

Transcript of the International Agency's Joint Press Conference in CPIC

Subject: JOINT PRESS CONFERENCE – 3 October 2002

1. The following attended the regular Press Conference held at the CPIC at 11:30 hours on Thursday 3 October 2002:

Agency	Spokesperson	Topic
a. OHR	Julian Braithwaite	• HR visits Travnik on as part of get out and vote campaign. • Message to people of BiH from EU HR.
b. OSCE	Urdur Gunnarsdottir	• OSCE welcomes the role of spectator in elections.
c. UNMIBH	Kirsten Haupt	• Accreditation of RS Ministry of Interior.
d. UNHCR	Bakir Jalovcic	• PLIP Statistics for August.
e. ICTY	Rafik Hodzic	• Plavsic change of plea.
f. SFOR	Lieutenant Commander Yves Vanier	• No statement.

2. Twenty-three members of the media including two television crews attended the conference.

3. The transcript of the questions and answers is attached.

C. Barraud
Lt. Col. (FR A),

Julian Braithwaite – OHR

Just a couple of items for you from the Office of the High Representative.

First, the High Representative, is visiting Travnik today, as part of his get out and vote tour. He is going to be meeting with young people to discuss what they want from politics and the elections.

He will also be giving an interview with RTV Travnik, at 12:30. Just to let you know, he is also going to be giving interviews with 8 local and national radio stations from across Bosnia and Herzegovina, this afternoon and they are:

16:00 RTV Una-Sava Kanton in Bihac,

16:20 Srpski radio Gradiska,

16:40 Radio Livno,

17:00 Radio Jajce,

17:20 RTV Bugojno,

17:40 Radio Bratunac,

18:00 Radio Grude,

18:20 BiH Radio 1.

His message will be very simple it will be, please vote and vote for reform.

The other item today, is a statement by, Javier Solana, the European Union High Representative, to the people of Bosnia and Herzegovina on the eve of the 5 October, elections.

Javier Solana has asked that, Paddy Ashdown's Office, as Paddy

Ashdown, is the European Union Special Representative in Bosnia and Herzegovina, that we should read this statement for the electronic media. I will do that now.

You and your country face a crucial choice on the 5 October. One alternative for Bosnia and Herzegovina is Europe. Some progress in this direction has already been made. There is hard work ahead, but it is building work. It is creating a better life for all Bosnia and Herzegovina citizens. This is not, in the end, about laws and agreements and negotiations, its about delivering real benefits to ordinary people, its about making Bosnia and Herzegovina work.

If Europe is one alternative for Bosnia and Herzegovina, the other is stagnation. I do not need to tell you what that alternative will mean in detail, you have experienced most of it during the years followed immediately after the war.

The choice between these two alternatives lies with voters on the 5 October, and I urge you to choose Europe. Make these the first truly, European Bosnia and Herzegovina elections. There is no role for politicians who would block necessary legislation for the sake of short-term political gain.

This is a time for serious politics, look at the record of the politicians seeking your vote. How many reforms have they introduced? How likely are they to build a prosperous country with a single market and a culture of inclusiveness and reconciliation?

Europe stands ready to work with such a country. Europe stands ready to welcome such a country as one of its own.

We can make the text that of statement available. Obviously because of the election silence you will not be able to publish it in the papers tomorrow. But obviously it can be run today, in the electronic media. That is all from me.

Urdur Gunnarsdottir – OSCE

Good morning. The same applies to my statement as to Julian's, that it is fine until 07:00, tomorrow morning, and that applies to the print media especially.

Where elections are concerned, the OSCE Mission to Bosnia and Herzegovina finds itself in the welcome role of spectator these days. We are bidding farewell to our active role in election organisation and management in this country and taking on other duties, which we see as equally important. We have handed elections over to the local authorities and now we are watching how they are doing.

