

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

Subject: JOINT PRESS CONFERENCE – 19 December 2002

1. The following attended the regular Press Conference held at the CPIC at 11:30 hours on Thursday 19 December 2002:

| Agency | Spokesperson | Topic |
|-----------|----------------------------------|---|
| a. OHR | Patrick Volf | • Bulldozer Committee consensus. |
| b. OSCE | Urdur Gunnarsdottir | • Youth and Entrepreneurship seminars for students • Request for postponing implementation of the property law until March |
| c. UNMIBH | Alun Roberts | • Electronic copy is not available |
| d. UNHCR | Bakir Jalovcic | • No statements |
| e. ICTY | Refik Hodzic | • ICTY's Winter Court Recess starting |
| f. SFOR | Lieutenant Commander Yves Vanier | • SCMM Terms of Reference • Control of the airspace of Bosnia and Herzegovina to civilian authorities |

2. Twenty-six members of the media including four television crews attended the conference.

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

A. Ollivier
Col. (FR A),
Chief Operations and Plans

Patrik Volf – OHR

Good morning to everybody,

I have to apologize for my voice but I cough a cold a couple of days ago, and still I'm not getting better.

Just one item for you today, regarding the Bulldozer committee that the High Representative want to introduce. The Bulldozer committee consisting of IC representatives, the World Bank, the IMF, as well as others, in consultation with local business representatives – has reached consensus on a list of ten obstacles to be presented to the High Representative in the coming days. We are talking about a wide range of issues, and the list is long, and you can obtaining off to my statements.

* Liberalizing of Inter Entity Transport Regulations

* Removing double taxation of revenue in the Forest Industry

* To easing registration of direct foreign investments

These are practical issues that have been highlighted by BiH's businesspeople, not by politicians or bureaucrats. The High Representative will now consider the list you are holding in your hands. He will then present the list to the appropriate politicians and eventually governments and parliaments. And the High Representative will make sure that these issues are not touched with suede gloves. The High Representative has called this a "bulldozer" effort, and our intention is to knock down as many obstacles and cut as much red tape as we

can in order to free up the Bosnia and Herzegovina economy for growth.

So what you see today, is only a first tranche, a lot more is still to come. The bulldozer committee has committed itself to identify and recommend the demolition of 50 economic obstacles. So far, 90 laws and procedures have been brought to the attention of the committee. Consultations were held with literally hundreds of business people. They, together with local stakeholders, such as business associations, regional development agencies, chambers of commerce, the foreign investors' association, employers' associations and others are crucial in this process.

To quote the High Representative: "BiH will only become business friendly if it listens to its businesspeople."

On a second note, just an announcement regarding the press conferences in the upcoming holidays season. There will be a press conference next Tuesday, but there will be no press conference on the 26 of December.

Now, finally on a personal note, this is my last press conference today I be leaving and flying out of Sarajevo on Saturday. I just wanted to tell you that has been a pleasure to work with all of you over the last two years, I've had some great experiences, and make great friends with a lot of people here, also some among you, and I will definitively miss these occasion here, that's for certain and I just wish you all the best in your efforts, and keep the spirit up as it is. Thank you.

Urdur Gunnarsdottir – OSCE

Good morning. Two points for you.

OSCE has started a new round of Youth and Entrepreneurship seminars for students. The first round of training was developed jointly by SEED (which is run by the World Bank) and

the OSCE in order to introduce the concept and rewards of entrepreneurship to high school students, and so far over five hundred students have participated.

Now we have moved on to a second round, consisting of more advanced concepts and practical exercises in private business and marketing. Participants are led through practical steps of business planning, based on a new guide prepared specially for the seminar (focusing on micro-credits and how to register private businesses).

To give you an example of what this consists of; recently the mission organized a training session with secondary school pupils from Sarajevo Canton, Serb Novo Sarajevo, Serb Ilidza. Two of the trainers had participated in the first phase of the training and following that they became local entrepreneurs they set up the Sarajevo City Tour Guide.

They gave a detailed presentation of how they developed the business idea during the first entrepreneurship seminar and which practical steps they took following it. Now, Sarajevo City Tour Guide is a running business that offers city tours to tourists. The participants were interested in hearing what needed to be done to develop a private business plan including the challenges that they may face, and posed many practical questions. So this would be an on going effort all around BiH.

Regarding a recent request for postponing implementation of the property law until March, the OSCE mission would like to state, that:

“The rule of law can not be suspended during the winter months. It is the legal responsibility of local authorities to provide alternative accommodation and to respect legal deadlines to carry out evictions, as prescribed by the property laws and the New Strategic Direction. Furthermore, experience shows that very often the alleged lack of alternative accommodation is simply an excuse not to enforce

the laws. Authorities have many ways and means available to them to ensure that alternative accommodation is provided to those persons who are entitled to it.”

