



Organization for Security and Co-operation in Europe

The Secretariat

Department for General Affairs

OSCE Seminar

on

**CO-OPERATION AMONG INTERNATIONAL ORGANIZATIONS
AND INSTITUTIONS:
EXPERIENCE IN BOSNIA AND HERZEGOVINA**

Portorož, 29-30 September 1997

Consolidated Summary



**SEMINAR ON CO-OPERATION
AMONG INTERNATIONAL
ORGANIZATIONS AND
INSTITUTIONS: EXPERIENCE IN
BOSNIA AND HERZEGOVINA**

*Portorož
29-30 September 1997*

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I. GENERAL INFORMATION

1. VENUE

The Seminar was held from 29 to 30 September 1997 at the Grand Hotel Emona, Portorož, Slovenia.

2. PARTICIPATION

2.1 Up to five participants from each entity of Bosnia and Herzegovina were invited to attend all the sessions and make contributions to all the meetings.

2.2 Thirty OSCE participating States took part in the Seminar.

2.3 Japan and the Republic of Korea were invited to participate in and contribute to the Seminar. They accepted the invitation and were represented. Egypt and Israel were the only Mediterranean partners for co-operation to send their representatives.

2.4 The Human Rights Ombudsperson for Bosnia and Herzegovina was invited to participate in and contribute to the Seminar.

2.5 The following international organizations and institutions which were invited to participate in and contribute to the Seminar sent their representatives: The High Representative, the United Nations Mission in Bosnia and Herzegovina, the United Nations Development Programme, the European Bank for Reconstruction and Development, the International Committee of the Red Cross, the United Nations High Commissioner for Refugees (UNHCR), the Council of Europe, the World Bank, the North Atlantic Treaty Organization (NATO), the Central European Initiative, the South-East European Co-operation Initiative and the International Organization for Migration.

2.6 Representatives of non-governmental organizations were able to attend and contribute to the Seminar in accordance with the relevant OSCE provisions and practices.

3. TIMETABLE AND ORGANIZATIONAL MODALITIES

3.1 The Seminar began at 10 a.m. (opening statements) on 29 September 1997 and ended with a round-up at 6.30 p.m. on 30 September 1997.

3.2 The Seminar was conducted in four working sessions and a panel discussion.

3.3 The sessions were chaired by representatives of OSCE participating States and members of delegations to the OSCE.

3.4 The working language was English.

3.5 Arrangements for press coverage were made. Before the opening, the Secretary General of the OSCE, Ambassador Giancarlo Aragona, briefed the Press on the Seminar.

- 3.6 The keynote speakers were requested to provide their statements in writing in advance. Duration of interventions (except for the opening session) was limited to 15 minutes.
- 3.7 Rooms for additional ad hoc meetings were made available to participants.
- 3.8 Local transportation was arranged by the host country.
- 3.9 Other rules of procedure and working methods of the OSCE were applied, *mutatis mutandis*, to the Seminar.
- 3.10 The seating arrangement is shown in the Annex.

4. AGENDA

Monday, 29 September 1997

9.30-9.50 a.m. Presentation of the Seminar to the Press

Morning Session: Opening Statements

Moderator: Ambassador José Manuel da Costa Arsénio, Portugal

Rapporteur: Ambassador Vladimir Kuznetsov, Political Director, OSCE Mission to Bosnia and Herzegovina

- 10 a.m.
- * Address by **Ambassador Giancarlo Aragona, Secretary General of the OSCE**
 - * Address by **H.E. Dr. Boris Frlec, Foreign Minister of Slovenia**
 - * *“The OSCE as contributor to the peace process in Bosnia and Herzegovina - the case of mutually reinforcing institutions”* - Statement by **Mr. Niels Aadal Rasmussen, Representative of the OSCE Chairman-in-Office**
 - * *“The United Nations and Regional Arrangements: Crisis Resolution and Post-Conflict Peace Building”* - Presentation by **Mr. David John Harland, Head of Civil Affairs, United Nations Mission in Bosnia and Herzegovina**
 - * *“International Organizations and their Role in Strengthening Stability and Confidence in Bosnia and Herzegovina: Assessment and Expectations”* - Presentation by **Mr. Vladimir Soljic, President of the Federation of Bosnia and Herzegovina**

Discussion

1 p.m. Buffet lunch hosted by the Secretary General of the OSCE

Afternoon Session: From Conflict Settlement to Stabilization: a European Perspective

Moderator: Ambassador Vladimir Shustov, Ministry of Foreign Affairs of the Russian Federation

Rapporteur: Mr. Emil Yalnazov, Delegation of Bulgaria to the OSCE

- 2.30 p.m.
- * *“Maintaining Dialogue Through Building Trust”* - Statement by **Mr. Duncan Bullivant, Public Affairs Spokesman for the High Representative**

- * *“A Long-Term Security Framework for Bosnia and Herzegovina”* - Statement by **Mr. Gregory L. Schulte, Director, Bosnia Task Force, NATO International Staff**

- * *“Stability and Democracy: the Role of the Council of Europe in the Context of the Upcoming Bosnia and Herzegovina Accession to the Council of Europe”* - Statement by **Mr. Hans-Peter Furrer, Director of Political Affairs, Council of Europe**

- * *Reversing War-induced Migration Flows: a Prerequisite for a Lasting Stabilization”* - Statement by **Mr. René van Rooyen, Co-ordinator of the UNHCR Special Operation in the Former Yugoslavia**

- * *“The Road to National Reconciliation”*
 - Statement by **Mr. Ejup Ganic, Vice President of the Federation of Bosnia and Herzegovina**

 - **Mr. Slobodan Ecimovic, Minister for Refugees and Displaced Persons of Republika Srpska** was invited to make a statement but did not participate in the Seminar.

Discussion

6.30 p.m. Closing of session

7.30 p.m. Reception hosted by Mr. Ivo Vajgl, State Secretary, Ministry of Foreign Affairs of Slovenia

Tuesday, 30 September 1997

Morning Session: Input of the International Community to the Economic Reconstruction in Bosnia and Herzegovina

Moderator: Ambassador Lars-Erik Lundin, Head of the Delegation of the European Commission to the International Organizations in Vienna

Rapporteur: Dr. Marcus Wenig, OSCE Secretariat

- 9 a.m. * *“Economic Problems in Bosnia and Herzegovina”* - Overview Statement by **Mr. Marko Beros, Counsellor for Economy and Finance, Presidency of Bosnia and Herzegovina**

- * *“The International Community and Economic Reconstruction in Bosnia and Herzegovina”* - Statement by **Ambassador Donato Chiarini, Head of the Representation Office of the European Commission to Bosnia and Herzegovina**

- * *“Projects of the International Finance Institutions in Bosnia and Herzegovina”* - Statement by **Mr. Rory O’Sullivan, Regional Representative of the World Bank in Bosnia and Herzegovina**
- * *“Regional Economic Co-operation: a Bosnia and Herzegovina Perspective”* - Statement by **Dr. Erhard Busek, Co-ordinator, South-East European Co-operation Initiative**

