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## U.S. Department of State

### Bosnia and Herzegovina Country Report on Human Rights Practices for 1996

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#### BOSNIA AND HERZEGOVINA

The 1995 General Framework Agreement for Peace in Bosnia and Herzegovina (the Dayton Accords), signed after 3 years of war, provided for the continuity of Bosnia-Herzegovina, originally one of the constituent Republics of Yugoslavia, as a single state, Bosnia and Herzegovina, with two constituent entities, the Federation of Bosnia and Herzegovina (the Federation) and the Republika Srpska (RS). The Federation, which incorporates the areas with a Bosniak (Muslim) and Croat majority, occupies 51% of the territory; the RS, populated mostly by Bosnian Serbs, occupies 49%. The Dayton Accords established a constitution for Bosnia and Herzegovina that includes a central government with a bicameral legislature, a three-member presidency comprised of a representative of each major ethnic group, a council of ministers, a constitutional court, and a central bank. Defense remains under the control of the respective entities.

In a significant step toward implementing the Dayton Accords, elections for central, entity-level, and, within the Federation, cantonal offices were held on September 14. Alija Izetbegovic, Momcilo Krajisnik, and Kresimir Zubak were elected to the presidency representing respectively Bosniaks, Serbs, and Croats. Izetbegovic, who received a plurality of the votes, was named Chair in accordance with the new Constitution. Although the preelection period was marked by widespread limitations on the ability of opposition parties to campaign effectively and significant restrictions on freedom of interentity movement, the balloting was orderly and calm. The large turnout demonstrated that citizens were committed to the voting process.

Before and after the elections, the main political parties continued to exercise significant political power

at all levels. These were the Party of Democratic Action (SDA) in predominantly Bosniak areas, the Serb Democratic Party (SDS) in the RS, and the Croatian Democratic Union of Bosnia and Herzegovina (HDZ) in Croat areas.

One of the two entities that make up Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina, was established in March 1994 and transformed the internal structure of the Bosnian territories under Bosniak and Croat control. It is a mixed system with a president and a parliament that must approve the president's choice of Prime Minister. Federation structures have been implemented only gradually. Major steps were the creation of provincial structures in the form of cantons, the unification of Sarajevo under Federation control, and September elections to a Federation Parliament. In these elections, the mainly Muslim SDA and Croat HDZ won 59% and 22% of the votes, respectively. Widespread abuses of citizens on an ethnic basis in the Sarajevo suburbs that occurred during and after the transfer of authority there in March and inconclusive efforts to integrate separate Bosniak and Croat administrations in the ethnically bifurcated city of Mostar highlighted the willingness of political leaders of both Bosniaks and Croats to manipulate ethnic factors for political gain.

In most respects Federation authority did not extend effectively outside the areas in which Bosniaks constituted a majority. The self-proclaimed "Croat Republic of Herceg-Bosna" was a rival claimant to Croat-held territory in Bosnia and Herzegovina until March 1994. Although its official dissolution was called for under a separate agreement reached in Dayton, security and administrative structures associated with Herceg-Bosna persisted and remained closely associated with the military structure of the Croat Defense Council (HVO) and the political party structure of the HDZ. This relationship included close military ties, and along with the fact that Bosnian Croats had dual citizenship with Croatia and were able to vote in Croatian elections, brought into question the degree of the HDZ's independence from Croatia.

The Republika Srpska of Bosnia and Herzegovina is the other entity. Its de facto capital is the town of Pale, near Sarajevo, although Banja Luka is the seat of the RS Parliament and other entity ministries. A president and two vice presidents are directly elected for 4-year terms. Until July 18 Radovan Karadzic acted as the president of Republika Srpska, despite his indictment for war crimes. The legislative branch, the National Assembly, is elected on the basis of proportional representation. Real control, however, was exercised by the dominant political party, the SDS. The party ensured conformity among local authorities in many areas and used its authority to ensure adherence to nationalistic positions. In the September elections the SDS won 66% of the vote. Then-acting RS President, Biljana Plavsic, was elected President for a full term.

