

Interview: Wolfgang Petritsch, the High Representative in BiH, for Slobodna Dalmacija: "Croat self-rule - bone in Dayton's throat!"

Wolfgang Petritsch, who has been the High Representative in BiH so far, will hand over his office to Lord Paddy Ashdown by an official handover of duty in Sarajevo. In the last week of his mandate Petritsch was talking to Slobodna Dalmacija about things that he made for BiH.

Indelible mark

Slobodna Dalmacija: With what kind of impressions are you leaving BiH? What is the most important thing that you failed to do during your mandate and why?

WP: I am leaving BiH with even more intensified feeling of closeness towards this country and its peoples. Three years of the mandate and a constant struggle for the stabilization of the situation in the country, democratization and Europeanization of BiH and securing the best possible living conditions for its people is something that I am completely dedicated to and I believe that it will leave a lasting and indelible mark in me. Many things have been achieved. Now, BiH looks like a state, institutions have started to function, people are returning... However, I wish that more had been done with regard to economic reforms, which are the basic prerequisite for further, complete progress of the society. Much more should have been done in order to stop the drain of young and educated people and with regard to their education system. Simply, BiH cannot afford the luxury of exporting its future. Urgent and radical measures are necessary in the area of education as well.

Slobodna Dalmacija: Where did you encounter the biggest obstructions in your work? What would be the best example of it?

WP: Certainly, my most difficult decision was the introduction of the Provisional Administration in Hercegovacka Banka, where suspicious transactions were taking place. The takeover alone was dangerous and we were aware that the lobby, which profited from these suspicious jobs, would be fighting against it, using all possible means. As the investigation showed, the bank was going to have been the financial back-bone of Croat self-rule. I agree with the opinion of many people that the illegal and unconstitutional proclamation of Croat self-rule represented the greatest threat to the Dayton process. Thousands of HVO soldiers left the barracks and also one part of the Police forces rebelled. There was a danger that companies with their seat in Herzegovina stop paying taxes and customs. If the establishment of Croat self-rule had not been prevented, Dayton would have been defeated. However, thanks to resolute reaction, Mr. Jelavic had to admit in public the failure of this project.

Hercegovacka Banka

Slobodna Dalmacija: Why have the results of the investigation of Hercegovacka Banka never been completely revealed? Why have we been waiting for them for so long?

WP: The Hercegovacka Banka case is much more complex and serious than could have been expected at the beginning of the investigation. I do not doubt at all that my initial doubts were well-founded. The investigation is still on and for this reason, it is not advisable to speculate about the names of possible perpetrators of crimes.

This is something that judicial bodies will deal with on the basis of the presented findings of competent state bodies and the Provisional Administration of Hercegovacka Banka.

Money was disappearing without any trace and obviously it was not about the rules of the bank profession and internal regulations of the bank. It is a case of the scandalous use of public money. Shareholders of the Bank and people from a political circle close to the bank withdrew money for their personal profit by various kind of loans, that they never paid back. There has never been risk for the shareholders because they immediately withdrew their so-called shares through loans and they continued to gamble with the public funds of taxpayers and the deposits of ordinary people. We want to wait for the end of the whole investigation and then present to BiH Croats

and the whole BiH public the picture showing as to who are the criminals camouflaged in the curtain of protection of national rights, who hide behind Hercegovacka Banka. Also, my sincere orientation, that all this influences the quality of every-day life as little as possible, is being reflected in the fact that I changed the Federation Banking Law, by which I made possible the payment of deposits amounting to 5000 Marks for all individuals. There are many ordinary, honest people with their deposits in that bank for whom there is really no reason to wait for the end of such a complex investigation and for this reason I decided to take this measure in November last year.

Slobodna Dalmacija: Which is the crucial move in your mandate? Is it constitutional changes?

WP: Yes, definitely! I have said it many times by now and, without exaggerating, I am sure that this is a historic act.

Slobodna Dalmacija: Why should everybody be satisfied with these constitutional changes?

WP: One reason is that all peoples and citizens in BiH will get a guarantee that now they will be represented at all authority levels and public administration in both Entities and they will participate in the political process of decision-making. One half of Ministers in the Government of the RS will be Croats and Bosniaks, crucial functions will be apportioned according to the parity principle. The census from 1991 will be the basis for the public administration... Another reason the constitutional changes are important is that representatives of Croats, Serbs and Bosniaks from both Entities, for the first time after Dayton agreed upon something as important as constitutional change. Agreement and compromise are the basis for co-existence in BiH. They are also important because, political forces, which are willing to seriously accept the responsibility of the task that they were entrusted with by voters at the elections, have finally appeared. This is an extraordinary demonstration of principles of partnership of the domestic authorities and the International Community that I was insisting on from the time when I took over the mandate.