Discussion

12.30 p.m. Lunch break

Afternoon Session: Democratic Institutions, Human Rights and the Rule of Law

Moderator: Ambassador Hervé Ladsous, Head of the French Delegation

Rapporteur: Ms. Jutta Gützkow, Council of Europe OSCE Liaison Officer

- 2 p.m.
- * *“Road to Multi-Party Democracy, Rule of Law and Civic Society: Experience and Problems”* - Statement by **Ambassador Gret Haller, Human Rights Ombudsperson**
 - * *“Co-ordination of Human Dimension Activities: the Lessons of Bosnia and Herzegovina”* - Statement by **Ambassador Gérard Stoudmann, Director of the Office for Democratic Institutions and Human Rights (ODIHR)**
 - * *“Council of Europe Contribution to Democratic Institution building in Bosnia and Herzegovina”* - Statement by **Ms. Heike Alefsen, Representative of the Council of Europe Secretariat in Bosnia and Herzegovina**

Discussion

3.45 p.m. Coffee break

Afternoon Session (Continued): Concept of Mutually Reinforcing Institutions: Lessons Learned in Bosnia and Herzegovina

Panel Discussion chaired by **Ambassador Robert Frowick, Head of the OSCE Mission to Bosnia and Herzegovina**

Rapporteur: Mr. Jean-Daniel Ruch, Delegation of Switzerland to the OSCE

Round-up

6.15 p.m. Summaries by the Session Rapporteurs

Concluding remarks by the Representative of the Host State.

II. SUMMARIES BY RAPPORTEURS

Session 1

Opening Statements

Report by Ambassador Vladimir Kuznetsov

Summing up the ideas expressed at the morning session on 29 September 1997, it is possible to state the following:

The ideas expressed in this seminar show that there is a common interest in building up the common European security architecture. The solutions which the OSCE - together with other international organizations - is trying to find to the crisis in Bosnia and Herzegovina should become an integral part of the new European security architecture.

The OSCE's role as a contributor to the peace process in Bosnia and Herzegovina, as set out in the General Framework Agreement for Peace in Bosnia and Herzegovina and accepted at the Budapest Ministerial Council Meeting in December 1995, is fundamentally different from the earlier role of the Organization. This new role provides a good example of mutually reinforcing institutions. The main vehicle for the OSCE's activity in Bosnia and Herzegovina is obviously the Mission to Sarajevo.

From the OSCE's perspective, Bosnia and Herzegovina has been one of the most ambitious and challenging operations. This operation has also been the largest and most expensive.

It is a microcosm of all aspects of the work that the Organization is doing, namely conflict prevention, crisis management, post-conflict rehabilitation, election monitoring, arms control, work related to the human dimension and the economic dimension, national minorities, and confidence- and security-building measures. In that respect, by evaluating the experience gained in Bosnia and Herzegovina, the OSCE should have a better understanding of its organizational strengths and weaknesses and its relationship with other institutions and organizations involved in issues in similar geographical areas. Conflicts with several causes require multifaceted responses. The responses have both a military and civilian dimension designed not only to restore order but also to facilitate reconstruction and foster long-term stability and prosperity.

The OSCE can be viewed as a subcontractor for the international community and the Organization refers to its High Representative in his capacity as the international community's agent for Bosnia and Herzegovina.

The problems of the crisis in Bosnia and Herzegovina should be considered as a complex of political, economic, military, civil, and humanitarian issues and post-conflict processes. Otherwise, the wrong impression could be given that, in the case of Bosnia and Herzegovina, the international community is only involved in postoperative measures aimed at rehabilitation. Peace and stability are prerequisites if Bosnia and Herzegovina is to tread the

path to the anticipated and desired democratic reforms, and then move towards integration with Europe.

The people of Bosnia and Herzegovina need to rediscover what they have in common and to expand what is perceived as common.

The mass media of Bosnia and Herzegovina have not played their role in creating a positive dialogue conducive to reconciliation. The idea was expressed that Bosnia and Herzegovina was a deeply sick society, ill at ease with even the most basic principles of democracy, and not yet strong enough to endure a barrage of misinformation and incitements to ethnic hatred.

It is strongly felt that bringing war criminals to justice would influence political development in Bosnia and Herzegovina in a most positive way.

Last year, national, entity, and cantonal elections were the most demanding operational task ever undertaken by the OSCE. The municipal elections earlier this month were very much the same. Hardly anybody expected these elections to be completely "free and fair". However, the elections are important in the overall peace process and the civilian consolidation period.

The municipal elections could not have taken place without the combined efforts of international institutions:

- Safe security conditions provided by the Stabilization Force (SFOR) for over 2,300 international supervisors and the thousands of people who travelled across Bosnia and Herzegovina to vote.
- Close co-operation with the Office of the High Representative, members of the international Contact Group and partners in the European Union was essential.
- The democratic quality of the election process would not have been the same without the contribution of the European Community Monitoring Mission (ECMM), and close supervision by the OSCE itself.

International organizations are working together on a daily basis with unprecedented efficiency in implementing the General Framework Agreement for Peace in Bosnia and Herzegovina.

For the time being, the international presence in Bosnia and Herzegovina is indispensable. Unfortunately, it is still impossible to imagine Bosnia and Herzegovina without SFOR units and without an army of dedicated individuals steadfastly performing their task in various areas within the international organizations, with one common goal: to help the people in Bosnia and Herzegovina.

Some of the lessons learned from the conduct of the elections are as follows:

First: The financing of the municipal elections came through at the last minute. It is therefore important to reflect on the question of how to finance the operational activities of the OSCE in the future.

Second: Close co-ordination between the international organizations on the ground with regard to practical matters as well as other areas is of paramount importance. Only by mutual support can the forces opposing the progress of peace be stopped.

Third: Staffing of the so-called Joint Election Operations Centre was a combined effort of the OSCE and SFOR.

We are now faced with the difficult task of implementing the results of the elections. It is important that the international community should maintain its pressure on Zagreb and Belgrade to exert their influence in Bosnia and Herzegovina for the benefit of the implementation process.

The work of international organizations in Bosnia and Herzegovina is hard and sometimes even seemingly impossible, due to the lack of confidence of the peoples of that country. The re-establishment of this confidence is the first prerequisite for the normal functioning of international organizations. The search for, and the implementation of, confidence-building measures is certainly one of the priority tasks of the international organizations in Bosnia and Herzegovina.

The second prerequisite for the activities of international organizations in Bosnia and Herzegovina is the consistent and comprehensive implementation of the Peace Agreement. This is the basis and framework for solving the crisis in Bosnia and Herzegovina.

At the OSCE Summit last December in Lisbon, the Organization was tasked with defining the modalities for enhanced co-operation among organizations in a "Platform for Co-operative Security". The aim should be to enhance the degree of co-operation, co-ordination and complementarity among relevant security organizations over the full spectrum of early warning, conflict prevention, crisis management and post-conflict rehabilitation activities, in order to ensure that the comparative advantages of each organization are combined and fully exploited with a view to achieving peace and stability.

Work in this regard is a major part of the commitment to consider developing a European security charter. The scope and parameters for such a charter can be agreed at the Copenhagen Meeting of the Ministerial Council this year with a view to further work in 1998. The goal is a co-operative framework, founded on shared and agreed principles, with each organization playing its role based on a common desire to address the challenges facing European security in the foreseeable future.

The third prerequisite for the activities of international organizations in Bosnia and Herzegovina is the concept of a comprehensive political settlement in that country and in the Balkans. The lack of a comprehensive approach reduces the potential for comprehensive, concerted action.

