August 2001

Serbia's Transition: Reforms Under Siege, Balkans Report N°117, 21 September 2001 (also available in Serbo-Croat)

Belgrade's Lagging Reform: Cause for International Concern, Balkans Report N°126, 7 March 2002 (also available in Serbo-Croat)

Serbia: Military Intervention Threatens Democratic Reform, Balkans Briefing, 28 March 2002 (also available in Serbo-Croat)

Fighting To Control Yugoslavia's Military, Balkans Briefing, 12 July 2002

Arming Saddam: The Yugoslav Connection, Balkans Report N°136, 3 December 2002

Serbia After Djindjic, Balkans Report N°141, 18 March 2003

Serbian Reform Stalls Again, Balkans Report N°145, 17 July 2003

REGIONAL REPORTS

After Milosevic: A Practical Agenda for Lasting Balkans Peace, Balkans Report N°108, 26 April 2001

Milosevic in The Hague: What it Means for Yugoslavia and the Region, Balkans Briefing, 6 July 2001

Bin Laden and the Balkans: The Politics of Anti-Terrorism, Balkans Report N°119, 9 November 2001

Thessaloniki and After I: The EU's Balkan Agenda, Europe Briefing, June 20 2003.

Thessaloniki and After II: The EU and Bosnia, Europe Briefing, 20 June 2003.

Thessaloniki and After III: The EU, Serbia, Montenegro and Kosovo, Europe Briefing, 20 June 2003

LATIN AMERICA

Colombia's Elusive Quest for Peace, Latin America Report N°1, 26 March 2002 (also available in Spanish)

The 10 March 2002 Parliamentary Elections in Colombia, Latin America Briefing, 17 April 2002 (also available in Spanish)

The Stakes in the Presidential Election in Colombia, Latin America Briefing, 22 May 2002 (also available in Spanish)

Colombia: The Prospects for Peace with the ELN, Latin America Report N°2, 4 October 2002 (also available in Spanish)

Colombia: Will Uribe's Honeymoon Last?, Latin America Briefing, 19 December 2002 (also available in Spanish)

Colombia and its Neighbours: The Tentacles of Instability, Latin America Report N°3, 8 April 2003 (also available in Spanish and Portuguese)

Colombia's Humanitarian Crisis, Latin America Report N°4, 9 July 2003 (also available in Spanish)

Colombia: Negotiating with the Paramilitaries, Latin America Report N°5, 16 September 2003

Colombia: President Uribe's Democratic Security Policy, Latin America Report N°6, 13 November 2003

MIDDLE EAST AND NORTH AFRICA

A Time to Lead: The International Community and the Israeli-Palestinian Conflict, Middle East Report N°1, 10 April 2002

Diminishing Returns: Algeria's 2002 Legislative Elections, Middle East Briefing, 24 June 2002

Middle East Endgame I: Getting to a Comprehensive Arab-Israeli Peace Settlement, Middle East Report N°2, 16 July 2002

Middle East Endgame II: How a Comprehensive Israeli-Palestinian Settlement Would Look, Middle East Report N°3; 16 July 2002

Middle East Endgame III: Israel, Syria and Lebanon – How Comprehensive Peace Settlements Would Look, Middle East Report N°4, 16 July 2002

Iran: The Struggle for the Revolution's Soul, Middle East Report N°5, 5 August 2002

Iraq Background: What Lies Beneath, Middle East Report N°6, 1 October 2002

Old Games, New Rules: Conflict on the Israel-Lebanon Border, Middle East Report N°7, 18 November 2002

The Meanings of Palestinian Reform, Middle East Briefing, 12 November 2002

Voices From The Iraqi Street, Middle East Briefing, 4 December 2002

Radical Islam In Iraqi Kurdistan: The Mouse That Roared? Middle East Briefing, 7 February 2003

Yemen: Coping with Terrorism and Violence in a Fragile State, Middle East Report N°8, 8 January 2003

Radical Islam In Iraqi Kurdistan: The Mouse That Roared?, Middle East Briefing, 7 February 2003

Red Alert In Jordan: Recurrent Unrest In Maan, Middle East Briefing, 19 February 2003

Iraq Policy Briefing: Is There An Alternative To War?, Middle East Report N°9, 24 February 2003

War In Iraq: What's Next For The Kurds?, Middle East Report N°10, 19 March 2003

War In Iraq: Political Challenges After The Conflict, Middle East Report N°11, 25 March 2003

War In Iraq: Managing Humanitarian Relief, Middle East Report N°12, 27 March 2003

Islamic Social Welfare Activism In The Occupied Palestinian Territories: A Legitimate Target?, Middle East Report N°13, 2 April 2003

A Middle East Roadmap To Where?, Middle East Report N°14, 2 May 2003

Baghdad: A Race Against the Clock, Middle East Briefing, 11 June 2003

The Israeli-Palestinian Roadmap: What A Settlement Freeze Means And Why It Matters, Middle East Report N°16, 25 July 2003

Hizbollah: Rebel Without a Cause?, Middle East Briefing, 30 July 2003

Governing Iraq, Middle East Report N°17, 25 August 2003

Iraq's Shiites Under Occupation, Middle East Briefing, 9 September 2003

The Challenge of Political Reform: Egypt After the Iraq War, Middle East Briefing, 30 September 2003

The Challenge of Political Reform: Jordanian Democratisation and Regional Instability, Middle-East Briefing, 8 October 2003

Iran: Discontent and Disarray, Middle East Briefing, 15 October 2003

Dealing With Iran's Nuclear Program, Middle East Report N°18, 27 October 2002

Iraq's Constitutional Challenge, Middle East Report N°19, 13 November 2003

ALGERIA*

Diminishing Returns: Algeria's 2002 Legislative Elections, Middle East Briefing, 24 June 2002

Algeria: Unrest and Impasse in Kabylia, Middle East/North Africa Report N°15, 10 June 2003 (also available in French)

ISSUES REPORTS

HIV/AIDS

HIV/AIDS as a Security Issue, Issues Report N°1, 19 June 2001

Myanmar: The HIV/AIDS Crisis, Myanmar Briefing, 2 April 2002

EU

The European Humanitarian Aid Office (ECHO): Crisis Response in the Grey Lane, Issues Briefing, 26 June 2001

EU Crisis Response Capability: Institutions and Processes for Conflict Prevention and Management, Issues Report N°2, 26 June 2001

EU Crisis Response Capabilities: An Update, Issues Briefing, 29 April 2002

CRISISWATCH

CrisisWatch is a 12-page monthly bulletin providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world. It is published on the first day of each month.

CrisisWatch N°1, 1 September 2003

CrisisWatch N°2, 1 October 2003

CrisisWatch N°3, 1 November 2003

* The Algeria project was transferred from the Africa Program to the Middle East & North Africa Program in January 2002.

APPENDIX E

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