

Yesterday's OHR North Press Conference

Questions and answers on privatization and education in Brcko District

addressed to Ambassador Henry L. Clarke

Because the discussion held at yesterday's regular OHR North press conference in Brcko was incorrectly reported in the press today, we are hereby providing you with the exact transcript of the questions and answers on the subjects of privatization and education in the Brcko District:

Question: *The Assembly at yesterday's session did not adopt the Education plan for primary and secondary education. Is this plan necessary to be adopted before the start of the school year?*

Answer: I very much hope that the plan will be adopted soon. My understanding is that the Government is preparing additional information that the Assembly requested and that should enable them to adopt it.

Question: *My question was whether the school year can begin without the Education plan being adopted by the Assembly?*

Answer: It would be better if the plan were adopted, but I am under the impression that classes can begin in any case.

Question: *Mr. Ambassador, does your consolidating order on privatization actually denies the first order on privatization according to which those enterprises that are not strategic ones for the District can be privatized, actually, in accordance with the Inter-entity boundary line?*

Answer: There was an agreement earlier this year regarding strategic and non-strategic companies that could be privatized by different parties. The strategic companies were supposed to be privatized by Brcko District. As far as I can tell, neither entity supports this agreement, and so that the agreement really cannot function.

Part of that agreement which was very important to Brcko District was that no privatization would take place that was not in the interest of the residents of Brcko District, and since we were not consulted on some of the privatization, it is pretty clear that our interests were not respected.

Question: *In the elaboration that was submitted by the initiators for the establishment of the Orthodox Education Centre there is a provision that anticipates that a part of the taxes paid by the Brcko District tax-payers would be directed towards this centre. Does it have any support and what would happen if also Bosniak and Croat people start with a same initiative, that is to organize their own national education centres?*

Answer: We need to distinguish very clearly between the public schools, which under the new law must be integrated and non-discriminatory, and private schools, which may be organized on a different basis, but which are not entitled to any public

funds.

This is a very basic point: the final award of the Brcko Tribunal requires the Supervisor, me, to organize an integrated, multi-ethnic school system without any discrimination, in which every student has the right to equal access to education.

The Orthodox Centre is free to make a proposal for a private school that is organised on the basis of a mono-ethnic group, one language and which does not serve the Bosniaks and Croats, but they must do so as a private school.

Question: If 4000 serb parents, who signed the petition or that want to establish this Orthodox school centre and who are tax payers, want a part of the taxes that they are paying to the Brcko District be directed to the financing of this Orthodox centre, is it going to be allowed? Because, according to information I have, in some European countries it is possible to basically reduce the taxes that they are paid to the budget of the state or in this case Brcko District for the amount that is intended for the financing and establishment of the Orthodox centre?

Answer: I don't want to comment on what they may do in other European countries where they have other ethnic and minority situations.

But I'm responsible for implementing the Final Award, and the Final Award is really very, very clear. You cannot have a mono-ethnic, segregated, discriminatory school as part of the system.

So, their right to organize a private school does not include the right to money, or buildings, or the loan of staff, or any

other resources that are financed from the budget of the Brcko District.

And, I think that the Law is fairly clear on this distinction between the public schools which are publicly financed and private schools which are privately financed.

Question: If the Education plan is not adopted, how is the organization of the schools going to be planned?

Answer: You have the Implementation Plan and the harmonized curriculum, which can be applied in the existing schools. The implementation plan makes it clear how that schools are going to be organized. Obviously, it would be nice to have the Education Plan finished first, but if the Assembly wishes to consider this for a longer period of time, I don't see any reason to hold up the start of classes.

Question: Again, does your last order on consolidating order on privatization mean that the entities are not allowed any more to privatize anything in the District?

Answer: I am waiting now to see what exactly happened with the several companies that were privatized or where the process was begun by the RS. I think it would be a mistake for me to exclude anything at this time. I want to be fair to the people who are involved. But if this was not correct privatization then it will not stand. We just have to look at it and see.

Question: In order for the school to begin there must be a school network for simple reason to know how many secondary and primary schools there will be in the Brcko District and also to know which students will attend which school. Only

after this information is available the classes can be created. And then the teachers can start with the preparation of curriculum that they are going to implement during the school year. All of this is specified as a part of the Education Plan. If that plan is not adopted by the Assembly, is there a possibility for that Plan to be put into effect by the Government or the Supervisor? Or you have some other solution for the situation? We cannot use the last year's plan because it anticipates eight schools and this year we have integrated education.

Answer: As I understand the Government is working on two things in parallel. One is answering the questions that the Assembly wanted answers to, and I believe those are the limited number of questions that they can reply to. The other question, which I understand will be underway with and perhaps even completed within the next few days, is the question of assigning specific teachers to specific schools. But this is not an impossibly difficult task. There are only so many classrooms, and only so many schools in Brcko District and we are going to have to use them all.