Arms control is a very specific aspect of a State's overall security policy, and the application of a viable arms control regime in Bosnia and Herzegovina has demonstrated growing co-operation between the parties. Arms control has a major impact on the military forces of the parties involved. The parties to the arms control agreement seem to be interested in making it work and are taking responsibility for their compliance with the agreement.

Session 2

“From Conflict Settlement to Stabilization: a European Perspective”

Report by Mr. Emil Yalnazov

Introducing the discussion, the moderator reflected on the municipal elections recently held in Bosnia and Herzegovina, assessing them as a step forward and a major achievement of the peace process made possible by the concerted efforts of the international community. He stressed the need for fully implementing the results of the elections and invited participants to come up with pragmatic conclusions and recommendations on the best possible division of responsibilities between the authorities of Bosnia and Herzegovina and the international actors in further consolidating the peace process. The moderator's view on the municipal elections was shared by many delegations.

A participant, speaking on behalf of the Office of the High Representative (OHR), pleaded in favour of joint planning in advance for future operations and of detailed procedures for co-operation, to avoid disunity and a lack of common purpose among different international agencies. He expressed the view that peace in Bosnia and Herzegovina was still fragile and needed constant nurturing through an endeavour to inspire in the population the vision of a future united and democratic country. He particularly emphasized two areas of concern where implementation of the Dayton Peace Agreement was unsatisfactory: the slow restructuring of the police and the abuse of the media within both entities. The Sintra meeting of the Peace Implementation Council had given the High Representative (HR) special powers to suspend or curtail media that were operating in a manner threatening the peace process. He described the “hammer and anvil” strategy of the OHR for promoting free and independent media and acting against breaches and abuses of freedom of expression. The building of trust through dialogue and adequate explanation to ordinary people, especially the younger generation, of the democratic options available to them remained essential for the consolidation of peace.

The representative of NATO referred to the special Declaration on Bosnia and Herzegovina issued at the Madrid Summit in July, where the objective of accelerating the implementation of the Peace Agreement had been stressed. He gave concrete examples of NATO and SFOR working together with the OHR, the United Nations International Police Task Force (IPTF) and the OSCE to this end. SFOR had acted decisively in support of curtailing anti-Dayton propaganda, as well as to deter violence caused by the power struggle in Republika Srpska and to ensure peaceful conditions for the municipal elections. The more activist and firm approach by SFOR and the international community had implied risks but had also brought about promising signs of progress. A thorough assessment of the security situation would be required before any significant changes were made to SFOR's size and capabilities. Referring to another part of the Madrid Summit Declaration, the speaker described NATO's strategy for building a long-term security framework for Bosnia and Herzegovina. One option was to keep an international military presence in the country after the end of the SFOR mandate, but other possible lines of action included encouraging transparency and civil control over the country's armed forces and enhancing security co-operation with NATO through possible future membership for Bosnia and Herzegovina in the Partnership for Peace. Another element of the longer-term security framework was the

establishment of an arms control regime in Bosnia and Herzegovina and the region in accordance with the relevant provisions of the Peace Agreement. Finally, on the basis of the experience in Bosnia and Herzegovina, the speaker suggested that the international community should pursue the following goals in future joint operations:

- unity of approach (where possible, unity of command)
- clearly defined responsibilities and mandate backed by financial resources
- tight linkage between military and civil aspects
- early and co-ordinated planning
- good working relations at headquarters and on the ground

The representative of the Council of Europe explained the current state of the procedure concerning accession of Bosnia and Herzegovina to the Council of Europe. Membership required a number of conditions to be fulfilled in terms of democratic institutions, respect for human rights and the rule of law. Assistance was being provided for this, in addition to support for the institutions responsible for protection of human rights and established in accordance with the Peace Agreement. The present situation in the country placed the Council of Europe before a difficult dilemma: should membership be granted rapidly, despite serious shortcomings, in order to give an external impetus to the consolidation of a united Bosnia and Herzegovina, or should the emphasis be placed on further expected progress towards the protection of human rights and the rule of law in the entities, together with the fulfilment of other minimum conditions for membership. The speaker stressed that this issue would be addressed in due course and consultations with the OSCE and the High Representative would be welcome, as had been the case regarding Croatia's accession to the Council of Europe. The Council of Europe would also welcome being contacted when the OSCE discussed its role and mandate in the forthcoming post-electoral period in Bosnia and Herzegovina.

The representative of the Office of the United Nations High Commissioner for Refugees dwelt on achievements and shortcomings of the peace process. He argued that, with regard to the return of refugees and displaced persons, the war was not yet over and Annex 7 of the Peace Agreement was far from being fully implemented owing to the obstructive attitude of the parties. While a substantial number of returns from abroad had been registered, the majority of the people concerned did not return to their pre-war homes, located now in areas where they would constitute a minority, but were temporarily relocating in so-called majority areas. Displaced persons within the country also returned to majority areas for the most part, and few displaced persons managed to return to their places of origin and thus reverse the results of ethnic cleansing. In 1996 there had been about 9000 such returns in the Federation and 1000 in Republika Srpska. Moreover, new evictions were being attempted. The co-ordinated action of the international community - with the OHR, SFOR, the IPTF and the UNHCR working together in the same direction - was imperative in order to apply political pressure and achieve lasting returns. The speaker described several positive developments promoted by the UNCHR on the ground such as: the opening of Canton 6 for the return of all minorities; the organization of bus-lines across the Inter-Entity Boundary Line (IEBL); and the declaration of "open cities". He also referred to the regional dimensions of the issue, establishing a link with the refugee situation in Croatia and the Federal Republic of Yugoslavia (FRY). Relevant agreements signed by Croatia were quoted that still needed to be fully put into practice. The Serb authorities were also unwilling to facilitate local integration of the refugees on their territory. A durable and realistic solution to the issue could be found

in the framework of the Peace Agreement, ensuring to some return to their place of origin, and to others fair compensation for the loss of their property.

The Vice President of the Federation of Bosnia and Herzegovina expressed his wish to see a more substantial input from Croatia and the FRY in the implementation of the Peace Agreement, particularly with regard to the arrest of war criminals and respect for the sovereignty of Bosnia and Herzegovina. Reacting to previous comments on the situation of the media, he expressed appreciation for international assistance, but called for a more balanced and realistic approach, taking also situations in neighbouring countries into account. He argued against using general language and called for more concrete definitions of the problems in his country. He described a number of areas in which he would like to see enhanced assistance by the international community, such as: establishment of a new electoral system, creation of a single army, bringing war criminals to justice, assistance with the privatization process, restoration of cultural and scientific life etc. He also expressed the opinion that the conceptual projects and experiments regarding interaction among international organizations should not be carried out at the expense of his country and divert attention from its real and concrete needs.

One participant raised a question about the prospects of holding negotiations on broader regional arms control, as envisaged under Annex 1B, Article V, of the Peace Agreement. Several other participants commented on the issue. It was pointed out that in principle, after the implementation of Article IV was completed, conditions would be ripe for continuing with the implementation of Article V. Such negotiations would, however, require a great degree of determination and creativity in order to overcome existing and potential obstacles. One delegation said its country's position was that, in view of a number of unsettled issues, it was still early to proceed to negotiations on Article V, which would also require a relevant decision by the OSCE bodies. The same delegation noted that, despite well-known obstacles in the peace process, a valid example of an international co-ordinated effort was the successfully held municipal elections in Bosnia and Herzegovina, and called for the same pattern of interaction to be maintained for the upcoming elections in Republika Srpska.

