

Transcript of the High Representative's Press Conference

Thank you for coming along to what looks like my last of many press conferences with you. Though of course, I shall be appearing and giving a speech to the Parliament of BiH at nine o'clock on Monday morning, bringing to a full circle my mandate, which as you recall on its first day started with a speech to Parliament and will end on the last full day of my mandate.

Well, good afternoon to you all. I have called this special press conference, this press conference in order to announce the next steps in the process of handing over responsibilities from the International Community to the BiH authorities.

At the beginning of my mandate you may recall that I set out one overarching objective - to put this country irreversibly on to the path to effective statehood and on to the road that leads to Europe and to NATO. I said that as Bosnia and Herzegovina moves away from the post Dayton era towards the era of Brussels it is only right that the International Community and the international engagement in this country should reflect that new reality, that shift of power and that the powers currently wielded by my office gradually handed back to the BiH authorities.

I have long said that the start of the Stabilisation and Association process should trigger that process and indeed we had the first highly successful negotiation session of the SAA process only the day before yesterday. That process, the process of hand over of power is already underway and will, I have absolutely no doubt, be continued by my successor with whom I have of course discussed this in detail.

In March last year I started to review the cases of those individuals who have been removed by the High Representative. Since then I have lifted bans on 30 individuals. Last year the lifting of bans on removed officials, please note, far outnumbered by a factor of 10 the removal decisions that I had to take. We lifted the bans on 30 individuals and we removed 3. These numbers give a very clear indication of how much the situation has changed.

Several months later I reduced the scope of the High Representative removals by allowing removed officials, with the exception of only those who were removed for ICTY obstruction, to apply for and to hold non-managerial positions subject to selection through an open competition within public bodies. Six weeks ago I took a further step when I sent to the BiH Parliament a package of draft amendments to State legislation that would when passed place the vetting process into the hands of the BiH authorities after the Election of October 2006. So, these are the steps we have taken so far in this process of transfer, which will be ongoing as we move towards the day when the High Representative's Office closes and this becomes a European Union Special Representative's Office.

It is now time to take further steps in this direction and this is what I am here to announce. Firstly, earlier this morning I signed a Decision to Amend the BiH Election Law. The passage in the BiH Election Law, Article 20.9a, is the one that I have amended. This amendment will have the effect of greatly reducing the number of individuals currently barred from standing in elections and from holding elected office. Let me explain, the BiH Election Law as it is currently drafted, imposed insanely by one of my predecessors in different times, stipulates that individuals who were removed by the Provisional Election Commission or the Election Appeals Subcommission, which was one of its component parts, or by the High Representative or by the Commander of SFOR or by the IPTF Commissioner for having obstructed the implementation of Dayton. All of these people could not be a candidate in elections or to hold elected office.

However, times have changed. I am sure that was a right decision for one of my predecessors to take, but it seems to me wrong that this blanket removal from the electoral process of people who in some cases have made minor infringements should not be allowed to continue. In many cases the circumstances for banning the individuals in the first place have changed and no longer apply. A large number of sanctions and particularly those applied by the Provisional Election Commission and the Election Appeals Subcommission apply to individuals who were involved in legal occupancy cases to give you an example, that have long since been resolved.

I have therefore decide to lift the ban from all individuals who were removed by the Provisional Election Commission or the Election Appeals Subcommission. Now this applies to roughly some 160 or so individuals who will from today be able to stand in election and to hold elected office. People who would not otherwise have been able to stand in the next election. In addition I have decided to limit the duration of the bans that remain in force to the end of December 2007. So by the end of December 2007 all of these bans will be lifted.

Secondly, I have also decided as part of the process that I launched in March 2005, the so-called "Phoenix Process", to lift the ban on a further 4 individuals who were removed by the High Representative in 1999 and 2000. The individuals concerned are: Miladin Pešić, Sanja Srna, Ševala Branković, Hajrudin Husić and you can get their names and details in a separate handout at the back of the room at the end of the press conference. They were incidentally all removed for obstructing refugee and property return. So it is a further step forward down that process, and again I anticipate that this process will continue.