And lastly on a personal note as well. Since Patrick is leaving us after to years, just this winter is finally settling in, rumor has it that he’s flying south until he continues to doing to nothing, as he has proudly told us, I don’t really believe that he is going to stand very long doing nothing, I want to thank you very much for the cooperation, for all the arguments, all the agreements that we have had over the last year, and the hope wishing the very best in this future endeavors to him whatever he will be doing.

Alun Roberts – UNMIBH

Electronic copy is not available

Bakir Jalovcic – UNHCR

Good morning,

I have no statements for you today.

Refik Hodzic – ICTY

Good morning,

Just briefly remind you that ICTY’s winter court recess start today. During recess courtrooms will be closed and will re-open again on 8 and 9 January, when trials in cases against Slobodan Milosevic, Milomir Stakic, Stanislav Galic, Radoslav Brdjanin, Blagoje Simic, Simo Zaric and Miroslav Tadic will continue; and on a recent development in Plascic, you are probably aware of all the events that took place over last three days, but I have a document which you may find interesting and that is the factual bases for her plea of guilty which basically sets out what is she pleading to in detail, so you can get this document after the briefing, and that is all.

Thank you.

Lieutenant Commander Yves Vanier – SFOR

Good morning, I have two points for you today.

My first point concerns the SCMM. Following Tuesday's meeting of the SCMM, SFOR is encouraged by the progress made by the SCMM over the last few months. The SCMM's decision to agree and adopt the Terms of Reference, a 36-points work program and a structure for the SCMM is an important milestone. In the coming months, SFOR and NATO will be looking at how the SCMM is implementing the Terms of Reference. Progress of the SCMM will be measured by how these Terms of Reference and initiatives to become PfP members are put into practice and we will be seeking tangible results.

SFOR is also very pleased by the decision to allow the SCMM General Secretary to attend sessions of the BiH Council of Ministers. LGen Ward and Ambassador Serry are in agreement that this is an encouraging development towards Partnership for Peace.

My second point, SFOR has been working hand-in-hand with BiH authorities for many years in handing over control of airport operations. In February 2000, SFOR French Air Detachment established a training program for civilian air traffic controllers aimed at providing them with the skills to perform duties associated with ground control, tower control and flight data. This program was integral to the eventual return of airport operations to civilian control.

On December 31, 2002, this process will result in the implementation of an agreement whereby The State of Bosnia and Herzegovina and the Sarajevo International Airport Company will take over responsibility for air traffic services and air operations at Sarajevo International Airport.

The transfer of responsibilities includes all local

installations used by SFOR DetAir related to airport operations at Sarajevo International Airport, the air traffic services within Sarajevo terminal control area and control traffic area, and airport operations including slot and parking area management.

This agreement will mark the end of the French Air Detachment presence at Sarajevo International airport which has been providing safe and secure air traffic control since 1992. It also represents a significant step towards normalisation for the state of BiH.

Another step towards normalisation will take place within the next few days, as SFOR transfers its current military responsibility for passenger and freight handling to a new contract with Sarajevo International Airport. SFOR has noted with appreciation the demonstrated willingness of the government of BiH to advance aviation matters vigorously and with urgency.

This completes my statements.

OHR

Thank you.

Questions and Answers

Q: Daria Sito-Sucic – Reuters.

Question for OHR.

Patric do you think this Plasic admission of guilt can help the reconciliation process in Bosnia?

A: Patrik Volf- OHR

Well it is always been the view of the OHR that the ICTY is very, very important institution to facilitate the

reconciliation in this country, and this is certainly the case with every effort that is done in the Hague, and that also includes the recent development, yes.

Q: Daria Sito-Sucic – Reuters.

Could you be more specific? I'm asking a specific question, and this is, I mean this is a case where we have the first senior official admitting guilt for persecution civilian, so could you be more specific in your answer?

A: Patrik Volf- OHR

I do think that this is a very, very important development, yes, and I do think that it is a contribution to the reconciliation process in this country, yes.

Q: Daria Sito-Sucic – Reuters.

All right, and another question is for ICTY. Do you think that this hearing can influence the trial, this Bosnia case of Slobodan Milosevic trial?

A: Refik Hodzic – ICTY

The hearing?

Q: Daria Sito-Sucic – Reuters.

I mean the outcome, the plead of guilt

A: Refik Hodzic – ICTY

The plea of guilty, well I wouldn't comment on whether it can influence the trial of Slobodan Milosevic or any other trial but the important thing to know, is to have the full weight of this plea used as evidence. It has to be compounded by the testimony which would confirm the plea of guilty, now the prosecutors, of course, can attempt to a try to submit this plea in any other trial as evidence. Then it is up to judges to accept this, and then in the end to decide on the value of

it, but the full weight of this as evidence would be achieved would if Plasic decided to testify and confirm this in court in another trial.