A speaker took the floor in response to information provided earlier by the representative of the UNHCR and described the policy of the Croatian Government with regard to issues relating to refugees and displaced persons.

Another speaker elaborated on his personal experience in the negotiations under Annex 1B, Article II, in which he had been involved on behalf of the OSCE, mentioning the exemplary co-operation with IFOR/SFOR, the OHR, and other international actors, which had greatly facilitated efforts to build confidence among the parties. He also gave a general positive assessment of the synergy achieved between the efforts of various international bodies in Bosnia and Herzegovina, noting that this operation had been the first of its kind and there had been no previous practical experience to be guided by. The same speaker did not agree with a view expressed during the previous working session calling for a "unity of command" in the future and for abandoning the multi-institutional approach applied in Bosnia and Herzegovina. He argued that the decisive factor - the strong political will to implement the agreement - did not depend on the number of organizations involved. Several other speakers supported this approach.

One participant stressed the link between the current discussion and OSCE work in Vienna, particularly on a Security Model and on a Platform for Co-operative Security. He

discussed the need to ensure a very sound financial basis for future operations and noted that the experience gained not only in Bosnia and Herzegovina, but also in several other countries - for example, in Albania - deserved to be studied further. A comparative study of different cases could also be useful. He said that Bulgaria would be ready to host a follow-up seminar in the second half of 1998 on the theme of co-operation among international organizations and institutions, perhaps referring to experience in South-Eastern Europe.

Another participant, speaking on behalf of the delegation of Bosnia and Herzegovina to the OSCE, said that she could not accept previous arguments calling into question the results of the Peace Agreement. She maintained that Bosnia and Herzegovina had definitely embarked on a road to recovery and there was no alternative to the process of peace and reconciliation. She described her vision of a single, united and democratic State of Bosnia and Herzegovina, composed of two multiethnic entities. The need for free media, reformed police forces and a well-functioning legal system was once again highlighted.

Several delegations reacted to doubts raised earlier about the motives of international involvement in Bosnia and Herzegovina and the relationship between concepts discussed and their pragmatic application. It was argued that the European countries had not become involved in the peace process out of a desire to test their developed instruments, but had been prompted by: (a) a threat to security and stability in the region; (b) national interests; (c) a desire to relieve a humanitarian crisis. In this connection, one delegation said that the responses to the crisis in Bosnia and Herzegovina must be comprehensive, as envisaged in the Peace Agreement, and adequate to the complex nature of the interethnic conflict, cutting deep into the fabric of society. The role assigned to the OSCE was a natural one, in view of its comparative advantages in dealing with intra-State conflicts. Conceptual thinking and practical work on the issue should always go inseparably together.

Another speaker agreed that it would be wrong to establish a rigid chain of command or subordinate one international agency to another. Instead, he argued, the goal should be to develop a culture of co-operation, such as had already emerged in the case of Bosnia and Herzegovina. He also suggested concentrating joint efforts on early warning, early planning and early action to prevent crises.

Another delegation argued that the implementation of the peace accords had been subject to enormous time pressure, which probably meant that many things could have been done better. A strong hope was expressed that the present coherent strategy of the international community - to widen support for the promoters of the peace process and isolate its enemies - would yield positive results.

Two participants representing Mediterranean partners for co-operation expressed their interest in the discussion as well as in the underlying practical work of the OSCE. One of them called for establishing mechanisms for the exchange of experience and information between the OSCE and the Organization of African Unity.

One speaker underscored the importance of ensuring good communication and co-operation among mission members from different agencies on the ground. In this regard, the question of a well-trained mission staff was raised.

One participant offered some general observations regarding the pattern of co-operation developed among international organizations in Bosnia and Herzegovina:

- None of the organizations involved could be replaced by another;
- A web of comprehensive (not one-sided) measures was designed and applied;
- The authority of the operation was reinforced by a high degree of political agreement among the contributors;
- The efficiency of the institutions involved depended on the ability of the national governments to provide political support as well as the necessary manpower and financial resources.

The same participant outlined a number of general principles for interaction among organizations that, in his view, had become or should become operational in Bosnia and Herzegovina:

- (1) Predictability, coupled with flexibility (generally prescribed but not rigidly predefined roles);
- (2) Transparency, promoting synergy of efforts;
- (3) Solidarity, excluding subordination but ensuring a united approach;
- (4) Complementarity, avoiding competition and unnecessary duplication;
- (5) Mutual reinforcement of each other's activities;
- (6) Pragmatism, including rapid reaction and case-by-case consultations, but also advance planning.

Session 3

“Input of the International Community to the Economic Reconstruction in Bosnia and Herzegovina”

Report by Dr. Marcus Wenig

This session gave the representatives of the international organizations and institutions providing economic assistance to Bosnia and Herzegovina an opportunity to present their various programmes and to assess, together with representatives from Bosnia and Herzegovina, the achievements made so far. From the various statements delivered during this session and the subsequent discussion, the following four major conclusions can be drawn:

- The activities and investments of the international community related to the economic reconstruction of Bosnia and Herzegovina have led to tangible positive results. However, the reconstruction of the economy of Bosnia and Herzegovina is a very complex undertaking as it is taking place in parallel with several transitional processes in the country and faces major war-related restrictions. The economy of Bosnia and Herzegovina is in transition from a State-controlled, centralized economy to market-oriented, decentralized economic structures. Reconstruction is further hampered by the consequences of the war, including a huge number of refugees and internally displaced persons, lack of mutual trust, non-co-operation and also severe forms of discrimination. Additionally, the complexity of the institutional set-up in Bosnia and Herzegovina causes delays in the allocation of funds and the distribution of international aid.

Whereas during the first one and a half years after the Peace Agreement international economic assistance focused on reconstruction projects aimed at rebuilding the war-torn infrastructure, primacy should now be given to policy-based lending. Maximizing private-sector development through policy instruments should be at the top of the international assistance agenda as this is the key for self-sustained, lasting development. International promotion of small and medium private enterprises and assistance in the process of privatization and reconstruction of the banking system is therefore essential. This new stage of international assistance must be accompanied by a reform of the legislative framework in Bosnia and Herzegovina.

- The need for a stable and clear legislative framework was thus the second main issue discussed. The participants complained that commercial legislation in Bosnia and Herzegovina was in many cases lacking or incoherent. Important laws facilitating investments had not yet been passed. Foreign investors would only be attracted if the relevant laws on commerce and privatization had been adopted and a stable political framework created. The adoption and implementation of the relevant set of laws was therefore an urgent necessity to foster investment in Bosnia and Herzegovina and business co-operation with and within that country.
- The third major topic in the discussion related to the question of an imbalance in the allocation of international funds. The recipients complained of such an imbalance and stated that the interests of the entities have not been sufficiently respected in the implementation process. They warned that imbalance in the allocation of funds could have negative consequences such as that of deepening, instead of reducing, the antagonism and mistrust

between the ethnic communities. The representatives of the international organizations, after a discussion of the correct definition of the principle of conditionality, stressed their adherence to that principle as a prerequisite for the allocation of the funds.