Finally, let me go back to the subject of ministerial vetting which I covered extensively at a press conference a few weeks ago. As the bans on people from participating in political life are being lifted many will no doubt ask what prevents corrupt and compromised officials from taking office. Well, the answer at present is – OHR. We have all witnessed examples of how political power is abused in BiH. We all know that too often politicians view their positions as a function of control or let's be blunt about it, an opportunity to steal the taxpayer's money rather than as a chance to advance the interest of the country and of its citizens.

The only way to prevent this from happening – except OHR should do it, and in my view OHR should not continue to do this beyond the 2006 Elections – the only other way to prevent this from happening is to set up a domestic procedure, which will have the effect of vetting ministerial candidates. And that is why we have proposed that the Government and Parliament should adopt an open and transparent system of vetting of ministerial candidates. You may recall that the package of draft amendments that I presented six weeks ago is designed to introduce exactly such a system, to set up in BiH a system which broadly mirrors that for instance, in the United States for vetting public officials holding executive positions.

The essence of what we proposed is simple – that nominees to high ministerial office should be screened for potential issues that would make their public service problematic, and that the full spectrum of the elected legislature would be able to subject them to scrutiny prior to a vote of the Full House, visible to the public at large. And you may recall that I said to you that this was a process in which I hoped the press in BiH would play an active and important role. It is an open system. It is a transparent system. It will mean that the process of vetting through the OHR can end, and the process of vetting through the powerful instruments of the civic society, not least the press as well as Parliamentarians, can begin.

Let me say to you delicately that I can sense a certain reluctance amongst those who are in power in Bosnia and Herzegovina to pass this legislation on to Parliament. I hope that they will do so. I believe that the package of laws that I proposed should be forwarded to the House of Representatives as soon as possible undiluted in their essence. This is an essential and important part of the process of BiH establishing its credentials as a fully operating modern democracy consistent to European standards.

Perhaps I understand how some take the view that this is a dangerous thing to do because they might lose control to Parliament. But it is important that we boost the power of Parliament and give it this role in the future. And it is in my view inappropriate that OHR should continue to vet these people after the next elections when the people who are vetted by the voters of BiH should themselves be in full possession of the powers that the voters have given them rather than having them vetted by the International Community. So I hope this Law will be passed from the Council of Ministers to Parliament for consideration. It is imperative, it seems to me, that a discussion on the merits of the Law begins now in order that this new process of domestic vetting – you might call it, should be adopted in time for the October Elections.

As times change we have to change with them, and that counts for both the International Community and for the domestic institutions in Bosnia and Herzegovina. This country now has an opportunity to take its destiny in its own hands. And this means that across the board, including on those issues, BiH's politicians must show that they are committed to and capable of delivering reforms and BiH's citizens, civil society and you the media can hold them, have a process, have a framework in which to hold them to account for doing this. I have every confidence that you and they will succeed.

I am happy to take questions on my announcements today first and then on any other questions you may wish to ask me. Does anybody want to ask any questions on the announcements which have been made? No one? Any other questions?

Journalist #1:

Could you explain why you imposed a ban forbidding the domestic courts to review the cases of the decertified police officers? That is one question, and my second question concerns a group that you, amongst other people, are being connected to, I think it is called HACKLET so could you please explain what the group actually does?

Paddy Ashdown, the High Representative:

I did not impose any ban on the domestic courts. The highest court in the world, the highest law in the world, is the law of the UN Security Council. As I have explained many times and I will explain many times in press conferences, the mandate of the IPTF that deregistered the police officers is a mandate completely separate from the High Representative and I am glad to say the decertified police officers, when they came to see me, understood that. They understood that there was no action I could take on this matter. I fully support, let me say again, their claim to have a review of their cases. But I am powerless to institute that, because this mandate is the mandate of the UN Security Council, not my mandate. Now the UN Security Council's Resolutions are superior to all other courts in the world, they are the dominant lawmaking body in the world. The mandate under which this was done came from the UN Security Council.