The Constitution of Bosnia and Herzegovina (Annex 4 of the Dayton Accords) made the Federation and RS responsible for maintaining civilian law enforcement agencies operating in accordance with internationally recognized standards. Law enforcement bodies of both entities have on many occasions violated these standards, giving preferential treatment on the basis of political, ethnic, and religious criteria. Police personnel and in some instances special military police were involved, but with the end of active hostilities, local police structures assumed a much greater role in people's daily lives throughout Bosnia and Herzegovina. However, the existence of special or secret police in all three ethnic areas, a throwback to the Communist heritage, poses another problem. They are not in the normal police chain of command but are directly responsive to the senior leadership. The police in Bosniak-controlled areas of the Federation are locally recruited and organized. They have been guilty of widespread human rights abuses.

A Federation army was created by agreement of the Croat and Bosniak leaders in October, to be comprised of five corps and two independent divisions. Four corps and the two independent divisions are mostly Muslim and one corps is Croat. A joint command is expected to develop into a unified

organization in 3 years.

For most of 1996, the Bosnian Army (ABiH) was the military arm of the majority Muslim portion of the Federation. During the war it developed from a citizen militia into an army. It is in principle, and to some extent in reality, a multiethnic fighting force, comprised predominantly of Bosnian Muslims, but also of Croats, Serbs, and Bosnians of mixed ethnicity. During the year the influence of non-Muslims among the military command diminished, primarily as a result of the growing influence and ethnic orientation of the ruling Party of Democratic Action. The Bosnian Army generally respected citizens' human rights, although it did commit some violations.

The one Croat corps of the newly formed Federation army operated separately as the Croat Defense Council and appeared to remain under the effective control of the Croatian army. Police remained monoethnic, and those in predominantly Croat areas were outside the control of Federation officials. They were generally responsive to the direction of higher officials and the HDZ party, although they appeared somewhat less disciplined than police in the RS. Police in Croat areas committed numerous human rights abuses.

The Bosnian Serb Army is the military arm of the RS. It was amalgamated in 1992 from Serb paramilitary bands, local rural militias, and elements of the Yugoslav National Army (JNA). Its commander, Ratko Mladic, was indicted for war crimes and replaced in November. There were no reports of human rights violations by Bosnian Serb Army (BSA) units during the year, but individual soldiers or persons dressed in BSA uniforms were reported to have committed human rights violations. Serb police forces consist of locally recruited municipal forces and a special force responsible to the Ministry of the Interior. Both forces respond to central direction. Both were responsible for widespread human rights abuses.

The NATO-led Implementation Force (SFOR/IFOR) continued its mission to implement the military aspects of the Dayton Accords and create a more secure environment to facilitate implementation of the nonmilitary aspects of the settlement, such as civilian reconstruction, the return of refugees and displaced persons, elections, and freedom of movement of the civilian population.

In addition to the human suffering, the war had a destructive impact on the economy and infrastructure. Gross domestic product (GDP) is estimated to have contracted by three-quarters with income losses of up to 85 percent in the Bosniak majority areas. Croat-controlled territory fared relatively well, with GDP contraction estimated at around 15 percent. The economy in Serb-controlled areas appear to have performed somewhere between the two. Since the Dayton Accords, there are signs of increased trade in the Croat-majority areas and significant growth (from a very low base) in the Bosniak parts of the country. Reconstruction programs initiated by the international community have financed physical construction of infrastructure and provided loans to the manufacturing sector, which is expected to increase employment.

Economic assistance is expected to lay the groundwork for a revival of the economy. The actual distribution of assistance to particular entities or areas continues to be conditioned on the parties' compliance with their Dayton obligations, including the turnover of persons indicted for war crimes to the International Criminal Tribunal for the Former Yugoslavia.