- The fourth topic addressed at the end of the session concerned a call for horizontal and vertical co-ordination among international organizations involved in the reconstruction of Bosnia and Herzegovina. The danger of wasting resources by running competing programmes was recalled and the need for supplementary human rights and employment programmes underlined. Security is based on economic stability and the latter can only be established through private investments, which in their turn require a stable political and legislative framework with respect for human rights, the rule of law and adherence to democratic principles.

Session 4

“Democratic Institutions, Human Rights and the Rule of Law”

Report by Ms. Jutta Gützkow

In his introductory statement, the moderator underlined that the areas of democratic institutions, human rights and the rule of law were of particular importance in promoting dialogue between countries and entities in Bosnia and Herzegovina and ultimately helping all communities to live together.

The following keynote speeches were delivered:

- “Road to Multi-Party Democracy, Rule of Law and Civic Society: Experience and Problems” - Statement by the Human Rights Ombudsperson, Ambassador Gret Haller
- “Co-ordination of Human Dimension Activities: the Lessons of Bosnia and Herzegovina” - Statement by the Director of ODIHR, Ambassador Gérard Stoudmann
- “Council of Europe Contribution to Democratic Institution Building and the Rule of Law in Bosnia and Herzegovina” - Statement by Ms. Heike Alefsen, Representative of the Council of Europe Secretariat in Bosnia and Herzegovina.

All speakers focused on the overall theme of the seminar, namely co-operation among international organizations, and on the conclusions to be drawn from the co-operation experience in Bosnia and Herzegovina.

The first keynote speaker, Ambassador Haller, dealt with four aspects, the first two relating to the judicial approach to human rights applied by her institution:

- (1) She observed that the European Convention on Human Rights and other international human rights instruments were directly applicable in Bosnia and Herzegovina and their provisions therefore took precedence over national law. In the human rights field, international organizations could co-operate more to foster the direct applicability of human rights instruments in Bosnia and Herzegovina.
- (2) The implementation of binding human rights standards required reliable partners at the State level. The statistics of her office showed that the two entities differed significantly as far as the implementation of her recommendations was concerned. That might be due to the fact that one entity intended to establish its own human rights protection mechanism. She concluded that the co-operation of international organizations should be improved so as to strengthen the human rights institutions at the State level.
- (3) Ambassador Haller explained that the multi-institutional approach chosen in the Dayton peace accords had the advantage of ensuring the provision of know-how from a number of specialized organizations to the country and its institutions. She underlined that, to make best use of the available know-how, one organization should

not try to do everything; the relevant organizations must be asked to provide assistance in their specific fields of competence.

- (4) Finally, Ambassador Haller urged that the international community adopt a solution to ensure the financing of the institutions set up under Annexes 6 and 7 of the Peace Agreement, so as to enable them to function properly. Those institutions should be financed in accordance with the same modalities as the Office of the High Representative.

Ambassador Stoudmann concentrated in his keynote speech on two areas in particular: co-operation in the fields of democratization and human rights and the observation and supervision of elections. While ODIHR's activities, and therefore its experience, in the first field were rather limited, some observations could be made.

- (1) There was room for improvement in co-operation between different intergovernmental organizations as well as between intergovernmental and non-governmental organizations.
- (2) The financing of the institutions created by the peace accords must be made more efficient, possibly by the adoption of the same mechanism as for the Office of the High Representative.

ODIHR had been actively involved in the observation of the parliamentary, cantonal and municipal elections held in 1996 and 1997. Ambassador Stoudmann stressed that those elections had created a positive precedent for co-operation between various international organizations. Their joint efforts had permitted a coherent approach and a single statement on the elections.

Ambassador Stoudmann drew three major conclusions:

- (1) A co-ordinating framework which provided for a coherent approach and efficient use of scarce resources was a condition for the success of co-operation between international organizations. The co-ordination framework offered by the OHR was efficient in the human dimension field.
- (2) Improvements were needed in the selection and training of international personnel working on the ground with a view to ensuring efficiency from the outset and avoiding misunderstandings and rivalry due to a lack of knowledge on the part of the personnel of the mandates of their own and of other organizations.
- (3) Improved exchange of information and personal contacts on the ground and between headquarters were required to further develop a genuine culture of co-operation between international, intergovernmental and non-governmental organizations with regard to strategy and concrete projects.

In the third keynote speech, Ms. Alefsen explained that the Council of Europe's activities focused on the one hand on the implementation of the tasks entrusted to the Organization by the peace accords, and in particular the establishment of the bodies making up the Commission on Human Rights and assistance to those bodies. On the other hand, the Council of Europe implemented a comprehensive co-operation and assistance programme

tailor-made to the specific needs of Bosnia and Herzegovina and its entities. Several projects were implemented in close co-operation with the relevant organizations, in particular the Office of the High Representative and the OSCE.

Concerning co-operation between international organizations, Ms. Alefsen stressed the following:

- (1) Experience showed that a multi-institutional set-up allowed the best use to be made of the comparative advantages of each organization, provided that individual competences were properly recognized and unnecessary duplication avoided.
- (2) Policy co-ordination was vital, particularly in the early stages of defining organizations' mandates and operations in a country.
- (3) Problems encountered at the beginning of activities in Bosnia and Herzegovina in inter-institutional co-operation had often resulted from a lack of knowledge by staff of the mandates of their own and other organizations, rapid staff turnover and a lack of institutional memory. Most initial problems had since been overcome.
- (4) Co-ordination of bilateral co-operation activities by individual countries required greater consultation with international organizations active on the ground.

Panel Discussion

“Concept of Mutually Reinforcing Institutions: Lessons Learned in Bosnia and Herzegovina”

Report by Mr. Jean-Daniel Ruch

From the panel discussion and the ensuing debate, four major conclusions could be reached:

1. The operation in Bosnia and Herzegovina is a very specific case. It is therefore difficult to say how far it can represent a model for co-operation between international organizations in the future.

The General Framework Agreement for Peace in Bosnia and Herzegovina was signed in a particular political context. Both the institutional format of the co-operation, with the creation *ex nihilo* of the Office of the High Representative, and the designation of some of the officials to lead these structures caused some political strains. However, after initial difficulties, mainly due to the lack of knowledge of one another, it was possible for pragmatic and efficient co-operation to be established among the various international actors. Certain questions may be asked. Is it really useful to have so many international organizations involved in Bosnia and Herzegovina? Would it not have been more efficient to entrust an existing organization with overall co-ordination instead of creating a new institution for this purpose? How strong must the co-ordinating body be? These questions cannot be answered in a definitive way.

2. It appears nevertheless that some major conditions should be fulfilled to allow for success in such multinational endeavours:

- The major actors must be closely involved. In the present case, the Russian Federation, the European Union and the United States of America have strongly committed themselves. With the active participation and consultation of the other countries of Europe and North America, the international community was able to show a strong, coherent political will, as well as to find the necessary resources to implement this will.
- There needs to be a credible force - in the case of Bosnia and Herzegovina, there was IFOR and then SFOR - able to stabilize the situation. This is an essential prerequisite for a successful building-up of civil society by civilian organizations.
- The co-ordination of activities should take place at three levels: the policy level, the working level and the level of reporting and evaluation. At the policy level, this means that, in the context of a comprehensive approach, consultations with interested institutions should take place already during the decision-making process. At the working level, co-operation and co-ordination structures must be organized in the field to permit a continuous share of information leading to a real culture of co-operation. In the case of Bosnia and Herzegovina, the weekly or more frequent “meetings on

principles” were mentioned as a vital and fruitful instrument of co-operation and co-ordination. This requires awareness of each other and trust in each other.

