

## The Moods of Sarajevo. Excerpts from the Diary of an Observer<sup>1</sup>

### Introduction

*The General Framework Agreement for Peace in Bosnia and Herzegovina entrusted the OSCE with, among other things, monitoring and preparing for the holding of elections. This was the first time the OSCE had taken on such a responsibility and it turned out to be particularly complicated.*<sup>2</sup>

*On 30 January 1996 the Chairman-in-Office appointed the seven-person Provisional Election Commission (PEC) which was to establish election Rules and Regulations, see that they were put into effect and, finally, to ensure their observance. For this purpose, OSCE supervisors were to monitor proceedings directly on election day and, if necessary, intervene to make things go as they should.*

*Independently of this Commission, which was to be responsible for the orderly preparation and holding of as many as seven elections, the Chairman-in-Office (and Swiss Foreign Minister) Flavio Cotti on 7 March 1996 appointed a Co-ordinator for International Monitoring (CIM) of the elections who, with the assistance of long-term and short-term foreign OSCE observers (LTOs and STOs), was to follow the entire electoral cycle from registration of voters to the counting of the votes and afterwards to provide the Chairman-in-Office with an evaluation. This Co-ordinator was the former Mayor of Amsterdam and Minister of the Interior of the Netherlands, Ed van Thijn.<sup>3</sup> On the period from 4 January 1996, when the Foreign Minister of the Netherlands, Hans van Mierlo, called to ask him whether he would be interested in this task, until his return on 29 September 1996, he published a diary which was often astonishingly frank. It allows a look behind the curtains of the "international community's" public show on diplomacy and politics where the everyday routine and its idle moments becomes visible, at the same time, however, providing glimpses of structures and rivalries, international bureaucracy in action, power relationships and networks and also of the struggles, dangers and disappointments as well as the small, privileged pleasures.*

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1 Ed van Thijn, *Stemmingen in Sarajevo*. Dagboek van een Waarnemer. Amsterdam 1997. We thank the author and his publisher, Jaap Jansen, for their kind permission to reprint this excerpt. The translation and the introduction are our responsibility.

2 See Robert H. Frowick, *The OSCE Mission to Bosnia and Herzegovina*, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (Ed.), *OSCE Yearbook 1995/1996*, Baden-Baden 1997, pp. 164 and 170-174.

3 Cf. *ibid.*, p. 172.

Six points in van Thijn's chronicle are of particular interest: the clarification of the nature of his responsibilities; the setting up of his office and recruitment of election observers; co-operation with other actors, both inside and outside the OSCE; the decision on a date for the election; the preparations for election day; and, finally, the evaluation of the election results.

From the beginning right up until election day there were problems in defining the responsibilities and the position of the Co-ordinator for International Monitoring. What was to be the difference between "supervision" of the preparations and holding of the elections and the "monitoring" of them, which the OSCE viewed as an essential part of its mandate? Ultimately, the difference was defined by the convenient term "hands-on" for the supervisors, who could and should intervene and help, and "hands-off" for the monitors and observers, who were to examine and evaluate. In his efforts to put this definition of his task into practice, van Thijn again and again encountered incomprehension, rejection and even deviousness. This resistance was not least a result of the costs, for personnel and logistics, which comprehensive monitoring in addition to the preparation and holding of the elections entailed.<sup>4</sup> This brought the position of the Co-ordinator into play. Even before his appointment, van Thijn had insisted on the independence of his office, arguing plausibly enough that the organizers of the elections could not serve as their own monitors. Thus he insisted on his independence as Co-ordinator with all of the consequences emerging therefrom for reporting on and later evaluating the elections. Robert Frowick, Head of the OSCE Bosnia Mission, saw it very differently at first; at his first meeting with van Thijn on 17 February he drew on a napkin an organization chart in which he placed the Co-ordinator under the Head (himself), then under his Senior Deputy for Elections, Sir Kenneth Scott, and finally under one of Scott's four Directors General.<sup>5</sup>

Van Thijn soon found out that there was no one at the Foreign Ministry in The Hague or at the OSCE Secretariat in Vienna who had a clear idea of the responsibilities he was about to assume; he therefore worked out with the OSCE Ambassador of the Netherlands, Egbert Jacobs, five questions to which he attached conditions. First, the job had to be clearly described. Does the Observer Mission focus only on election day or on the whole electoral process? Is its task mainly organizational or is it substantive? Second: What is the status of the Observer Mission? Van Thijn felt it important to have a written statement confirming its independence and to have a direct reporting channel to the Chairman-in-Office. Third, he demanded clarity on the official admissions procedure

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4 At the meeting of the Senior Council in Prague on 21 March 1996 the costs were estimated at 156 million US-Dollars - 50 US-Dollars per voter, which was one third of the costs for the Palestinian elections and hardly more than elections cost in Canada. But at that time there was no one in the OSCE who knew how this sum was to be financed. See van Thijn, cited above (Note 1), p. 34.

5 Cf. *ibid.*, p. 22.

- i.e. accreditation. Do all international observers have to be accredited and must the Co-ordinator set up a system for this purpose? Fourth, he wanted to know what kind of reporting was wanted. Should he be the one who, at the end of a 24 hour period (as is usual), sends in a report in the name of all observers? Fifth, van Thijn thought it desirable to consult with the local parties and the international organizations involved before his possible appointment.<sup>6</sup>

On 7 March van Thijn received a fax letter from the Chairman-in-Office, Flavio Cotti, saying that he had been appointed as CIM. The letter also confirmed the Observer Mission's independence, which was to apply to the entire electoral process, and expressed the wish that it should co-operate as closely as possible with the OSCE Mission to Sarajevo and, at the conclusion of the process, report to the Chairman-in-Office.<sup>7</sup>

The Mission's staff is to comprise six people. Van Thijn first chooses Lo Breemer ("Lo"), one of his closest colleagues and confidants from his time as mayor of Amsterdam; a Dutch military officer; and the Swiss elections expert, Stefanie Luethy. At the meeting of the Senior Council in Prague on 21 March 1996 van Thijn is unable to find an appropriation for his Observer Mission in the budget for the elections, nor does he succeed, in conversation with the Secretariat's financial officer, Hans Christian Cars, in obtaining any oral assurances about financing. The OSCE's Secretary General, Wilhelm Höynck, wants to deal with this question in a flexible way as part of the OSCE missions' budget but doubts that six people are needed for the Observer Mission.<sup>8</sup>

Not all of the international organizations are prepared to leave the co-ordination of election monitoring up to the OSCE or, in particular, to support Ed van Thijn as OSCE Co-ordinator. Even so, the Dutch Commissioner, Hans van den Broek, has assured him of all possible support from the EU.<sup>9</sup> Van Thijn repeatedly praises the assistance from the European Community Monitor Mission (ECMM).<sup>10</sup> He soon discovers in Sarajevo that there are enormous tensions within the Mission as a result of which its main building has acquired the nickname of "the Madhouse".<sup>11</sup> One scandal, at least from the Netherlands' point of view, was the abrupt dismissal of the press spokeswoman, Joanna van Vliet, a Netherlands diplomat, who was replaced overnight by an American, Ms. Aggy Kuperman.<sup>12</sup> This change was admittedly not intended by the American Head of Mission Robert Frowick but was the responsibility of John Kornblum of the Department of State in Washington.<sup>13</sup> American influence of this kind was fre-

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6 Cf. *ibid.*, p. 24.

7 Cf. *ibid.*, p. 27.

8 Cf. *ibid.*, pp. 37ff.

9 Cf. *ibid.*, p. 50.

10 Cf. *ibid.*, p. 64.

11 Cf. *ibid.*, p. 59.

12 Both the Parliament and the Foreign Minister of the Netherlands protested against this action - without success.

13 Cf. Van Thijn, cited above (Note 1), p. 259.

quently noted by van Thijn and he describes it very vividly in connection with a conversation with Kornblum on the eve of the election.<sup>14</sup> It turned out that it was mainly the United States that wanted the elections to be held on the planned date. Van Thijn sees the preparations for election day as having been hampered in particular by the slowness of many OSCE participating States in making available enough long- and short-term observers.

The main questions in evaluating the election results are whether the campaign and the voting were sufficiently "free and fair" to be acceptable; the issue of the loyalty of the Republika Srpska representatives to the constitution of the country as a whole; and, finally, the date of the still outstanding municipal elections. On all of these points American pressure and influence are frequently evident, stimulated in a concrete way by the date of the American presidential election. While the Americans wanted at all costs to have a declaration that local elections should take place in November 1996, all other political forces were more or less opposed. It turned out that the American position was successful - at first. After van Thijn had already left, the municipal elections were postponed until autumn 1997. (Kurt P. Tudyka)

*Saturday, 14 September*

The day of days has arrived (...) Wearing T-shirts with an OSCE logo, Lo and I walk to several polling stations. Voters are arriving continually but there is obviously no dense crowd. The impression is one of normalcy. I time a number of older voters. The average time it takes to cast a vote is four minutes. In each of two polling stations we encounter a supervisor, in one a monitor.