Unemployment was a major problem. The military demobilization on all sides subsequent to the Dayton Accords, the large number of displaced persons, and the destruction of a significant part of housing, have further contributed to economic and social insecurity. There are an estimated 650,000 unemployed persons in the Federation. In addition 40 percent of the estimated 1.2 million refugees would need work

should they return.

The year 1996 was a period of transition in which the international community sought, through implementation of the Dayton Accords, to promote political reconciliation after more than 3 years of war during which more than 250,000 people were killed and some 3 million were uprooted and dispersed. The most egregious abuses of the war period--murder, rape, and widespread disappearances and displacements--largely ended. However, to varying degrees the authorities in both RS and the Federation continued to commit abuses, and the human rights situation remained precarious nearly a year after the signing of the peace agreement.

Members of the security forces physically mistreated citizens and made widespread use of arbitrary arrest and detention. Prison conditions are poor. Judicial institutions throughout the country did not effectively try cases of human rights abuses; even in cases where fair judgment was reached, local officials refused to implement court decisions. Authorities in all areas infringed on citizens' right to privacy and home, and as a rule the right of refugees and displaced persons to return to their homes was not respected. Restrictions on freedom of movement, destruction of homes, and the displacement of large numbers of people for reasons of ethnicity constituted a serious problem, with the most serious such abuses committed by the RS. Members of all security forces harassed and intimidated refugees. The authorities on the Bosniak side exerted control over the media; in the RS the authorities dominated the media. Both sides constrained academic freedom and freedom of assembly and association.

Abuses based on ethnicity constituted a major problem, and interethnic differences were further complicated by religious differences. The large numbers of refugees and displaced persons, themselves often embittered victims of ethnic conflict, combined with greatly reduced housing resulting from the war, posed serious problems for interethnic relations.

Abuse of such human rights as privacy, freedom of movement, security of the person, and ethnic nondiscrimination were so frequent as to be almost routine, especially in the Croat and Serb areas. In the Muslim areas the situation was somewhat better, but when important interests of the political and administrative elite were at stake, for example, in the efforts of non-SDA partisans to return to Bihac and neighboring areas, the transfer of authority of the Sarajevo suburbs from RS to Federation control, and efforts to unify Mostar, the actions of Bosniak police did not differ greatly from those of their ethnic counterparts. In many instances, police reinforced the insecurity of ethnic minorities by failing to assist them when they were victimized by popular animosities on the part of the majority.

Bosniak police were responsible for the harassment of other ethnic groups and the mistreatment of detainees and prisoners, although some improvement has been noted by the International Police Task Force (IPTF). The Army of Bosnia and Herzegovina was reportedly responsible for the widespread mistreatment of returnees from the Kupljenska refugee camp in Croatia.

The leaders of the dominant political parties failed to demonstrate a commitment to ethnic nondiscrimination. The leaders of the SDS, who effectively ruled the RS, single-mindedly pursued policies of ethnic exclusivity, including ethnic cleansing, against Muslims and Croats and intimidated ethnic Serbs who opposed such policies. Leaders of the HDZ continued, in such places as Mostar, to place the interests of Croats above the ethnic integration to which they committed themselves in the Dayton Accords. The most conspicuous examples of discrimination in this connection related to the return of refugees and displaced persons to their former places of residence and the security of individuals from repressive measures designed to induce them to move, which represented continuing, if less massive and brutal, manifestations of ethnic cleansing characteristic of the war period.

The international presence throughout the country helped deter additional human rights abuses.

Nationwide elections on September 14 marked a significant milestone in the creation of a state based on democracy and the rule of law. The preelection period was marked by the unwillingness of important leadership elements in all three of the dominant parties to tolerate political opposition even from members of their own communities.