3. Eventually, any joint international effort must be assessed in the light of the overall results. In the present case, the positive side of the coin is that the Cassandra-like prophecies made at the beginning of the operation were not fulfilled. However, the situation certainly remains fragile. For the near future, two priorities were identified during the session: (1) to arrest the war criminals; (2) to ensure the long-term commitment of the international community, including its military component.

4. If lessons are to be drawn from the Bosnia and Herzegovina experience for possible future operations, it appears that there are two sets of tensions where a balance has to be found. There needs to be a balance between the civilian and the military components of the operation. In this context, an updated Harmel report might be a useful source of inspiration. The military provide for a stable environment on which the civilians can build peace and co-operation. Another sensitive balance has to be found between efficiency on the part of the international community and participation. Efficiency is usually associated with a clear chain of command and a strong co-ordinating framework. This should allow for maximal coherence of the international community, avoiding “forum-shopping” and the wasting of resources. On the other hand, if one is to ensure the participation of all interested organizations and States - which is also essential - extensive consultations with these are required before decisions are taken. How strong should the co-ordinating framework be? The answer must probably be found on a case-by-case basis.

Has the OSCE any specific role to play in this regard? As an inclusive organization grouping all major actors active on the European scene, it is seen by some as well suited for assuming an increased role in the future. The OSCE participating States have engaged in an attempt to harness the common will of international organizations to address future crises. The Bosnia and Herzegovina experience has shown that lack of awareness of each other’s mandates and functioning leads to some problems at the beginning. There are other examples, too, demonstrating that the international community is still not fully able to promptly address a crisis at an early stage. The discussion taking place within the OSCE on a Platform for Co-operative Security should arrive at concrete steps to enhance the state of preparedness of the international community for a possible “next time”. In this connection, the OSCE has already proven to be a useful framework for the learning of lessons.

III. CONCLUSIONS AND LESSONS LEARNED ON CO-OPERATION AMONG INTERNATIONAL ORGANIZATIONS

Mr. A. Androsov, Director for General Affairs, OSCE Secretariat

1. The experience of the multi-institutional operation in Bosnia and Herzegovina has undoubtedly shown that it has been a specific, unique and pioneering operation, having no precedents in the past to be guided by. At the same time, the work being done in Bosnia and Herzegovina is very much in line with what the OSCE was designed for and is used to doing: conflict prevention, crisis management, post-conflict rehabilitation, election monitoring, arms control, promoting human rights and democracy-building, promoting rights of national minorities and confidence- and security-building measures.

2. In spite of the specificity of the operation in Bosnia and Herzegovina some general lessons may be learned and some principles regarding co-operation between international organizations may be identified:

- There is a general positive assessment of the synergy achieved in the efforts of various international organizations acting in different fields such as security, economic affairs and human rights in Bosnia and Herzegovina, despite some problems initially due to a lack of awareness by the organizations in Bosnia and Herzegovina of each other's mandates and functioning;
- The implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the related accords was subject to enormous time pressure, which probably means that many things could have been done better. In future, it should be borne in mind that a lack of a comprehensive approach reduces capacity for comprehensive, concerted actions;
- There is a need for joint planning in advance in the case of future operations and for detailed procedures for co-operation, to avoid disunity and a lack of common purpose among international organizations. Joint planning should be combined with pragmatism, allowing for possible adjustments, rapid reaction to changing situations and case-by-case consultations;
- In the present circumstances the multi-institutional approach should be considered. This approach should stress complementarity and co-operation and avoid the creation of a rigid chain of command or the subordination of one organization or institution to another. Certainly, in some specific situations, the international organizations which are involved might wish to agree on a formal division of tasks and competences as was done in the General Framework Agreement for Peace in Bosnia and Herzegovina. But even in such cases there should be no establishment of hierarchy;
- The activities of international organizations should be complementary in nature, avoiding competition and unnecessary duplication and allowing mutual reinforcement;
- Improved exchange of information and personal contacts on the ground and between headquarters are required to further develop a genuine culture of co-operation;

- There is a need to ensure a sound financial basis for operations, particularly in the future.
3. The OSCE has proved to be a valuable partner in co-operation, often taking the initiative in providing a co-ordination framework. This is mainly due to its comprehensive membership and comprehensive approach to security issues. On the other hand, the OSCE alone could not have acted successfully, particularly with regard to the elections in Bosnia and Herzegovina, without the combined efforts of international institutions - in the first place, the Stabilization Force (SFOR) and the Office of the High Representative.
4. In this context the operation in Bosnia and Herzegovina represents a concrete contribution to the discussion going on in the Permanent Council on the elaboration of a Security Model for Europe, particularly the Platform for Co-operative Security. It became clear at the Seminar that the OSCE has de facto started to implement, together with other international organizations, the concept of mutually reinforcing institutions, and the experience gained could be used in the future.
5. Contributions made during the Seminar pointed clearly to the need to develop a framework for operational and policy co-ordination among international organizations. The general view was that the OSCE, with its pan-European composition and its foundation of common norms and principles, would be ideally suited to this task. It was pointed out that the OSCE had already undertaken it in the case of Albania. During the work on a Security Model, the proposed Platform for Co-operative Security is being developed to provide a framework for such overall operational and policy co-ordination, including the establishment of long-term priorities. It was evident from all contributions to the Seminar that there is no lack of willingness on the part of international institutions to contribute to the resolution of conflicts. The fundamental objective of the Platform is to harness this common will so that the international community can address future crises in the most effective manner. On the basis of an inter-linking commitment to common principles and the conditions regarding the evolution of these principles, the Platform would provide an inter-institutional foundation for future co-operative security in Europe without creating or implying any security hierarchy or permanent "lead-agency" status.
6. The discussion at the Seminar also clearly demonstrated that a number of important questions related to co-operation among international organizations could not be answered in a definitive way:
- Is it really useful to have so many international organizations involved in Bosnia and Herzegovina?
 - Would it not have been more efficient to entrust an existing organization with overall co-ordination instead of creating a new institution for this purpose?
 - How strong must the co-ordinating body be?
7. The Seminar organized on the initiative of the Department for General Affairs of the OSCE Secretariat has provided for the first time a broad framework in which the international community can both learn lessons from the experience in Bosnia and Herzegovina and plan, at both operational and policy levels, for the future. The OSCE can continue to serve as a useful framework for the learning of lessons. In addition to the experience in Bosnia and Herzegovina, a comparative study of other cases of co-operation among international

organizations could also be useful. In this connection, the proposal of Bulgaria to host a follow-up seminar in the second half of 1998 on the theme of co-operation among international organizations and institutions and experience in South-Eastern Europe merits thorough consideration.

