



Transcript of the International Agencies' Joint Press Conference

OHR/EUSR, Mario Brkić
EUFOR, David Fielder

OHR

Dayton Technical Correction

From media reporting over the past 12 days it is clear that a misunderstanding over a technical amendment in the text of the Dayton Peace Agreement made in 1996 persists.

I want to explain that technical amendment for you today but let me be clear : there is NO conspiracy.

Former High Representative Carl Bildt corrected the typographical error on 7 December 1996. The Presidency did not object to this correction being made. The matter was explained again by the Head of the OHR legal service on 12 March 2002 to the then members of the Presidency of BiH, Messrs Belkić, Radišić and Križanović, and the Minister of Foreign Affairs Zlatko Lagumdžija. Again, no one objected.

Perhaps we'll be lucky the third time round. I will try to be as clear as possible.

This is all about a typographical error.

In Article V.2(c) of the Constitution of BiH, which regulates which BiH Presidency Decisions should be adopted by consensus, a cross-reference to an article about the competencies of the BiH institutions was made in error. The error was not noticed in the hectic endgame of the proximity peace talks at Dayton.

Specifically, instead of a reference to Article V 3 (a)-(e), reference was made to Article III 1 (a)-(e). The reference to Article V 3 (a)-(e) is logical insofar as this Article deals with the competencies of the Presidency. The typographical error refers you to the competencies of BiH institutions — Article III 1 (a)-(e) – which is manifestly not logical.

I think this is now clear.

We are not able to say how this technical error occurred during the final hours of the Dayton negotiations. And OHR is certainly not going to guess as to the whereabouts of the BiH copy of the peace agreement. Other copies have been deposited in Paris, where the agreement was formally signed in December 1995.

My final point on this topic is that the potential for confusion created by the typographical error could have been avoided had the BiH Presidency delivered a translation of the DPA in line with the requirement set out in the Agreement for the Establishment of Bosnian, Croatian and Serbian Language texts of the Annexes to the GFAP. Over the course of the past decade, OHR has repeatedly urged the Presidency to fulfill its duties in this regard, but to no avail. We again urge the Presidency to fulfill its commitments in this regard.

EUFOR

There was no statement.