The Provisional Election Commission meets at 10 o'clock in the "Madhouse". As usual, Dr Kovac<sup>15</sup> comes with an IFOR escort. The heavily armed Italian soldiers immediately take up their positions, as though danger were lurking everywhere. Afterwards we drive in convoy to the ARRC<sup>16</sup> headquarters. Two rooms are reserved for us there: one conference room with carefully prepared name plates and a rather large reception room with comfortable chairs and a television set. The first meeting is at 11 o'clock in a room with about one hundred people present, mainly military. At the head of the table sits the entire supreme command. Admiral Lopez and the Generals Heinrich, Walker, Sullivan and Cabigiosu. As Commander, General Walker takes over the direction of the meeting. Behind the generals there are two rows of seats for the PEC and their advisers. On both of the long sides of the table are seated the representatives of

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14 Cf. *ibid.*, pp. 306ff.

15 Dr Slobodan Kovac, representative of the Republika Srpska.

16 ACE (Allied Command Europe) Rapid Reaction Corps.

the OSCE, IFOR, ECMM, IPTF and the Interior Ministers of the two state Entities, who are all to report in order.

The IFOR spokesman reports an occurrence on the evening before the election. In Bugonjo at 9:40 p.m. there was an explosion in the house of an HDZ representative.<sup>17</sup> Otherwise, everything is for the moment proceeding as desired. Only from Brcko there are reports of traffic jams resulting from security controls, but a solution is being negotiated. Spence Spencer,<sup>18</sup> speaking for the OSCE, says that complaints about registration difficulties have been coming in - that queues have developed here and there. This has caused problems in Novigrad, a district of Sarajevo. 300 people in one queue became impatient and a window was smashed in. The polling station has been temporarily closed. There are no other problems to report. The Head of the ECMM, Noel Kilkenny, himself one of the rapporteurs, reports traffic jams of buses in the vicinity of Doboje.

The Federation representative reports that a Croatian family was harassed by unknown persons last night and as a result no longer had the courage to exercise their right to vote. General Walker interrupts him immediately: "No individual cases", is the rebuke. The RS<sup>19</sup> representative says that "for the time being" there are no problems.

The PEC returns to its own rooms. Sir Kenneth<sup>20</sup> sees no reason for a meeting. But Dr Begic<sup>21</sup> is very unhappy over the way things are going. "This is the wrong place", he calls out. "This way we have no contact at all with what is going on in the country." But others do not agree with him. They are happy to have a break. Somebody passes me an old copy of "Die Weltwoche" which contains an interview with the "upright Dutchman". One of my statements has been turned into the title: "They've known for decades here what elections are and how to manipulate them." I am glad that I have so many observers spread over the whole country who are well trained and can follow events on the spot. For myself, I miss, just as Begic does, the odour and colour of the real election process. We're stuck in a barracks and have to accept what is given us.

At 1 p.m. there is another information meeting. Once again everyone takes his place at the tables in the prescribed order. IFOR reports that there still have been no serious incidents. More than a hundred buses have crossed the IEBL<sup>22</sup> without difficulty. Negotiations are still going on in Brcko. There are also tailbacks around Banja Luka. The IPTF is there. Spence Spencer has four messages: 1) participation in the election is moderate; 2) a thousand P2 voters<sup>23</sup> are underway from Brcko to Pale; 3) the problems with registration are spread over

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17 HDZ: Croatian Democratic Union (Bosnian offshoot of the HDZ in Croatia).

18 Special Envoy of the US State Department.

19 Republika Srpska.

20 Sir Kenneth Scott, Deputy Head of the OSCE Mission.

21 Dr Kasim Begic, representative of the Republic of Bosnia and Herzegovina.

22 Inter-Entity Boundary Line.

23 Refugees eligible to vote.

the whole country; there are queues everywhere; 4) the polling station in Novi-grad is still closed but the crowd is under control. The IPTF representative reports an incident near Mostar in which buses were pelted with stones. The Federation representative says that this incident took place after the election and that the drivers are refusing to make any more trips. The RS representative says that there are reports of Muslim voters in Gadsko who have refused to cast their votes in the more distant "absentee polling station" and in the meantime are trying to go to centrally located polling stations. The IFOR representative strongly denies this report. Begic calls out that these people may not be stopped: "Dayton gives them the right to vote in their old place of residence." He is outraged.

At this moment Foreign Minister Cotti comes in, dressed in a T-shirt and a cap, with Kleiner<sup>24</sup>, Arbenz<sup>25</sup>, Burkhard<sup>26</sup> and the Swiss Ambassador Hauswirth in his wake. Burkhard is very short and his T-shirt, much too large, hangs down to the floor. Cotti takes me aside. Although the agreements on the division of responsibilities after the elections are clear and have been cleared with everyone, he is still uneasy over the way things are going. He has heard that Kornblum, whom he will see in the afternoon, wants to act quickly. "Maybe it would be good", he suggests, "if the provisional statement contains as much substance as possible and also includes your evaluation of the period leading up to the election. Then you wouldn't have to hold that back until the final statement." I promise him to do my best. When I return from this conversation the PEC has already assembled. Dr Begic appears to have left in protest. They are now talking about leaving the polling stations open after 7 p.m. Dr Kovac argues that the extension of the opening time should only apply to the polling stations where people are still waiting. Boscovic<sup>27</sup> favours a general extension. Sir Kenneth proposes that this question not be decided until about 4 p.m.

The next information session is at 3 o'clock. The only new item is the reopening of the polling stations in Novigrad. Everything continues to be calm. The bus incident has been investigated. There were two different buses, one Croatian and one Muslim. "Both sides were at fault", the IPTF reporter says. The Croatian delegate of the Federation tries again to bring up an individual case but General Walker refuses to give him the floor. Sir Kenneth returns to the incident in Gadsko. It appears to have really happened. 92 Muslim voters were stopped as they tried to enter the city. He points out that all voters have the right to vote where they wish and that the local police have no right to prevent them. He calls on the representatives of the two Ministries of the Interior to confirm the Rules and Regulations as agreed upon.

At 4:40 the PEC reconvenes in the presence of General Sullivan. Begic is once again in the group. Sir Kenneth says that the time has come for the PEC to make

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24 Hans-Peter Kleiner, former Swiss Ambassador.

25 Peter Arbenz, retired Swiss general.

26 Peter Burkhard, staff member of the Chairman-in-Office, Flavio Cotti.

27 Dr Misra Boscovic, representative of the Federation of Bosnia and Herzegovina.

a decision on a possible extension of opening time at the polls. General Sullivan advises against an extension. Reports from throughout the country are for the most part positive. Almost everyone thinks that most voters will have cast their votes before 7 o'clock. If there are still people waiting anywhere, the Rules and Regulations permit them to have their turn. An extension decision is not necessary for this purpose. He points out that the soldiers have been doing hard duty since 5 a.m. That applies to the bus drivers, too, who according to contract are to make their last trip at 5:30 p.m.. The general impression is that the bus system has worked very well and that all voters who wanted to use it have been able to do so.

There are only two areas where Sir Kenneth fears problems (one is Banja Luka), where great tensions have arisen because the names of voters could not be found on the rolls. These voters have been referred to the LECs<sup>28</sup> and may still want to cast their votes. Reid<sup>29</sup> proposes that in these cases only the closest polling station be kept open. "Let the LECs use their own judgement in making these decisions." A discussion develops over whether, to cover all contingencies, a latest closing time ought to be agreed upon. I speak up and warn about great confusion if such a "decision" should become known. "It is precisely around closing time that cheating is most likely to occur." I call for a clear decision. Begic agrees with me. He advises us not to let anything be known about the decision. Sir Kenneth proposes that the decision be made along these lines and then disappears quickly.

I wonder in confusion what has been decided and how it is to be made known. Confusion is just what I wanted to avoid. A "secret" decision is just about the last thing I intended. I console myself with the thought that a monitor is not expected to interfere. Otherwise, I would have done better to become a supervisor. There is another information session at 5 o'clock. The PEC arrives too late. A representative of the RS has the floor. Problems have arisen in Gorazde. "Citizens are being told over loudspeaker to go on foot to their neighbouring community and vote there." Sir Kenneth takes the floor and says that the PEC has just decided not to permit any extension of opening times. It is left up to the heads of the polling stations to decide how to deal with those still waiting. Those LECs that still have registration problems are to be free to keep one nearby election office open, but no later than 10 p.m.

At 6 p.m. I turn on the TV programme CNN in the PEC reception room. It reports that the elections have gone better than expected. All day long there were no serious incidents. There had been a decision to keep polling stations open until 10 o'clock. Now the confusion is complete. This is a perfect example of bad communication at a critical moment. Is that why the PEC has been together

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28 Local Election Commission.