IV. LIST OF PARTICIPANTS

OSCE Participating States

Albania

Mr. Florent ÇELIKU	Diplomat, Department of Euro-Atlantic Co-operation, Ministry of Foreign Affairs
Mr. Vatunin BALA	Ambassador Extraordinary and Plenipotentiary of the Republic of Albania to the Republic of Slovenia

Germany

Mr. Herbert HONSOWITZ	Head of the OSCE Division
Mr. Herbert SALBER	Deputy Head of Delegation to the OSCE

United States of America

Mr. Stan SCHRAGER	Senior Adviser for Public Affairs, OSCE Delegation
Mr. Casey H. CHRISTENSEN	Adviser, OSCE Delegation
Mr. Kent LUCKEN	First Secretary, United States Embassy to Slovenia

Austria

Mr. Johannes EIGNER	Deputy Head of the Delegation to the OSCE
Mr. Wolfgang SPORRER	Mission Member, OSCE Mission to Croatia

Bosnia and Herzegovina

Mr. Munever IMAMOVIAE	Assistant Minister, Ministry of Foreign Trade and Economic Relations, State of Bosnia and Herzegovina
Mr. Marko BEROŠ	Counsellor for Economy and Finance, Presidency, State of Bosnia and Herzegovina
Ms. Vesna NJEGIAE	Desk Officer, Ministry of Foreign Affairs, State of Bosnia and Herzegovina
Mr. Vladimir ŠOLJIAE	President of the Federation of Bosnia and Herzegovina
Mr. Ejup GANIAE	Vice President of the Federation of Bosnia and Herzegovina
Mr. Mato TADIAE	Minister of Justice in the Government of the Federation of Bosnia and Herzegovina
Ms. Marija ZRNO	Adviser to the President of the Federation of Bosnia and Herzegovina
Mr. Slaviša RAKOVIAE	Deputy Minister, Republika Srpska

Mr. Mladen LONČAR

Adviser to the Prime Minister, Republika
Srpska

Ms. Bisera TURKOVIĆ

Ambassador, Head of Delegation to the OSCE

Bulgaria

Mr. Ivo PETROV

Ambassador, Head of Delegation to the OSCE

Mr. Emil YALNAZOV

Deputy Head of Delegation to the OSCE

Canada

Ms. Mary MOSSER

Ambassador, Deputy Permanent Representative
to the OSCE

Mr. Sven Harald JURSCHEWSKY

Counsellor, Delegation to the OSCE

Croatia

Ms. Maja BAKRAN

OSCE Desk Officer, Ministry of Foreign Affairs

Ms. Maja PLANIĆ

Co-ordinator for Bosnia and Herzegovina,
Ministry of Foreign Affairs

Ms. Ivana MORIĆ

Minister Plenipotentiary, Embassy to Slovenia

Mr. Mario HORVATIĆ

First Secretary, Delegation to the OSCE

Mr. Ranko VILOVIĆ

Head of Department, Minister Counsellor,
Ministry of Foreign Affairs

Denmark/OSCE Chairmanship

Mr. Niels Aadal RASMUSSEN

Minister-Counsellor, Deputy Head of the
Danish Delegation to the OSCE

Mr. Casper NERVIL

Head of Section, Royal Danish Ministry of
Foreign Affairs

Mr. Kenneth NIELSEN

Head of Section, Royal Danish Ministry of
Foreign Affairs

Finland

Mr. Ilkka HEISKANEN

Director, Security Policy Unit, Ministry of
Foreign Affairs

France

Mr. Hervé LADSOUS

Ambassador, Head of the French Delegation to
the OSCE

United Kingdom

Mr. Tom Richard Vaughan PHILLIPS

Head, Eastern Adriatic Department, Foreign
Office

Hungary

Mr. Márton KRASZNAI
Ambassador, Director of the Department for
Security Policy and European Co-operation,
Ministry of Foreign Affairs

Ireland

Mr. Justin HARMAN
Ambassador, Head of the Irish Delegation to
the OSCE

The former Yugoslav Republic of Macedonia

Dr. Dimitar MIRÈEV
Ambassador, Ministry of Foreign Affairs

Liechtenstein

H.S.H. Maria-Pia KOTHBAUER Princess
VON LIECHTENSTEIN
Ambassador, Head of the Liechtenstein
Delegation to the OSCE

Luxembourg/European Union

Mr. Henri FOLMER
Chargé de mission, Permanent Delegation of
Luxembourg to the OSCE

European Commission

Mr. Lars-Erik LUNDIN
Ambassador, Head of the Delegation of the
European Commission to the International
Organizations in Vienna
Mr. Donato CHIARINI
Ambassador, Head of the Representation Office
of the European Commission to Bosnia and
Herzegovina

Norway

Ms. Kathrine BIERING
Mr. Bjørn M. BERGE
Executive Officer, Ministry of Foreign Affairs
First Secretary, Delegation to the OSCE

Netherlands

Mr. Remmert COHEN
Mr. Dirk PEEREBOOM
Co-ordinator for the former Yugoslavia,
Ministry of Foreign Affairs
Third Secretary, Delegation to the OSCE

Poland

Mr. Jan TOMBINSKI
Mr. Adam HALACINSKI
Ambassador of Poland to Slovenia
Counsellor, Delegation to the OSCE

Portugal

Mr. José Manuel da Costa ARSÉNIO Ambassador, Ministry of Foreign Affairs

Romania

Ms. Tatiana ISTICIOAIA First Secretary, OSCE Division, Ministry of
Foreign Affairs

Russian Federation

Mr. Vladimir SHUSTOV Ambassador, Department for European
Co-operation, Ministry of Foreign Affairs

San Marino

Ms. Maria Antonietta BONELLI Ambassador, Permanent Representative to the
OSCE

Holy See

Mgr. Ivan JURKOVIÈ Head of Delegation
Mgr. Joseph MARINO Delegate

Slovenia

Dr. Boris FRLEC Foreign Minister of Slovenia
Mr. Ivo VAJGL State Secretary, Ministry of Foreign Affairs
Mr. Roman KIRN State Under-Secretary, Head of the Multilateral
Department, Ministry of Foreign Affairs
Mr. Štefan CIGOJ State Under-Secretary, Ministry of Foreign
Affairs
Mr. Jure GAŠPARIÈ Minister Extraordinary and Plenipotentiary,
OSCE Delegation
Mr. Andrej LOGAR Chief of Cabinet
Mr. Miko DOLINŠEK Counsellor, Ministry of Foreign Affairs
Mr. Božo KOVAÈ Counsellor to the President
Mr. Janko ŠTEH Lieutenant Colonel, General Staff
Mr. Damjan BERGANT Third Secretary, Ministry of Foreign Affairs
Mr. Edvin SKRT Assistant, Ministry of Foreign Affairs
Ms. Katja CIMPERŠEK Attaché, Ministry of Foreign Affairs
Ms. Ana NOVAK Acting Chief, Public Relations Department,
Ministry of Foreign Affairs

Sweden

Mr. Manne WÄNGBORG Counsellor, Ministry of Foreign Affairs
Mr. Fredrik SCHILLER Counsellor, Delegation to the OSCE

Switzerland

Mr. Jean-Daniel RUCH

Second Secretary, Delegation to the OSCE

Czech Republic

Mr. Pavel SVITIL

First Secretary, Embassy of the Czech Republic
to Slovenia

Ukraine

Mr. Viktor KRYZHANIVSKY

Member of the Delegation of Ukraine to the
OSCE

Partners for Co-operation

Japan

Mr. Akihito TERUUCHI

Attaché, Embassy to Austria

Republic of Korea

Mr. Dong-Hee CHANG

Counsellor, Embassy of the Republic of Korea
to Austria

Mediterranean Partners for Co-operation

Egypt

Ms. Fatma HUSSEIN

Minister Plenipotentiary, Director, Security and
Strategic Organizations Affairs in Europe