New cadres

Slobodna Dalmacija: Should the authorities of the HR be reduced gradually having in mind the common judgment that the whole state is an international protectorate?

WP: First of all, I would not agree with the assessment about the existence of a protectorate. The question is not whether the authorities of the HR should be reduced; rather I see it as a process during which, in a certain period of time, the domestic authorities quite normally take over responsibility for the task that they were entrusted with by the voters at the elections. From the very beginning of my mandate I insisted on the responsibility of the domestic authorities. With a new cadre in power, at the state level and the level of the Federation of BiH, it is becoming increasingly obvious. By the development of events in this direction it is completely normal that, let me put it this way, the need for intervening and mediating by the OHR and the whole IC diminishes. In the first half of my mandate I issued 146 Decisions, including 58 removals. After the Alliance came to power, I issued 96 decisions and eight of them were removals. This shows an increase in political maturity in BiH.

Slobodna Dalmacija: Why are Karadzic and Mladic, the most wanted war criminals, not in The Hague yet? Is it about the lack of political will, since SFOR's actions taken in that direction gave disastrous results?

WP: Arresting persons suspected of war crimes is an obligation, an imperative obligation of the domestic authorities. Certainly, one cannot be satisfied with the contribution of the authorities in the RS, while it has to be admitted that SFOR has done great work, because so far, as far as I know, they have arrested 27 persons charged with war crimes. The thing that is questionable with regard to the arrest of Karadzic and Mladic is the will of the authorities in the RS to do it. The RS authorities have not yet arrested a single person charged with war crimes and certainly this is one of the biggest failures of this Entity.

Once again I am using the opportunity to appeal to the RS and all Governments in the region to extradite all persons suspected of war crimes because it is one of the important prerequisites of the process of reconciliation and the return of people to their pre-war homes. The surrender of war criminals individualizes guilt and removes

the burden of war crimes from broad groups.

Corruption and crime

Slobodna Dalmacija: Paddy Ashdown, the future HR, announced that nationalists are not the problem in BiH but crime and corruption are. What do you think about such assessments? Why could there not have been a showdown with crime and corruption earlier?

WP: It is true that corruption and crime are the big problems that BiH has been faced with. We know that corruption is reducing the chances that BiH becomes a normal and self-sustainable state. The thing that BiH cannot afford in any way is that corruption discourages foreign investments and the entry of developing capital to this country. The fight against corruption started long ago and my office is intensively working on it. However, without the support of domestic institutions the IC alone cannot prevent corruption. The IC is not the one that can conduct investigations, legal procedures etc. What you need are efficient investigative bodies and judiciary. On Thursday, I passed a big package of Laws in order to establish the institutional framework for judicial reform. These Decisions will strengthen reforms in the judiciary at the State and Entities' levels and, in a way, establish the foundations of a truly independent judiciary as one of the pillars of democratic rule.

Jelavic should have withdrawn a long time ago...

Slobodna Dalmacija: What do you think about a new beginning in the consolidation of the HDZ BiH as the biggest Croat party? Have all the requests that you made been met now? Is the HDZ the most responsible when the protection of the Croat people is in question because of obstruction of the constitutional changes? What's your opinion about Ante Jelavic?

WP: As far as responsibility is concerned, yes, the HDZ is the one that received most of the Croat votes at the elections and there is no doubt that it is the most responsible for the position of the Croats in BiH. There are many political sidetracks, along which the recently removed HDZ leadership was taking Croats in BiH and at the end they still returned to the starting positions and to what I was pointing to persistently from the very beginning and it is about the democratic struggle for achieving political goals in the only possible place – Parliament! There has been a lot of discussion about Mr. Jelavic. He should have withdrawn a long time ago if he really cares about the interests of the Croat people, however, I am not sure at all that he does. Now he and other removed officials have given up the party's duties in order to make possible the registration of the HDZ for the next elections.

I hope that a new and moderate party will come out of this, which will again represent the interests of its voters in the legal institutions of this country. Simply, it is about the protection of the principles of the Rule of Law.