

Transcript of the High Representative Press Conference

The High Representative, Christian Schwarz-Schilling:

Good afternoon ladies and gentlemen and thank you for coming here today.

This morning, we had an extremely frank discussion about the state of affairs in Bosnia and Herzegovina in this room, covering the widest possible range of issues. We had the discussion together with Prime Minister Špirić. It was a very good, open and frank discussion, also by his own assessment, and we could see that our assessments were quite close.

Yesterday, as you know, we had the Presidency and I just want to say that I had the feeling we have three different presidencies, three different attitudes and statements. So, it was a good demonstration to the International Community about the reality of this country at the moment.

Well, on the basis of that discussion, PIC Political Directors drew up a Declaration in which they stated that the current political situation – the near total deadlock in peace implementation and the policy of reforms required for a Stabilisation and Association Agreement – was of “grave concern”. I repeat, “grave concern”.

Political Directors placed responsibility at the door of those political leaders who have blocked progress and undermined the political situation with their aggressive rhetoric.

They also emphasised that the International Community will not tolerate any attempts to undermine the Dayton Peace Agreement and will not remain passive in the face of provocative

statements and acts.

PIC Political Directors also made clear that they expected political leaders to deliver concrete results on the key reforms necessary for the signing of an SAA.

To cite the Declaration, "Initialling the SAA must be the number one priority for Bosnia and Herzegovina. However, due to a lack of political will, Bosnia and Herzegovina faces the prospect of falling behind all its neighbours in this regard."

Initialling of the SAA requires concrete and irreversible progress on police restructuring, which could be achieved rapidly, and cooperation with the International Criminal Tribunal for the former Yugoslavia in The Hague.

The Steering Board cited the arrest of Zdravko Tolimir on 31 May as evidence that the authorities in Serbia and Bosnia and Herzegovina are able to find and apprehend indicted war criminals. Especially mentioned in the Declaration were Mladić and Karadžić.

One particular theme of discussion was Srebrenica.

The PIC Steering Board endorsed the emphasis of my Envoy, Ambassador Clifford Bond, on promoting public security, the prosecution of war criminals, improved social services and more effective job creation in and around Srebrenica. He also gave a clear conclusion about his activities and I think he got very good recognition and reception for his talk.

The Steering Board made clear, however, that Bosnia and Herzegovina is obliged to abide by its commitments under the Dayton Peace Agreement and that these are in no way affected by the judgment rendered by the International Court of Justice on 26 February.

To cite the Declaration again, "The scope of the ICJ judgment is clear. It relates to a dispute between two states and in

particular to the responsibility of Serbia under the *Convention on the Prevention and Punishment of the Crime of Genocide*. It does not impose any legal obligation upon Bosnia and Herzegovina to amend the provisions of its constitution."

The status of Srebrenica and the status of any other unit of government within Bosnia and Herzegovina can only be changed in accordance with the relevant constitutions and laws.

Concerning constitutional reform, I provided an update based on my meetings with party leaders in recent weeks.

The Steering Board commended to party leaders the EU-US offer to support a constitutional-reform process politically, technically and financially and set up a process as soon as possible and to address the first package of constitutional amendments agreed in March 2006. I think this was also very important because there was great and unanimous consent that this common position of the International Community, specifically the European Union and Commission and the United States, was a clear signal to the Bosnian leaders that this is the way we want, and not only is this what we want but it was in fact also the conclusion of our talks, the bilateral talks with all party leaders. Now we will see whether they come together to train and exercise the culture of dialogue and the culture of compromises, and as we can see this is still a problem now because last time there was some very important parties missing. But we will try again, and you know one thing I have learned in my life is that if you leave a room and you leave an empty chair at some point you will have to come back and normally, you will not be stronger coming back to an empty chair.

The PIC Steering Board expressed concern about several additional areas, including, in particular, the need for agreement on the apportionment of State Property. This is important in and of itself as well as being critical to the completion of defence reforms. The Steering Board therefore

asked my successor, Ambassador Miroslav Lajcak, to undertake efforts to bring this issue to a conclusion before the end of September.

The Steering Board confirmed that the Office of the High Representative will remain in place and continue to carry out its mandate under the Dayton Peace Agreement. Nevertheless, the policy of ownership remains the guiding principle and the aim remains OHR closure by 30 June 2008.

The Declaration is available to you in both English and the local language and can be collected after this press conference. Both versions are also being sent out electronically to media and placed on the OHR web site as we speak.

Journalist #1:

Mr. Schilling, I would ask you to be specific and name the politicians that are responsible for blocking progress and the deterioration of the political situation by means of aggressive rhetoric?

The High Representative, Christian Schwarz-Schilling:

It is different, for instance with the police reform. You know the outcome of the talks in Washington where there were two politicians and I think you know who they are. I can name them for you if you like, Mr. Dodik and Mr. Silajdžić. Here the empty chairs were left by Tihić and Čović. So, it is not just one or two politicians. I think the culture of dialogue has not been learned in this country, at the highest level it has not been learned. I have better experiences at the municipal level, there the culture of dialogue was trained and some agreements are come to. I think it now has to be trained at the highest level in this country. So, have you now got the names?