And let me tell you, they are doing just fine. The election process is in safe and sure hands. The Election Commission has done an excellent job under often difficult circumstances and tight deadlines. Their decisions have been responsible, correct and according to the law. Watching from the sideline as elections take place is a strange feeling for many of us at OSCE. But, it is an important milestone in the process of handing over political responsibility to the citizens of this country. As old habits die hard, I want to of course remind you that as October 5, approaches the mission wishes the Election Commission and all Bosnia and Herzegovina citizens, fair and successful elections that will move Bosnia and Herzegovina decisively along the road towards Europe.

Finally, I want to abuse my position to encourage women to go out to vote. We met with an impressive group of women this morning, from pop singers to Miss Bosnia and Herzegovina, from editors to lawyers. Not only are they determined to vote and make their voices heard, one of them made it absolutely clear that women are voting so that the International Community can leave, I suspect that she wanted to add, so they can take over and that would be good news. Thank you.

Kirsten Haupt – UNMIBH

Good morning. I have one item for you.

Following yesterdays, accreditation of the Republika Srpska Ministry of Interior, you have probably seen it yourself or covered it yourself. That yesterday, the Special Representative of the Secretary General Jacques Paul Klein, presented the Ministry of Interior of the Republika Srpska, with its formal certificate of accreditation as meeting basic European organisational and administrative standards of democratic law enforcement. After the accreditation of Brcko District Police, earlier this year in March 2002, in the way of a pilot project, this is the second police service that has been accredited by UNMIBH.

Just a few more details on what this all means. The restructuring of law enforcement agencies has been one of the key aspects of the UNMIBH mandate. This accreditation of the Republika Srpska Ministry of Interior, is the result of a long process during which, structures and procedures were established that are in line with basic principles of democratic policing.

The structural and institutional changes focused on creating transparency and accountability in the police force, the establishment of a clear chain of command and standardised responsibilities. A career path and rank structure has been introduced based on merit and qualifications. Measures were introduced to separate the police from political interference and that includes the establishment of a post of a non-political Director of Police as the highest-ranking police officer.

In his statement Special Representative of the Secretary General Klein, pointed out that police officers are foremost citizens serving citizens. "The changes brought about in the police force will now strengthen the bond between the police and the community and increase the confidence of the citizenship in the police. Without public confidence in the police, enforcement of the law will always remain weak" Special Representative of the Secretary General Klein, said.

The accreditation of law enforcement agencies by UNMIBH, is of course not the end of this long process of establishing democratic police services. It should rather be looked at as a start, towards further improving organisational structures of the police. It is for that reason that UNMIBH, with the accreditation acknowledges that the respective law enforcement agency meets basic standards of democratic policing. This means that more needs to be done to have accredited law enforcement agencies acknowledged as meeting all desirable standards of democratic policing. This also means that law enforcement agencies will continue to be monitored to ensure that already reached standards are being maintained and that further improvements take place.

In the meantime, UNMIBH continues to accredit those law enforcement agencies that meet basic standards of democratic policing. Today, Special Representative of the Secretary General Klein accredits the Ministry of Interior of Canton 1 and that is the third police service to receive accreditation. Following Brcko District Police, in March 2002, and yesterday, accreditation of the Ministry of Interior of the Republika Srpska. That is all from me today.

Bakir Jalovcic – UNHCR

Good morning. UNHCR has only one point on behalf of all of the Property Law Implementation Plan Agencies.

The Property Law Implementation Plan Agencies, OHR, UNHCR, OSCE, CRPC and UNMIBH released today, the statistics for August, of this year. The overall implementation rate of the property laws in Bosnia and Herzegovina has reached 59%.

In total 150,984 out of, 256,312 households have repossessed their property. In the Federation, 62% of cases have been solved, 54% of cases in the Republika Srpska have been solved, and 64% in Brcko, have been solved.