29 John Reid, representative of the High Representative, Carl Bildt.

the whole day? But gradually I too am overcome by euphoria. It is really incredible that the whole day went by without incidents. That's much better than expected. Everyone was holding his breath over the access for voters at the critical places. But even in Jajce there is not a cloud in the sky. I walk through the corridors of the building and see only relieved faces. I approach a beaming Frowick, who has just arrived. I congratulate him on the good outcome of the day. Steiner<sup>30</sup>, too, is running around in a state of enthusiasm. Kleiner and Arbenz, who have just come back from a visit with Kornblum, take me aside. "Maybe you'll have to make the three declarations now", they say. "Kornblum is in a hurry with the results of the presidential elections." They are afraid that I won't be able to wait for the final result.

In the separate reception room the local PEC members are sitting in a relaxed mood with their advisers and interpreters. No one is paying attention to them any more but that hardly seems to bother them. They, too, are very relieved. Dr Kovac is talking incessantly and telling one joke after another. There are roars of laughter. Once again I regret not knowing the language. At 7:45 I receive a letter from the SDA<sup>31</sup> containing an anticipatory protest against the results of the elections. It argues that they must be declared invalid because the necessary conditions for holding them did not exist. I look around to see if I can spot Dr Begic but now he has really disappeared.

The last information session is held at 8 o'clock. The group has become significantly smaller. General Walker has left and handed the chair over to General Sullivan. From the PEC only Kovac and Boscovic are still present. IFOR once again reports that there have been no incidents and provides an account of the bus transfers. There were hundreds of them although it is impossible to find out exactly in which direction the IEBL was crossed. To my surprise, Spence Spencer reports an average participation level of 50 per cent. Most polling stations have by now been closed. The situation remains calm. The IPTF spokesman talks about the loudspeaker incident in Gorazde. The RS representative was wrongly informed. Voters were called upon to go to another, near-by polling station that was calm. It was an offer of assistance. However, in the course of the afternoon stones were thrown at a passing bus in the vicinity of Gorazde, but it was able to continue on its way. General Sullivan closes the meeting and proposes to leave it at that. He talks of an "unexpectedly big success".

An oppressive feeling comes over me. The euphoria of two hours ago has slowly ebbed. It is hard to reconcile Spencer's announcement about the low participation rate with the enthusiastic reports heard all day long that the buses were constantly driving back and forth. Is it possible that the buses were partly empty? Did IFOR count only buses and not people? Why, then, was the bus plan such a big success? Was it perhaps so calm at the critical places because

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30 Michael Steiner, the German Deputy of the High Representative, Carl Bildt.

31 Stranka demokratske akcije/Party of Democratic Action (Muslim).

few voters showed up? I have the uncomfortable sense that we've been deceived all day long here in this military headquarters. I ask Spencer for background on his figures. "Oh", he says, "maybe I made a mistake. It was an estimated average. Maybe it was 70 per cent." (...)

*Sunday, 15 September*

Today is reporting day - the short-term observers are reporting. Owing to the undependability of fax traffic, Jacques de Heller<sup>32</sup>, at the instigation of the colonel, has put the Swiss Yellow Beret Brigade into action to pick up the monitoring forms from the LTOs all over the country. Four statisticians, under the direction of the experienced Hans Schmeets, have made a special trip down from the Netherlands and, along with a group of local programmers, are ready to work the forms up into a useable report as they arrive within 24 hours.

In the meantime, as one might have expected, the "anecdotal" statements are unceasing. Last evening Holbrooke and Bildt already appeared on TV in a brotherly chorus. "We saw nothing that might disqualify these elections", Holbrooke said in the presence of the full Presidential delegation. "We saw a fair election." Carl Bildt is more cautious: "We were prepared for the worst, but the day was dull", he says. For the rest, he refuses to anticipate the reporting of the monitors. And he points out that one should not count one's chickens before they are hatched. The electoral process will not be complete until the vote count, a possible recount, the handling of appeals and the certification of results have all taken place. "But by and large it has been very good today."

Bildt did a nice job of holding to the agreements but that did not keep the morning papers, with reference to Holbrooke and Bildt, from reporting that the elections were "free and fair".

At twelve o'clock I meet with the delegation of the European Parliament. "Reporting" is on the agenda although it is not at all clear who is to report to whom. My understanding is that we are to consult on how the monitoring results are to be co-ordinated with one another. The European Parliamentarians were prepared to work with me on my "overall" statement. But Mrs. Dorothee Pack has set her big mouth going and keeps shouting "shame" about what she has seen. Gorazde, according to her, was a garbage heap. The "absentee polling station" was much too small. People had stood in line for hours and been treated in unfriendly fashion. Mrs. Pack herself had had to intervene. When I ask whether this was an isolated incident or whether the whole delegation had had similar experiences Mrs. Pack gets up to leave the meeting. "I'm in a hurry," she says, "I have to hold my press conference and I want to do it before Holbrooke. I'm sure you understand that." Then I ask her whether she has already written a

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32 Swiss member of the Observer Mission.

statement. The answer is yes. The statement is distributed when she has reached the corridor. Protests arise from the delegation. No one has seen the text yet. The effort to achieve accord has ended in discord.

Later in the afternoon I meet with the editorial commission to discuss the text of the preliminary statement. Gerald Mitchell<sup>33</sup> has produced a draft that serves as a basis for discussion. In conformity with Cotti's request the text also covers the period before the elections. *Inter alia*, the reports of Meadowcroft<sup>34</sup> on "out-of-country voting", those of the European Media Institute on the media, and those of our LTOs on the election campaign are all made part of it. The draft explains, as previously announced, that the concept of "free and fair" is hard to apply to elections which are taking place after a four-year war and therefore at the same time have the nature of a "conflict resolution". The course of the elections is judged mainly in terms of the Copenhagen commitments.<sup>35</sup>

We have a long discussion of whether we ought not at least to state that the elections "reflect the will of the people"; that is a frequently used expression in the monitoring reports of the ODIHR but I am opposed. Like the concept of "free and fair", it strikes me too much as standard terminology, unsuited to the complicated situation we encountered in Herzegovina. Moreover, however it is formulated it already constitutes a kind of conclusion that does not belong in a preliminary statement. Before drawing such a broad conclusion we must at least wait for the votes to be counted. Still, we have on the whole made a good start with this draft. I leave the editorial commission with a feeling of confidence after we have decided that the press conference should be held on Monday at 4 p.m.

In the meantime I have received many requests for meetings. The Special Envoy of the State Department, Bill Montgomery, wants to see me urgently. I reject his request. After my preliminary statement has been made public I will be available again. Not before. Sacirbey<sup>36</sup> calls up. It is about the letter he has written - to me, among others - in which he asks that the election results be declared invalid. He tells me that Izetbegovic wants to receive me today. I do not agree to this either. For months I have been asking for such a meeting and now, one day after the elections, it is granted. I shall pass on that. I give an order that all such requests be turned aside straightaway, without regard to the person making them.

At the end of the afternoon I visit the statistics office where our team of statisticians has taken several rooms. Hans Schmeets and his people are working hard.

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33 Deputy Director of the Office for Democratic Institutions and Human Rights (ODIHR) of the OSCE.

34 Michael Meadowcroft, former British MP, election observer responsible for the P2 voters.

35 This refers to the principles set forth in the document of the CSCE Conference on the Human Dimension at Copenhagen on 29 June 1990, to which the Dayton Agreement also refers.

36 Moh. Sacirbey, member of the European Action Council for Peace in the Balkans.

A substantial group of local programmers are processing the forms that have arrived. 1,000 have been delivered; Schmeets estimates that that figure will double in the course of the night. With the support of Andrew Ellis<sup>37</sup> he has already prepared the first draft of a report to which "only" the figures still have to be added. The first impression is that all of the findings of our monitors are extremely positive. Everything went well in 97 per cent of the election offices. The election commissions performed their duties in a non-partisan way (96 per cent) and competently (95 per cent). Nevertheless, there are three problems that have become clear: 1. The registration system, not fully updated, has caused many problems. Administrative complications were observed in 46 per cent of the polling stations and here and there led to significant delays. 2. There were not enough "absentee polling stations" and to a large extent they were not able to deal with the stream of "displaced persons". 3. The number of voters who crossed the IEBL is disappointingly low. The monitors report that they encountered voters "of the other side" in only seven per cent of the polling stations. The buses that IFOR counted were indeed empty for the most part. Andrew Ellis explains to me that this disappointing level of participation may have had a decisive effect on the outcome of the elections.

In the evening I am to attend yet another dinner in honour of Mrs. Pack. I have no appetite for it but as Noel Kilkenny of the ECMM is the host I go anyway. After all, the ECMM has done a lot for us. It is an interesting evening because Michael Steiner is present. He talks with me in urgent tones. "I advise against your giving a preliminary statement", he says. "It is killing for you." "Why?", I ask unhappily. "Because the result is completely unpredictable", he says. "Whatever you say, of either a positive or negative character, can be given the lie later on." I repeat once again that my first statement is to concern itself mainly with the objective experiences of my observers and that the time of my press conference is already firm (...). But I have lost even more of my appetite.