Although the Bosniak side of the Federation has surrendered persons indicted by the International Criminal Tribunal for the Former Yugoslavia, authorities in the Croat-controlled parts of the Federation and the RS continued their failure to apprehend and deliver indicted persons to the Tribunal. The International Criminal Tribunal for the Former Yugoslavia handed down its first verdict in November, sentencing a Bosnian Serb soldier to 10 years' imprisonment for war crimes.

## **RESPECT FOR HUMAN RIGHTS**

### **Section 1 Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Political and Other Extrajudicial Killing**

There was only one report of political or other extrajudicial killing by police under the effective control of the Federation. International organizations reported that two Croat special police officers were identified as the perpetrators of the murder of a Bosniak driving between Zenica and Zepce. After intervention by international officials, the two suspects were brought before a court in Vitez, in the Croat controlled area, and convicted of their crime.

In the RS, human rights officials from the Organization for Security and Cooperation in Europe (OSCE) reported a case in Banja Luka in which a Bosniak died due to physical abuse while in police custody. Arrested for alleged possession of illegal weapons, he suffered massive internal injuries produced by a blunt instrument. Another Bosniak man was found beaten to death in Doboj. Police involvement is suspected, but noncooperation by RS authorities with the investigation made responsibility difficult to confirm.

Extensive killings and other brutal acts committed in earlier years remained unpunished. Although all parties bore some responsibility for some of the killings, the RS was responsible for the most massive, egregious, and well-organized killings targeted on members of an ethnic group. These include, since 1995, about 7,000 persons missing and presumed killed by the Bosnian Serb Army after the fall of Srebrenica, the worst incident of mass killing in Europe since World War II, and another 1,500-5,000 missing and presumed killed as a result of "ethnic cleansing" in Northern Bosnia. The International Criminal Tribunal for the Former Yugoslavia by year's end had indicted 75 individuals on charges of war crimes and genocide in connection with these and other occurrences. Only the Bosniak side of the Federation has been willing to surrender persons under indictment. At year's end only seven of the accused were in custody. The Tribunal handed down its first verdict in November, sentencing a Bosnian Serb soldier to 10 years' imprisonment for war crimes. Authorities in both the Croat-controlled parts of the Federation and the RS have failed to apprehend and surrender indicted persons to the Tribunal. Those indicted include former RS President and SDS Chairman, Radovan Karadzic, and former Bosnian Serb Army Commander Ratko Mladic. Karadzic retained his positions in the RS long after the indictment was handed down, before being removed from office in July.

#### **b. Disappearance**

There were no reports of politically motivated disappearances.

Despite delays there was some progress in solving earlier disappearances. With the cooperation of the RS, international and Bosniak experts began to exhume the bodies buried around Srebrenica. Several sites have been excavated and hundreds of bodies found, but many more persons are still missing from Srebrenica and Zepa.

In addition to those believed killed in Srebrenica and Zepa, the International Committee of the Red Cross reported in December that a total of 17,689 family members from the war years had requested assistance in tracing missing persons; 999 individuals have been found. Several hundred people expelled from Banja Luka, Prijedor, Bosanski Novi, and Bosanska Dubica may also have been killed. Local Bosnian officials in Bugojno have yet to provide satisfactory information on the whereabouts of 26 prominent Croats who disappeared when the Bosnian Army took the town in late 1993. Nor was there any resolution of the longstanding case involving the disappearance of approximately 180 Bosniak men from Hadzici in June 1992.

In September the International Commission on Missing persons in Former Yugoslavia was formed under the Chairmanship of former U.S. Secretary of State Cyrus Vance. Comprised of distinguished international public servants, the Commission is working to get the Bosnian parties, Serbia and Montenegro, and Croatia to provide a full and timely accounting of the missing.

#### c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution provides for the right to freedom from torture and cruel or inhuman treatment or punishment. No reliable reports emerged that any of those in authority in Bosnia and Herzegovina employed torture as an instrument of state. However, in all areas of the country authorities, police, and prison officials were responsible for numerous instances of physical mistreatment.