A British court could not pass legally a decision, which was against a UN Security Council mandate or resolution. So this is nothing to do with the High Representative banning the courts, it is simply informing the courts and the BiH institutions that according to the structure of world law they are not allowed to pass decisions which are contrary to the decisions taken on a UN Security Council mandate as in this case, or a UN Security Council Resolution. Merely a fact of law. It is not my job to interfere with the courts and I do not interfere with the courts.

On the second issue, I did have this extraordinary story on the front page of "SAN" drawn to my attention this morning. Let me say to you that there is not a single shred, scintilla or atom of truth in it, not a single one.

Now, I understand that in this country and in my country too, it is possible for newspapers to publish stories which have no connection whatsoever with the truth, I accept that. It happens in all countries. But I am glad that you have given me the opportunity to say that in this story which I read with amazement today, there is not a single atom of truth between the organization you described, if it indeed exists, and Paddy Ashdown or, I'm pretty certain I can say, Wolfgang Petritsch or Carl Bildt. So you must have had fun publishing it, but it has no connection with the truth **whatsoever**. Is that clear enough? Dobro.

Next question?

Almedin Šišić, Nezavisne novine:

Mr. Ashdown, in May 2002 when you came here you announced that your key reforms would be focused on "Jobs and Justice" that is, you announced that "Jobs and Justice" would be the two key factors that you would like to address through reforms in cooperation with the BiH authorities. Well, if we consider the fact that there is more justice in BiH today than before, the fact remains that there are no jobs and that the situation is catastrophic in that sense. Do you feel responsible for that? Or at least partial responsibility?

Paddy Ashdown, the High Representative:

Did you say you were from "Nezavisne novine"?

Almedin Šišić, Nezavisne novine:

Yes.

Paddy Ashdown, the High Representative:

I think you published my answer to that question in today's newspaper, because I was asked that question in a very full interview that I gave to "Nezavisne novine".

Let me tell you again, I made it clear from the start – you can't invent jobs overnight. And let me remind you, and I can remember using this figure with you when I first launched the justice and jobs agenda, it took Hungary seven years from the moment it started economic reform to the moment that that was delivering jobs and a modern

economy. I said when we started this that we had to do the economic reform now in order to create the jobs later.

But precisely because we have done all those reforms, including the bulldozer reforms, stripping away the barriers to business, including of course VAT, including the steps we have taken to create a single economic space in Bosnia and Herzegovina – not completed, and I believe we must continue to make economic reform a priority.

If we had started in year one of the Dayton process we would be further advanced than we are now. But we only made economic reform a priority in year seven, when I came here. I hope and believe my successor will continue to push that.

But these reforms are having an effect. I mean look at the figures in case you don't know them. The economy of Bosnia and Herzegovina despite massive withdrawal of international aid over the last three years and contrary to predictions from economists that this economy would completely collapse once the international aid was withdrawn has done nothing of the sort. It is now growing at 5,6 percent. By the way, the fastest growing economy in the Western Balkans. We have the lowest inflation in the Western Balkans. We have foreign direct investment up 25 percent in this country in the last year. We have exports up 25 percent in the last year. We have industrial production in the Federation up 23,6 percent in the last year, and in Republica Srpska up around 12 percent in the last year.

Now is this good enough? No. It will take time before this has an effect on the lives of ordinary citizens in Bosnia and Herzegovina. But if we had not started then, this economy would be in collapse. And I am very clear that the reforms we have taken have laid the groundwork for job creation. Jobs are being created at present, but at too small a level – but that will come later.

By the way 5,6 percent growth from a very low base, let's accept – is not good enough. We need a growth rate of 7 percent to make that sustainable. But what is very clear has happened as a result of those reforms, the jobs and justice or the jobs reform agenda, is that contrary to total collapse, which is what everybody predicted when international aid was withdrawn, the BiH economy is now beginning to come out of the bottom of the post-war reconstruction period, is beginning to grow again and is growing, let me remind you again, faster than Serbia and Montenegro and faster than any other country in the Western Balkans. And that is the product of the jobs agenda.

Dragomir Simović, SRNA news agency:

A moment ago you mentioned that some officials are unwilling to agree to the transfer of the responsibilities of the verification process to the Parliament. Could you be more precise and say whether they are executive officials or which political circles they belong to? My second question is – who do you think has been more successful, during your mandate here, you or the domestic authorities?