An interesting conversation on the "aftermath" develops at our table. Steiner elaborates his concept of the civil pillar in preparation for IFOR II, the necessity of tighter co-ordination between the OSCE and the Office of the High Representative and the great importance of a stronger engagement on the part of Europe. "This part of Europe is a test case for the rest of it." I fully agree with that. In passing, I plead the case for the presence and strengthening of the ECMM in the region. I am aware that the ECMM has been repeatedly threatened with dissolution even though, despite the semi-annual change in the EU Presidency, it is the best functioning organization I've encountered here. Steiner's views on this are more nuanced.

Arriving home late in the evening I find the second draft of my preliminary statement for the following day. To my dismay the text has got noticeably worse. Lo tells me that the discussion of it in the editorial commission went on

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37 British election observer, trainer of the short-term observers.

for hours. The result, as I see it, is catastrophic. Compromise formulations are used on every important point. The piece is striking for its obscurantist use of language. My preliminary conclusions have all been weakened one after the other. The text is neither fish nor fowl. I am at my wit's end but in the opinion of Lo, who is terribly upset, there is no point in trying to call the authors together again now. In a helpless rage, and full of regret over the dinner, I go to bed and cannot get to sleep for hours. The preliminary statement haunts me, sentence by sentence. In the middle of the night I get up and put a number of changes down on paper. The most important clarification concerns the request to Frowick not to certify the election results until he has made sure that the SDS<sup>38</sup> - in contrast to its campaign - is after all prepared to subscribe to the common constitution of Bosnia and Herzegovina. It is already getting light when I finally fall asleep.

*Monday, 16 September*

I'm in the office by half past eight even though I slept very little. What I want to do is discuss my drastic changes with Gerald Mitchell. He is not a member of my staff (...) I consider postponing the press conference (...) At twelve o'clock Gerald Mitchell gives me a new draft. After I have read it a heavy weight falls from my heart. This is a text I can do something with. After the editorial commission - standing up - has made a few more small changes the final text is ready. It is 1:20 p.m. I have a copy faxed to Cotti and make sure everything is ready for the press conference. It has now been set for 5 p.m. I myself go to the "Madhouse" to see Frowick. The fact that I am not required to report to him does not mean that I am unwilling to do the polite thing and inform him about the substance of my statement before the press conference (...)

Frowick is sitting in front of the TV when I enter. "They're showing a wonderful golf match", he says and continues to look at it. I tell him roughly what the statement, which I give him, will say. He begins to read and comments in a few places on factual matters, namely, in connection with the Copenhagen criteria. Only small editorial changes are involved. Our conversation is interrupted by an urgent telephone call. A certain John is on the phone. From the conversation it becomes clear that it must be Kornblum. The outcome of the elections, whose initial results Frowick says will be announced this evening, appears to have given rise to a certain uneasiness. "What can I do?", I hear Frowick say. "That's democracy." He hangs up and goes on reading. "Good job", he says as he hands the statement back to me.

I go back to the office where the latest version of the preliminary statistical report has in the meantime arrived. The large inflow of forms (whose number

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38 Srpska Demokratska Stranka/Serbian Democratic Party.

really did double overnight) has not changed the result. The proportion of positive evaluations remains at 97 per cent, a remarkable result.

At 5 p.m. I enter the Holiday Inn. The room where the press conference is to be held is full to bursting. There are more than 300 journalists there. At the back of the room are 30 TV cameras. The atmosphere is tense. To my own surprise, I feel totally relaxed. I believe in the importance and the quality of the statement I am about to make. By the way: I can no longer escape. This meeting is the high point of my five months of work.

I read the statement slowly and in measured fashion. I report that the technical evaluation of the election day provided by my monitors is positive in 97 per cent of the cases. However, I note that there were weaknesses in registration, the setting-up of "absentee polling stations" and "freedom of movement". I take a very critical position on this last point, indicating that the bus plan did not conform to the provisions of Dayton. The disappointingly small number of voters who crossed the IEBL is the bitter proof of that. Although the precise reasons have still not been established (the postponement of the municipal elections may have played a role), we have to conclude that a lot of people felt intimidated. After stating certain reservations about developments before the elections (the lack of access to the media, the many incidents which early on certainly distorted the election campaign) and after I have presented my request to Frowick that the SDS be asked for information, I come to the conclusions of the Co-ordinator for International Monitoring of the elections. It is so quiet you could hear a pin drop. Only the cameras are whirring.

"The CIM believes that these elections are at best a first step out of the period of deep and violent conflict towards the aspiration of a democratic future for Bosnia and Hercegovina. The process of establishing freedom and democracy in BiH, and political institutions that can uphold these principles, will be a long and arduous process. Nonetheless, a large number of citizens of Bosnia and Hercegovina turned out on September 14 to cast a ballot for their future, and many did so under very difficult circumstances.

Even in the context of a conflict resolution election, the CIM notes his concern that significant elements of the climate of the pre-election period may point towards disintegration and an unsatisfactory resolution of the conflict. The problems associated with the campaign, freedom of movement and other issues (...) should not be understated. But given these shortcomings, there was no pattern of recurring infractions or organizational incompetence that seriously compromised election day.

The CIM emphasizes that these elections, although characterised by imperfections, took place in such a way that they provide a first and cautious step for the democratic functioning of the governing structures of Bosnia and Hercegovina. A true and continuing commitment to the democratic process will need to be

made in order for BiH to face the difficult times and decisions that still lie ahead. It is the view of the CIM that the international community, having started its support for this process, should face up to the longer term responsibility of helping to see it through. In this context, the CIM would like to draw attention to OSCE Commitment 7.9 which requires that candidates who obtain the necessary number of votes required by law are duly installed in office.

The CIM anticipates that this statement will be fully considered before the municipal elections take place. Until the problems affecting the integrity of the elections have been addressed and solved, these elections should not be held.

In conclusion, the CIM expresses his strong hope that the democratic institutions elected on September 14 will take root and grow, and that the next elections in two years time will take place under much more favourable conditions."

The questions that followed fall into three categories. The first involves myriad examples of fraud and irregularities noticed by the various journalists. My response is that it is hard for me to deal with individual incidents, that I do not rule out their having occurred (they are also mentioned in the reports of monitors) but that the general impression is overwhelmingly positive. 97 per cent is a high percentage. "And, by the way, I would be the first to pillory that." With this comment I am referring to my earlier statement about "election engineering".

A second group of questions deals with the pressure put on me in past weeks and how I resisted it. "Were you afraid of City Hall?" Although I don't know this expression, I understand that it refers to "the centre of power". I point out very emphatically that in view of my background I am the last person who would be "afraid of City Hall". Laughter. The mood becomes more relaxed.

The most difficult questions relate to my request to Frowick. What does the SDS have to do? Can you be more specific? Do you see this as an absolutely necessary requirement? Why only the SDS and not other parties? I reply that as far as I know it is above all the SDS which conducted a separatist campaign and that the election results will be worthless if the only result is that it is taken note of. I do not dare to be more specific "although I can imagine that the RS will be asked to bring its own constitution into conformity with the Dayton Agreement" (...)

Philip Freriks<sup>39</sup> asks, among other things, whether I have not yielded to American pressure. "They have a lot of influence, don't they?" "That is true", I say, "but not with me." (...)

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39 Dutch television journalist.

*Tuesday, 17 September*

(...) From internal reports I have learned that participation in the RS (87 per cent) is much higher than in the Federation. Izetbegovic's election is not at all firm (...) In the PEC I receive many congratulations (...) Judge Finn Lynghjem summarizes the 70 election challenges that have come in. His sub-commission will be meeting for the whole week. He is seriously handicapped by the fact that the election supervisors have not yet sent in any reports because they are completely preoccupied with the vote counting. Many challenges have come as a result of the bad functioning of voter registration, a few cases of double election, and the long queues at the "absentee polling stations". In the community of Modrica more votes have been counted than the number of people who have ever lived there.

A discussion develops on election participation. "How can we tell if we don't even know the overall number of eligible voters?", John Reid says. Others point out that the OSCE has always proceeded on the basis of 3.5 million eligible voters in 1991, of whom two or three hundred thousand have died in the meantime. Dr Kovac complains about this lack of clarity. "The international community called these elections and it ought to come armed with good records", he says, "otherwise the people who are dissatisfied with the results will have an easy time of it." Reid promises to have a closer look at that. A little late after the elections, I think.

I have lunch with Bill Montgomery who is in a big panic over the preliminary results. He wonders whether Izetbegovic will be elected. After all of the efforts of the international community it would be a sad state of affairs if these "perfect" elections amounted to a real disaster and the country fell apart. He fears that the SDA won't accept a different result. "Form II was a serious mistake", he says bitterly.<sup>40</sup> It is what made the "election engineering" possible. We talk about the pros and cons of early local elections. He listens carefully to my arguments. Whatever happens, he wants me to stay on as CIM. "You did a great job", he says.

