

Interview: Wolfgang Petritsch, the High Representative in BiH: "Democracy is something to be learnt, citizens will certainly learn this"

Diaspora may play very important role in the affirmation of a positive and peaceful image of BiH. That will certainly motivate international investors to become more active

Sabah: To what extent are you (un)satisfied with the situation in BiH since your arrival up until to today?

WP: I would say that I am still unsatisfied. There are a great many people who are as yet unable to return to their homes, and there are so many without jobs; you do not need to use economic indicators to know how difficult the economic situation is.

But not everything is gloomy – Bosnia and Herzegovina is slowly, but steadily progressing. In the last two years, more people returned to areas in which they are now a minority than in all the four years before, that is from 1996 to 1999. BiH now has governments that are trying to break with the past and push the country forward. BiH is scheduled to be admitted to the Council of Europe in a few months' time. Currently, the leaders of the main parties from across BiH are discussing on their own initiative how to implement the historic Constitutional Court's ruling on the constituent status of BiH's peoples in both Entities. This may be the first time since Dayton that they are trying to resolve a crucial issue

without mediation by the international community, which is really encouraging.

There is a long way to go but the hardest steps, the first steps, have been taken.

Sabah: Is your concept of ownership working?

WP: My ownership concept demands that the officials and citizens fully take on the responsibility for running BiH's affairs, identify with their home country and feel responsible for solving its problems. This will be the case when BiH, at all levels, will have officials that only serve the citizens and follow the law, and when it will have developed a lively civic society. This will take time – not because it is BiH, but because democracy must be learnt, and each transition country needs its time to do it.

Having said that, the October 2000 elections produced a coalition at the State and Federation levels, which has embraced the concept of the state and is trying to work in its interest, and which is reform-oriented and largely non-nationalistic. We, the international community, have forged a closer partnership with the Alliance led Governments, one that is based on mutual respect. This partnership is a necessary precursor to full ownership by the domestic authorities. This taking responsibility can best be seen by this leaderships willingness to hold direct talks – for the first time since Dayton without International Community oversight – on the Constitutional reforms that the Entities are now required to complete.

Sabah: Partnership assumes communication and working on progress. Can you tell us about the partnership between your Office and the ministries in the BiH Entities?

WP: We are still developing this 'partnership' as a way of working with one another. It is a learning process, but I would definitely say that it is functioning. My staff and I

have good lines of communication with the officials, and with the Alliance for Change we share a desire to see BiH as a prospering independent state – one that will take its rightful place in the European family of states. I have introduced a means of developing this ‘partnership’ further through regular, open meetings with the domestic political leadership – this is the Consultative Partnership forum.

To this end the international community is undertaking a process to streamline its operations in BiH to be more effective in the future and to structure itself in a way that will enable the domestic authorities to eventually take full ownership of BiH.

Sabah: The teamwork that you support assumes taking personal responsibility. Recently we’ve been witness to your growing tiredness, which has lead to bad decision on your part, for example with regard the GSM License, can you comment?

WP: I would not say that I am tired, nor that I am taking “bad” decisions.

With regard to the 3rd GSM license, which was supposed to be tendered last summer, I still believe that the Communications Regulatory Agency was right in the way in which it offered the license. The price was low – two million marks -, but there were many conditions attached to the license, which would have led to better GSM services in BiH and investments of up to 400 million marks. The new operator would have had to roll out a network covering almost the whole country, and offered very low prices to its customers; this would have put pressure on the remaining two to follow suit or lose their customers.

The tender had to be annulled because the bidders got very nervous about the negative attitude of the government, and withdrew. What has BiH gained as a result? It has lost hundreds of millions of marks in investment, the GSM service in the country remains overpriced, bad and sketchy, which also

leaves a bad impression on potential investors.

You live in the US and must understand best the benefit healthy competition has on a market, and how important it would have been to sell the 3rd license under the terms attached to it.

Sabah: One of the key requirements for BiH is return, of which there is hardly any. What will you do in this regard given that people in the RS are still living in tents?

WP: I would not agree that there has been almost no return. In particular in the last two years, there has been a breakthrough: some 150,000 so-called "minorities," people who now belong to a minority in their area of origin, have returned to their homes. This is more "minority returnees" than during the first four years of the peace process have taken place, and they have gone back to areas that saw some of the worst ethnic cleansing, such as Janja, Foca, Stolac, Srebrenica, Kozarac, Visegrad...

This shows that return is now possible in relative safety across BiH. Having said that, there are still far too many return-related incidents; returnees are still discriminated against, have difficulties finding jobs, having access to social services, etc. I also have yet to see authorities at all levels actively welcome back returnees and help them integrate in the communities to which they return.

We are working on all these issues. Some will be resolved through the solution of other problems; for example, if we want to provide returnees with jobs, we have to curb the overall unemployment, which runs at 40 percent. This requires economic reforms, and a recovery of the economic situation.

But I believe that the property laws that I imposed in 1999 and the international effort to implement them have made a significant contribution to improving the return situation by

ensuring that people can get back their properties, which is the first step in the return process. The latest property repossession figures show that around 40% of people have been able to reclaim their property. In December I made further amendments to the property laws, which should accelerate the implementation rate. It's now almost ten years since the war began, when most of today's refugees and displaced persons were expelled or had to flee, and it's high time to enable them to return if they wish so.

Sabah: What do you think about the case that BiH brought against the FRY. Will you support it?