Paddy Ashdown, the High Representative:

Will I be more specific? No. I am sure you can read the messages. You are very good at doing that. This is legislation that has been put in the Council of Ministers. I hope they will consider it and pass it on to the Parliament as quickly as possible.

Who is more...the process of driving this thing forward. I think you are a better judge of that than me. As I see it, this has been a partnership. Let me be very clear to you, none of the major reforms that have been done in the last four years, most people thought they were impossible by the way, none of those major reforms – unification of the armed forces, unification of OSA (Intelligence-Security Agency of BiH), unification of the customs service, the VAT, judicial reform – not one of those has been done by the High Representatives in position, all of them have been done through Parliaments. And they are tough, they are very difficult reforms. If I may say so, especially for Republica Srpska. It has in my view, required a very high level of political leadership for people to accept some of those reforms given this country's history and given its current structures.

Now, have I been pushing from behind? Of course I have. But that happens in many countries. I can remember going to see an Italian Prime Minister once who said to me very bluntly, "Look, I'm delighted with the Euro because it forces me to do economic reforms I would never otherwise do." Now that is a fact of life in all countries and yes, the International Community has been pushing that along. But I don't think you can see the steps forward that have been made in the last four years, simplistic and wrong in my view, to see them as steps made by the High Representatives who have worked the levers for everybody to respond to. It has been a partnership, a very tough

one at times, but it has been a partnership. I pay tribute to those who have done these things and it is important that we should recognise that.

Journalist #4:

Mr. Ashdown, in your future work are you going to stay in touch with Bosnian issues in some way like Wolfgang Petritsch did in that association "Bosnia 2005"?

Paddy Ashdown, the High Representative:

Yes, well there is a rule I operate from. I'm going to frustrate some of you when you ring me up and want comments after I have left here. When you leave the stage, you leave the stage. I don't believe it is right that a High Representative should interfere in the work of his successor. I am very happy, extremely confident, I am a very satisfied man that the International Community has selected Schwartz-Schilling as my successor. I think he is a remarkable man. I think he knows this country well. He has a high level of trust in this country. He will be completely different from me and that is right too. We need a different style for the next phase. So, I will leave him the space to make his own decisions and if he wants me to comment and help I am there to do so.

But yes, I have grown very attached to this country and I have grown very attached to the region. So, yes I will be arguing the case using my public space in Britain and in Europe, that Europe needs to move the Balkans faster towards Europe, that we should accelerate the process. And yes, I hope I will be able to act as a heavyweight – following the lines because I think there was some comment in the press about this today as well – unpaid in any way salesman for Bosnia and Herzegovina. If there are things I can do to sell Bosnia as a tourist destination, let me underline the word again because I have to – unpaid – if there is anything I can do to argue the case for Bosnia and Herzegovina being accepted into Europe and if that is helpful to people that I should do it and if my successor agrees – yes, of course I will.

Wolfgang Petritsch chose his way of doing this, no doubt I will choose mine. All of the High Representatives here I think have grown very attached to Bosnia and Herzegovina and see it part of their continuing job to sell the advantages of this country and to make sure that it moves forward to its proper destination as part of the European Union. If I can help in that process in some unofficial way I will do so.

But two things I won't do. One is this is not a paid job; I will do it because it is right to do it. And secondly, I will try not to, try not to interfere – and I hope I will succeed – in the space, which is occupied by my successor.

Danka Polovina-Mandić, Dnevni List:

How do you comment the fact that at the end of your mandate one government fell in a no-confidence vote, the other two are unstable and have been going through a crisis for the last year – the Council of Ministers and the Federation Government – and the reform process, as the Monitoring Team concluded a few days ago, is not making any significant progress, commitments towards the European Council have not been fulfilled, education reforms have not been carried out, the Election Law has not been completed and neither has the Law on the Public RTV System, police reform is far from done and so on? That is one question. The other is will you remain connected to Bosnia and Herzegovina privately, in other words will you keep your house at Jablaničko lake or have you managed to sell it?

