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OFFICIAL GAZETTE

OF THE SERBIAN PEOPLE IN BOSNIA HERZEGOVINA

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The common state of Yugoslavia was created 73 years ago by voluntary unification of its peoples. With its emergence, some Yugoslav peoples were extracted from the centuries-old state domination of Austro-Hungarian conquerors, which enabled them to preserve their ethnic particularities, language, culture and tradition, and gain full political, legal and economic recognition.

The Serbian people made an enormous contribution to the creation of the common state, investing their efforts and the lives of millions of their sons and daughters. Despite the brutal treatment by fascist conquerors and the horrendous genocide to which they were subjected during World War Two by the puppet regime of the NDH /Independent State of Croatia/, they decided to live in a common state organised as a federation.

Today, irresponsible and selfish secessionists, motivated and assisted by foreign powers unfavourable to Yugoslavia, are trying to break up our common state, disrupt its constitutional identity and continuity and remove it from the historical stage. They are doing this through unilateral acts to the detriment of other Yugoslav peoples, ignoring constitutional organs and federal institutions, avoiding negotiations and agreements, violating the agreed cease-fires in order to fully internationalise the Yugoslav crisis and possibly provoke a foreign military intervention.

The destruction and dissolution of the Yugoslav federation would cause irreparable damage to all Yugoslav peoples.

The political coalition of the Muslim and Croatian ethnic communities in Bosnia and Herzegovina is joining the secessionists in their efforts to break up Yugoslavia. In its bid to effect Bosnia and Herzegovina's secession from Yugoslavia, this coalition is grossly and flagrantly ignoring the sovereign rights of the Serbian people, trying to strip them of their status as a constituent nation and impose their interests and decisions on them. Historically irresponsible, the coalition is destroying the tradition of co-existence of fully equal peoples, violating and subverting the present constitutional order in Yugoslavia and in Bosnia and Herzegovina, and, through their documents, they are doing away with the constitutional foundations of Bosnia and Herzegovina as a federal unit. In their short-sightedness, they are trying to present their completely unconstitutional, illegal and illegitimate documents (the Memorandum and the Platform) to the domestic and international public as state and constitutional decisions, making this the basis for their demand for the recognition of Bosnia and Herzegovina's independence. The coalition does not understand that the Serbian people cannot decide against their sons and future generations, against their future and freedom-loving tradition.

To this date the Muslim-Croatian coalition has ignored the call by the Assembly of the Serbian People to abolish their illegal and illegitimate documents and withdraw their demand for recognition of Bosnia and Herzegovina's independence. Thus once again they ignored the sovereign will of the Serbian people indicating to them what they could expect in an independent Bosnia and Herzegovina.

Since the documents adopted by the coalition of the Muslim and Croatian ethnic communities and their demand for recognition of Bosnia and Herzegovina as an independent state undermine the foundations of this federal unit and its constitutional system, the Serbian people are forced to defend their freedom, sovereignty, status of a constituent ethnic community, dignity and future. They agreed to live together /with other communities/ in Bosnia and Herzegovina but only as a federal unit of the Yugoslav federation and not in an independent Bosnia and Herzegovina separated from Yugoslavia.

Taking into account all these historical, political and constitutional facts, proceeding from the universal, inalienable, non-transferable and constitutional right of the Serbian people to self-determination, self-organisation and association on the basis of which they can freely determine their political status and ensure their economic, social and cultural development,

respecting their centuries-long struggle for freedom and independence and their readiness to live together with other peoples in a common state on a voluntary basis and in equality,

taking into account the fact that during World War Two they decided with other peoples (Croats and Muslims) to establish a republic, but only, explicitly and unequivocally as a federal unit of the Yugoslav federation, and expressed their will and firm resoluteness to live in a common state with other Serbs, aware that only such a state could guarantee them protection, freedom and equality,

implementing their will and resoluteness expressed at the plebiscite to remain in the Yugoslav federation as the common state of voluntarily united peoples and their republics in the face of irresponsible efforts to break it up and abolish it,

expressing their resolution to decide about their fate /by themselves/ and not to accept any solution imposed by force or blackmail either from within or from without,

respecting their decision that at this fateful historical moment they can no longer be represented by state organs whose constitutional foundations are being undermined by illegal and illegitimate documents adopted by the coalition of the Muslim and Croatian ethnic communities,

asserting that this coalition is not annulling its illegal and illegitimate documents and is not withdrawing its demand for recognition of Bosnia and Herzegovina's independence,

intending to contribute to the reconstruction of Yugoslavia as a voluntary community based on the sovereignty and equality of nations and republics, the rule of law and the highest degree of protection of human rights and freedoms, the protection of minorities, a free market and pluralist democracy,

endeavouring to contribute to a peaceful and negotiated settlement of the issue of territorial delineation and other rights and obligations relating to the right to self-determination of the Muslim and Croatian people in the hitherto Socialist Republic of Bosnia and Herzegovina,

the Assembly of the Serbian People in Bosnia and Herzegovina, as a freely and democratically elected representative of the Serbian people and the protector of their rights and interests, exercising their will expressed at the plebiscite on the basis

of which it decided to establish the Republic of Serbian Bosnia and Herzegovina, at a session held on 9 January 1992 adopted the following