In other words, out of 141,812 households that filed a claim

in the Federation, 88,497 have repossessed their property, and out of 107,578 claims in the Republika Srpska, 58,068 have been solved, out of 6,922 claims filed in the Brcko District, 4,419 repossessions have taken place. That is all.

Rafik Hodzic – ICTY

Good morning. I have one item and it is related to yesterdays, change of plea by, Biljana Plavsic.

As you all know, she pleaded guilty to persecutions on religious, political and racial grounds as crime against humanity. Although her statement and details of the change of plea have been reported on. I would like to take this opportunity draw your attention to some details from the plea agreement itself.

As point 5 of the plea agreement states, by her plea of guilty to the count of persecution on political, racial or religious grounds, Biljana Plavsic, accepted several elements of the indictment, which the prosecution had intended to prove beyond reasonable doubt, these elements include:

The existence of an armed conflict,

The existence of a widespread or systematic attack directed against a civilian population,

That her conduct was related to the widespread or systematic attack directed against a civilian population,

That she had knowledge of the wider context in, which her conduct occurred,

That she committed acts or omissions against a victim or victim population violating a basic or fundamental human right,

That she intended to commit the violation,

That her conduct was committed on political, racial or religious grounds,

And, that her conduct was committed with a deliberate intent to discriminate.

Having this in mind, it is important to remember that count three to which, Plavsic, pleaded guilty, refers to crimes against Bosniak, Bosnian Croat and other non-Serb populations in some 37 municipalities in Bosnia and Herzegovina and that these crimes include:

Killings during and after attacks on towns and villages in these municipalities,

Cruel and inhumane treatment including torture, physical and psychological abuse, sexual violence and forced existence under inhumane living conditions,

Forced transfer or deportation,

Unlawful detention in detention facilities where inhumane living conditions were established, killings and cruel and inhumane treatment in those facilities,

Forced labour,

Appropriation and plunder of property,

And, intentional and wanton destruction of property.

In conclusion, again it is important to stress as was announced yesterday, by her defence council, that her plea of guilty was made fully and unconditionally. That is all I have.

Lieutenant Commander Yves Vanier – SFOR

No statement from SFOR today.

Questions and Answers

Q: Fezad Forto – BH Press

Just a technical question for the ICTY, since she pleaded guilty does this mean that the trial will be held as it is scheduled. I mean, is there a need now to call for the witnesses to hold a complete process for this technical side of the process, how will it go on?

A: Rafik Hodzic – ICTY

The trial will proceed as scheduled as, Biljana Plavsic, was a co-accused, so the trial will proceed with the Krajisnik, portion of it. As far as, Plavsic, is concerned the prosecution will not have to prove beyond reasonable doubt the elements that I have listed, as they have dropped other counts of the indictment. In her case there will now be a sentencing hearing, where both the prosecution and the defence, will present their arguments, as to the appropriate sentence for her. Then the judges will make their decision.

Q: Fezad Forto – BH Press

Does mean she will remain free until the sentence is announced?

A: Rafik Hodzic – ICTY

As far as I understand, I would have to check, but I think. That the judge may have said yesterday, that her provisional release will be extended, but that she will have to appear for the sentencing hearing.

Q: Antonio Prlenda – Oslobodenje

Just a small clarification for Plavsic, will she be accused for genocide or not?

A: Rafik Hodzic – ICTY

The point for genocide has been withdrawn by the prosecution.

Q: Merdijana Sadovic – ABC

When will this sentence hearing take place?

A: Rafik Hodzic – ICTY

There is no decision as yet.

Q: Merdijana Sadovic – ABC

Because, we have read somewhere it will be on 16 December, is that the correct date?

A: Rafik Hodzic – ICTY

I read the same thing, but I cannot confirm that, I would have to check. There will be a scheduling order, which will then set the date. I do not whether that is the correct date.

Q: Merdijana Sadovic – ABC

Also did, Mrs. Plavsic, agree to appear in someone else's trial as a witness?