Paddy Ashdown, the High Representative:

The falling governments, implementation and my own personal thing. Right. I've watched with interest what is happening in Republika Srpska. It seems to come around every year really. You have the Western Christmas – we have a Christmas tree; the Orthodox Christmas – you have an oak branch and in the Republika Srpska you have a crisis. It all seems to occur at the same time. I mean, this time I am glad to say it is nothing to do with the High Representative. Look, I don't decide if governments stand or fall, these are domestic matters. I take no part in making them happen and I take no part in resolving them when they do happen. When we had a crisis in the Republika Srpska last year I said it was none of my business, it is up to the domestic authorities. So I don't think there is any connection between that and the end of my mandate.

Secondly, on the question of implementation – look, I'm the first to say, and I said right from the start, that all we could do was to create the broad outline structures of a modern devolved state, and that is what we have done.

We now have to make the institutions we have created in the last year work. And that is going to be one of the jobs of my successor. We have to make sure that SIPA is fully functional, that VAT works effectively, that the police reform is put into practise – implementation is the next phase.

But in this case of four years, in the space of only four years, to have created a single unified structure for the armed forces, a single customs service, a single VAT system – most people thought we couldn't do that, a single intelligence service, to have laid the unification of Mostar, to have created a single judiciary, a single code of law which is capable of catching criminals, to have created a State court for corruption which is now capable of trying the highest in the land, to have created the War Crimes Chamber capable of doing that most difficult thing – trying in Bosnia and Herzegovina, those who have committed crimes against humanity in Bosnia and Herzegovina. That is not a small agenda for four years work. And by the way four years ago, especially when the elections produced the results they did, most people said this could never be done.

I will tell you my analysis, I have done it to one or two individual newspapers but I will tell you it again. When I came here I looked at Bosnia and Herzegovina, I knew you had to get to Europe, I knew it was the only future you could have and I knew that the gates to Europe were closing. And I also knew that the international interest in this country was diminishing, the international resources coming into this country, the aid, would go down and the number of international soldiers would be reduced – they have been halved. We had to move fast. Yes, okay I admit it has been a bit brutal. It had to be. There was no other way that we could get this country through the gates of Europe before they closed. There was no other way that we could have avoided Bosnia and Herzegovina being left behind as the black hole of Europe.

So let me tell you, I make no apologies for that. I make no apologies for that. It had to be done. So, I think it is a big agenda to have been covered in four years. Making this State functional and making the institutions we have created functional – that is the next task. That is the task for my successor.

Oh, sorry – my house. My lawyer informs me that the house is sold and as you know I put this on the open market. It has been done in an open, transparent way. It has been handled by the lawyer and he has informed me that the procedures are complete and I think the story published in "Express" last week reflects the accurate story.

And by the way, it remains my ambition to purchase a place up in the mountains in Bosnia and Herzegovina. I want to keep an investment in this place, because I want to keep coming back here. My family asked me to, as you know, sell the Jablanica property because they wanted to have somewhere in the mountains where we can walk in the summer and ski in the winter. It remains my ambition to do that, but since I am personally involved in the Bjelašnica Igman project it would frankly be wrong of me to go ahead straight away and do that. It would produce a conflict of interest that would be unhelpful. So I have to wait for a little time to elapse before I make a purchase. That is my ambition.

Ljiljana Krejić, BHT 1:

Mr. Ashdown, I assume that you have heard about or at least have seen the posters that have been put up all over the city showing....

Paddy Ashdown, the High Representative:

Who could not have seen them?

Ljiljana Krejić, BHT 1:

That's true. The posters are quite provocative. Your comment?

Paddy Ashdown, the High Representative:

I think they are rather fun actually. I think that this is a free society, people are allowed to express their views in any way they wish and perhaps I can pass a message through my colleagues in the press to the young SDP – If they have a small version of this, would they be kind enough to send it to me so I can put it up in my office back in Britain when I get there. As part of a free society it is a perfectly legitimate thing to do.