Along with Stefanie and Greg<sup>41</sup> I visit the Warehouse where a hasty count is going on. I am horrified by the primitive character of the whole operation. At dozens of tables there are people standing in groups who empty cartons, open envelopes, unfold ballots, staple ten of them together and put these into other cartons. At a long table in the middle the current status is noted down. Big sheets of paper with hand-written calculations are lying around which have been corrected any number of times, also by hand. The whole thing makes an archaic

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40 Form II made possible the exception to the Dayton Agreement, agreed on after the fact in April, whereby refugees would be permitted to vote not only in their former place of residence but alternatively in the place where they wished to live in the future.

41 Greg Koldys, an American member of the Observer Mission.

impression although I have to admit that it's been a long time since I attended a vote count in the Netherlands. "We do it that way in Ireland, too", says the man in charge. "It is down-to-earth." I ask where the special room is in which, as decided by the PEC, the votes from the RS are being counted. It doesn't appear to exist. "Everything is counted together here." No one has been informed of such a PEC decision. Well, at least there's one place where a kind of integration exists, I think.

Back in the office, I hear that Carl Bildt, at a press conference, has treated rather lightly my demand that the SDS make a clear statement of its constitutional objectives. The parliament of the Republika Srpska has already declared its willingness, he said. A number of additions to its own constitution are being worked on. In Bildt's view there is not much that can be done after the fact about the SDS programme. I worry that Carl Bildt is trying to extricate himself from responsibility.

*Wednesday, 18 September*

At the Mission meeting Frowick congratulates me on my statement. "You did a wonderful job for the international community", he says. Others, Ivanov<sup>42</sup> among them, nod towards me in agreement. It makes me sick.

Aggy does a press review. The *Oslobodenje* writes that a Krajisnik victory "will upset the people". The independent daily newspaper fears that the Presidency will not be able to function without the continued involvement of the international community. In addition there is a report on a confrontation between IFOR and the local police in the Serbian town of Prijedor in which the leader of the police detail made use of his weapon. The SDA has entered yet another complaint, this time over the fact that their representatives were not able to observe the elections on "the other side". One more reason for them to declare the result invalid. Aggy looks at her newspaper clippings and says: "This was my last time." She starts to make a farewell speech: "I came into a delicate situation. This was the hardest job I've ever had. I thank you all for your support. But I can assure you that it is very hard to be a press spokesman for the OSCE." (...)

At the end Frowick takes me aside. He predicts that developments are now going to move very fast. There is a lot of pressure to certify the result of the Presidential elections even before the others. A visit to the Security Council is in the offing. "I don't know exactly what Carl Bildt is up to", he says. "But I can hardly offer another preliminary statement on a result", I say. "I would much prefer to handle the whole thing at once." Frowick would too. We agree to stay "in touch".

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42 Vladimir Ivanov, Deputy Head of Mission for Operations.

I go back to the office. At twelve o'clock I suddenly hear a terrific noise out on the street. Honking cars and cheering people move past in a long procession. I realize that the result has been announced and Izetbegovic declared the winner. I hurry outside to get a feel for the atmosphere. I see a few more of the green and white SDA flags being waved, but the joy is not very widespread. On the market place, directly behind our building, life is going on as usual.

I ask Alessandro<sup>43</sup> to look into the results. He comes back quickly with them and they are still preliminary. Something unexpected seems to have happened. Although participation in the RS was larger than in the Federation the vote in the RS was more widely scattered. The most important opposition candidate, Ivanic of the Democratic Patriotic Bloc, did better than many thought he would: he succeeded in winning a third of the vote. For this reason Izetbegovic managed to stay ahead of Krajisnik but the differences are small: Izetbegovic 729,034; Krajisnik 690,373; Zubak 342,007; Ivanic 305,803; Silajdzic 123,784. Thus the result in Srpska is, nota bene, "more pluralistic" than in the Federation where both the SDA and the HDZ got more than 80 per cent of the vote from their respective population groups. Of course one should not exaggerate the value of this pluralism. Ivanic too has the reputation of being very nationalistic, even if he does want to follow a moderate international course (...)

After the meal I visit my neighbours, the three local ombudspersons. We share the corridor and even the conference room, yet we have never spoken with one another - one more indication of how I have been swallowed up by the international community and thus remain too distant from the things that are really happening in the country and preoccupy the people. The three ombudspersons are two women and a man with different ethnic backgrounds who, despite all demarcation lines, are highly regarded by the people and, probably for that reason, are (on orders from higher up) not subjected to attacks. I have just one burning question: "Why did so few voters cross the IEBL on election day?" "Out of fear", they say without hesitation. Long lists of "potential" war criminals are circulating everywhere. Everyone who ever served in the military is on such a list. The local police are not on duty to fight crime. Their top priority is to catch "the enemy" - contrary to all international agreements. Their leadership comes not from the Minister of the Interior but directly from the big political parties. On the 14th of September fear was more important than the exercise of the right to vote. There was not the slightest bit of trust in the security arrangements which assigned a central role to the police. Fear of the unknown. The trauma of Srebrenica lies very deep. For that reason it will be very difficult to hold municipal elections in the short term. First, amnesty legislation must be passed and actually put into effect.

The OSCE can organize fine elections but it is powerless in the face of such essential things. The international community really ought to show its strength.

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43 Alessandro Rosati, Italian press spokesman for the Observer Mission.

IFOR should get a stronger mandate, including the authority to command the local police. Why do they not insist that everyone get the same ID card and the same kind of automobile registration number? If nothing changes the municipal elections will be a fiasco and we can forget about the return of refugees for the time being.

Under the impression of this blunt presentation I return to my office three doors down the hall and enter into a conversation with a number of LTOs on the progress of the counting. Although most of the remaining STOs have a moderately favourable view of the counting in the country - even if carelessness and manipulative behaviour are criticized here and there - the observers in Sarajevo are very unhappy about what is going on in the Warehouse. The organization is unsuitable, they believe. Tables are indiscriminately piled high with paper, during breaks everything is left lying in place, unsealed cartons are everywhere, full envelopes are thrown away and empty forms are retained. Nor is it clear how the figures are being recorded. My informants have been there several times and have noted significant opportunities for cheating. Furthermore, they are very concerned over the computation centre, which is under great pressure to produce results fast. "How is it possible", they ask, "to publish a final result when lists with partial results are still coming in?" I ask Greg Koldys and Hans Schmeets to look into it (...)

In the office I find a commentary of the so-called "Venice Group" of the Council of Europe on the constitutional changes that the parliament of the RS is supposed to have adopted. It states that the Entities are an inviolable part of the internal structure of Bosnia and Herzegovina and cannot, therefore, be sovereign states "in their own right", as is asserted still in the Preamble of the RS constitution. Furthermore, it regrets that various articles of the constitution speak of "sovereignty", thus creating the impression that the borders can be altered unilaterally by plebiscite. But, to my surprise, the Venice Group states that, with the changes once made, the constitution will be generally acceptable. I find these conclusions unconvincing and suspect that Carl Bildt has still not finished with his "forging" efforts (...)

*Thursday, 19 September*

In a small Swiss plane that holds eight passengers Frowick, Aggy, Frowick's assistant, Jonathan, and I travel harmoniously to Bellinzona where a meeting of the Troika (Hungary as the previous holder of the Chairmanship, Switzerland as the present one and Denmark as the next) is taking place. Frowick is in a very good mood and talks at length about his youth. He had a "humble background". His brother, who died much too young, had developed into a well-known fashion king.

The meeting in Bellinzona, Cotti's birthplace, takes place in a magnificent medieval castle, gloriously situated between the snow covered mountains. In attendance are the three delegations under the leadership of their Foreign Ministers, Secretary General Aragona, Audrey Glover of the ODIHR, Spencer Oliver of the OSCE's Parliamentary Assembly along with its new President, the Spaniard Ruperez and, to my pleasant surprise, Max van der Stoel, the High Commissioner on National Minorities.

Cotti congratulates Frowick on the way the elections have gone and asks when the certification will be made and how he plans, before that time, to satisfy the CIM's request for an approach to the RS to ascertain what its constitutional objectives are. Frowick replies that the certification will take place at the earliest in six days and that the RS will be asked to provide a written explanation. "We'll do something about this in a positive way." Cotti asks about preparations for the elections to the municipal assemblies. Frowick announces that they will have to be held before the end of this year.

I am given the opportunity to present my objections to that and I produce six arguments: First, the integrity of the system of registration cannot be ensured in such a short time. Second, the setting up of the newly elected organs requires all our attention. Third, there ought to be a breathing period between the "first" and "second" steps. Fourth, the weather conditions in November are very unfavourable. Fifth, freedom of movement, which was not convincingly good in the elections just held, must be optimal in the especially important local elections. Sixth, a perhaps secondary point: new personnel are needed. Just about everyone is leaving, both from the Mission and the CIM. Ruperez, who is very impressed by what he has seen as an observer, supports my arguments. "We should not force the pace of the municipal elections."