**DECLARATION
ON THE PROCLAMATION OF THE REPUBLIC OF THE SERBIAN
PEOPLE OF BOSNIA AND HERZEGOVINA**

I

THE REPUBLIC OF THE SERBIAN PEOPLE OF BOSNIA AND HERZEGOVINA

is hereby established and proclaimed in the Serbian autonomous regions in the district /as written/ and other Serbian ethnic entities in Bosnia and Herzegovina, including areas in which the Serbian people are in a minority because of genocide that was committed against them in World War Two, on the basis of a plebiscite held on 9 and 10 November 1991 in which the Serbian people expressed their desire to stay in the common Yugoslav state.

II

The Republic is a part of the federal state of Yugoslavia as one of its federal units.

III

Territorial delineation with the political communities of other peoples of Bosnia and Herzegovina and the settlement of other rights and obligations will be carried out peacefully and through negotiation, respecting ethnic, historical, legal, cultural, economic, geographical, communications and other essential criteria and the principles and rules of international law.

IV

The social, political and state system of the Republic will be regulated by its constitution.

V

The Republican Constitution will guarantee the full equality of peoples and citizens before the law and protection against any form of discrimination.

VI

Up to the election and establishment of new organs and institutions which will be determined by the Constitution, the duties of state organs in the Republic will be performed by the present Assembly of the Serbian People in Bosnia and Herzegovina and the Ministerial Council.

VII

The seat of the organs of the Republic will be in Sarajevo.

VIII

Before adopting the Constitution, laws and other regulations of the Republic, federal regulations as well as the regulations of the former SR /Socialist Republic of/ Bosnia and Herzegovina will apply in the territory of the Republic, except those which the Assembly of the Serbian People finds to contravene the Federal Constitution.

IX

Government organs of the former SR Bosnia and Herzegovina will act as the common organs of the ethnic communities in the transitional period until final territorial delineation and the settlement of other rights and obligations.

During the transitional period, the common organs will adopt the necessary decisions and documents by consensus.

X

This Declaration takes effect on the day of its adoption.

XI

This Declaration will be published in the *Official Gazette of the Serbian People in Bosnia and Herzegovina*.

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9 January 1992
Sarajevo

President of
the Assembly of the Serbian People in
Bosnia and Herzegovina
Momčilo KRAJIŠNIK

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The Assembly of the Republic of the Serbian People of Bosnia and Herzegovina, at a session on 26 January 1992, adopted the following

CONCLUSIONS

1. The decision to call a referendum of the citizens of Bosnia and Herzegovina as the basis for transforming Bosnia and Herzegovina into an independent state was adopted irregularly in the absence of Serbian deputies. As a document of the legal representatives of the Muslim and Croatian people in Bosnia and Herzegovina, it can only be binding for members of these two peoples. For the Serbian people of Bosnia and Herzegovina this decision is null and void and is aimed directly against their vital interests.

The decision banning the further work of representatives of Bosnia and Herzegovina in all federal organs and institutions and the decision on the replacement

of the Governor of the National Bank of Bosnia and Herzegovina are also null and void and non-binding.

2. The Assembly of the Serbian People in Bosnia and Herzegovina will try to ensure that agreement is reached at a conference of the legitimate representatives of the three constitutive peoples of Bosnia and Herzegovina on the already initiated democratic transformation of Bosnia and Herzegovina in order to find the best possible state solution for each of these peoples. If this were to be a common solution for all three peoples, then the holding of a democratic referendum of citizens and peoples of Bosnia and Herzegovina to confirm the agreement reached would be acceptable to the Assembly of the Serbian People.

3. The Assembly of the Serbian People of Bosnia and Herzegovina hereby instructs the Ministerial Council, working bodies and other authorised representatives of the Serbian people of Bosnia and Herzegovina to draft the constitution and relevant decisions and documents to regulate the further state organisation of the Serbian people of Bosnia and Herzegovina in the immediate future so that the Republic of the Serbian People of Bosnia and Herzegovina can function as a real state entity.

4. The place of the Republic of the Serbian People of Bosnia and Herzegovina is in a common state of the Serbian people. The democratic transformation of Yugoslavia must be carried out simultaneously with the state organisation of the entire Serbian people in a Serbian federation or an alliance of Serbian states.

5. It is necessary that we immediately redefine our attitude towards federal Yugoslav institutions, and especially the JNA /Yugoslav People's Army/, on the basis of our mutual and vital interests.

Number: 02-73/92
26 January 1992
Sarajevo

President of the Assembly
of the Republic of the Serbian People of
Bosnia and Herzegovina
Momčilo KRAJIŠNIK

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