Q: Aleksandar Dragicevic – AP

Yves, Anything new on the Fijuljanin case, is he still in Bosnia ?

A: Lieutenant Commander Yves Vanier – SFOR

Yes, he still been detained in Bosnia at Eagle Base in Tuzla.

Q: Aleksandar Dragicevic – AP

Patrik, do you have any comment on this Bosnian-Croat war veterans and their demonstrations in the country?

A: Patrik Volf- OHR

As we already said, we have a lot of sympathy with their case, they have a genuine and serious grievance and they should be definitively getting their benefits; but as a matter of fact they are victims of bureaucratic bungling, and we are talking about failures in the bureaucracy, specially by the Cantonal Administration has submitted in adequate lists of beneficiaries to the Federation Government; but it also a fact that the resolution of these issues can only be found between the Cantonal Administration and the Federation Government.

Q: Fedad Forto – FENA

Yves, recently, the last week, in the Press Conference here in Sarajevo, a judge from the European Court for Human Rights told us that SFOR breached the European Convention and Human Rights in case of Sabuhudin Fijuljanin. Do you have a comment on that?

A: Lieutenant Commander Yves Vanier – SFOR

Well, we have recieved letters from Amnesty International,

this letter is being answered by NATO HQ, and the answer will be coming from our higher headquarters, with regards to what Amnesty International has said in their letter. The response is being prepared and will be sent in due course. At this time I can't comment on it, this is a matter for our higher headquarters to deal with.

Q: Sead Numanovic – AVAZ

So Yves, do you still hiding information about the case? It is still embargo on information?

A: Lieutenant Commander Yves Vanier – SFOR

If I understand you correctly you want to know if we still have a requirement to detain him. That answer is yes. We are detaining because at the time of his initial detention he posed a threat to the safe and secure environment. We still believe that he does, and for that reason we will continue to detain him. As we progress our own investigation on the threat that he posed to the safe and secure environment, SFOR personnel and installations.

Q: Sead Numanovic – AVAZ

But, what is your legal base to hold him for two months?

A: Lieutenant Commander Yves Vanier – SFOR

The threat that he posed to the safe and secure environment.

Q: Sead Numanovic – AVAZ

It is not a legal base. What article? Which article, from which law provides you the legal base to hold him in a prison?

A: Lieutenant Commander Yves Vanier – SFOR

In the General Agreement For Peace, SFOR Commander is authorised to take actions that he deems necessary to ensure a safe and secure environment, and protection SFOR troops and

installations comes within that agreement.

Q: Sead Numanovic – AVAZ

Again for Mr Vanier on the Fijuljanin, how long do you have the right to take him in detention. To keep him in detention?

A: Lieutenant Commander Yves Vanier – SFOR

Well as for how long we will keep him I'm not going to speculate for how long we will keep him in detention, but it is well within our mandate to detain him for as long he poses a threat for the safe and secure environment.

Q: Sead Numanovic – AVAZ

That means "indefinitely"?

A: Lieutenant Commander Yves Vanier – SFOR

I'm not going to speculate on how long we will keep him.

Q: Sead Numanovic – AVAZ

But there is no dead line where you have to release him in case that you don't have pure, clear, strong evidence against him

A: Lieutenant Commander Yves Vanier – SFOR

No, as long as SFOR believes that he poses a threat and continues to pose of threat, then we need him to be in detention to pursue our investigation, he will be detained at Eagle Base.

Q: Sead Numanovic – AVAZ

Seems the investigation is going on. Do you have any new detail for us; to share with us on his identity; what he has done; what he has planning to do, or whatever?

A: Lieutenant Commander Yves Vanier – SFOR

None of that information can be released, so I have nothing new to release publicly, what I could say I have said during previous news conferences, there is nothing additional to release.

Q: Zeljko Tica – FTV

Question for Alun, in Bosnian please: Can you tell me what are the exact reasons to deny appeals of twenty-two Sarajevo Support Unit policemen?

A: Alun Roberts – UNMIBH

We've been through this before and I'd be pleased to go through it again. First of all we've released hundred and seventy five law enforcement personnel who will not receive full certification, so far based upon a consideration of the review. The persons concerned from the court case have been informed through letters from the IPTF Commissioner on the fourteen of December which is prior to the ruling of the Court, that information they've submitted in regards to appeals of their original decision, not to be given full certification, that information before it was not sufficient. The original decision is upheld. Now then I can say that again there are at least seven different criteria which UNMIBH reviews, by the IPTF Commissioner of every single law enforcement official, who originally was granted provisional, provisional police powers by UNMIBH, if they don't meet one or more of those they will no received full certification. Now, among the criteria of these nineteen, certainly one of the criteria they did not fulfilled with a failure to demonstrate an ability to uphold human rights. But I want just to make very clear again, the court process is a court process, UNMIBH's review makes review of all law enforcement personnel is an administrative process across the whole course of one year, within the context of its mandate to ensure full certification only to those law enforcement personnel who meet sufficient standards of policing in a democratic civil

society. That's it.