For example, the IPTF reported in November that a Bosniak man and his family were forcibly expelled from their house in Dubica in the RS by local police. The man was arrested, beaten, and detained without charge for 3 days.

According to the IPTF, a Bosniak man was beaten in a restaurant in Teslic by two RS policemen in November after being asked for his identification papers. The man was arrested without being charged and released a week later.

The Human Rights Coordination Center of the Office of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina (OHR) reported the complaint of a Serb woman in the town of Hadzici (Federation) who said that local police refused to investigate an incident in November in which a group of men in uniform entered her house, beat her husband at gunpoint, and tried to forcibly evict them.

In December the United Nations High Commissioner for Refugees (UNHCR) in Mostar reported that an old Bosniak woman living in the Croat sector of the divided town was evicted from her residence. The woman reportedly died during the expulsion from heart problems.

Also in December a group of six Bosniak policemen severely beat and robbed a Croat driving through the Bosniak sector of Mostar. The victim was taken to the Bosniak police headquarters where he was beaten again. The victim suffered a fractured jaw and several broken teeth. There have been no arrests or reprimands.

Conditions in Federation prisons are poor and well below minimum international standards. There are accounts of beatings and mistreatment by officials in government detention centers. Conditions in RS prisons also remained poor.

#### d. Arbitrary Arrest, Detention, or Exile

Arbitrary arrest and detention continue to be widely practiced in both the Federation and the RS. In some cases people are released after 2 or 3 days, although international organizations have reported several cases that remained unresolved for months. The victims are frequently members of ethnic minorities in their areas. Local officials are in many instances able to act in an entirely arbitrary manner with absolute impunity.

According to the OHR, three persons were arrested in February in Kiseljak, a predominantly Croat town and transferred into HVO custody in Mostar. They were kept in detention without being charged, and there was no evidence that judicial proceedings were under way. It appears that the detaining authority hoped to exchange them for Croats who were serving criminal sentences elsewhere in Federation territory. They were eventually released in September; however, others remain in detention.

Of major concern were prisoners held before the Dayton Accords came into effect who have not been registered and are unknown to monitors. OHR reports that in a particularly egregious and well-known case, a Croat priest from Prijedor, Tomislav Matanovic, and his parents have been detained in the RS since September 1995. RS authorities acknowledged that the priest is being held in private detention and have pledged that he will be released.

There were no reports that forced exile was practiced as a juridical device. However, authorities in all areas of the country and at all levels undertook to drive out individuals, especially members of minority groups, as a means of consolidating ethnic and political control. Moreover, police often failed to provide protection to individuals being mistreated by elements of the population or nongovernmental organizations, with the same end in mind. In the Federation, during the transfer of authority of the suburbs of Sarajevo, local authorities did little to prevent the exodus of non-Bosniaks, and there was no determination to forestall or stop acts by Bosniak displaced persons intended to drive them out. Similar practices were apparent in some parts of majority Croat areas within the Federation.

In the RS there were continuing expulsions, notably in Teslic and Urbanja. In the RS a joint fact-finding mission conducted by the OHR, the OSCE, and the U.N. Center for Human Rights uncovered evidence of significant numbers of expulsions of non-Serbs from the greater Teslic region. Bosnian Serbs intimidated or expelled dozens of families, mostly Bosniaks, during May and June. The principal perpetrators appeared to be displaced persons and Serb thugs from nearby villages.

#### e. Denial of a Fair Public Trial

The Constitution provides for an independent judiciary, extends the judiciary's independence to the investigative division of the criminal justice system, and establishes a judicial police force that reports directly to the courts. However, these provisions have not yet been implemented, and the executive appears to exercise authority over the judiciary. Yugoslav and wartime practices in which the executive and the leading political parties exerted considerable influence over the judicial system persisted in all areas. Party affiliation and political connections appeared to weigh heavily on the appointment process, and the ruling parties attempted to stack the courts with party loyalists.