The three Ministers decide that a last effort should be made to determine whether the obstacles which have led to "manipulation of the registration for the voting process" can be removed in time; but they do not fix a firm date. Cotti says in conclusion that "an appropriate balance must be found between the right to freedom of movement and the requirement for security". The session continues over lunch. I am impressed by the seriousness and the extent of the problems outside of Bosnia with which the OSCE is involved. One after another Chechnya, Nagorno-Karabakh, Albania, Belarus and Turkey are brought up. During the afternoon session Max van der Stoel reports on the situation in Eastern Slavonia, Kazakhstan and Kyrgyzstan. I do not envy him (...)

On the plane to Vienna everybody is absorbed in the newspapers - a luxury we are not used to in Sarajevo. My glance falls on a report in the International Herald Tribune. Secretary of State Christopher declares that "following the free and fair elections in Bosnia and Herzegovina our troops can return home". I show it to Frowick who makes a dismissive gesture of apology with his hand.

*Friday, 20 September*

I visit the OSCE Secretariat and inform Ambassador Kubis, the Deputy Secretary General, and the Head of the Department for Administration and Budget, Mr. Cars, about the financial problems that have arisen: a deficit of DM 800,000 stemming from the contract with Crown Agents and a surplus in the same amount in the EU budget because we cannot use it for this contract. The reaction is more favourable than I had expected. Of course they want to have a solidly based final accounting as soon as possible. Then I meet with Gérard Stoudmann, the Deputy Chairman of the Permanent Council. He asks me officially to stay on as CIM until the municipal elections. He puts this request in flattering terms: "We really need someone like you." The fact that I have spoken so strongly against holding the local elections in November is not important in his view. He would like to know within three days where he stands.

I meet Aggy Kuperman for lunch at the Sacher. She tells me again in excruciating detail how awful she found her press work. She was asked one evening to do the job and the very next day had to travel to Sarajevo where she was thrown into the arena without preparation. The daily press conferences were a running of the gauntlet for her. She is ecstatic to have her job over. "Is there a successor on the horizon?", I ask. "No", she says, "not that I know of."

Frowick and I give brief reports to the Permanent Council. I can refer for the most part to my preliminary statement and I am able to add that the statistical information by now rests on more than 4,000 forms which, taken together, cover more than 90 per cent of the polling stations. Reactions are very positive. The Ambassadors of Ireland (EU), the United States, Germany, Russia, Italy, France, Turkey and Bosnia and Herzegovina have words of praise for both Frowick and me. The American Ambassador, Brown, includes in his praise the Swiss Chair "who has done so much more than might have been expected". The Chairman, von Tscharner, receives the compliments with a comfortable smile. The Russian representative says that now, based on the resolution of the Security Council, the sanctions can be lifted within ten days. I point out to him coolly that the resolution says: ten days after "free and fair elections". A decision of that kind could not be based on my report.

A number of speakers ask about the timing of the certification. Will it be provided "one by one"? What will happen with regard to the CIM's request "to verify before certification"? Frowick says that he is still keeping that open. It is possible that the results of the Presidential elections will be certified first. But it is also possible that everything will be done at the same time. As far as content is concerned: "I'm following the recommendation of the CIM." Many questions are asked about the timing of the municipal elections. Can they be held so quickly? Have the problems that have been mentioned been solved? Can't these elections be left in the responsibility of the local parties?

Frowick lets me speak first. I express my serious doubts without going so far as to declare a "*non possimus*". When Frowick's turn comes he says that no final decision has yet been made. "We are thinking about the third week in November." That will depend on a "Principles Meeting" scheduled to take place tonight. He says that provisional planning is based on 1,200 polling stations and 1,200 supervisors. That said, Ambassador Brown takes the floor again. He even stands up. To my surprise he turns to me. He says that he has participated in many observer missions but that he has never before been involved in "such a professional operation". It was "terrific, first class". Then he adds, with institutional pride, that after this Observer Mission the OSCE is "pre-eminent in the world". I receive hearty applause.

On the flight back to Sarajevo - there are only three of us because Aggy has departed - conversation is about the new press spokesperson. I preoccupy myself with my book. For someone from the Netherlands this is too painful a subject; but I don't think anyone is aware of that (...)

After an hour we land at the airport, which is covered with rain puddles. Lo takes me directly to the ARRC. Along with Kilkenny of the ECMM and the EU Ambassador in Sarajevo, Chierini, I am invited to a meal to celebrate the success of the elections. The General asks how it was in the Permanent Council. "Did Frowick name a date?" Yes, I say, "but with reservations. A 'Principles Meeting' is to be held tonight." "That has already taken place", he says. "We were told there that there is no way to go back. Frowick is supposed to have announced that to the Permanent Council." I realize that it is not only in billiards that people play with a number of balls.

At the table there is great scepticism about elections in November. Roads will be impassable. There is not likely to be much freedom of movement. 1,200 polling stations are far too few. "I won't be there", I say. "The OSCE has asked me to observe local elections in Antarctica."

#### *Saturday, 21 September*

At the office I find a long fax from the International Crisis Group. It is an election challenge that has been submitted to the Elections Appeals Sub-Commission. The ICG is asking for a recount of the Presidential election results. Assuming 2.9 million eligible voters in 1991 - an estimate of UNHCR which was just the other day confirmed by Jeffrey Fisher - and assuming that there were about 600,000 who for one reason or another did not vote, the ICG concludes that the participation level must have been 103.9 per cent. After all, the OSCE has announced that 2,431,554 votes were cast. That cannot be right.

At our meeting in the Mission this accusation lands like a bomb. Why 2.9 million in 1991? Wasn't the figure always 3.5 million? But after a check it turns out

that Fisher, at a press conference following the election, really did use a basis of 2.9 million. There will be a "final count", Frowick says. "The figures published so far were preliminary."

Ivanov reports on problems Bildt is having in getting the three Presidents together. Izetbegovic will come only if Krajisnik is willing to swear support of the constitution before the certification is made; but the latter refuses. There are also problems about the location of the meeting. Krajisnik refuses to come to Sarajevo.

Municipal elections are on the agenda at the PEC. Sir Kenneth says that they are thinking about keeping as many registration centres as possible open for five days beginning on 11 November. That will make it possible to solve whatever problems arise. The elections themselves could be held beginning on 22 November over a period of one to three days, depending on the number of polling stations. Dr Kovac does not want premature elections. Local elections are extremely complicated. Everything is still open for discussion, including the boundaries of the municipalities. It is impossible to predict the course of developments. Kovac is worried about a large number of Mostars. Dr Begic argues for a postponement until the early part of next year.

Sir Kenneth fears that that is not possible. The municipal elections have to be held within the mandate of IFOR I. Incidentally, all parties have agreed to an extension of the OSCE mandate until December. Hutchinson<sup>44</sup> joins in this. Lidija Korac, Boscovic's representative, shares the doubts of Kovac and Begic. All attention must now be focused on the assumption of duties by the newly elected organs. It is impossible to correct all of the weaknesses of the registration system within a few weeks. She is convinced that military forces will still be here after December. "We have no choice", says Sir Kenneth. "It is like an eleventh commandment. The only question is how we will do it. Maybe the Rules and Regulations will have to be simplified." He asks Fisher to explain that it can be done in November. Fisher says that, according to the results of inquiries, weather conditions in November do allow for elections. In December they would no longer be possible. Besides, the IFOR troops will have been withdrawn by that time. Sir Kenneth says that he attaches great value to the today's announcement of a PEC's decision. Begic says that he has objections that cannot be overcome. Sir Kenneth asks if we can announce agreement in the PEC that plans should be drawn up. Nobody objects to that.

John Reid expects that final results can be announced in the course of the day. Information will also be provided on the figures with which we are working. We will hold, as we have always done, to the figure of 3.5 million eligible voters from 1991. This may eliminate the confusion that has arisen.

After that, a proposal appears on the agenda calling for changes in the key for distribution of seats in the House of Representatives. No one can explain where

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44 Eugene Hutchinson, representative of the High Representative, Carl Bildt.

this proposal came from or why it has been presented now. Hutchinson moves that it not be considered and that the initiators, whoever they may be, should be asked to provide a detailed justification. After the meeting he says he has the impression that this is an attempt by the big parties to keep the United List out of the parliament. But he is unable to prove this suspicion. He goes on to say that Bildt has not succeeded in bringing the three men together. Now Izetbegovic will fly to New York alone. In the meantime, Bildt has reported to the Security Council that the elections "are a step in the right direction" by citing the relevant sentence from my preliminary statement. He obviously could not bring himself to say more.