Oslobođenje, Antonio Prlenda:

When listening to this Declaration it sounds as though police reform has gained priority over constitutional reform. Is this so? If this is the case is the OHR intending to initiate new negotiations on police reform again any time soon? What about the April package on constitutional reform, could it serve as a basis for further talks?

The High Representative, Christian Schwarz-Schilling:

It is not like this. We are in full consent that we are doing this in a parallel manner and not mixing the two reforms – we are not holding negotiations on both at one time. We have separated them logically – one is a constitutional and the other is a police reform for the SAA. We are trying to do this parallelly and we can see that this is the best way to do it.

As for police reform, of course you are right. It is the highest priority for the SAA and constitutional reform is a necessary long-term result. So, constitutional reform can later on help in some stages of the police reform. But it is not to say that we are now starting with one negotiation for both reforms.

Perhaps you will add something to this.

The Principal Deputy High Representative, Raffi Gregorian:

I will just stress what the High Representative said. The PIC Steering Board was very clear, this is a very high priority because it unlocks the door to the SAA. There has been general agreement and acceptance of the three EU principles for months now and the outstanding issue is really one of a political dispute that is not relevant to the three EU principles themselves. So, from our point of view there is no barrier to moving forward on police reform if this political issue can be resolved because the main principles have already been accepted. And of course it improves the situation across the board we think both politically and in terms of all the benefits it will flow to Bosnia and Herzegovina once it has

met the final condition for the SAA initialling and signature.

It was discussed and noted, quite ironically and pointedly, that Montenegro, which is less than a year old, had already signed an SAA and of course, negotiations with Serbia have recommenced just in the last few days. Bosnia is at risk of falling further and further behind despite the fact that they have been close to an agreement for months now.

Journalist #3:

Mr. Schilling, judging by the Communiqué it seems that the practice of passivity and not using the Bonn powers has come to an end. Does this mean that you will finally use the Bonn powers and remove from office some of the leading BH politicians that you just mentioned?

The High Representative, Christian Schwarz-Schilling:

Well, there is a clear message that there is no reduction of Bonn powers. It was also not in my mandate. There is also no message that there will be a substantial change of Bonn powers. So I think the message is clear, the Bonn powers exist and they will be used if it is needed and that is that. Not less and not more.

I think you also know the statement of my successor about that, and I think it is in line with what we are saying here.

Journalist #4:

Would you say that handing over responsibility to local politicians has been a successful experiment considering that this absence of the culture of dialogue is hardly anything new? It has been proven now that they cannot function without stronger international pressure. So, would you say that it failed – trying to give them responsibility?

The High Representative, Christian Schwarz-Schilling:

That it has failed? We see that they need a long time for that, but there is no time if we are thinking of the neighbours and the train going to Europe. Otherwise you can of course say that in the five, ten years, you will see that ownership will be perfect here. But, that is not possible. So it is a question of time and training, and so far much less than was expected has been done by now. That is clear. Everybody is disappointed about the speed of taking over ownership.

You know some of the politicians here are saying that they do not need the OHR at all here and that they can make it totally alone. But now you can see what is happening and perhaps it was also necessary for this to be demonstrated to the International Community so that they have no illusions. We were very close to closure in June and I think it was necessary for everyone to see the reality – the Bosnians to see that they have to make much more effort to really do it and on the other side, the International Community to see the reality before making a big mistake by just thinking that things are going very well because they have seen that the International Community has done what it could and so, thinking it is all fine and then closing the OHR and only then seeing what the reality of the situation is. So, this did not happen and that was my biggest intention for the last, I would say, six months – for that to never happen here – because I think we are also obliged to the safety of this country and to the population to make sure those things never shake this country again. You can think about that if you hear and listen to the rhetoric of the politicians. But, this will not happen because we are here and we are making clear that this will never happen.

Journalist #5:

What did you think of the letter that was sent to the United Nations Secretary-General, Ban Ki-moon? To many, myself included of course, it seems that this act is not in

accordance with your views, with the position that you made clear recently in your farewell speech before the Parliamentary Assembly. Therefore, what is your comment on this letter?

The High Representative, Christian Schwarz-Schilling:

Well, we note that this letter is signed by two members of the Presidency. The letter sent by Mr. Komšić and Mr. Silajdžić to the United Nations Secretary General yesterday, a letter sent by members of the three-party Presidency, but not officially approved by the three members including the Chair of the Presidency, Mr. Radmanović, only further adds to the deterioration of political relations in the country, starting with the Presidency. It is up to the United Nations to determine how to respond to that letter. I would say that the Dayton Peace Accord was only partially implemented. That is a question you can have many comments about. All I want now is for it to be clear that it was not an official letter from the Presidency of this country and the United Nations will have to see what they will answer to the two members of the Presidency and I will not comment on that before they really answer. But this is not an official act of the Government or the Presidency of this country. I think this must be made totally clear. If there is any unclearness here due to politicians claiming that this is an official letter from an official institution, then there will be consequences, also from the International Community.