The existing judicial hierarchy in the Federation is based on municipal courts, which have original

jurisdiction in most civil and criminal cases, and cantonal courts, which have appellate jurisdiction over the canton's municipalities, as well as three federal courts (Constitutional, Supreme, and Human Rights). The Constitution provides for the appointment of judges until the age of 70 and for internal administration of the judicial branch. The Constitution also provides for open and public trials, and the accused has the right to legal counsel.

The Bosnian Serbs reportedly use a modified form of the old Yugoslav Republic of Bosnia's criminal code.

Human rights ombudsmen reported that judicial institutions in both entities, whose work was controlled by the ruling parties, were neither capable nor willing to try cases of human rights abuse referred to them, and that even when the courts rendered a fair judgment, local officials refused to implement their decision.

There have been no credible reports that the Bosnian Government holds political prisoners.

#### f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The Constitution of Bosnia and Herzegovina provides for the right to "private and family life, home, and correspondence." These rights were generally better observed in the Federation than the RS, but neither entity brought property law into conformity with international norms, and implementation of the laws that did exist was often guided by considerations of ethnic or political advantage.

In the Federation, the authorities sporadically used their power over possession of property, including housing, in a manner that effectively dispossessed ethnic minorities (see Section 5). RS authorities tried to obstruct the reintegration of Sarajevo by forcing Serbs to leave the area and dismantling or destroying housing, industrial facilities, essential utilities, and other infrastructure. OSCE monitors reported that evictions of Muslims continued in Prijedor and Doboj, and in the latter town a Serb woman from the local Red Cross was reportedly interrogated and beaten by local police when she tried to help a Muslim woman who was being evicted. Bosnian Serbs who left the Sarajevo suburbs, in some cases because of intimidation by RS police and SDS party activists, were forced to resettle in Brcko, Pale, Sokolac, Srebrenica, Visegrad, Zvornik, and other areas previously purged of non-Serbs. Intimidation was also used to prevent Bosniak and Bosnian Croat refugees from returning to their homes in RS territory, as well as to influence the arbitration decision on the future of Brcko. Approximately 10,000 Serbs of an original population of 70,000 remained in the Sarajevo suburbs transferred to Federation control.

Local authorities responsible to the RS continued to expel Bosniaks. Several families that were expelled from the village of Vrbanja near Banja Luka in June and returned had to be evacuated for their physical safety by the United Nations. Following the evacuation, only 40 Muslims remained in this village, once inhabited by 4,500. However, RS authorities were not alone in seeking the ethnic purity of this region as the HVO evacuated ethnic Croats from RS territory to Croat-controlled territory (see Section 1.g.).

#### g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

The performance of Federation military and police forces did not indicate a policy of reliance upon force to achieve ethnic or other goals in the Bosnia-wide setting. However, excessive force was used with sufficient frequency in localized situations to suggest that such behavior was tolerated. In the region around Bihac, the Bosnian Army V Corps and the Bosniak police frequently harassed and intimidated refugees returning from Kuplensko Refugee Camp in Croatia. Representatives of the IFOR reported 56 such cases in January, and some refugees fled back to Croatia. The OHR indicates that such occurrences

were considered a "rite of passage" by victims and authorities alike. It was unclear whether they represented an organized campaign against the returnees. In the transition to Federation rule of the Sarajevo suburbs, Federation police were reliably accused of mistreating ethnic Serbs or not intervening when others did so (See Section 5).

The Catholic Press Agency reported the protest of Catholic Bishop Komarica of Banja Luka over the forced repatriation by the HVO to "Herceg-Bosna" of 500 residents of his Diocese from the town of Majdan in the RS, despite their wish to remain in their ancestral homes. This village was designated by the Dayton Accords as part of RS. The Croats had lived in this village since before the war, experiencing no problems with their non-Croat neighbors.