From colleagues in the office I hear during the afternoon that the press conference in the Scanderia Building - the OSCE Media Centre - was a complete failure. Jeffrey Fisher didn't get the figures right. Critical questions about the significance of preliminary results could not be answered credibly. The meeting ended with even more confusion and a bad atmosphere. The lack of a press spokesperson at this critical moment is taking its toll.

*Sunday, 22 September*

The confusion reaches its peak. The media are attacking the OSCE mercilessly. Election participation of 106 per cent is being reported everywhere. Izetbegovic's election is generally regarded as suspect. There is much talk about the OSCE. The elections that had seemed to go so well are falling into discredit.

My statisticians have looked into it and report that the confusion came chiefly from the computer centre. They were under enormous pressure to produce quick results and that was achieved at the expense of care. All of the fax reports from the regional counting centres were fed into the computer without being individually checked. But some of the reports came two, three or four times. These, too, were counted, with predictable consequences. The statisticians did not get the impression that there was any deliberate manipulation but the work was done in an unbelievably amateurish way. They are talking about "human error and clerical oversight". And it is incredible that there was no professional supervision.

The office is like a madhouse. LTOs who are to go home as soon as the reporting is done are running back and forth. Journalists, who have now found their way here, are crowding in to hear my commentary on this chaotic mess of figures. By this time new results have been announced - the "preliminary final results". Izetbegovic has been declared President a second time, this time with an even smaller advantage. No longer do I hear honking car horns and cheering people in the streets.

The LTOs are meeting for the last time at the building of the Economics Faculty (...) I report on my visit to the Troika and the Permanent Council and tell them about the praise I heard there. The LTOs played a key role in the success of our operation. In the reporting period following my remarks, despite general satisfaction, a number of unpleasant things are mentioned. There is a feeling, for example, that it was irresponsible to let the STOs begin their work without appropriate means of communication. There is also criticism of the inadequate way we kept them informed of what was going on. Crown Agents is again given a going over. Based on their conversations with local authorities the LTOs are also unanimously of the opinion that a November date for the local elections is too early. They authorize me to present this view in their name.

Afterwards I consult with Bert Koenders on the draft of a second statement. Like Gerald Mitchell, he is an excellent writer and is prepared to take over editorial duties. It is hard to decide on the timing for delivery of the statement. We had agreed that it should be after the announcement of the results and before certification. But are the results known now or not? Everything could move very rapidly. The UN Security Council is going to meet in the course of the week and Frowick has announced his intention of going there. But it could be something that drags on and I ought sooner or later to be heard from. Provisionally we decide on the Tuesday.

*Monday, 23 September*

New preliminary final results are being distributed in the Mission. They hardly differ from the earlier ones. We cannot expect any more spectacular changes.

IFOR reports that the tension is once again rising in Srpska. The police commander in Prijedor has been removed from office. In Brcko they are refusing to co-operate with the mediation attempt of the American, Robert Owen. Ivanov reports that Izetbegovic is flying to New York today. The Security Council will convene tomorrow. The Troika is invited as well. "So it is certified by the patron", he says mockingly.

In the afternoon I am asked to call on Frowick. As I reach his office a group of people with red faces is just slipping out. I catch the word that there are big problems with the RS. Mrs. Plavsic has allegedly threatened to remove her signature from the OSCE mandate if the local elections are indeed carried out in November. Frowick informs me that he is meeting my request to demand clarity from the SDS before the elections are certified as to their willingness to accept the constitution of Bosnia and Herzegovina. He plans to send Krajisnik a letter asking him, before certification, to communicate his willingness to swear an oath to the constitution thereafter. Frowick asks whether I agree with this approach. My answer is yes.

Frowick has more problems with my objections to the municipal elections in November. "We have to seize the initiative now", he says. "In the spring it will be too late." He is very sure of himself. His deadlines have so far always worked out. Until recently no one had seen much good coming from the elections of 14 September either, and they went better than anyone expected. "We have to use the momentum", he says. I do not agree with him. "By this kind of haste, which goes against the views of all the parties, you may well put at risk the success of the elections already held", I say. "Count your blessings." As one particular objection I mention the lack of any answer to the question of how the international community can in the near future really enforce respect for the results. "Whose job will that be?" I ask. "Will the OSCE mandate be extended still further? Will Bildt take that on right away?"

My remarks seem to have an effect. Frowick has some clear ideas on the subject. If he has his way, the OSCE will be immediately entrusted with the co-ordination of all civilian activities: the OSCE will represent the civilian pillar alongside NATO, with the Contact Group as a steering authority over both. But he admits that this idea has not yet been generally accepted. "It won't be possible to talk about IFOR before 5 November."

"It is my best guess", I say, "that there will be a decision on 6 November to cancel the municipal elections. Because you are not able to make it." He looks at me, laughing. I tell him that I want to make a second statement. "A second statement?", he asks in surprise. "I expect a concluding statement." "That depends on you", I say. "If no more unexpected things happen then there may be a third statement of one line saying that my second statement was the concluding statement."

Back in the office I get Raymund Kunz on the telephone. He wants to know whether I can be in Vienna on Thursday for the final reporting. There is also to be a discussion of how a new observer mission for the local elections can be put together in short order. On Thursday in the Hofburg. At 3 p.m. "A special plane is available for you." (...)

#### *Tuesday, 24 September*

The ICG complaint is the main subject at the Mission meeting. Everyone is dismayed about the publicity. Frowick mentions a sharp letter from Cotti in which he asks for an explanation. The statement that the OSCE is sticking by the original figure for eligible voters in 1991, namely, 3.5 million, has obviously not had a good reception. It appears that another examination of the computer data will be necessary.

The ECMM reports that the oppositional mayor of Banja Luka, Radic, has been removed from office. In Srpska they are no longer even maintaining appear-

ances. Frowick reports that he is going to leave for New York today and will be back before the weekend. Ivanov points out that the certification cannot take place before the complaints have been dealt with which, under the Rules and Regulations, calls for a period of five days. I announce a press conference for this afternoon. Time will tell whether my second statement is also the last.

In the PEC they are again talking about the proposal for changes in the distribution key for the "House of the People" but, contrary to the decision, no written justification has arrived. In this connection, Planic, Begic's deputy, begins an interminable intervention which by its awkwardness only annoys people and arouses mistrust. John Reid, who is chairing the session, looks at the ceiling and is obviously letting the words slide off of him. Begic fidgets around on his chair looking ill at ease. Lidija Korac, who represents Boscovic, strokes her hair with a hand which is even more trembly than usual. When Planic has finished, after a half hour, she takes the floor and says that the PEC must reach a decision. Begic does not agree with her. It was his understanding that the proposal that his deputy had defended had been rejected by the departing parliament. Why should the PEC adopt it now?

Hutchinson is outraged. He says that Carl Bildt has personally asked Frowick for clarification. Everybody can see what the consequences of this proposal would be. It casts a shadow on the integrity of procedures followed after elections (...) "Anybody can see", he says, "that this is an attempt to keep certain parties out of the parliament." John Reid takes a position, "at this decisive point", between the two of them. He suggests taking the proposal off the agenda. He is no supporter of legislation that does not have "widespread acceptance". Lidija Korac protests. "How can you reject this proposal now, when it has just been put to the PEC, just because there was no agreement on it?" But Reid sticks to his suggestion. Hutchinson slips me a note. "No one from the OSCE has expressed a view on the contents", he writes. "An outrageous lack of moral courage". He says that with the help of the OSCE this battle could have been won today. "Now we have lost." I can imagine his bitterness.

Reid proposes that we set a date for a farewell dinner. Sir Kenneth and he plan to quit on 1 October. Kovac doesn't think much of that. "We have spent enough time in Sarajevo", he says. "Why not two small dinners in two different places?" Reid jokes. But Kovac is deadly serious. How, he wonders, can local elections be organized in such a short time if such experienced people are announcing their departure? He himself wants to quit the PEC as well. He cannot accept any responsibility for that. Reid admits that it will be hard, but "they" are insisting that it be done before the withdrawal of IFOR I. "It is not an easy one to meet." He raises the subject of the latest figures. This time it is the "final preliminary results" that are at issue. Izetbegovic is still in front. It is striking that the percentage of invalid votes is twice as high (nine per cent) in Srpska as it is in the Federation (4.5 per cent). Kovac's deputy says that many voters made their

ballots invalid as a form of protest. Coming from him, that sounds convincing.

A question is raised about the ICG's complaint. John Reid explains that the objection is based on wrong initial data. At some point the OSCE uncritically accepted the UNHCR figures - 2.9 million - on the number of eligible voters in the year 1991. But that has been corrected in the meantime. We assumed a figure of 3.5 million and still do so. The ICG's accusations do not stand up against this background. As far as Reid is concerned the ICG has presented no serious evidence of large scale fraud. He looks forward with confidence to the decision of the Elections Appeals Sub-Commission.