Let me comment however on one thing, because I was very disturbed to see in the press that apparently the police had intervened in this. The story I think needs to be known. As I understand it, and I asked my colleagues to check

up on this, if the police had intervened in an inappropriate way, that would be very very improper. It is a free society. These young people have a right to put up posters of that sort if they wish to do so. It is very much part of an open society.

I understand that what happened, for the record, is this – that a citizen apparently, called the police concerned about activity in the middle of the night and concerned that this may have been illegal. Quite proper and good for the citizen to have done that. The police turned up on the citizen's request, they asked to see the...what is it called? No it was not a "lična kart" (*Translator's note: "lična karta" in translation means "identification card"*). It is a legal agreement to put up posters; I have forgotten the name for it. What is it called? Whatever it is, there is a legal agreement... a license to put up posters. They asked to see the license, the license was shown. End of story.

If there had been any pressure not to put this up because it might have been embarrassing to me or other people, that would have been highly inappropriate. So perhaps you will pass my message on to the young SDP and send us a small copy and I will make sure it is stuck up in my office. I think it is good fun.

Anything else?

Journalist #7:

Just one more. Just briefly. The biggest and second biggest failure, unfinished business and on the other side, the success of your mandate? What would it be?

Paddy Ashdown, the High Representative:

There is no other answer to that but Karadžić and Mladić. You know, if someone said to me, what would you have wished to have happened that has not happened in my mandate – it is the arrest of Karadžić and Mladić.

Well it is not my mandate to be involved in it and I have been involved in it. Because we changed the policy to catch Karadžić and Mladić. Up until now, when I came here the policy was what I call the "lucky break policy" – let's sit by and wait for a intercepted phone call and then the archangel of justice in the form of a SFOR helicopter would swoop into a forest clearing and in a great dramatic moment carry Karadžić or Mladić off to the Hague. I never thought that would succeed. I thought what we needed was a campaign to do this.

So, I said to SFOR: fine, in my view the military swoop comes at the end not the beginning, we now need to exercise political pressure – the removal of the famous 59, the closing of the bank accounts, the shutting down of firms who were supplying Karadžić – intense political pressure both on politicians and on commercial assets who are funding the Karadžić network, which we have done. And then we needed to change public opinion. Arguably the most important thing we have done in this is the Srebrenica Commission. Borislav Tadić, the President of Serbia and Montenegro told me that nothing changed the attitude of people in Serbia and Montenegro more in favour of Mladić being caught than the Srebrenica Commission. Of course the Scorpions video added to that later.

So we had to do three things. It was not just a military operation. That is not my mandate. But I have used my political power to support that. And we have used things like the Srebrenica Commission to change public opinion. And that means that we have done one good thing even if we have failed to do one even bigger thing. The good thing is we have broken the dam of obstructionism from the Serb authorities. On the 1st of January last year not a single war criminal had gone to the Hague by virtue of the Serb authorities, the Banja Luka and Belgrade authorities. Now 11 of Karadžić's closest supporters are in the Hague and that means his room for manoeuvre is narrowed, it means he is more isolated. And I am very confident that, as a result of that, it is a matter of deep regret to me that they are not in the Hague already, but as a result of that policy – that changed policy – I am very clear that he will be in the Hague sooner than would have otherwise have been the case.

It has been a very long press conference.

I think that is for others to judge. I mean, as I said the other day the one that has given me the most personal pressure, the High Representative can do official things and is allowed to do personal things – my two personal projects were Srebrenica Potočari and Bjelašnica Igman. I suppose the thing that has given me most personal pleasure is working with the Mothers of Srebrenica to do this. The Srebrenica Commission is one of the things, which I think has helped to move public opinion.

And finally, I want to pay tribute to those who put into practise VAT. I mean, be in no doubt that change that began

on the 1st of January will change and improve every life in this country. It will increase the amount of revenue that is raised; it will diminish the amount of tax evasion and corruption. It will create a single economic space; it will bring in investment. So in terms of the long term effect on BiH citizens I deeply regret that the reforms we have taken have not yet had an impact in the lives of ordinary people in Bosnia and Herzegovina – I know that, I go to stay with them from time to time. I'll leave it there.

Okay. Thanks very much.