Serb police often employed excessive force to prevent Bosniak former residents from returning to, or staying in, territory designated as RS territory by the Dayton Accords, to force ethnic Serbs living in other parts of Bosnia to move to RS territory, and to intimidate ethnic Serbs from registering as voters in territory other than that of the RS. Local Serb police apparently took no action against the perpetrators of severe harassment. The UNHCR described the expulsions as ethnic cleansing. Bosnian Serb police obstructed IPTF investigations through noncooperation and restrictions on movement by means of checkpoints.

## **Section 2 Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

The Constitution provides for freedom of speech and the press. This right was partially respected in the territory under effective control of the Bosniak Muslims; authorities in the RS and Croat-controlled areas of the Federation respected it to a considerably lesser extent, although some progress was made in establishing alternative print media in the RS.

The dominant political parties continued to exercise strong control over the most influential media outlets. However, in the Federation, a number of independent publications have consolidated their positions in terms of readership and influence, if not financial health. They include the leading daily *Oslobodjenja* and the weeklies *Dani* and *Slobodna Bosna*. In the Bosniak-controlled portions of the Federation there was a strong tendency to favor the positions of the governing SDA. Party influence was particularly notable in the State-run television outlets, the principal source of information in all areas. The OHR reported that on TV Bosnia and Herzegovina, announcers continued to use inflammatory generalizations to describe persons from the RS. In general the media of the RS and the Croat-controlled portions of the Federation were unremittingly biased in favor of the positions of their ruling parties.

Complying with commitments made in connection with the Dayton Accords, the authorities permitted other political parties limited access to television in advance of the September national elections. However the content of many broadcasts continued to reflect the views of nationalist hardliners.

In the Federation many private radio stations broadcast locally; a smaller number of private television stations served local markets in Sarajevo, Zenica, and Tuzla. In central Bosnia SDA officials appeared to be using their influence over government frequency allocation to restrict the further establishment of broadcast media outlets. After overcoming great resistance from Federation authorities, a Western-sponsored Independent Open Broadcast Network was established by broadcasting material through some of these independent television stations. The purpose was to create a strong independent television sector in all parts of Bosnia, drawing talent from among all ethnic communities. Despite a number of ongoing logistical and resource problems, its signal could be received in most major population centers.

The development of independent media was constrained by a number of structural factors including limited circulations, a lack of locally produced material with a wide appeal, poor advertising revenues, and high operating costs. Few of the media were commercially viable; some survived through the sponsorship of private organizations, cultural societies, and political parties, others with help from Western aid organizations.

In Croat-controlled Federation territory, broadcast transmissions from neighboring Croatia, as well as local Croatian-nationalist broadcast entities, captured the majority of audiences, while few alternative or nonnationalist news sources were available. In the RS most media are a propaganda tool of the ruling SDS party. Srpska Radio-Televizija broadcasts from RS engage in negative ethnic stereotyping. The party uses its own information resources, an information ministry, and tight control of most media outlets to dominate most outlets. Nonetheless, some independent media were established. In Banja Luka an independent newspaper, *Nezavisne Novine*, began publication, as did a monthly and a weekly not under the control of the SDS. In some areas RS authorities have exerted considerable pressure against independent publications, forbidding local businesses to advertise in them, local presses to print them, and local kiosks to sell them.

Foreign journalists representing recognized media were generally free to report from all areas of the country, although local authorities occasionally reacted with force to prevent efforts to film incidents involving violence. The absence of telephone and fax links between the entities complicated journalists' work.

Academic freedom was constrained. In the Federation, Serbs and Croats complained that SDA party favorites were more likely to get promoted or obtain senior managerial positions. In Serb-controlled areas, the authorities' general lack of tolerance for dissent led to total control of the educational media. The curriculum in Serb-controlled areas has been revamped to teach solely Serb history, art, literature, etc.

#### b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of peaceful assembly and association. However, none of the parties fully respected these rights in practice. A wide