I hurry back to the office to prepare for the press conference, which is set for 4 p.m. Bert Koenders has put together an excellent text in which the assertions of the first statement are confirmed. With regard to the vote count it says that it was characterized by carelessness, confusion, imperfections and - in some cases - serious problems. But the conclusion "at this stage" is that these imperfections and irregularities are not so extensive as to seriously influence the outcome of the elections. We spent a particularly long time reflecting on the formulation "at this stage". A general conclusion, without our knowing how the ICG appeal will be dealt with, is a delicate business. We have to retain the right to come up with a third statement, which at the same time would be the last. On the other hand, we have received 60 reports from observers in which a number of irregularities are criticized that we call by name but which in general conclude that the prescribed procedures were carefully and correctly followed. I do have critical things to say about the publication of incomplete figures, which did harm to the credibility of the elections. "This seemed more inspired by extra-electoral reasons than by respect for proper procedures."

The language used to evaluate the election results themselves is also very carefully chosen. That too is a delicate matter, above all in view of the absolute non-partisanship that is expected of an observer. We note cautiously that "the amount of pluralism" (the substance of democracy) is less than one might expect in a system of proportional representation. "Pluralism implies an important role for opposition parties, which should never be pushed to the margin." This morning's discussion is still ringing in my ears.

At this point we are interrupted by a telephone call from Bern. It is Raimund Kunz. He reports that Cotti is extraordinarily upset over the course of events and wants to send an independent group of statisticians to look into various things. I tell him that my statisticians have already begun an investigation. I promise to fax him their findings along with the draft text of my second statement. Kunz adds that Cotti himself wants to be present at the certification along with Frowick and the CIM. I say that I don't know exactly when the certification will take place (Frowick is on his way to New York) and he has himself asked me to

come to Vienna on Thursday to be present at the final reporting. "You'll be hearing from us again", he says and hangs up.

Bert and I take up the last revision of the statement, which repeats my request to Frowick and goes into the meaning of "to verify before certification". The RS must bring its constitution into conformity with the "respect for the sovereignty and the territorial integrity of Bosnia and Herzegovina as agreed in Dayton". Finally, I list in far more detail than in the first statement the conditions which must be met before the municipal elections can take place. "They cannot be met during this calendar year", is the very tough conclusion. I order that the statement be faxed to Cotti and the text prepared for distribution. Time is very short.

At this moment Arbenz and the Swiss Ambassador, Hauswirth, come in unannounced to discuss with me the confusion over the count. A most inconvenient visit so shortly before the press conference. I tell them very quickly about the conclusions of my statisticians and advise them to get in touch with these people directly. On the stairway as they are leaving they add that they have had to give up their opposition to early local elections. "The pressure seemed to be too much." I give them the text of my second statement. "Can't that be taken out?", they ask when they see the passage about the municipal elections. "I wouldn't think of it", I say. "It is my firm conviction." They leave shrugging their shoulders.

Just before my departure for the Holiday Inn Kunz calls again. By this time he has received my fax. On behalf of Conti he tells me that it would be better if I removed the passage about the local elections. I reply that this is out of the question. I am on my way to the press conference and the text has already been distributed. It is suddenly quiet on the other end of the line. "Cotti also wants you to stay in Sarajevo", says Kunz after a short time. I am shocked. "I suggest we talk about it after the press conference", I reply. "Then we will, in the meantime, confirm the request in writing."

I rush to the Holiday Inn. There are fewer journalists than last time - many of the editors have gone home already. My estimated figure is 60. There are also dozens of representatives of the international community (including the OSCE Mission) waiting tensely in the hall. My statement, which I read in its entirety, meets with more criticism than the previous one. Particular attention is given to the assertion that the irregularities cited in connection with the vote count were not so extensive as to call the final result into question. "At this stage", I say with great emphasis. I am happy that we included this reservation.

Various questioners confront me with the complaint entered by the ICG. I refuse to let myself be drawn into a discussion of the figures and state very emphatically that I have always proceeded on the basis that 3.5 million eligible voters was a legitimate assumption. "I do not know why the OSCE - after the elections, *nota bene* - departed from this assumption." When the journalists continue to press me with all kinds of figures (on those who have died, unregis-

tered refugees, and all of the voters who did not dare to cross the IEBL), I refuse to be more specific and refer them to the Elections Appeals Sub-Commission which in the coming days will render its judgement on the ICG complaint. I do, however, recite from memory a passage from the IOCD report stating that there are no indications of large-scale fraud. "That is the heart of the matter", I say. The storm seems to abate.

When I return to my office I find a fax from Cotti urgently asking me "to remain at our disposal until verification". He is prepared to discuss the subject at a "joint appearance of Ambassador Frowick, Your good self and the Chairman-in-Office".

In the evening I have my second interview with Daniela Hooghiemstra of the NRC Handelsblad. "The international community does not exist", I say, thoughtfully digging into my grilled steak with potatoes. "It is a summation of countries, all of which have their own agendas - short-term agendas that do not go beyond the point when our boys can return home and the refugees can go back to Bosnia." I take a bite. "It is a marvellous thing to work for the international community but at the same time it is small town behaviour. The little bunch of 'internationals' who are sitting together here would be hard to distinguish from any gentlemen's club in a provincial city." I look around me. Acquaintances are sitting at every table. The day after tomorrow I'll be home, I think.

*Wednesday, 25 September*

For the first time I visit the OSCE Media Centre in the Scanderia Building. It is huge, comparable to the exhibition hall in a fair grounds building. Between 30 and 40 journalists meet here for the daily press conferences. What a bad investment. Against the will of all concerned (IFOR, our hosts at the Holiday Inn, the then Head of the Information Department, Joanna van Vliet) this prestige project was pushed through at substantial cost. Its size and emptiness are oppressive. And then one recalls that there is no longer a spokesperson to use the podium!

I am at the Media Centre because the "Tabulation Centre", where the whole wretched business with the counting arose, is located here too. It is located, quite literally, behind the curtains. There couldn't be a sharper contrast. The Computer Centre, which is the heart of the operation, is in a cramped hen coop. The smallness of the little room, with its six computers and several programmers, contrasts sharply with the megalomania of the neighbouring hall. A ghastly example of wrong priorities.

I am hanging around here in order to be present for the visit of representatives of the political parties who have been invited so that they can see with their own

eyes that the most recent counts are correct. An hour later than expected, about 20 people with notebooks in their hands crowd into the little room. The Canadian, Bud Slattery, who directs the operation, says he will be happy to answer any questions. It looks as though he is at his wits' end. There are many practical questions, some of them presented in the guise of complaints. Slattery declares that complaints have to be entered at another place. When someone asks him about the participation level of 106 per cent he gets red in the face and loses his patience. I whisper to him that he would do better to stay calm. The point of the meeting is to re-establish shaken confidence. Slattery pulls himself together. Then an HDZ representative reads aloud a long letter to Frowick with many complaints and accusations. I again see Slattery make a dismissive gesture. I go. There is little point in this meeting.

In the office I write the foreword for the final report which, under Lo's editorship, is almost finished. I put together a list of problems which had to be overcome in the past months in order - despite them - to bring the Mission to a good conclusion. The lack of support (material and personnel resources, logistics), the obscurities in my mandate, the confusion over supervisors and monitors, the (often unnecessary) tensions between the two OSCE Missions, the tendency of important international organizations (EU, Contact Group, the OSCE itself) to underestimate the importance of independent monitoring, which created significant problems for the CIM. Even so it ultimately proved possible, thanks to a quantitative and qualitative strengthening of personnel in recent weeks, to achieve a good final result. When it came right down to it, the independent mandate was no longer controversial. On the basis of more than 4,000 reports from more than 900 observers who, between them, had visited 90 per cent of the election offices, it was possible to make a good and dependable judgement about the course of the elections. The two published statements and the statistical analysis underpinning them received a lot of publicity throughout the world and set the tone for the policies of the international community following the elections in Bosnia and Herzegovina.

I meet for lunch with an international evaluation commission under the direction of the former Portuguese Foreign Minister, Durao Berroso. Ron Gould is again present as well. He is deeply impressed by the way we came to terms with the problems and praises the quality of the statements we issued. The Portuguese Ambassador, Antonio Correa, tells us that the whole diplomatic corps, without exception, shares my view on local elections. Berroso expects that the experiences in Bosnia will play a big part at the OSCE Summit in Lisbon. The OSCE will acquire greater importance as a conflict-solving organization in Europe, but something will have to be done to bring about a drastic improvement in its professionalism (...)

I talk with the ombudswoman, the Swiss Gret Haller, about the bad relations between a weak, because not unified, Europe and a one-dimensional America (...)

In the evening I go with Lo to a reception organized for no particular reason by the ICG. The dispute between ICG and OSCE over figures is the main topic of conversation. I am annoyed by the malicious pleasure that Ivanko, the UNHCR spokesman, so obviously takes in the "the OSCE's disgrace". It is sad to see what huge rivalries exist between the various international organizations in Bosnia when it is, after all, their job to work together to find common solutions for the horribly ravaged country.