Q: Zeljko Tica – FTV

There is a decision of the previous IPTF Commissioner, who went through the suspension for these policemen in the same case and the decision was to suspend the decision on non-certification of the policemen until the end of the court proceeding, and the UNMIBH's decision apparently at that time upheld the court decision and now it seem that it does not any longer.

A: Alun Roberts – UNMIBH

No, I can ensure you you're wrong, we are completely accurate and spot on in our whole year long process review. The officers which you are referring to on the 29th of October, all received letters stating very clearly from the Commissioner precisely why they would not as individuals, not as a group, we are talking about individuals here trough out this whole year long process, why they would not receive full certifications. They subsequently appeal, the appeal was passed to the independent review panel of UNMIBH, the appeal and information that the officers provided was addressed. It was considered there was no new and sufficient information to pass back the Commissioner that he should reconsider, and the information was held insufficient, and the original decision of the Commissioner for the letters of 29th of October was upheld and that is the clear process. The officers have letters if you wish to ask them letters to give you, that's entirely up to you and them to provide, we are very clear and sure about process across the whole year.

Q: Zeljko Tica – FTV

Just one question. How the panel works? How much is the panel work serious?

A: Alun Roberts – UNMIBH

On every single case individually. The review panel consists on many people. It is looking at each case depending upon how much information the respective law enforcement officers offers, besides an initial statement opposing the decision of the IPTF Commissioner not to grant full certification, or what else he or she may provide for the panel to consider, some times it's nearly a statement. Other times, one or two pages of documentation and sometimes more, it depends on individual cases; so it's not correct to say that each case takes a certain precise time or a day or two, it all depends on the information they provide individually which is all consider carefully by the review panel.

Q: Sabina Arslanagic – AFP

Yves, back to Fiuljanin again, are you certainly he was linked to al Qaeda, at which point do you think you can provide us more information on that?

A: Lieutenant Commander Yves Vanier – SF0R

On more information on what we found so far...

Q: Sabina Arslanagic – AFP

On what kind of danger he represented here or we're they planning o attack you guys, was he part of a bigger picture and so on, and so far?

A: Lieutenant Commander Yves Vanier – SF0R

Yes, there is nothing more I can provide at this time.

Q: Merdijana Sadovic – ABC

Yves, who is conducting the investigation, who is questioning Fiuljanin at Eagle Base, only SF0R personnel or FBI agents involved as well?

A: Lieutenant Commander Yves Vanier – SFOR

SFOR personnel.

Q: Merdijana Sadovic – ABC

Only?

A: Lieutenant Commander Yves Vanier – SFOR

As to my knowledge, SFOR personnel.

Q: Merdijana Sadovic – ABC

And are you satisfied with the progress of the investigation so far?

A: Lieutenant Commander Yves Vanier – SFOR

It's not for me to judge that. Whether or not I'm satisfied or not unsatisfied, COMSFOR is responsible for that, if Fiuljanin's detention continues it is because there is a reason to do so, and the reason is the threat to the safe and secure environment.

Q: Milan Stojic – RTRS

A short question. Does this man have a lawyer? Is he being tried in accordance with military or civilian law and the laws of which country or NATO laws, which laws?

A: Lieutenant Commander Yves Vanier – SFOR

He has seen a lawyer on two occasions, he is been treated with dignity, with respect, he is been well cared for. He has had access to telephone to speak with his family, so his detention is respectful, and we are looking after his needs.

Q: Milan Stojic – RTRS

It is the lawyer present at the interviews?

A: Lieutenant Commander Yves Vanier – SF0R

No, I can tell he is seeing lawyers in two occasions, that's we can tell this time. He has had contact on two occasions, one for one hour the other for about forty five minutes over the period of his detention.

Q: Sead Numanovic – AVAZ

Sorry for talking again. It's there any request from the Americans to taking over, or to send him to Guantanamo? The Americans demand his transfer to them from you?

A: Lieutenant Commander Yves Vanier – SF0R

Not to my knowledge.

Q: Sead Numanovic – AVAZ

Are you listening his phone conversations?

A: Lieutenant Commander Yves Vanier – SF0R

I don't have access to these details whether or not are there personal SF0R involved when he meets with his lawyer.

Q: Sead Numanovic – AVAZ

Thank you

Patrik Volf – OHR

Thank you, and just one thing I forgot: I apologise for all the phone calls I didn't return in the last two years.

Thanks. Bye-bye.