

# Transcript of the International Agencies' Joint Press Conference

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## OHR

### **High Representative and Minister Kebo Dissatisfied With UN Response**

The High Representative and EU Special Representative, Christian Schwarz-Schilling, and BiH Minister for Human Rights and Refugees Mirsad Kebo, expressed their disappointment with the response regarding the issue of non certified police received late last week from the UN Under Secretary General for Peace Keeping Operations, Jean-Marie Guehenno.

The High Representative and Minister Kebo met today to review progress in the attempt to get the UN to take on a review of certain cases where officers did not receive certification from the UN IPTF's mission.

During the summer months the OHR and the BiH MHRR provided information to the UN on non-certified Police Officers. The High Representative and Minister Kebo in recent weeks have made separate interventions at the UN in New York to lobby for a review of decisions.

In response to these efforts, the Under Secretary General for Peace Keeping Operations wrote to the HR offering no change from the position that the UN has taken during the last two years. The life long ban on police work remains in place.

This falls far short of the review demanded by the decertified police officers, the position taken by the BiH Government and the recommendations of the Venice Commission.

Minister Kebo and the High Representative undertook today to continue to coordinate their efforts in finding an adequate solution to this issue. Today Minister Kebo undertook to visit the Court in Strasbourg and the High Representative confirmed that he would be responding to Jean-Marie Guehenno.

### **Second Decade of Dayton Must Be About the Future Not the Past**

The High Representative and EU Special Representative, Christian Schwarz-Schilling, will be among those who participate in an event being organized at the National Theatre in Sarajevo this afternoon to mark the eleventh anniversary of the initial signing of the Dayton Peace Agreement.

The number is significant – we are now in the second decade of remembering Dayton and that fact alone should highlight the pressing need for this country to look forward rather than back.

In the case of Bosnia and Herzegovina looking forward is a practical exercise that involves clearly laid out steps to give the country security and prosperity and take it closer to full membership of the Euro-Atlantic community.

This isn't a daydream – it's what forward-looking politicians with the support of forward-looking citizens can implement systematically starting from today.

Bosnia and Herzegovina 's negotiators have given a good account of themselves in the Stabilisation and Association negotiations. The parliaments too have successfully enacted a series of laws that are needed to raise living standards and bring Bosnia and Herzegovina closer to the EU and to NATO. Some key pieces of legislation – in the areas of economy,

security and education – still need to be enacted. Getting administrations in place so that the parliaments can start work on reform agenda is now a priority.

Now is the time for politicians from both the RS and the Federation to set aside nationalistic rhetoric and get down to the business of preparing their country for Europe.

If progress can be made in the coming months, the second decade of commemorating Dayton can truly be a decade of looking to the future rather than the past.

## **ICTY**

Good morning on behalf of the ICTY.

Next week, the ICTY will render two appeal judgements which concern crimes committed in Bosnia and Herzegovina. These are the cases of Blagoje Simić and Stanislav Galić.

The Appeals Chamber will pronounce its judgement in the case against Blagoje Simić on Tuesday 28 November at 9am in courtroom I of the Tribunal. This will conclude the last case before the ICTY that concerns specifically crimes committed in Bosanski Šamac. The Tribunal has earlier finished proceedings against four accused from the municipal level for those crimes. However, they also constitute part of the charges against high-level accused whose cases are still ongoing.

On 17 October 2003, Simić was sentenced by the first instance chamber to 17 years' imprisonment. According to the Trial Chamber, Simić, as president of the Municipal Assembly and the Crisis Staff in Bosanski Šamac, was at the apex of the joint criminal enterprise the aim of which was to persecute non-Serb civilians in that municipality in 1992 and 1993.

The Trial Chamber found that Simić did not take any significant steps to prevent the continued arrests and detentions, although he was obliged to try every possible

measure to prevent non-Serb citizens from being persecuted. The Trial Chamber also found beyond reasonable doubt that Simić knew about the beatings, the torture and the inhumane confinement conditions of the non-Serb prisoner in detention facilities in Bosanski Šamac.

It was further found that Simić was aware of the fact that civilians were used for trench-digging and other dangerous military assignments. However, he did not take any measures within his authority to stop this practice. The Trial Chamber also found that Simić contributed to the deportation and forcible transfer of non-Serb civilians with the intention to permanently displace them.

One of the three judges sitting on the Trial Chamber appended a separate and partly dissenting opinion holding that 7 years' imprisonment would be a proportional and reasonable penalty for Simić.

Only the defence appealed the judgement in this case, seeking that the judgement be reversed and Simić to be acquitted, or, alternatively, for a re-trial to be ordered or the matter of sentencing to be remitted to the Trial Chamber.

The Appeals Chamber will pronounce its judgement in the case against Blagoje Simić on Tuesday 28 novembar at 9am in courtroom I of the Tribunal

The appeals judgement in the case against Stanislava Galić will be pronounced on Thursday 30 November, also in courtroom I of the Tribunal. On 5 December 2003, Galić was sentenced by the first instance chamber to 20 years' imprisonment, as Commander of the Sarajevo-Romanija Corps of the Army of Republika Srpska, for conducting a campaign of sniping and shelling intended primarily to terrorise the civilian population of Sarajevo. According to the judgment, "hundreds of civilians were killed and thousands wounded during daily activities such as attending funerals, tending vegetable

plots, fetching water, shopping, going to hospital, commuting within the city, or while at home”.

The judgment was reached by the majority of the Trial Chamber. One of the judges appended a separate and partially dissenting opinion, disagreeing with the findings of the majority regarding certain incidents and the nature of General Galić's criminal responsibility, and holding that Galić should have been sentenced to 10 years' imprisonment.

In the appeals process the prosecution sought that life imprisonment be imposed on Galić, holding that the sentence of 20 years is manifestly inadequate. The defence has sought that the judgement be reversed and Galić to be acquitted on all counts of the indictment, or, alternatively, for a re-trial to be ordered or a lower sentence to be pronounced.

Stanislav Galić will be the fiftieth person to receive a final judgement before the ICTY concerning crimes committed in Bosnia and Herzegovina .

The ICTY has also indicted Dragomir Milošević for crimes committed during the siege of Sarajevo . He followed Stanislav Galić as Commander of the Sarajevo-Romanija Corps in August 1994. His trial hasn't begun yet.

I will just add that the judgement hearings are broadcast live on the Tribunal's website, and that is all from me today, thank for your attention.

**EUFOR**

No statement.