Israel

Mr. Yehoshua KRITH-MAN

Minister-Counsellor, Embassy of Israel to
Austria

OSCE Institutions

High Commissioner on National Minorities

Ms. Zdenka MACHNYIKOVA

Legal Assistant to the HCNM

Office for Democratic Institutions and Human Rights

Mr. Gérard STOUDMANN

Ambassador, Director

OSCE Mission to Bosnia and Herzegovina

Mr. Robert H. FROWICK	Ambassador, Head of Mission
Mr. Vladimir N. KUZNETSOV	Ambassador, Political Director
Mr. David FOLEY	Spokesman and Senior Adviser

OSCE - Arms Control Article IV

Mr. Vignjević EIDE	Ambassador
Ms. Donna PHELAN	Adviser to Ambassador Eide

OSCE Secretariat

Mr. Giancarlo ARAGONA	Ambassador, Secretary General
Mr. Andrei ANDROSOV	Director, Department for General Affairs
Mr. Marcus WENIG	Assistant, Department for General Affairs
Ms. Aldona SZYMANSKI	Secretary, Department for General Affairs

Human Rights Ombudsperson for Bosnia and Herzegovina

Ms. Gret HALLER	Ambassador
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International and Intergovernmental Organizations

Office of the High Representative

Mr. Duncan BULLIVANT	Public Affairs Spokesman
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United Nations Mission in Bosnia and Herzegovina

Mr. David John HARLAND	Head of Civil Affairs
------------------------	-----------------------

Office of the United Nations High Commissioner for Refugees

Mr. René VAN ROOYEN	Co-ordinator, UNHCR Special Operation in the Former Yugoslavia (SOFY)
Mr. Cengiz AKTAR	UNHCR Representative in Slovenia

United Nations Development Programme

Mr. Paolo GALLI	Programme Management Officer for Bosnia, RBEC/New York
-----------------	--------------------------------------------------------

Council of Europe

Mr. Hans-Peter FURRER	Director of Political Affairs
Ms. Jutta GÜTZKOW	Council of Europe OSCE Liaison Officer

Ms. Heike ALEFSEN
Representative of the Council of Europe
Secretariat in Bosnia and Herzegovina

North Atlantic Treaty Organization

Mr. Gregory L. SCHULTE
Director, Bosnia Task Force - NATO
International Staff

International Organization for Migration

Mr. William HYDE
Chief, Emergency Response Unit

International Committee of the Red Cross

Mr. Pierre KRÄHENBÜHL
Deputy Head of Delegation for Bosnia and
Herzegovina

World Bank

Mr. Rory O'SULLIVAN
Regional Representative of the World Bank in
Bosnia and Herzegovina

European Bank for Reconstruction and Development

Mr. Alvin JACKSON
Office of the Secretary General

Central European Initiative

Ms. Federica LODATO
Technical Adviser, Center for Information and
Documentation

South-East European Co-operation Initiative

Dr. Erhard BUSEK
Co-ordinator

NGOs/Scientific Institutions

Dr. Kurt TUDYKA
Chief Editor, OSCE Yearbook, Institute for
Peace Research and Security Policy, Hamburg

Ms. Katharina SPIESS
European University Institute

Mr. Riccardo BARRANCA
Electronic Media Researcher, University of
Pavia

Mr. Andrea CARETTA
Electronic Media Researcher, University of
Pavia

V. LIST OF DOCUMENTS DISTRIBUTED DURING THE SEMINAR^(*)

DOC NO.	DATE	INSTITUTION/AUTHOR	TITLE	LANG.
97/SLO/001	29/9/97	OSCE Secretariat	Tentative Agenda and Organizational Modalities	English
97/SLO/002	29/9/97	OSCE Secretariat	Tentative List of Participants	English
97/SLO/003	29/9/97	Denmark/OSCE CIO, Mr. Niels Rasmussen	The OSCE as Contributor to the Peace process in Bosnia and Herzegovina	English
97/SLO/004	29/9/97	IOM, Mr. W. Hyde	Co-operation between the Organization for Security and Co-operation in Europe (OSCE) and the International Organization for Migration (IOM)	English
97/SLO/005	29/9/97	Office of the High Representative, Mr. D. Bullivant	Maintaining Dialogue Through Building Trust	English
97/SLO/006	29/9/97	Luxembourg/EU Presidency, Prof. Folmer	Intervention	English
97/SLO/007	29/9/97	Slovenia, Dr. Frlec, Foreign Minister	Opening Address	English
97/SLO/008	29/9/97	OSCE Arms Control, Ambassador V. Eide	Implementation of Article IV of Annex 1-b of the General Framework Agreement for Peace in Bosnia and Herzegovina - the Agreement on Sub-Regional Arms Control	English
97/SLO/009	30/9/97	Bosnia and Herzegovina, Mr. Kresimir Zubak	Statement	English
97/SLO/010	29/9/97	CEI, Centre for Information and Documentation	Info Paper on CEI	English
97/SLO/011	30/9/97	SECI, Dr. E. Busek	Regional Economic Co-operation: A Bosnia and Herzegovina Perspective	English
97/SLO/012	29/9/97	NATO, Mr. G.L. Schulte	Securing the Peace in Bosnia and Herzegovina	English
97/SLO/013	30/9/97	EBRD, Mr. A. Jackson	Statement	English
97/SLO/014	29/9/97	The former Yugoslav Republic of Macedonia, Ambassador Mirèev	Intervention	English
97/SLO/015	30/9/97	Bosnia and Herzegovina, Mr. Rakoviæ	Regional Economic Co-operation - A BiH Perspective	English
97/SLO/016	30/9/97	Bosnia and Herzegovina, Mr. M. Imamoviæ	Economic Problems in Bosnia and Herzegovina	English
97/SLO/017	30/9/97	Bosnia and Herzegovina, Mr. M. Lonèar	Economic Reconstruction in the Republika Srpska and International Financial Institutions	English
97/SLO/018	30/9/97	ODIHR, Ambassador G. Stoudmann	Co-ordination of Human Dimension Activities: the Lessons of Bosnia and Herzegovina - Speaking Notes	English
97/SLO/019	30/9/97	Holy See, Mgr. I. Jurkoviè	Statement	English
97/SLO/020	30/9/97	Office of the High Representative	Information Sheet	English

^(*) Documents are available on request from Documents Distribution.

97/SLO/021	30/9/97	OSCE Mission to Bosnia and Herzegovina, Ambassador R.H. Frowick	Concept of Mutually Reinforcing Institutions: Lessons Learned in Bosnia and Herzegovina	English
97/SLO/022	30/9/97	OSCE SG, Ambassador G. Aragona	Opening Remarks	English
97/SLO/023 ^(**)	30/9/97	UNHCR, Mr. van Rooyen	Statement	English
97/SLO/024 ^(**)	6/10/97	Ireland, Ambassador Harman	Speaking Points	English
97/SLO/02 ^(**)	8/10/97	Bosnia and Herzegovina, President of the Federation, Mr. Šoljić	Statement (delivered in Croatian with translation into English)	English

^(**) The text was made available after the Seminar.



**SEMINAR ON CO-OPERATION
AMONG INTERNATIONAL
ORGANIZATIONS AND
INSTITUTIONS: EXPERIENCE IN
BOSNIA AND HERZEGOVINA**



Portorož
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Seating Arrangement