A: Rafik Hodzic – ICTY

There is a statement out there that was made on her behalf yesterday, by her defence council. I can quote it now, it says that "there is no agreement between Mrs. Plavsic, and the Prosecutors Office, that she will appear as a witness in any other case before the ICTY."

Q: Merdijana Sadovic – ABC

But, is that still possible even if you cannot tell us at the moment. But, is it still possible that she will appear as a witness?

A: Rafik Hodzic – ICTY

I cannot speculate on that.

Q: Viola Gienger – Freelance for Cox Newspapers

Where is, Biljana Plavsic, now if you can tell us? Does her appearance for sentencing have to be in, The Hague, in person or can it be by video link, as the plea was made? And finally, is there anything in the plea related to, Milosevic, or any connection about any reference to chain of command, or responsibility above her level?

A: Rafik Hodzic – ICTY

To the first question, I think that according to the order on provisional release, she is in Belgrade. As I said, it was stated yesterday, that she would have to appear for the sentencing hearing. As to your third question, no.

Q: Cazim Dervisevic – UN Radio

A question for Kirsten, how many people have been removed from the police for their war time activities, if you know? If we assume that they were removed for war crimes, if we can say so. Have any of them been indicted and when?

A: Kirsten Haupt – UNMIBH

The statistics we have at this point are more than 200 police officers, have had their provisional authorisation removed, more than 60 of those had their provisional authorisation removed for wartime background. We do not say for war crimes, we say for wartime background, precisely because there has been no proper investigation or court trial yet. What we always point out in the notification to the respective authorities and to the police officers themselves, in this case notably to the responsible authorities, is we urge them or demand actually for them to launch appropriate procedures. Namely that relevant the police authorities have to launch an investigation to look into the acts that are being described,

that is the reason for removal of provisional authorisation. So, yes there should actually be investigation conducted in each of these cases and that not only concerns removal of provisional authorisation for wartime conduct, but also for other misconduct that warrants legal measures or police investigation. So, there the police authorities are supposed to launch an investigation.

Q: Cazim Dervisevic – UN Radio

So, in some of the cases we can say, that they can be suspected war criminals?

A: Kirsten Haupt – UNMIBH

I would not go that far, I would not want to pre-empt any legal proceedings. I can only repeat what I have said we have pretty good evidence that we use as the basis of the removal of provisional authorisation. However, we cannot pre-empt legal proceeding in the outcome of a trial. Hence, we call on the local authorities, on the police authorities and particular to launch a respective investigation that eventually may lead to a court trial that will then pronounce guilt or non-guilt and pronounce a sentence.

Q: Cazim Dervisevic – UN Radio

Do you know if they have launched any investigation?

A: Kirsten Haupt – UNMIBH

I have not had any feed back on that, but I am currently looking into this.

Q: Fezad Forto – BH Press

Just a technical question for the ICTY, the recognition of, Biljana Plavsic, does her plea now mean that one certain type of crime has happened, so her personal guilt needs to be

proved? I am speaking about the particular case of, Plavsic and Krajisnik, in that regard, are there going to be any changes in the future?

A: Rafik Hodzic – ICTY

I cannot give any comments that would prejudice any proceeding before the Tribunal. What I can repeat, as I said here that by her plea of guilty, Biljana Plavsic accepted these elements of the indictment contained in count 3, the Prosecutors Office does not intend to prove this against, Biljana Plavsic, anyway. But, as I said her acceptance of this means that the allegations in the indictment, in her case have been established as facts. I cannot give you a comment on whether they will have to prove that against, Krajisnik, or anybody else. But, they now have this acceptance by a senior official of the events that were alleged in this part of the indictment.

Q: Viola Gienger – Freelance for Cox Newspapers

I just want to make clear, this guilty plea can be used as evidence in other cases? Correct or not?

A: Rafik Hodzic – ICTY

I cannot answer that. I do not know, I can check on this. But, this is concerning only, Biljana Plavsic, at present.