WP: I consider this a bilateral issue between the FRY and BiH, and my Office is not involved in it. Since the beginning of political changes in Belgrade in October 2000, I have stated to the BiH and Yugoslav authorities that the process of normalisation of relations between both countries should be independent from this case. In this respect, I welcomed the establishment of diplomatic relations, as well as the recent exchange of Ambassadors. Moreover, I have always insisted to the Yugoslav authorities that most outstanding issues and problems between FRY and BiH must be resolved at the inter-State level.

However, speaking about BiH's relations to its neighbours, I would like to mention the positive impact that the political changes in Croatia and then the FRY have had on BiH. Both countries now fully support an independent, sovereign Bosnia and Herzegovina, which has solved some of BiH's political problems.

All countries in the region must resolve their relationships to move forward in the process of Europeanisation, and I am very glad that BiH and its neighbours have made such a good start.

Sabah: America doesn't recognise dual citizenship, and as a

result looses many people who are spread across the globe. Tell us, will the US in the near future allow citizens of BiH do retain their own citizenship too.

WP: This is more than anything a question of US law, and I cannot speak on behalf of the US authorities. I understand that in this regard BiH citizens are treated the same way as other nationals.

Sabah: Other than war what is BiH's image – considering that many associate BiH with the Mujahedeen & Bin Laden. In your opinion is BiH a safe haven for terrorists?

WP: BiH is no more and no less a safe haven for terrorists than many Western countries, such as Germany, where three of the suicide bombers were living. The BiH authorities have taken a very clear stand supporting the global war on terrorism and UN Security Council Resolutions 1368 and 1373 against terrorism, which demand that UN member states take a number of anti-terrorist measures be taken. They have set up a joint task force to combat terrorism, and made significant contributions to the international effort. This is slowly being recognised internationally.

I know of the difficulty that the war legacy of foreign citizens who received BiH citizenship, poses for the current leadership. Together, we are trying to show that BiH is not a "terrorist-friendly" country, which is so important if BiH is going to attract the foreign direct investment that is so necessary to create new jobs and get the economy moving.

In this regard, I hope that BiH citizens living in the US think about how they can help their home country. The diaspora can be very important in spreading a positive and peaceful image of BiH. This will certainly motivate international investors to become active. BiH needs investors, and also now has FIPA, the Foreign Investment Promotion Agency, which stands ready to give advise and information.

Sabah: Has a mistake been made, and the law broken following the extradition of the Algerian group last week?

WP: My Office and I fully support the international war against terrorism and commend the contribution of the authorities of Bosnia and Herzegovina to this difficult task. As said, we particularly applaud the efforts of the working group established by the BiH authorities to ensure consistent implementation of U.N. Security Council resolutions 1368 and 1373.

We are also aware that BiH finds itself in a difficult situation due its war legacy of foreigners who have been granted BiH citizenship under dubious circumstances.

At the same time, I would like to recall what U.N. Secretary-General Kofi Annan and Ambassador Sir Jeremy Greenstock, the Chairman of the Security Council's new Committee on Counter-Terrorism, stated a couple of weeks ago, which is that the protection of human rights is one of the best prophylactics against terrorism.

Under the Dayton Peace Agreement, I am charged with ensuring the implementation of the civilian aspects of the Agreement. Regarding the provisional order issued by the Human Rights Chamber on 17 January, I, as a matter of principle, call for compliance with decisions of the Chamber, which is an institution established and governed by Annex 6 of the Dayton Peace Agreement.

Unfortunately, not all decisions of the Chamber have been complied with – only 61% of the Chamber decisions have been fully complied with, another 18% partially and 21% not at all. My Office and I will continue to push for the implementation of the decisions of this important Dayton institution.

Sabah: War criminals have not been arrested. Do you think that BiH can go forward if war criminal terrorists are not punished – consider that America has started a campaign against

terrorists.

WP: It is not true that no indicted war criminals have been arrested, the appearance of Slobodan Milosevic before the Tribunal in the Hague is of real importance. Many cases have been decided, others yet are still pending before the tribunal.

It will be much more difficult for BiH to progress, true reconciliation will be much more difficult, if indicted war criminals are not arrested and tried. Through the ICTY process, light is thrown onto some of the darkest days in Europe's history in the second half of the 20th century, and justice can be seen to be done. The arrest and trial of individuals directly responsible for these crimes has a significant effect on the confidence of the individual to return to their pre-war homes. The ICTY is all about assessing the guilt of the individual. Some of these individuals would – all too often – like to hide behind a “people”, but the ICTY makes it impossible to stigmatise a “people” for the actions of these individuals. I fully support the work of the ICTY – it is one of the keys to BiH moving on from its recent awful history.

You may be aware that wherever I go, whoever I speak to, I lobby for the arrest of Radovan Karadzic and Ratko Mladic because these two are not only indicted for genocide, but also the symbols of a very ugly and dark period. BiH and in particular the RS will not be able to break with the past if these two don't end up in the Hague.

You are right – the events after September 11 may contribute to the recognition that a criminal is a criminal, whether he is a fundamentalist terrorist who has killed thousands of people or a war criminal indicted for genocide. Both need to face international justice.

Sabah: Are you an optimist when considering BiH's future?

WP: Yes, I am optimistic about BiH's future. BiH is making progress. In my time in Bosnia and Herzegovina, I have seen for myself that all people want the same things: a job, a good education for their children, a normal European life. I am confident that over time, BiH will provide its citizens with these things. As I said: democracy must be learnt. This takes time, but BiH's citizens are definitely going to learn it.